MIAMI-DADE COUNTY PUBLIC SCHOOLS

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MIAMI-DADE COUNTY PUBLIC SCHOOLS

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Advertising Procedures

The purpose of these procedures is to answer many of the questions that arise concerning a school’s selling of advertisements on school facilities. The procedures are written in a question and answer format to provide a more “user friendly” presentation of the issues.

Advertising on School Board property is intended to raise revenue to support interscholastic athletics and activities, special programs and activities, and other school and District events and programs. The District permits paid advertising and public service announcements consistent with this policy to appear on or in school and District property and as otherwise deemed appropriate under with the provisions in Board Policy 9700.01 - ADVERTISING AND COMMERCIAL ACTIVITIES (ATTACHMENT 1).

Questions & Answers

Who determines where advertising will be placed at the school site or designated facility?

The Principal shall establish procedures by which advertisements may be displayed in or on school property, school websites, social media sites, communications, schools newspapers and yearbooks. Principals have the right to refuse advertising which is obscene or offends the morals and/or conscience of the school or community. Principals make the ultimate decision in regard to advertising and have the right to refuse advertising which is obscene or offends the morals and/or conscience of the school or site community.

In considering the appropriateness of advertising, principals shall adhere to Policy 1210, Standards of Ethical Conduct; Policy 1210.01, Code of Ethics; and Policy 1129, Conflict of Interest.

In senior high schools, it is recommended that the principal, athletic director and activities director meet together to determine available sites for advertising and to determine the procedures for advertising at the school site.

In middle schools, it is recommended that the principal, an assistant principal, and the athletic/activities coordinator, meet together to determine available sites for advertising and to determine the procedures for advertising at the school site.

In elementary schools and K-8 centers, it is recommended that the principal meet with a designated assistant principal to make the determination. At non-school sites, it is recommended that the designated administrator convene a committee of interested parties to make such a determination.
What advertisements would be considered inappropriate and not be permitted?

- All commercial or corporate involvement should be consistent with the District's educational standards and goals. No advertisement shall promote or contain references to alcohol, tobacco, drugs, drug paraphernalia, weapons, or lewd, vulgar, obscene, pornographic, or illegal materials or activities, gambling, violence, hatred, sexual conduct or sexually explicit material, X, R, or PG rated movies, or gambling aids.

- All advertising of food products must be consistent with the Board's Wellness Policy 8510 (ATTACHMENT 2). Food products that are prohibited from being sold to students on school campuses by Board policy shall not be advertised on Board property.

- No advertisement shall promote any specific religion or religious, ethnic or racial group, and shall be non-proselytizing.

- Advertisements containing a campaign or other political message supporting or opposing a political candidate for public office, a political platform, or a political issue, are prohibited. Consistent with this prohibition, no organization or political candidate may sponsor an advertisement (including public service announcement) if the name of that organization or candidate indicates, reflects, or in any way suggests its political message or candidacy.

- No advertisement may contain libelous material.

- No advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.

- No advertisement shall include content from which State law permits students or parents to "opt out" if that content were to be presented in a classroom curriculum context, on or off school campuses.

- No advertisement shall be false, misleading, or deceptive.

- Each advertisement must be reviewed in advance by the Principal or District administrator for age appropriateness.

- Advertisements may be rejected by the principal or District administrator if determined to be inconsistent with the educational objectives of the School District, inappropriate, or inconsistent with this policy or the administrative procedures.

- All corporate support or activity must be consistent with the Board's policies prohibiting discrimination.

- The Superintendent may require that samples of advertising be made available for inspection.

- The inclusion of advertisements on school sites or District property does not constitute or imply approval and/or endorsement of any product, service, organization, or activity.
Where can advertising be placed on school facilities?

Advertising which meets all necessary requirements may be placed, but are not limited, to the following locations:

- Walls
- Vending machines
- Vending enclosures
- Marquees
- Fences
- Publications
- Websites
- Newsletters
- Newspapers
- Yearbooks

The principal should consider the safety of the school community when determining the placement of all advertisements.

Who can utilize the funds received from advertising?

Advertising on School Board property is intended to raise revenue to support interscholastic athletics and activities, special programs and activities, and other school and District events and Miami-Dade County Public Schools (M-DCPS) programs.

Once received, into what account should the funds be placed?

Funds should be placed into the Advertising Trust Account and dispersed to the appropriate account to support interscholastic athletics and activities, special programs and activities, and other school and District events and Miami-Dade County Public Schools (M-DCPS) programs.

How can one sell advertisements?

Each school site will determine the procedures for the selling of advertisements. A suggested method would be by a letter of request (see ATTACHMENT 3 for Sample Letter) attached to the Application for Advertising Form (ATTACHMENT 4) which must be kept on file.

