

***Wayne County Board of Education
Policies Update: (Operations) (8)***

- ***Policy 8210 (Operations: School Calendar)***
- ***Policy 8402 (Operations: Expected Behavior in Safe and Supportive Schools)***
- ***Policy 8451 (Operations: Pediculosis)***
- ***Policy 8452.01 (Operations: Cardiopulmonary Resuscitation Instruction)***
- ***Policy 8510 (Operations: Wellness)***
- ***Policy 8510.01 (Operations: Child Nutrition Standards)***
- ***Policy 8540 (Operations: Vending Machines)***
- ***Policy 8700 (Operations: Lactating Employees)***

***Your comments concerning these policy should be sent
in writing (mail or email) to:***

***Mr. Todd Alexander
Superintendent
Wayne County Board of Education
PO Box 70
Wayne, WV 25570
Email: talexand@k12.wv.us***

***These policies are out for public comment for 10 working days beginning
Friday, March 27, 2026 through Thursday, April 9, 2026.***

Book	Public Comment Period 3/27/26-4/9/26
Section	Vol 16-2/Vol 18-1-Agenda-Second Reading
Title	SCHOOL CALENDAR
Code	po8210
Status	
Adopted	May 26, 2015
Last Revised	June 28, 2018

Technical Correction - Volume 18, No.1 - January 2026

8210 - SCHOOL CALENDAR

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

Not later than the 15th day before the first day of the employment term of each school year, the County Board shall adopt and provide to each classroom teacher, full-time counselor, and full-time librarian employed by the Board a calendar that specifies the days each employee is expected to work for that school year.

Not later than the 15th day before the first day of the employment term of each school year, the County Board shall adopt and provide to each classroom teacher, full-time counselor, and full-time librarian employed by the Board a calendar that specifies the days each employee is expected to work for that school year.

Before the Board votes on a final school calendar, the Board shall hold at least two (2) public hearings on the school calendar. The public notice of the date, time and place of the public hearing must be published in a qualified newspaper as a Class II legal advertisement, in accordance with the provisions of State law (WV Code 59-3-1, et seq.). Notices for both hearings can be published in one (1) advertisement. The first notice must be published at least ten (10) days prior to the first meeting to provide sufficient time for interested parties to plan on attending the hearing. Topics that may be addressed at the public hearing include, but are not limited to:

- A. the total number of instructional days in a school year;
- B. length of school day;
- C. non-instructional days;
- D. out-of-calendar days; and
- E. beginning and end dates of employment and instruction terms.

Pursuant to law, the Board must develop a school calendar each year and submit the proposed calendar to the State Superintendent of Schools (State Superintendent), or designee, by the established deadline.

The Board shall provide a calendar for its schools that contains a minimum employment term for employees of no less than 200 days and an instructional term for students of no less than 180 separate days of instruction. If the Board establishes a longer instructional term for students, the employment term shall be increased by a comparable number of days.

The Superintendent may close schools due to disease, epidemic, hazardous weather conditions, law enforcement emergencies, damage to a school building, utility failure, or inoperability of school buses or other equipment needed for school operations (collectively, "a calamity"), the schools nevertheless must be in session with students in attendance for at least the minimum number of days and hours required by State law.

The minimum instructional term may be decreased by order of the State Superintendent in any district declared a Federal or State disaster area and where the event causing the declaration is substantially related to a reduction of instructional days.

Notwithstanding any provision of State law to the contrary, the State Board may grant a waiver to a district board for its noncompliance with provisions of State law to maintain compliance in reaching the mandatory 180 separate instructional days.

Employment Term

Pursuant to West Virginia State Board of Education policy and State law, the school calendar shall provide for an employment term that meets the following criteria:

- A. An employment term of at least 200 days, excluding Saturdays and Sundays, for all regular, full-time employees, which days need not be successive.
- B. The length of the employment term (from the beginning to closing dates) cannot exceed forty-eight (48) weeks, in accordance with State law.
- C. The minimum employment term shall consist of no less than 180 separate days of instruction, and twenty (20) non-instructional days, comprised of the following:
 1. Seven (7) paid holidays (any combination of the school holidays included in State law, which are: Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day, New Year's Day, Martin Luther King's Birthday, Memorial Day, or West Virginia Day) In compliance with State law, any remaining school holidays are to be scheduled as nonpaid, out of calendar days, and are to be considered as such for all 200 day employment contracts.
 2. An election day, as specified in State law;
 3. Six (6) days to be designated as outside of the school environment, four of which must be scheduled after the 130th day of instruction of the school calendar;
 4. One (1) day to be designated by the Board to be used by the employees for preparations for opening school and one (1) day to be used for preparation for closing school; and
 5. The remaining days to be designated by the Board for purposes to include, but not be limited to:
 - a. curriculum development;
 - b. professional development;
 - c. faculty senate meetings;
 - d. teacher-student-parent conferences;
 - e. professional meetings;
 - f. making up days when instruction was scheduled but not conducted;
 - g. the minimum set time periods for faculty senate meetings as designated by State statute, being at least six (6) two-hour blocks of time, with at least one (1) two-hour block scheduled in the last month of the employment term, and at least one (1) two-hour block scheduled in each of the months of October, December, February and April; and,
 - h. scheduled out-of-calendar days that are to be used for instructional days in the event school is canceled for any reason. An out-of-calendar day is a nonpaid day that is not included as part of the minimum 200-day employment term.

Instructional Term

- A. The school calendar shall provide an instructional term for students of no less than 180 separate days of instruction or equivalent instructional time as set forth below and in West Virginia State Board of Education policy 3234. State law defines an instructional day to mean a day within the 180 instructional term, including the days used to

reschedule canceled instructional days, that meets the following criteria:

1. Instruction is offered to students for at least the minimum amount of hours specified by West Virginia State Board of Education policy 2525, West Virginia's Universal Access to Early Education System for pre-kindergarten, and West Virginia State Board of Education policy 2510 for grades kindergarten through twelve. **[Pre-K no less than 1,500 minutes per week and at least 48,000 minutes annually; grades K-5 315 minutes per day; grades 6-8 330 minutes per day; and grades 9-12 345 minutes per day.]** The instructional day does not include time for homeroom, class changes, breaks/recess, lunch, and other non-instructional activities from the first designated assembling of the student body in groups (homeroom or first period) to the dismissal of the student body;
2. Instructional time is used for instruction and/or co-curricular activities. A co-curricular activity is an activity that is closely related to identifiable academic programs or areas of study that serve to complement the academic and technical curricula for students; and
3. The instruction provided meets the West Virginia content standards.

B. If instructional time is lost due to delayed start time for a school or multiple schools or a school or multiple schools are dismissed early on account of the prevalence of contagious disease, conditions of weather or other calamitous cause over which the Board has no control, the Board will recover lost instructional time by:

1. (x) requiring additional minutes of instruction to the school day beyond the State minimums in the formulation of the calendar (by at least thirty (30) minutes per day beyond the minimum requirements as set forth above for each grade level)

This shall constitute "equivalent" instructional time as set forth in West Virginia State Board of Education policy 3234, and shall be used to recover up to five (5) days of school cancellations for the purposes of meeting the 180 separate day requirement.

