

SERVICES TO SCHOOLS AND CHILDREN

Section 5 Student Health

A. Prohibition on Mandatory Medication

A student shall not be required to obtain a prescription for a controlled substance as a condition for receiving ESU #13 educational services, an evaluation or special education services.

Legal Reference:	20 U.S.C. 1400 et seq. 34 CFR Part 300 (Individuals with Disabilities Education Act and regulations) 92 NAC 51 (NDE Rule 51)
Date of Adoption:	December 15, 2020

B. Dispensing Prescription and Non-Prescription Medications

The administration of prescription and non-prescription medication to students is to be limited to medications that must be taken while students are participating in ESU #13 programs or otherwise under the control and jurisdiction of the ESU #13. All medications administered by ESU #13 personnel shall be administered in accordance with the Medication Aide Act.

If at all possible, all prescription and non-prescription medications should be given at home outside of school hours by the parent or by other responsible parties identified by the parent. However, ESU #13 recognizes that some medication regimes necessitate the administering of medication during school hours; therefore, a safe and effective means of administering the medication is required.

1. Authorizations for Prescription Medications. Prescription medications may be administered when the following are on file with ESU #13:
 - a. Physician’s Authorization: A physician's signed, dated authorization including name of the medication, dosage, administration route, time to be given and reason the student is receiving the medication.
 - b. Caretaker’s Authorization: A caretaker’s signed and dated authorization or permission to administer the medication during school. (Note: All references to “caretaker” in this policy shall mean a parent, foster parent, family member, or legal guardian who provides care for the student for whom medication is to be administered. The laws include a “friend” as a caretaker, but the school will not ordinarily recognize such an individual as a “caretaker” for the purposes of medication administration.)
 - c. Original Packaging: The medication is in its original packaging and is labeled as dispensed by the prescriber or pharmacist. The label must name

the student and identify the medication, strength, time interval and route to be administered. If needed, the physician may be contacted for clarification and a corrected label must be obtained if orders differ from those listed on the packaging.

2. Authorizations for Non-Prescription Medications. Non-prescription medications may be administered provided that a caretaker's authorization is provided in the form established by the Administrator or Administrator's designee and the medication is in its original packaging.
3. Renewal of Authorizations. Medication authorizations must be renewed annually and updated immediately as changes occur.
4. Documentation. Accurate medication administration records are to be kept and maintained. Documentation of each dose of medication administered shall be made reflecting the student's name, the name of the medication, date, time, dosage, route, the signature and title of the person administering the medication and any unusual observations, and any refusal by the recipient to take or receive the medication. Medication documentation shall be kept confidential in accordance with the policies and practices concerning student records, provided that medication administration records shall be available to the Department of Education and the Department of Health and Human Services Regulation and Licensure for inspection and copying according to the Family Education Rights and Privacy Act (FERPA) requirements. Such medication administration records shall be maintained for not less than two years.
5. Storage. Medication shall be stored in a locked or otherwise secure area in accordance with the manufacturer's or dispensing pharmacist's instructions or temperature, light, humidity, or other storage instructions. Only authorized personnel who are designated by the administration shall have access to the medications. The school nurse shall establish procedures for monitoring the storage and handling of medication, the medication's expiration date, and the disposal of medication.
6. Receipt and Disposal of Medications. Medication shall be delivered to ESU #13 personnel and picked up by the caretaker. When medication is received, the amount received should be documented. Medication which is either past the expiration date or not claimed by the parent a reasonable time following the student's departure from the ESU #13 program shall be destroyed. Procedures for destroying medication shall include witness and documentation.
7. Administration of Medication by ESU #13 Personnel.
 - a. Administration of Medication: Administration of medication includes, but is not limited to:

- i. providing medications for another person according to the “five rights” (getting the right drug to the right recipient in the right dosage by the right route at the right time);
 - ii. recording medication provision; and
 - iii. observing, monitoring, reporting, and otherwise taking appropriate actions regarding desired affects, side effects, interactions, and contraindications associated with the medication.

- b. Authorized ESU #13 Personnel: Administration of medication shall only be done by the following:
 - i. Health Care Professionals (School Nurses). This means an individual who holds a current license from the Department of Health and Human Services Regulation and Licensure for whom administration of medication is included in the scope of practice. For purposes of this Policy, such individuals are referred to as “school nurses.”
 - ii. Medication Competent Staff. This means a staff member of ESU #13 who, by arrangement with the school in which the student is enrolled, is an employee of the school for purposes of the medication administration laws and who has been determined to be competent to administer medication in accordance with the competency assessment standards established by law. A medication competent staff member is to be subject to direction and monitoring, which involves responsibility for observing and taking appropriate action regarding any desired effects, side effects, interactions, and contraindications associated with the medication. Direction and monitoring is to be done by a recipient with capability and capacity to make an informed decision about medications, a caretaker, or the school nurse. Medication competent staff members are to promptly report any medication errors or concerns to the school nurse.