2. (x) authorizing the Superintendent to administratively adjust school day schedules after the school term has begun
3. (x) requiring additional days of instruction to be added by converting non-instructional days to instructional days or by using out-of-calendar days for instruction

C. The Superintendent is authorized to develop and implement a plan to require students to access and complete classroom lessons posted on the District's web portal or website, or utilizing other alternative means, to be graded by teachers, in order to make up instructional hours in that school year on days when it is necessary to close school due to inclement weather or other unforeseen circumstances. The maximum amount of instructional time that may be made up in this manner is the equivalent of five (5) school days. Such time shall be considered instructional days for the purpose of meeting the 180 separate day requirement. Once developed, the Superintendent's plan for providing for such non-traditional instruction shall be submitted and approved by the County Board and the West Virginia Department of Education in accordance with West Virginia State Board of Education policy 3234.

D. The Board will not be required to add additional minutes to the instructional day, or convert non-instructional days to instructional days, if all affected schools have accumulated sufficient accrued instructional time through their regular schedules that can be used to make-up the missed time caused by late arrivals and early dismissals.

E. Accrued instructional time is defined as instructional time earned during the instructional term from time added to the instructional day (one [1] to twenty-nine [29] minutes per day) beyond the minimum instructional time required by West Virginia State Board of Education policy 2510. Accrued instructional time may be only used to recover instructional time lost due to: the late arrival or early dismissal of students due to inclement weather; the prevalence of contagious disease; other calamitous cause over which the Board has no control; professional development activities; or to accommodate the scheduling of faculty senate meetings on instructional days. Accrued instructional time cannot be used to avoid 180 separate days of instruction.

F. If it is not possible to provide 180 separate instructional days within the school calendar as originally scheduled, the Board shall schedule instruction on available non-instructional days (other than holidays, election day, or Saturdays and Sundays), regardless of the purpose for which the day was originally scheduled, use a day that was scheduled as an out-of-calendar day, and/or utilize equivalent and/or non-traditional time/days as set forth herein and within the limitations set forth in West Virginia State Board of Education policy 3234.

A non-instructional day is defined as a day within the minimum 200-day employment term in which no instruction is

provided. The Board has the ability to apply for a waiver in accordance with the provisions of State law to assist with meeting the mandatory 180 days of instruction.

G. If an out of calendar day is used as a make-up instructional day, the originally scheduled instructional day that was canceled becomes the out-of-calendar day (unpaid day). In accordance with State law, an employee's pay is not to be adjusted during a pay period because of this revision in the school calendar.

H. The Board may designate specific non-instructional days that are not to be converted to instructional days if it can assure 180 days of instruction.

I. In accordance with West Virginia State Board of Education policy 2510, co-curricular activities may, by their nature, be scheduled without regard to the use of accrued instructional time.

J. Extracurricular activities do not count towards meeting the minimum instructional time for an instructional day. Extracurricular activities include athletics, non-instructional assemblies, social programs, entertainment and other similar activities. Accrued instructional time may not be used to accommodate the scheduling of extracurricular activities during instructional days.

If the Board of Education elects to accumulate equivalent instructional time by extending the school day by at least thirty (30) minutes or more, the school calendar may include up to five (5) days or equivalent portions of days within the instructional term as professional learning days for educators in lieu of instructional days for students, which days are not subject to cancellation or being rescheduled to make-up for instructional days lost. The days must be used as determined by the County Board, without students present and must be used exclusively for activities by educators at the school level which are designed to improve instruction.

Faculty Senate Meetings

In accordance with State law, the school calendar must provide to each faculty senate a two-hour block of time for a faculty senate meeting on a day scheduled for the opening of school prior to the beginning of the instructional term and on a day scheduled for the closing of school ~~and before~~ ~~and the~~ end of the employment term.

The school calendar must also provide at least six (6) additional two (2) hour blocks of time, during non-instructional days. In addition to the opening and closing of school, faculty senate meetings are to be held during the months of October, December, February, and April, for a total of six (6) two (2) hour meetings. Faculty senate meetings can be held on days set aside for late arrivals and early dismissals, or part of a non-instructional day. The portion of the non-instructional day scheduled for the faculty senate meeting shall be considered as part of the purpose for which the non-instructional day is scheduled.

Faculty senates may also schedule a meeting during an instructional day if sufficient accrued instructional time has been earned by a school; however, every school in the district must have earned sufficient time for all faculty senates in the district to meet in this manner.

A faculty senate may also meet for an unlimited block of time during a non-instructional day to discuss and plan strategies to improve student instruction and to conduct other faculty senate business.

A faculty senate may elect to schedule a meeting on an instructional day outside of the instructional time for students, and take compensatory time off on the non-instructional day that is provided by the Board for its meeting, as long as the meeting takes place prior to the day that is scheduled in the school calendar.

If a non-instructional day that is originally scheduled for faculty senates to meet is canceled due to inclement weather, the Board may, but is not required, to reschedule the non-instructional day in order for the faculty senates to meet.

Approval of Appropriate Instructional Time Alternatives

State law provides that alternatives regarding instructional time proposed by the Board or a school may be approved by the State Board of Education so long as the alternative meets the spirit and intent of applicable statutes and are intended solely to optimize student learning.

Pursuant to West Virginia State Board of Education policy 3234, successful schools are distinguishable from unsuccessful schools by the frequency and extent to which teachers discuss professional practices, collectively design materials, and inform and critique each other through collaborative planning, examination of student data, and participation in high quality professional learning experiences.

To achieve successful schools, the State Board of Education must have reasonable discretion to balance the local autonomy and flexibility needed by schools to deliver a thorough and efficient education as evidenced in a proposal that includes:

- A. sufficient time within the instructional term to promote the improvement of instruction and instructional practices;
- B. school-level determination of alternatives affecting time within the school day that provide teachers with:
 - 1. sufficient planning time to develop engaging, differentiated instruction for all students in all classes, and
 - 2. collaborative time for teachers to undertake and sustain instructional improvement;
- C. consideration of how learning time must not be assumed solely to be the time that a student is seated at a desk, but can also include time in the school day during which actively engages students in the learning process; and
- D. articulation of how schools are provided the opportunity to determine which methods will be utilized to ensure teachers can plan individually and collectively to maximize learning time, such as:
 - 1. scheduling;
 - 2. using special subject teachers and guest presenters;
 - 3. dedicating time set aside for professional learning experiences and/or staff development;
 - 4. implementing alternative staff utilization patterns;
 - 5. providing opportunities for administrators to teach; and/or
 - 6. utilizing accrued instructional time.

Submission of School Calendar to West Virginia Board of Education for Approval

In accordance with State law, prior to implementing the school calendar, the Board must secure approval of the proposed school calendar from the West Virginia Board of Education.

Unless the West Virginia Board of Education requests otherwise, the authority to approve the annual school calendar is delegated to the State Superintendent. This does not include the approval of waiver requests.

The school calendar, and any additional requested information, must be submitted in accordance with the annual instructions issued by the State Superintendent.

WV Code 18-2-23a

WV Code 18-2-5(c)

WV Code 18A-5-2

WV Code 18-5A-5

WV Code 18-5-45

WV Code 18-5-45(k)

WV Code 18-5-45(o)

WV Code 18-5-45(B)

WV Code 59-3-1 et seq.

West Virginia State Board of Education policy 2510

West Virginia State Board of Education policy 3234

© Neola ~~2024~~ 2026

Legal

WV Code 18-2-23a

WV Code 18-2-5(c)

WV Code 18A-5-2

WV Code 18-5A-5

WV Code 18-5-45

WV Code 18-5-45(k)

WV Code 18-5-45(o)

WV Code 18-5-45(B)

WV Code 59-3-1 et seq.

West Virginia Board of Education policy 2510

West Virginia Board of Education policy 3234

Cross References

po3251 - TEACHER WORK LOAD/SCHEDULES

Book	Public Comment Period 3/27/26-4/9/26
Section	Vol 16-2 Agenda-Second Reading
Title	Technical Correction - Volume 16, No. 2 - December 2024 - EXPECTED BEHAVIOR IN SAFE AND SUPPORTIVE SCHOOLS
Code	po8402
Status	
Adopted	May 26, 2015
Last Revised	April 23, 2024

Technical Correction - Volume 16, No. 2 - December 2024

8402 - EXPECTED BEHAVIOR IN SAFE AND SUPPORTIVE SCHOOLS

The Board of Education recognizes the need for students, teachers, administrators, and other school personnel to have a safe and supportive educational environment. The Board of Education believes further that public schools should undertake proactive, preventive approaches to ensure a positive school climate/culture that fosters learning and personal-social development. The Board shall implement policies and administrative guidelines to create and support continuous school climate/culture improvement processes within all schools that shall ensure an orderly and safe environment that is conducive to learning. The schools shall create, encourage, and maintain a safe, drug-free, and fear-free school environment in the classroom, on the playground, and at school-sponsored activities. Assuring such an educational environment requires a comprehensive plan supported by everyone in the school organization, as well as parents/guardians and the community.

The regulations in the Manual for Expected Behavior in Safe and Supportive Schools set forth unacceptable behaviors that undermine a school's efforts to create a positive school climate/culture. These unacceptable behaviors are prohibited on all school property and during any event that is sponsored by a school or the District. The District shall respond quickly and consistently, in accordance with these regulations, when the individual has engaged in one of these prohibited behaviors. The response to such behavior shall be in a manner that effectively deters future incidents and affirms respect for individuals.

The expectations outlined in the Manual for Expected Behavior in Safe and Supportive Schools apply in schools of this District during any education-sponsored event, whether in a classroom, elsewhere on school premises, on a school bus or other vehicle used for a school-related event, or at a District or school-sponsored activity or event, whether or not it is held on school premises, in a building or other property used or operated by the Board, Educational Services Cooperative (ESC), WVDE, West Virginia State Board of Education (WVBE) or in another facility or upon any other property being used by any of these agencies. These expectations apply to students, staff and public guests respectively as noted within the Manual for Expected Behavior in Safe and Supportive Schools. The consequences of violating these expectations are as follows:

- A. Students shall be subject to the interventions and consequences outlined in ~~Chapter 4 of the West Virginia Manual for Expected Behavior in Safe and Supportive Schools, WVBE policy 4373.~~
- B. School staff shall be subject to disciplinary and/or licensure action in accordance with ~~West Virginia WV Code.~~
- C. Public guests in public schools shall be subject to removal from school property/events and appropriate notification of local authorities as warranted.

This policy does not supersede any rights granted to special education students by Federal or State law or other ~~West Virginia State Board of Education WVBE policy.~~

In order to satisfy the requirements of ~~West Virginia State Board of Education WVBE policy 4373, Expected Behaviors in Safe and Supportive Schools,~~ the Board adopts ~~West Virginia State Board of Education WVBE policy 4373 and the West Virginia Procedures Manual for Expected Behavior in Safe and Supportive Schools (http://wvde.state.wv.us/policies/)~~ and is incorporated by reference into this policy. However, the Board may adopt additional policies as authorized by ~~West Virginia~~

~~State Board of Education~~ WVBE policy 4373 and, nothing herein shall be interpreted to be in conflict with ~~West Virginia State Board of Education~~ WVBE policy 4373 and the Procedures Manual for Expected Behavior in Safe and Supportive schools.

See also:

~~Policy 2414 Substance Abuse and Tobacco Education Program~~
~~Policy 2430 County Sponsored Clubs and Activities~~
~~Policy 2430.02 Participation in Extra-Curricular Activities~~
~~Policy 2431 Interscholastic Athletics~~
~~Policy 2440 Summer School~~
~~Policy 2451 Alternative School Programs~~
~~Policy 3215 Use of Tobacco by Professional Staff~~
~~Policy 3362 Anti Harassment and Violence~~
~~Policy 3362.02 Anti Harassment of Persons with a Disability~~
~~Policy 4215 Use of Tobacco by Service Personnel~~
~~Policy 4362 Anti Harassment and Violence~~
~~Policy 4362.02 Anti Harassment of Persons with a Disability~~
~~Policy 5113 Intra-State Enrollment~~
~~Policy 5113.02 School Choice Options Provided by the No Child Left Behind Act~~
~~Policy 5500 Student Code Conduct~~
~~Policy 5512 Use of Tobacco by Students~~
~~Policy 5517 Anti Harassment and Violence~~
~~Policy 5517.01 Bullying~~
~~Policy 5517.03 Anti Harassment of Persons with a Disability~~
~~Policy 5530 Substance Abuse Prevention~~
~~Policy 5540 The Schools and Community Agencies~~
~~Policy 5600 Student Discipline~~
~~Policy 5610 Exclusion, Suspension and Expulsion of Students~~
~~Policy 5611 Suspension Student Due Process Rights~~
~~Policy 5630.01 Use of Restraint and Seclusion with Students~~
~~Policy 5772 Weapons~~
~~Policy 7434 Use of Tobacco on School Premises~~
~~Policy 7510 Use of County Facilities~~

~~AG 3362 Anti Harassment~~
~~AG 3362A Reporting Threatening Behaviors~~
~~AG 4362 Anti Harassment~~
~~AG 4362A Reporting Threatening Behaviors~~
~~AG 5113 Admission of Students from Other West Virginia Counties~~
~~AG 5517 Anti Harassment~~
~~AG 5517.01 Harassment, Intimidation or Bullying~~
~~AG 5530A Use of Anabolic Steroids~~
~~AG 5610 Suspension and Expulsion~~
~~AG 5630A Alternatives to Corporal Punishment~~
~~AG 5723 Students Rights of Expression~~
~~AG 7510A Use of District Facilities~~

~~Form 7510 F1 Request for Use of School Facilities~~
~~Form 7510 F2 Regulations for Use of Facilities~~

Copies of ~~West Virginia State Board of Education~~ WVBE policy 4373 are available at the District office.