- c. Routes of Medication Administered by ESU #13 Personnel:
 - i. Routine Medication via Oral, Inhalation, Topical, and Instillation Routes: School nurses and medication competent staff may provide routine medications (meaning the frequency of administration, amount, strength, and method are specifically fixed) by the following routes:
 - (1) oral, which includes any medication given by mouth including sublingual (placing under the tongue) and buccal (placing between the cheek and gum) routes and oral sprays;
 - (2) inhalation, which includes inhalers, and nebulizers. Oxygen may be given by inhalation;

- (3) topical application of sprays, creams, ointments, and lotions and transdermal patches; and
 - (4) instillation by drops, ointments, and sprays into the eyes, ears, and nose.
- ii. Administration of Medication via Additional Routes, PRN Medication, and Observing and Reporting: School nurses and medication competent staff may provide medication by additional routes (“additional routes”), provide PRN medication (PRN medication means an administration scheme in which a medication is not routine, is taken as needed, and requires assessment for need and effectiveness), or participate in observing and reporting for monitoring medications only under the following conditions:
 - (1) In the case of a medication competent staff member, a determination has been made by the school nurse or by the student’s physician or duly licensed health care professional that these activities can be done safely for the specified recipient by the medication competent staff member and the determination is placed in writing.
 - (2) Directions for additional routes must be for recipient specific procedures and must be in writing.
 - (3) Directions for PRN medication must be in writing and include parameters for provision of PRN medication.
 - (4) Directions for observing and reporting for monitoring medication must be in writing and include the parameters for the observation and reporting.
 - (5) ESU #13 personnel administering the medication shall comply with the written directions.
- iii. Injections: School nurses will ordinarily be responsible for medications that must be provided or administered by injection. A medication competent staff member will not ordinarily administer medications by injection without specific training on injection administration. Students may be authorized to self-administer medication as hereafter provided.
- d. Refusal to Administer Medication: ESU #13 may refuse to give a medication if after a reasonable and prudent research by ESU #13 or school health care professional a decision has been made that the dosage prescribed exceeds that which is recommended in the Physician's Desk Reference, Mosby’s Nursing Drug Reference, the most recent edition of the Nursing Drug Handbook, or other pharmaceutical manuals handbook; or when a drug or substance is not currently approved by the FDA. When ESU #13 personnel refuse to carry out a request to administer medication, the Administrator or Administrator’s designee is to be notified and efforts are

to be made to work out a suitable solution (such as changing the time of administration, the dosage, or the medication) with the parent or guardian and the physician.

Legal Reference:	Nebraska Statutes: §§ 71-6718 to 71-6742; NDE Rule 59
Date of Adoption:	December 15, 2020
Updated:	May 18, 2021

C. Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions

It is the policy of ESU #13 to follow the Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions (Emergency Protocol) and related policies of the school in which ESU #13 provides services in the school ESU #13 facilities.

Each employee who is or will be providing services to students in an accredited school, an approved school, or to children in an approved early childhood program, is to be provided with the following:

1. information about the existence of the Emergency Response to Life-Threatening Asthma or Systemic Allergic Reactions (Emergency Protocol) established by the Nebraska Department of Education and adopted by ESU #13;
2. access to a copy of the Emergency Protocol form and either a copy of the school’s signed Emergency Protocol or directions to obtain such from the school administrator;
3. information about the availability of a school nurse and, if one is not available, who at the school site where services are being provided is a designated trained non-medical staff member for purposes of implementing the Emergency Protocol;
4. information about the whereabouts within the school building where the employee is providing services of the equipment and medication necessary to implement the Emergency Protocol in the case of any student or school staff emergency, including the location of an IM EpiPen-Jr. or adult EpiPen, or the school official who is to be contacted to obtain such information;
5. appropriate direction and instruction so that an employee who may be involved in an Emergency Protocol response provides appropriate and accurate information to the appropriate school official, in order that the school may maintain records of administration of medication by school staff as required;
6. inform and provide the employee of any written request from a parent or guardian of a minor student served by the employee, directing that such minor student not receive emergency treatment under the protocol.