~~West Virginia State Board of Education~~ WVBE policy 4373

© Neola 2024

Legal WVBE policy 4373

Cross References po2414 - DRUG PREVENTION AND VIOLENCE REDUCTION EDUCATION PROGRAM
 po2430 - DISTRICT-SPONSORED CLUBS AND ACTIVITIES

po2430.02 - PARTICIPATION IN EXTRA-CURRICULAR ACTIVITIES
po2431 - INTERSCHOLASTIC ATHLETICS
po2440 - SUMMER SCHOOL
po2451 - ALTERNATIVE SCHOOL PROGRAMS
po3215 - USE OF TOBACCO BY PROFESSIONAL STAFF
po3362 - ANTI-HARASSMENT AND VIOLENCE
po3362.02 - ANTI-HARASSMENT OF PERSONS WITH A DISABILITY
po4215 - USE OF TOBACCO BY SERVICE PERSONNEL
po4362 - ANTI-HARASSMENT AND VIOLENCE
po4362.02 - ANTI-HARASSMENT OF PERSONS WITH A DISABILITY
po5113 - OPEN ENROLLMENT FOR NONRESIDENT STUDENTS
po5113.02 - SCHOOL CHOICE OPTIONS
po5500 - STUDENT CODE OF CONDUCT
po5512 - USE OF TOBACCO BY STUDENTS
po5517 - ANTI-HARASSMENT AND VIOLENCE
po5517.01 - BULLYING
po5517.03 - ANTI-HARASSMENT OF PERSONS WITH A DISABILITY
po5530 - SUBSTANCE ABUSE PREVENTION
po5540 - THE SCHOOLS AND COMMUNITY AGENCIES
po5600 - STUDENT DISCIPLINE
po5610 - EXCLUSION FROM CLASSROOM OR SCHOOL BUS, SUSPENSION, AND
EXPULSION OF STUDENTS
po5611 - DISCIPLINE - STUDENT DUE PROCESS RIGHTS
po5630.01 - USE OF RESTRAINT AND SECLUSION WITH STUDENTS
po5772 - WEAPONS
po7434 - USE OF TOBACCO ON SCHOOL PREMISES
po7510 - USE OF DISTRICT FACILITIES

Book	Public Comment Period 3/27/26-4/9/26
Section	Vol 16-1 Agenda 3/24/26-Second Reading
Title	New Policy - Vol. 16, No. 1 - February 2024 - PEDICULOSIS
Code	po8451
Status	

New Policy - Vol. 16, No. 1 - February 2024**8451 - PEDICULOSIS (HEAD LICE)**

Head lice are present in the community at all times and can be particularly prevalent among preschool and elementary school-age children. Lice are a nuisance but do not spread disease. Control of lice infestation is best handled by adequate treatment of the infested person and their immediate household and other close personal contacts. Contracting head lice is not an indicator of cleanliness or socioeconomic status.

Communication from the school to parents directly and through parent and classroom education to the students will help increase the awareness for both parents and the child. It is the responsibility of the parent(s) to check their child's head on a regular basis for signs of head lice and treat adequately and appropriately as necessary. Control depends on prompt case finding and effective treatment.

Definitions

Pediculosis - an infestation of lice.

Infestation - the presence of live lice, typically on the head.

Lice - the plural form of louse.

Nit - the egg of a louse.

If a child in the District is found to have head lice or untreated nits, the school staff will notify the parent and ask to pick the child up at the end of the school day and administer an FDA-approved lice treatment (e.g., pediculicide/ovicide), treatment by a qualified healthcare provider, or treatment at a clinic specializing in lice and nit removal but the child will remain in the classroom until the end of the day.

The Principal or designee will determine the type of activities the student will be engaged in for the rest of the day to minimize physical contact with other students. If head-to-head contact is possible, the student will be excused from those activities. Further, if appropriate, the student's desk will be positioned such that the infested student and his/her hair cannot come into contact with other students or their desks.

[DRAFTING NOTE: It is recommended by the Center for Disease Control, National School Nurses Association and the American Academy of Pediatrics that students found to have live lice or nits should be allowed to remain in the classroom until the end of the day and return to school after appropriate use of an FDA approved pediculicide/ovicide treatment has been completed and no live lice are found.]

© Neola 2024

Legal [Centers for Disease Control and Prevention. \(2019\). Head lice general information.](#)

Book Public Comment Period 3/27/26-4/9/26

Section Vol 16-1 Agenda 3/24/26-Second Reading

Title Rescinded Policy - Vol. 16, No. 1 - February 2024 - CARDIOPULMONARY RESUSCITATION INSTRUCTION

Code po8452.01

Status

Adopted February 8, 2022

Rescinded Policy - Vol. 16, No. 1 - February 2024

8452.01 CARDIOPULMONARY RESUSCITATION INSTRUCTION

~~The State Board shall cause to be taught in all of the public schools of this state the subject of health education, including instruction in any of the grades 6 through 12 as considered appropriate by the Board of Education, on education concerning cardiopulmonary resuscitation and first aid, including instruction in the care for conscious choking, and recognition of symptoms of drug or alcohol overdose.~~

~~The required instruction in cardiopulmonary resuscitation shall include at least () thirty (30) () _____ () [end of option] minutes of instruction for each student prior to graduation on the proper administration of cardiopulmonary resuscitation (CPR) and the psychomotor skills necessary to perform cardiopulmonary resuscitation. The term "psychomotor skills" means the use of hands on practicing to support cognitive learning. Cognitive only training does not qualify as "psychomotor skills". The CPR instruction must be based on an instructional program established by the American Heart Association or the American Red Cross or another program which is nationally recognized and uses the most current national evidence based Emergency Cardiovascular Care guidelines and incorporates psychomotor skills development into the instruction. A licensed teacher is not required to be a certified trainer of cardiopulmonary resuscitation to facilitate, provide or oversee such instruction. The instruction may be given by community members, such as emergency medical technicians, paramedics, police officers, firefighters, licensed nurses and representatives of the American Heart Association or the American Red Cross. These community members are encouraged to provide necessary training and instructional resources such as cardiopulmonary resuscitation kits and other material at no cost to the schools.~~

~~[] The Board shall provide for CPR instruction for a longer period of time to incorporate into the instruction the use of an automated external defibrillator (AED). The instruction that results in a certification being earned must be taught by an authorized CPR/AED instructor.~~

© Neola 2021

Legal WV Code 18-2-9(b) and (d)

Book	Public Comment Period 3/27/26-4/9/26
Section	Super Update 3-18-26-Agenda-Second Reading
Title	Wellness
Code	po8510
Status	
Adopted	May 26, 2015
Last Revised	February 8, 2022

8510 - WELLNESS

As required by law, the Board of Education establishes the following wellness policy for the Wayne School District.

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

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

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

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

1. Nutrition education shall be integrated into other subject areas of the curriculum, when appropriate, to complement, but not replace, the standards and benchmarks for health education.
2. Nutrition education posters, ~~such as the Food Pyramid Guide~~, will be displayed in the cafeteria.
3. The school cafeteria shall serve as a learning lab by allowing students to apply the knowledge, attitudes, and skills taught in the classroom when making choices at mealtime.
4. Nutrition education shall extend beyond the school by engaging and involving families and the community.
5. Nutrition education shall reinforce lifelong balance by emphasizing the link between caloric intake (eating) and exercise in ways that are age-appropriate.
6. Nutrition education standards and benchmarks promote the benefits of a balanced diet that includes fruits, vegetables, whole grain products, and low-fat and fat-free dairy products.

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

1. **Physical Education:**

- a. All students in grades K-5, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive instruction in physical education for at least thirty (30) minutes, three (3) days per week. Physical activity in the form of recess or informal physical activity will be provided for no fewer than thirty (30) minutes daily for all students.
- b. All students in grades 6-8, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive at least one (1) full period of instruction in physical education each school day of one (1) semester of the school year, including physical exercise and age-appropriate physical activities, and shall have the opportunity to enroll in an elective lifetime physical education course.
- c. All students in grades 9-12, including those with disabilities, special health care needs and in alternative educational settings (to the extent consistent with the students' IEPs), shall receive at least one (1) full course of instruction in physical education, including physical exercise and age-appropriate physical activities, and shall have the opportunity to enroll in an elective lifetime physical

education course.