Legal Reference:	NDE Rule 59.006
Date of Adoption:	December 15, 2020

D. Student Self-Management of Asthma, Anaphylaxis, and Diabetes

Students with asthma, anaphylaxis or diabetes will be permitted to self-manage such medical conditions while participating in programs operated by ESU #13 when the student has a self-management plan established with the school in which they are enrolled that is prepared and signed in accordance with legal requirements.

Legal Reference:	Nebraska Statutes: §§ 79-224 and 79-225
Date of Adoption:	December 15, 2020
Updated:	

E. Emergency Medical Aid

When a student is receiving services in a program under the control or supervision of ESU #13, ESU #13 employees are to utilize the skills within their capacity to respond to health emergencies. Employees are to render medical aid to students in need of emergency medical services or, as appropriate, arrange for the transportation of the student to the nearest facility where professional medical assistance is available.

Every effort should be made by ESU #13 employees to contact the student’s parent or guardian, if time allows for such contact under emergency circumstances; but the primary interest is the health of the student. In the event that emergency circumstances do not allow the employee to contact a parent or guardian prior to the rendering of medical assistance, then the employee should contact the parent or guardian at the earliest practical time under the circumstances.

Legal Reference:	
Date of Adoption:	December 15, 2020
Updated:	

F. Defibrillators (AED)

The ESU #13 Board recognizes that from time to time emergencies may arise that justify the use of an Automated External Defibrillator (AED). The AED shall be used in emergency situations warranting its use.

The AED shall be maintained and tested in accordance with operation guidelines of the manufacturer and monitored by the ESU #13 school nurse.

The AED will be kept on ESU #13 property and will not accompany EMS personnel to a hospital emergency room.

It shall be the responsibility of the ESU #13 school nurse to develop administrative protocol regarding this policy.

Legal Reference:	
Date of Adoption: Updated:	December 15, 2020

G. Wellness Policy-Students

A mission of Educational Service Unit #13 is to provide curriculum, instruction, and experiences in a health-promoting program environment to instill habits of lifelong learning and health. Therefore, the Board adopts the following ESU #13 Wellness Policy.

1. ESU #13 Wellness Committee

Committee Role and Membership

ESU #13 will convene a representative ESU #13 Wellness Committee or work within an existing program health committee that meets at least four times per year to establish goals for and oversee ESU #13 program health and nutrition and safety policies and programs, including development, implementation and periodic review and update of this ESU #13 wellness policy.

The ESU #13 Wellness Committee membership will represent all program-levels and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the ESU #13 nutrition program; ESU #13 staff members which may include: school staff, health professionals, mental health, and social services staff. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators. To the extent possible, the ESU #13 Wellness Committee will include representatives from each department and reflect the diversity of the community.

A subcommittee will be established to specifically advise the ESU #13 schools' program wellness policies. The subcommittee will represent all student program-levels and include (to the extent possible), but not be limited to: parents and caregivers; students; representatives of the ESU #13 nutrition program; ESU #13 staff members which may include: school staff, health professionals, mental health, and social services staff. When possible, membership will also include Supplemental Nutrition Assistance Program Education coordinators.

Leadership

The Administrator or Administrator's designee will convene the ESU #13 Wellness Committee and facilitate development of and updates to the Wellness Policy, and will ensure ESU #13's compliance with the policy.

ESU #13 will designate a program wellness policy coordinator, who will ensure compliance with the policy.

2. Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

Implementation Plan

ESU #13 will develop and maintain a plan for implementation to manage and coordinate the execution of this Wellness Policy. The plan delineates roles, responsibilities, actions and timelines specific to each program; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the ESU #13 campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other ESU #13 based activities that promote student wellness. It is recommended that the ESU #13 use the Healthy Schools Program online tools to complete a school-level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report.

This wellness policy and the progress reports can be found at ESU #13's website.

Recordkeeping

ESU #13 will retain records to document compliance with the requirements of the Wellness Policy at the Administrator's office and/or on ESU #13's computer network. Documentation maintained in this location will include but will not be limited to:

- the written Wellness Policy;
- documentation demonstrating that the policy has been made available to the public;
- documentation of efforts to review and update the ESU #13's Wellness Policy; including an indication of who is involved in the update and methods ESU #13 uses to make stakeholders aware of their ability to participate on the ESU #13 Wellness Committee;
- documentation to demonstrate compliance with the annual public notification requirements;
- the most recent assessment on the implementation of the ESU #13 Wellness Policy;
- documentation demonstrating the most recent assessment on the implementation of the ESU #13 Wellness Policy has been made available to the public.