- d. Physical education classes shall provide students with opportunities to learn, practice, and be assessed on developmentally appropriate motor skills and social skills, as well as knowledge.

- e. **Physical education classes shall implement a curriculum that connects the relationship between physical activity and good nutrition and health.**

2. Physical Activity:

- a. Physical activity shall not be employed as a form of discipline or punishment.
- b. Physical activity and movement shall be integrated, when possible, across the curricula and throughout the school day.
- c. All after-school programs shall provide developmentally appropriate physical activity for the students who participate.

C. With regard to other school-based activities:

1. Free drinking water shall be available to students during designated meal times and may be available throughout the school day.
2. The schools shall provide at least ten (10) minutes daily for students to eat breakfast, and at least twenty (20) minutes daily for students to eat lunch.
3. The schools shall schedule mealtimes so there is minimum disruption by bus schedules, recess, and other special programs or events.
4. The school shall provide attractive, clean environments in which the students eat.
5. Students at Wayne County School District are permitted to have bottled water only in the classroom.
6. Activities, such as tutoring or club meetings, shall not be scheduled during mealtimes, unless students may eat during those meetings.
7. The schools may use environmentally friendly practices, such as the use of locally grown foods and non-disposable tableware and dishes.
8. The schools may provide opportunities for staff, parents, and other community members to model healthy eating habits by dining with students in the school dining areas, when appropriate.
9. Students are discouraged from sharing their foods or beverages with one another during meal times, given concerns about allergies and other restrictions on some students' diets.

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

Additionally, the District shall:

1. create an environment that reinforces the development of healthy eating habits, including offering the following healthy foods that comply with the USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards and WVDE Policy 4321.1, Standards for School Nutrition:
 - a. a variety of fresh produce to include those prepared without added fats, sugars, refined sugars, and sodium;
 - b. a variety of vegetables daily to include specific subgroups as defined by dark green, red/orange, legumes, and starchy;
 - c. whole grain products – ~~half~~80% of all grains need to be whole grain-rich ~~upon initial implementation and all grains must be whole grain rich within two (2) years of implementation;~~
 - d. fluid milk that is fat-free (unflavored and flavored) and low-fat (unflavored);
 - e. meals designed to meet specific calorie ranges for age/grade groups;
 - f. require students to select a fruit or vegetable as part of a complete reimbursable meal;
2. ~~eliminate trans fat from school meals;~~

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

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

School nutrition standards.

- G. In accordance with WVDE Policy 4321.1, Rewarding children in the classroom should not involve candy and other foods that can undermine children's diets and health and reinforce unhealthy eating habits. A wide variety of alternative rewards can be used to provide positive reinforcement for children's behavior and academic performance.
- H. **In accordance with West Virginia Legislative Law (WV HB 2354), certain synthetic food dyes in foods and beverages served as part of school meals are prohibited. Schools must ensure that all items served during breakfast, lunch and snacks are free from the following dyes:**
- **Red Dye No. 3 (CAS Reg No. 16423-68-0)**
 - **Red Dye No. 40 (CAS Reg No. 25956-17-6)**
 - **Yellow Dye No. 5 (CAS Reg No. 1934-21-0)**
 - **Yellow Dye No. 6 (CAS Reg, No. 2783-94-0)**
 - **Blue Dye No. 1 (CAS Reg No. 3844-45-8)**
 - **Blue Dye No. 2 (CAS Reg No. 860-22-0)**
 - **Green Dye No. 3 (CAS Reg No. 2353-45-9)**

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

- A. In accordance with Policy 8500, entitled Food Service, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program.
- B. As set forth in Policy 8531, entitled Free and Reduced Price Meals, the guidelines for reimbursable school meals meet or exceed the regulations issued by the U.S. Department of Agriculture (USDA).
- C. The District shall comply with Child Nutrition Standards in accordance with Policy 8510.01 and West Virginia State Board of Education policy 4321.1.
- D. All food items and beverages available for sale to students for consumption on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) between midnight and thirty (30) minutes after the close of the regular school day shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, including, but not limited to, competitive foods that are available to students a la carte or as entrees in the dining area (except entree items that were offered on the National School Lunch Program (NSLP) or School Breakfast Program (SBP) menu on the day of and the day after they are offered on the NSLP or SBP menu), as well as food items and beverages from vending machines, from school stores, or as fund-raisers, including those operated by student clubs and organizations, parent groups, or boosters clubs.
- E. All foods offered on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, including competitive foods that are available to students a la carte in the dining area, as classroom snacks, or from vending machines. In addition to caffeine, the sale, service, or distribution of any foods or beverages containing non-nutritive/artificial sweeteners is prohibited.
- F. All food and beverages that are provided, other than through sale, on the school campus during the school day (which may include for classroom parties and at holiday celebrations) shall comply with the current USDA Dietary Guidelines for Americans.
- G. The food service program will provide all students affordable access to the varied and nutritious foods they need to be healthy and to learn well regardless of unpaid meal balances,
- H. The food service program will strive to be financially self-supporting; however, if it is necessary to subsidize the operation, it will not be through the sale of foods with minimal nutritious value.
- I. ~~Nutrition information for competitive foods available during the school day shall be readily available near the point of purchase.~~
- J. All foods available to students in District programs, other than the food service program, shall be served with consideration for promoting student health and well-being.
- K. The food service program shall be administered by a qualified nutrition professional.
- L. The food service program shall be administered by a director who is properly qualified, certificated, licensed, or credentialed, according to current professional standards.

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

The Superintendent shall appoint a District-wide Wellness Committee that meets ~~at least four (4) times per year~~ annually and includes parents, students, representatives of the school food authority, educational staff (including health and physical education teachers), mental health and social services staff, school health professionals, members of the

public, and school administrators to oversee development, implementation, evaluation and periodic update of this policy. The Wellness Committee shall be an ad hoc committee with members recruited and appointed annually. School-level health advisory teams may assist in the planning and implementation of these Wellness initiatives.

The Wellness Committee shall be responsible for:

- A. assessment of the current school environment;
- B. review of the District's Wellness policy;
- C. presentation of the Wellness policy to the Board for approval;
- D. measurement of the implementation of the policy; and
- E. recommendation for the revision of the policy as necessary.

Before the end of each school year, the Wellness Committee shall recommend to the Superintendent any revisions to the policy it deems necessary and/or appropriate. In its review, the Wellness Committee shall consider evidence-based strategies in determining its recommendations.

The Superintendent shall report annually to the Board on the Wellness Committee's progress and on its evaluation of the policy's implementation and areas for improvement, including status of compliance by individual schools and progress made in attaining the policy's goals.

Body mass index measures shall be used as an indicator of progress toward promoting healthy lifestyles among students. ~~Body mass index measures shall be included in kindergarten screening procedures.~~ Students in grades four through eight and students enrolled in high school education courses shall have their body mass index measured through required fitness testing procedures. Body mass index measures shall be reported to the State Department of Education via the West Virginia Education Information System.