Annual Notification of Policy

ESU #13 will actively inform families and the public each year of basic information about this policy, including its content and any updates to the policy and implementation status. ESU #13 will make this information available via ESU #13's website. This will include a summary of ESU #13's events or activities related to the Wellness Policy implementation. Annually, ESU #13 will also publicize the name and contact information of ESU #13

officials leading and coordinating the committee, as well as information on how the public can get involved with the ESU #13 wellness committee.

Triennial Progress Assessments

At least once every three years, ESU #13 will evaluate compliance with the Wellness Policy to assess the implementation of the policy and include:

- the extent to which ESU #13's programs are in compliance with the Wellness Policy;
- the extent to which ESU #13's Wellness Policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- a description of the progress made in attaining the goals of ESU #13's Wellness Policy.

The position/person responsible for managing the triennial assessment and contact information is the Administrator or Administrator's designee.

The ESU #13 Wellness Committee, in collaboration with individual programs, will monitor ESU #13's compliance with this Wellness Policy.

ESU #13 will notify households/families of the availability of the triennial progress report.

Revisions and Updating the Policy

The ESU #13 Wellness Committee will update or modify the Wellness Policy based on the results of the annual School Health Index and triennial assessments and/or as ESU #13's priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. The Wellness Policy will be assessed and updated as indicated at least every three years, following the triennial assessment.

Community Involvement, Outreach and Communications

ESU #13 will actively communicate ways in which representatives of ESU #13 Wellness Committee and others can participate in the development, implementation and periodic review and update of the Wellness Policy through a variety of means appropriate for that program. ESU #13 will also inform parents of the improvements that have been made to ESU #13 meals and compliance with ESU #13 meal standards, availability of child nutrition programs and how to apply, and a description of and compliance with Smart Snacks in School nutrition standards. ESU #13 will use electronic mechanisms, such as email or displaying notices on ESU #13's website, as well as non-electronic mechanisms, such as newsletters, presentations to parents, or sending information home to parents, to ensure that all families are actively notified of the content of, implementation of, and updates to the Wellness Policy, as well as how to get involved and support the policy. ESU #13 will ensure that communications are culturally and linguistically appropriate to the community, and accomplished through means similar to other ways that ESU #13 and school districts are communicating important program information with parents.

ESU #13 will notify the public about the content of or any updates to the Wellness Policy annually, at a minimum. ESU #13 will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

3. Nutrition

ESU #13 Meals

All programs within ESU #13 that participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), and any additional Federal child nutrition programs will meet the nutrition requirements of such programs

Staff Qualifications and Professional Development

All ESU #13 nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition professionals. These ESU #13 nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the program day and throughout every ESU #13 campus ("ESU #13 campus" and "program day" are defined in the glossary). ESU #13 will make drinking water available where ESU #13 meals are served during mealtimes.

Competitive Foods and Beverages

The foods and beverages sold and served outside of the ESU #13 meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum.

To support healthy food choices and improve student health and well-being, all foods and beverages outside the reimbursable ESU #13 meal programs that are sold to students on the ESU #13 campus during the program day, will meet or exceed the USDA Smart Snacks nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, ESU #13 stores and snack or food carts.

Celebrations and Rewards

ESU #13 will encourage staff to ensure that foods offered on the ESU #13 campus will meet or exceed the USDA Smart Snacks in School nutrition standards or, if the state policy is stronger, will meet or exceed state nutrition standards, including through:

1. Celebrations and parties. ESU #13 will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas.

2. Classroom snacks brought by parents. ESU #13 will provide or make available to parents a list of foods and beverages that meet Smart Snacks nutrition standards.
3. Rewards and incentives. ESU #13 will provide teachers and other relevant ESU #13 staff a list of alternative ways to reward children or other comparable resources. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for performance or behavior.

Fundraising

Foods and beverages that meet or exceed the USDA Smart Snacks in Schools nutrition standards may be sold through fundraisers on the ESU #13 campus during the program day.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in ESU #13 meal programs. Students and staff will receive consistent nutrition messages throughout ESU #13, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by ESU #13 staff, teachers, parents, students and the community.

Nutrition Education

ESU #13 will teach, model, encourage and support healthy eating by all students. ESU #13 will provide nutrition education and engage in nutrition promotion that:

- is designed to provide students with the knowledge and skills necessary to promote and protect their health; and
- includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, taste-testing, farm visits and ESU #13 gardens.

Food and Beverage Marketing in Schools

Any foods and beverages marketed or promoted to students on the ESU #13 campus during the program day will meet or exceed the USDA Smart Snacks in School nutrition standards or, if stronger, state nutrition standards, such that only those foods that comply with or exceed those nutrition standards are permitted to be marketed or promoted to students.

Food and beverage marketing is defined as advertising and other promotions at ESU #13. This term includes, but is not limited to the following:

- brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container;
- displays, such as on vending machine exteriors;

- corporate brand, logo, name or trademark on ESU #13 equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, ESU #13 will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that it is financially possible over time so that items are in compliance with the marketing policy.);
- corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by ESU #13;
- advertisements in ESU #13 publications or ESU #13 mailings;
- free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

As ESU #13/program nutrition services/Athletics Department/PTA/PTO reviews existing contracts and considers new contracts, equipment and product purchasing (and replacement) decisions should reflect the applicable marketing guidelines established by ESU #13 Wellness Policy.

4. Physical Activity

Children and adolescents should participate in physical activity every day.

To the extent practicable, ESU #13 will ensure that its grounds and facilities are safe and that equipment is available to students to be active. ESU #13 will conduct necessary inspections and repairs.

Classroom Physical Activity Breaks (Elementary and Secondary)

Students will be offered periodic opportunities to be active or to stretch throughout the day on all or most days during a typical program week. ESU #13 recommends teachers provide short (3-5-minute) physical activity breaks to students during and between classroom times at least three days per week.

ESU #13 will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through the USDA and the Alliance for a Healthier Generation.

5. Other Activities that Promote Student Wellness

ESU #13 will integrate wellness activities across the entire ESU #13 setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. ESU #13 will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy program environments will be coordinated with

and complementary of the Wellness Policy, including but not limited to ensuring the involvement of the ESU #13 Wellness Committee.

Community Partnerships

ESU #13 will develop, enhance, or continue relationships with community partners (e.g., hospitals, universities/colleges, local businesses, SNAP-Ed providers and coordinators, etc.) in support of this Wellness Policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the Wellness Policy and its goals.

Staff Wellness and Health Promotion

The ESU #13 Wellness Committee will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

Programs in ESU #13 will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. ESU #13 promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

Professional Learning

When feasible, ESU #13 will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and ESU #13 (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help ESU #13 staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing ESU #13 reform or academic improvement plans/efforts.

Glossary

ESU #13 Campus: areas that are owned or leased by ESU #13 and used at any time for ESU #13-related activities, including on the outside of the ESU #13 building, ESU #13 buses or other vehicles used to transport students, athletic fields and stadiums (e.g., on scoreboards, coolers, cups, and water bottles), or parking lots.

Program Day: the time between midnight the night before to 30 minutes after the end of the instructional day.

Triennial – recurring every three years.

Legal Reference: Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. section 1758b; 7 CFR sections 210.11 and 210.30; National School Lunch Program, 42 U.S.C sections 1751-1760, 1770; Regulations and Procedures for Accreditation of Schools, NDE Rule 10

H. Procurement Plan – School Food Authorities

The following procurement policy statement shall govern all purchasing activities that relate to any aspect of the National School Lunch and Breakfast Programs. This statement is meant to provide guidance to our personnel and vendors on acceptable and/or required procurement practices. Our goal is to fully implement all required and recommended procurement rules, regulations and policies set forth in 2 CFR 200, 7 CFR parts 210, 3016 and 3019, and by the State Agency.

Procurement Policy

The purchasing procedure to be followed shall be determined by the anticipated total annual expenditure on items related to the food service program:

- When the annual total for food service program related items is less than \$250,000 (small purchase threshold) per procurement event or in aggregate purchases this organization will follow the informal Small Purchase Procedures.
- When the annual total for food service program related items is greater than \$250,000 (small purchase threshold) per year per procurement event or in aggregate purchases this organization will follow the Formal Competitive Solicitation Procedures.

Micro-Purchase Procedures

Micro-Purchases may be used for single purchases under \$10,000 made with a vendor [2 CFR 200.320(a)].

Prices will be reviewed for reasonableness [2 CFR 200.320(a)].

Purchases will be spread equitably among all qualified sources [2 CFR 200.320(a)].