The Superintendent is also responsible for informing the public, including parents, students, and community members, on the content and implementation of this policy. In order to inform the public, the Superintendent shall include information in the student handbook; ~~and~~ or post the policy on the District's website, including the Wellness Committee's assessment of the policy's implementation.

The District shall assess the Wellness Policy at least once every three (3) years on the extent to which schools in the District are in compliance with the District policy, the extent to which the District policy compares to model wellness policies, and the progress made in attaining the goals of the District Wellness Policy. The assessment shall be made available to the public on each individual school's web site.

Revised 8/14/18

© Neola 2021

Legal

42 U.S.C. 1751, Sec. 204

42 U.S.C. 1771

WV Code 18-2-7a

Book	Public Comment Period 3/27/26-4/9/26
Section	Super Update 3-18-26-Agenda-Second Reading
Title	Child Nutrition Standards
Code	po8510.01
Status	
Adopted	May 26, 2015
Last Revised	October 11, 2022

8510.01 - CHILD NUTRITION STANDARDS

Good nutrition enhances learning and the quality of life. The purpose of this policy is to ensure a school environment that promotes optimal nutrition for students.

Operational Definitions

- A. "Bottled water" or "Water" is defined as plain natural water with or without carbonation and containing no additives.
- B. "Beverages" and allowable limits will be determined and defined by USDA Smart Snacks guidelines, with the exception of caffeine. Caffeine is prohibited from being sold, served, or distributed in West Virginia public schools.
- C. "Child Nutrition Director" is defined as the person responsible for administering, planning, directing, assessing, implementing, and evaluating child nutrition programs in order to meet the nutritional and educational needs of students, as they relate to the child nutrition program; may also be titled as "Food Service Director" or "School Nutrition Director."
- D. "Competitive Foods" is defined as any food item that is sold in competition to the reimbursable school meal.
- E. "Food Service Area" is defined as any area on school premises where reimbursable meals are served and/or consumed by students.
- F. "School Day" for nutritional purposes, is defined by USDA guidelines as the period from midnight before to thirty (30) minutes after the official school day.
- G. "School Campus" is defined as a collection of buildings and grounds that belong to a given academic institution.
- H. "Water bottle filling station" means a station to which the following apply:
 - 1. The station is designed to fill a bottle with water.
 - 2. The station dispenses filtered drinking water.
 - 3. The station may be integrated into a drinking fountain.
 - 4. The station shall be touchless for sanitary reasons.

Nutrition Standards for Child Nutrition Programs

Nutrition standards for federally-funded school and child nutrition programs are determined at the federal level. The WVDE is responsible for technical assistance and compliance monitoring related to program implementation at the local level.

Nutrition Standards for Competitive Foods and Beverages

- A. The Smart Snacks in School nutrition standards apply to any foods sold to students during the school day on the school campus, including foods sold as fundraisers. Foods that do not meet these Federal standards cannot be sold to students on the school campus during the school day. Standards do not apply during non-school hours, on weekends, and at off school campus fundraising events, though local wellness policies may still apply. These standards apply to foods sold outside the National School Lunch Program (NSLP) and the School Breakfast Program (SBP). The only exception is as per WV Code 18-2-6a where a District may permit the sale of healthy beverages and soft drinks in high schools.

- B. Food and beverage contracts must comply with West Virginia State Board of Education policy 8200, Purchasing Policies and Procedures Manual for Local Educational Agencies.
- C. Except for foods served in the school nutrition programs, no food shall be sold, served or distributed to students on elementary school campuses from the time the first child arrives until twenty (20) minutes after all students are served lunch.
- D. Food and beverages may not be sold, served or distributed in competition with the Federal child nutrition programs in school campus food service areas during the meal service periods.
- E. In addition to caffeine, the sale, service, or distribution of any foods or beverages containing non-nutritive/artificial sweeteners is prohibited.
- F. **In accordance with West Virginia Legislative Law (WV HB 2354), certain synthetic food dyes in foods and beverages served as part of school meals are prohibited. Schools must ensure that all items served during breakfast, lunch and snacks are free from the following dyes:**
 - A. **Red Dye No. 3 (CAS Reg No. 16423-68-0)**
 - B. **Red Dye No. 40 (CAS Reg No. 25956-17-6)**
 - C. **Yellow Dye No. 5 (CAS Reg No. 1934-21-0)**
 - D. **Yellow Dye No. 6 (CAS Reg, No. 2783-94-0)**
 - E. **Blue Dye No. 1 (CAS Reg No. 3844-45-8)**
 - F. **Blue Dye No. 2 (CAS Reg No. 860-22-0)**
 - G. **Green Dye No. 3 (CAS Reg No. 2353-45-9)**

A la Carte Sales

To operate school-based nutrition programs as efficiently as possible, while maximizing federal reimbursement and minimizing the overall cost to the county, all meals must be priced and served as a unit. Only fluid milk and bottled water may be sold as a la carte items for breakfast and lunch at any grade level.

Availability of Drinking Water

Schools participating in the NSLP must make potable water available to children at no charge where meals are served during the meal service. Schools shall make available water throughout the school day at no charge.

Water Bottle Policy

If a school has a water bottle filling station(s), students may bring water bottles for use during school and these requirements shall be followed:

- A. Water bottles must have secure caps.
- B. Students may not share water bottles.
- C. Empty bottles should, on a regular basis, be recycled (if appropriate), discarded, or taken home for sanitation and reuse.
- D. Students misusing water bottles will be subject to disciplinary action.

Adequate Time for Meal Consumption

Adequate time is necessary for student meal consumption. Each student shall be allowed a minimum of ten (10) minutes for breakfast and twenty (20) minutes for lunch after the student received the meal.

Staffing

Each Superintendent shall designate a School Nutrition Program Director according to the criteria listed below. The school nutrition director must hold an authorization endorsed as school nutrition program director that is approved and issued by the WVDE. The School Nutrition Director is directly responsible for the management of the day-to-day operations of food service for all participating schools under the jurisdiction of the school.

The applicant for licensure must provide evidence of satisfying the following:

- A. at a minimum, hold a bachelor's degree and a minimum 2.5 overall GPA including six (6) semester hours of coursework related to nutrition, food, and/or food service management or WVDE approved training as provided by the OCN. The six (6) semester hours or approved training must be completed within ninety (90) days of the start date. The applicant for licensure must also provide evidence of at least eight (8) hours of food safety training obtained no more than five years prior to or within thirty (30) days of start date.

Receive the recommendation of the Superintendent verifying that the applicant is the most qualified candidate for the position.

The Temporary Authorization for School Nutrition Directory shall be valid for three (3) school years.

The applicant for renewal of the Temporary Authorization for School Nutrition Program Director must provide evidence of satisfying the following:

- A. completion of twelve (12) clock hours of job-specific training each year related to child nutrition programs;
must maintain a valid food safety certification while employed in the school meal program.