Small Purchase Procedures

For purchases made below the small purchase threshold, Small Purchase Procedures will be utilized to purchase necessary goods and services. When Small Purchase Procedures are used, this organization will take the following steps:

1. Contact a reasonable number of qualified vendors.
2. Write specifications for goods and services.
3. Document each vendor's quoted price. (ex. log sheet)
3. Select the company that provides the lowest, most responsive, and responsible bid.
4. Document supplier who was awarded the quote.
5. Manage orders by confirming product and prices match quotes.

Formal Competitive Solicitation Procedures

For purchases made in excess of the small purchase threshold, a Formal Competitive Solicitation will be conducted. When Formal Competitive Solicitation Procedures are used, this organization will take the following steps:

1. Prepare an Invitation for Bid (“IFB”) or Request for Proposal (“RFP”) document specifically addressing the items to be procured
 - a. Include detailed specifications
 - b. Ensure price will be most heavily weighted
2. Publicly announce and advertise the bid/proposal at least 21 calendar days prior to

- bid opening
- a. Announcements will include the date, time and location in which bids will be opened
3. Determine the most responsive and responsible bid/proposal by using the selection criteria set forth in the bid/proposal document
 - a. Responsible bidders will be those whose bid/proposal conform to all of the terms, conditions and requirements of the IFB/RFP
 - b. Responsible bidders will be those who are capable of performing successfully under the terms and conditions of the contract.
 4. Award the contract
 - a. To the most responsive and responsible bidder based on the criteria set forth in the IFB/RFP
 - b. At least two weeks before program operations begin
 - c. If a protest is received, it must be handled in accordance with 7 CFR 210.21
 5. Retain all records pertaining to the formal competitive bid process for a period of five years plus the current year

(Note: If the small purchase threshold established in the sponsor's procurement policy statement is less than \$250,000, the smaller bid threshold will govern.)

Procurement Summary

This organization incorporates the following elements into the Procurement Policy Statement, as required by 2 CFR 200 and 7 CFR parts 210, 3016 and 3019.

1. Competition: We shall demonstrate our goods and services are procured in an openly competitive manner. Competition will not be unreasonably restricted. [7 CFR 210.21(c)(1)] [2 CFR Part 200.319(a)(1-7)]
2. Comparability: We recognize for true competition to take place, we must maintain reasonable product specifications to adequately describe the products to be purchased and the volume of planned purchases based upon pre-planned menu cycles. [2 CFR 200.319(a)(6)]
3. Documentation: We shall maintain for the current year and the preceding three years all significant materials that will serve to document our policies and procedures. [2 CFR 200.318(i)]
4. Code of Conduct: This program shall be governed by the attached Code of Conduct and it shall apply to all personnel, employees, directors, agents, officers, volunteers or any person(s) acting in any capacity concerning the food service procurement program. [2 CFR 200.318(c)(1)]
5. Contract Administration: Purchases shall be checked or verified by designated staff to assure that all goods and services are received and prices verified. All invoices and receipts shall be signed, dated, and maintained in the documentation file. [2 CFR Part 200.318(b)]

6. General Requirements:
 - a. Small, minority and women's businesses enterprises and labor surplus firms are used when possible. [2 CFR 200.321]
 - b. Ensure compliance with the Buy American Provision when purchasing food 7 CFR 210.21(d).
 - c. A cost or price analysis in connection with every procurement action in excess of the Small Purchase Threshold including contract modifications. [2 CFR 200.323(a)]
 - d. Documented Procurement Procedures and activities will be maintained. [2 CFR 200.318(a)]

7. Duties of Food Service Supervisor:
 1. Plan the goods or services needed for the school food service program for the school year based on planned menus through needs assessment, forecasting and budgeting.
 2. Develop written specifications for food/supplies needed. Include details such as descriptions and product requirements (e.g. packaging, weight, pack size, etc.) for needed goods or services.
 3. Compare product specifications among all vendors/contractors. Information for prices obtained from grocery stores, farmer's markets, etc.
 4. Make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service, and price.
 5. Place and confirm orders with vendors or make plans to purchase the required items.
 6. To make procurement awards based on the lowest and best vendor's response as determined by quality, availability, service and price.
 7. To work with vendors on a fair and equal basis.
 8. To conduct an in-house procurement review once per year.

I. Procurement Plan – Code of Conduct

ESU #13 seeks to conduct all procurement procedures in compliance with federal and state regulations and without any conflicts of interest with employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent of ESU #13 may participate in the selection, award, or administration of a contract supported by federal, state, or local funds if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

No employee, officer, or agent of ESU #13 may solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

Employees, officers or agents of ESU #13 that violate these standards shall be subject to appropriate disciplinary actions.