Wellness Policy

The Board must establish a local wellness policy for all schools participating in the NSLP and/or SBP under the jurisdiction of the Board. The District wellness policy is a Federal requirement that must include methods to promote student wellness, prevent and reduce childhood obesity, and provide assurance that school meals and other foods and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable Federal and State standards. The policy must include specific goals for nutrition promotion and education, physical activity, and other school-based activities that are designed to promote student wellness; standards and nutrition guidelines for all foods and beverages sold to students on the school campus during the school day that are consistent with Federal regulations; standards for all foods and beverages provided, but not sold to students during the school day; policies for food and beverage marketing that allow marketing and advertising of only those foods and beverages that meet Federal nutrition standards; and, a description of the public involvement, public updates, policy leadership, and evaluation plan. Provisions in the final Federal rule regulate that the Board must establish wellness policy leadership to the [] Superintendent or [] School Nutrition Director who have the authority and responsibility to ensure each school complies with the policy. The District and each school participating in the NSLP and/or SBP will inform the public about the content and implementation of the local school wellness policy. At a minimum, the Board must permit participation by the general public and the school community (including parents, students, and representatives of the school food authorities, teachers of physical education, school health professionals, the school board and school administrators) in the wellness policy process. The final rule requires State agencies to assess compliance with the wellness policy requirements as part of the general areas of the administrative review every three (3) years. The Board must conduct an assessment of the wellness policy every three (3) years, at a minimum. This assessment will determine compliance with the wellness policy, how the wellness policy compares to model wellness policies, and progress made in attaining the goals of the wellness policy. The USDA does not specify the frequency of updates to the local school wellness policy, as the need to update will vary based upon the content and structure of the Board's policy.

Special Dietary Considerations and Food Allergies

- A. Special care and consideration must be taken regarding any and all scenarios where students with special dietary needs and food allergies are present.
- B. Only a parent, guardian, or designee for the parent/guardian as provided in writing to the school, may deliver outside foods and beverages to their own student at school. This does not apply to food that is provided for a special event inclusive of all students in the class.
- C. The wellness policy set and maintained at the District is a Federal requirement. Snacks provided to students during the school day will meet standards set by the District in accordance with its wellness policy. If the District chooses to allow outside foods to be made available for the general student population, it will communicate with parents/guardians acceptable foods and beverages that meet nutrition and safety standards for classroom snacks and celebrations. Students with special dietary needs and food allergies must be considered at all times when outside foods are provided in a general setting. Schools should operate with the utmost care and caution when allowing outside foods to be provided to students. The District must use its wellness policy to identify its plan to accommodate students with special dietary needs and food allergies when choosing to allow outside snacks to be provided. School health teams can serve as resources.
- D. Students with disabilities who have chronic conditions, including but not limited to asthma, diabetes, gastrointestinal disorders, cardiac disorders, and known food allergies are eligible for an Individualized Health Care Plan (IHCP) developed by the certified school nurse; a Section 504 Plan; or an Individualized Education Program (IEP) inclusive of a Medical Statement for Special Dietary Needs.
- E. As directed in West Virginia State Board of Education policy 2422.7, all schools are required to report any reactions resulting in the administration of epinephrine injections and administration of naloxone in the District. Other food safety concerns including contaminants such as drugs, chemicals, microorganisms and unknown substances, allergic reactions, medication incidents, etc. shall also be reported. The incidents shall be reported to the West Virginia Poison Center by calling 1-800-222-1222 after emergency medical services has transported the student or staff member to acute care. The notification should include the name of the student, the student's age and gender, date and the approximate time the incident occurred, symptoms observed, who administered the injection, the name of the school the student attends, a contact telephone number, if appropriate the rationale for administering the injection, the response to the epinephrine administration, the dose of epinephrine administered, and any other necessary elements to provide a complete report for the individual situation. The West Virginia Poison Center will provide the expertise during a potential concern and will work collaboratively with schools and parents/guardians and provide data upon request to the public schools, local boards of education, and annually to the State Superintendent of Schools.

Feed to Achieve Emergency School Food Act - WV Code 18-5D-6

The Board recognizes the importance of gathering information from students to reduce food insecurity for students when schools are closed. A periodic assessment of the needs for District students and availability of District resources is helpful in determining what type of resources are available and needed to reduce food insecurity for students when they are not in school.

The expansion of the Shared Table Initiative to include a program to encourage the District schools to locate, participate in, and initiate programs to provide meals during summers and nonschool-day times when some children may not have access to healthy meals may assist in reducing food insecurity for many children.

The District may conduct an annual Districtwide survey of public-school students to determine their noninstructional or nontraditional remote learning and virtual school day eating patterns and the availability of nutritious food to them when schools are closed. The West Virginia Office of Child Nutrition may assist and facilitate with this survey to determine the need for supplemental food services. A student shall not be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information as per Board policy 2416.

The District may collect and compile information regarding the availability of food resources in the District during noninstructional or nontraditional remote learning days as well as include a plan that includes virtual school students and distribute this information to all students. These resources may include any public, private, religious group, or charity that will provide food to children with food insecurity.

The District may investigate and implement any program that may facilitate this initiative including, but not limited to, entrepreneurship programs to foster innovation, utilizing participation in programs as a positive discipline option, and creating mentorship programs or other opportunities to participate in the feeding program.

The Board may provide an annual Districtwide or a coordinated regional training opportunity, with assistance from the West Virginia Office of Child Nutrition, that ensures any entity that potentially qualifies as a summer feeding site according to the District survey, is afforded the opportunity to receive training on the operation of a feeding site.

The District may provide its survey, a summary of its activities, and any findings or recommendations the Board has to the West Virginia Office of Child Nutrition at a date determined each year by that office.

Each school may include in its crisis response plan, created pursuant to WV Code, an assessment and plan to feed students during noninstructional or nontraditional remote learning days and public virtual school students that includes emergency situations that may require innovative ways to deliver food to student homes. Community support and resources should be utilized when creating this plan.

Accountability and Compliance

As required by the Healthy and Hunger-Free Kids Act of 2010, the administrative review process in the NSLP and SBP has been established to utilize a unified accountability system designed to ensure that school food authorities offering school meals comply with program requirements. Additionally, this act requires state agencies to publicly disclose a summary of the administrative review results. These elements are expected to strengthen program integrity through a more robust, effective, and transparent process for monitoring school nutrition programs.

Feed to Achieve – Innovation Breakfast Delivery Strategies

The Board shall establish and operate school nutrition programs under which, at a minimum, a nutritious breakfast and lunch are made available to all students enrolled in the schools of the District in accordance with WVBE standards. All schools are required to collaborate with the OCN to develop strategies and methods to increase the percentage of students participating in the school breakfast and lunch nutrition programs and adopt a delivery system approved by the OCN to ensure that all students are given an opportunity to eat breakfast. These approved systems shall include, but are not limited to: Grab-and-Go Breakfasts, Breakfast in the Classroom, or Breakfast After First Period.

Rewards and Penalties

The District and its schools are prohibited from penalizing students due to unpaid and/or outstanding meal debt. This includes, but is not limited to: denial of meals, prohibition of participating in extra-curricular activities, the denial of participation in graduation, and/or the refusal of transcript requests. Students shall not be denied a meal or served an alternative meal as a result of unpaid meal debt. All communication addressing financial matters shall be directed to parents/guardians. Practices, including but not limited to, putting stickers or wristbands on children to remind parents/guardians to pay unpaid fees are prohibited. Schools are prohibited from identifying or stigmatizing students with meal debt or require them to complete chores or work in exchange for meals.

Food and beverages shall not be offered as a reward and/or used as a means of punishment or disciplinary action for any student during the school day.

Revised 3/15/16

Revised 8/14/18

Revised 12/10/19

© Neola 2022

Legal

West Virginia State Board of Education policy 4320

West Virginia State Board of Education policy 4321.01

42 U.S.C. 1751 et seq.

42 U.S.C. 1771 et seq.

Healthy, Hunger-Free Kids Act (42 U.S.C. 1779, et seq.)

WV Code 18-9G-1

WV Code 18-9G-2(4)

WV Code 18-9G-3(b)

Book	Public Comment Period 3/27/26-4/9/26
Section	Super Update 3-18-26-Agenda-Second Reading
Title	Vending Machines
Code	po8540
Status	
Adopted	May 26, 2015
Last Revised	June 28, 2018

8540 - **VENDING MACHINES**

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

The installation, servicing, stocking, and maintenance of each machine, as well as the removal of all sales proceeds, must be contracted for with a reputable supplier of vending machines and their products. In this manner, the school will not be responsible for purchasing, storing and safeguarding the inventory, removing and accounting for the sales proceeds or remitting the corresponding consumer sales tax.

It is the responsibility of the school principal to control vending machines and what products are placed in them. School personnel should obtain product analysis information from vendors upon which the decisions are made.

Food items and beverages available for sale to students in vending machines for consumption on the school campus during the school day shall comply with the current USDA Dietary Guidelines for Americans, the USDA Smart Snacks in School nutrition standards, WV Code and West Virginia State Board of Education policy 4321.1. "Campus" is defined as a collection of buildings and grounds that belong to a given academic institution. "School day", for nutritional purposes, is defined by USDA guidelines as the period from midnight before, to thirty (30) minutes after the end of the school day.

Foods and beverages may not be sold, served, or distributed in competition with the Federal child nutrition programs in school campus food service areas during the meal service periods.

In addition to caffeine, the sale, service, or distribution of any foods or beverages containing non-nutritive/artificial sweeteners is prohibited.

In accordance with West Virginia Legislative Law (WV HB 235 4), certain synthetic food dyes in foods and beverages served as part of school meals are prohibited. Schools must ensure that all items served during breakfast, lunch and snacks are free from the following dyes:

- **Red Dye No. 3 (CAS Reg No. 16423-68-0)**
- **Red Dye No. 40 (CAS Reg No. 25956-17-6)**
- **Yellow Dye No. 5 (CAS Reg No. 1934-21-0)**
- **Yellow Dye No. 6 (CAS Reg, No. 2783-94-0)**
- **Blue Dye No. 1 (CAS Reg No. 3844-45-8)**
- **Blue Dye No. 2 (CAS Reg No. 860-22-0)**
- **Green Dye No. 3 (CAS Reg No. 2353-45-9)**

Except for foods served in the school nutrition programs, no food shall be sold, served or distributed in elementary schools from the time the first child arrives until twenty (20) minutes after all students are served lunch. Wherever and whenever foods are sold or otherwise offered on school premises both during and outside the school day, such foods should include nutritious choices.

Acceptable vended food items may be sold if nutritional validation is on file at the school. Validation may be in the form of a laboratory analysis of a specific item and shall be written on vending company letterhead and signed by an authorized company official. If nutritional labels are used as documentation, the school must provide access to that information at the time of review. Refer to <https://foodplanner.healthiergeneration.org/products> to see if the product has been approved by the USDA or enter information from the food or beverage into the Alliance for a Healthier Generation's Smart Snacks Product Calculator <https://foodplanner.healthiergeneration.org/calculator>.

Soft drinks may be vended in high schools during the school day except during breakfast and lunch periods. Seventy-five percent (75%) of the profits from the sale of soft drinks shall be allocated by a majority vote of the faculty senate of each school and twenty-five percent (25%) of the profits from the sale of soft drinks shall be allocated to the purchase of

necessary supplies by the principal of the school.

All proceeds from vending machine sales are to be receipted and deposited into the appropriate school fund and account. Merchandise purchased for resale is to be purchased by check issued for that purpose. The purchase invoices are to be retained as documentation for the disbursements.

Periodically, a profit and loss statement, Form 8540 F1, is to be prepared to compare actual sales proceeds to the expected sales totals that should have been recognized from the amount of merchandise sold.

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

© Neola 2017

Legal

WV Code 18-2-6a

West Virginia State Board of Education policy 1224.1, policy 4321.1 and policy 4320

42 U.S.C. 1779

Book Public Comment Period 3/27/26-4/9/26

Section Vol 16-1/Vol 17-2 Agenda-Second Reading

Title LACTATING EMPLOYEES

Code po8700

Status

Revised Policy - Volume 17, No. 2 - August 2025

8700 - LACTATING EMPLOYEES

The Board supports staff members who choose to express breast milk. When any staff member has notified their supervisor of the staff member's intent to express breast milk during the workday, the (☒) Principal (☐) District Administrator (☐) _____ **[End of Options]** shall make necessary arrangements to provide the following:

- A. an appropriate location that is suitable for expressing breast milk;

The location must be shielded from view and not accessible during usage by any other person. The location provided may not be a bathroom.

- B. a reasonable amount of time to complete the activity based on an established schedule of frequency the staff member requires. The staff member is responsible for providing a schedule of frequency and for completing the process efficiently.

Additional requests from a covered employee for assistance in developing procedures for the employee's need to express breast milk under this policy should be addressed to a building administrator. Reasonable efforts will be made to facilitate full access to the benefits of this policy.

A participating employee must record time spent expressing breast milk at work (☐) which will be recorded as unpaid time, unless the employee also performs work-related responsibilities during this time **[END OF OPTION]**. **[Drafting Note: the law does not require employers to pay employees during time provided to express breast milk unless it would otherwise pay an employee for the same amount of break time for other reasons. This applies to both exempt and non-exempt employees such that a Board may determine that it is easier to consider break time under this policy as compensable time and under Wisconsin-West Virginia law, exempt employees may be entitled to compensation even while taking advantage of these benefits. If the District wishes to establish unpaid break times, it should consult the District's legal counsel.]** Any staff member who opts to express breast milk is entitled to the benefits of this policy.

Any staff member who has provided notice of the need to express breast milk at work and has complied with the responsibilities of doing so in this policy is eligible to do so for up to (☒) one (1) calendar year **[minimum required by law]** (☐) _____ **[END OF OPTION]** from the birth of the child. **[Drafting Note: The law requires one year, but some professional medical organizations recommend supplementing solid foods with breastmilk until the age of 2.]**

No staff member who requires break time to express breast milk consistent with this policy shall be subjected to retaliation or any form of adverse treatment for doing so.

Any staff member who feels they have been denied adequate protections or feels they have been retaliated against or otherwise treated unfairly as a result of availing themselves of the rights described in this policy shall report such concerns to the District Administrator. Any such report shall specify the alleged deficiency and desired resolution so that the District Administrator may provide an appropriate resolution, within ten (10) calendar days of the report.

The benefits described in this policy shall be administered concurrently with other benefits, such as Family Medical Leave Act (FMLA) rights.

This policy does not apply to students. Any student who is expressing breast milk following the birth of a child should contact () the Pupil Services Director (x) Principal () _____ **[END OF OPTION]** to discuss arrangements to enable the student to do so.

© Neola-~~2024~~ 2025