What kinds of signage would be appropriate?

It is recommended that each school site and district facility consult local municipal rules and regulations to ensure that the standards of the community are being observed.

To whom can you sell advertising?

Schools may sell to any organization that meets the specifications delineated in Board Policy 9700.01 - ADVERTISING AND COMMERCIAL ACTIVITIES.
Suggestions for types of signage?

Each school must determine the regulations for the cost, location and size of signage.

What if another School Board Policy conflicts with the provisions in the Advertising Board Policy?

According to School Board Policy 9700.01 - ADVERTISING AND COMMERCIAL ACTIVITIES, this supersedes any prior Board Policy.

How does a school select a company to produce the signage?

A school should request bids annually for a standard number of signs that the school has determined might be required. Please refer to Board Policy 6610 – INTERNAL ACCOUNTS, under letter E. Purchases.

Bid requirements apply when making purchases to be paid from Internal Fund revenue as follows:

1. For purchases of less than $1,000.00, telephone bid quotations may be requested but are not required.

2. For purchases of $1,000.00 or more but less than $50,000.00 at least three (3) written bids from the solicited vendors are required, one of which must be a certified minority enterprise according to Policy 6320.02.

List of certified minority vendors can be accessed at http://mwbe.dadeschools.net.

3. For purchases of $50,000.00 or more formal bid procedures must be followed, including advertisement in newspapers and opening of sealed bids on a specified date.

Can a school erect a billboard and/or wallscape for advertising purposes?

This may be done only if it is approved by the Office of School Facilities. Money generated from such advertising is to support interscholastic athletics and activities, special programs and activities, and other school and District events and Miami-Dade County Public Schools (M-DCPS) programs.

How could Booster Clubs or the PTSA be utilized to sell advertising?

Booster clubs and/or the PTSA must follow school site procedures for advertising as established by School Board Policy 9700.01 - ADVERTISING AND COMMERCIAL ACTIVITIES.
What is meant by Third Party Advertisers?

Third party advertisers are agencies whose business it is to secure advertisements to be placed in various types of displays, such as but not limited to, portable indoor scrolling displays, school parking lot bumpers, broadcasting, websites, and billboards.

Can a school enter into an agreement with a third party advertiser?

Yes, the Principal may sign one (1) year agreements for advertising at their school which are not anticipated to exceed $15,000 in revenue per year. Funds raised through advertising on school property and facilities up to $15,000 shall be used to support school site activities, programs, and events that support the educational mission of the school. Schools shall retain 100% of the revenue raised through school advertising for internal fund purposes.

Revenues generated from advertising and related activities at schools exceeding $15,000 annually per contract, or negotiated by the District on behalf of the school(s), will be shared with the District at a ratio of seventy-five percent (75%) to the school and twenty-five percent (25%) to the District, with the school’s share retained for internal fund purposes.

What if the amount of the third party advertising is over $15,000 or involves more than 1 school?

Agreements for advertising that involve more than one (1) District school will be negotiated by the designated District administrator. All funds from these District-negotiated agreements will be distributed equitably to schools.

How does a school enter into an advertising agreement?

A school may enter into an advertising agreement up to $15,000, by completing the Advertising Agreement (ATTACHMENT 5), with all appropriate signatures.
Attachments
9700.01 - ADVERTISING AND COMMERCIAL ACTIVITIES

This policy governs the appropriate and inappropriate use of advertising or promoting of commercial products or services on School Board (District) property. It is not the Board’s intent to create or open any school, school property, or District property as a public forum for expressive activity, nor is it the intent of the Board to create a venue or forum for the expression of political, religious, or controversial subjects that are inconsistent with the Board’s educational mission or that could be perceived as bearing the imprimatur or endorsement of the Board. Accordingly, the Board shall have the authority to control the messages that are conveyed on all school and District property. The Superintendent shall develop and enforce administrative procedures to implement this policy.

Definitions

"Advertising" is an oral, written, or graphic statement made by the producer, manufacturer, or seller of products, equipment, or services which calls for the public's attention to arouse a desire to buy, use or patronize the product, equipment, or services. This includes the visible promotion of product logos for other than identification purposes. Brand names, trademarks, logos, or tags for product or service identification purposes are not considered advertising.

For purposes of this policy, "District property" includes, but is not limited to, non-school site real property, tangible property, facilities (owned or leased), vehicles, publications, websites, social media sites, and other types of communications.

"School property" includes the school facility, real property, publications, websites, social media sites, and other types of communications.

Advertising is permitted in the following categories in accordance with this policy and administrative procedures:

A. Product Sales:
   1. product sales benefiting the District, a school or student activity (e.g., the sale of beverages or food within schools);
   2. agreements between the District and businesses that provide the businesses with the right to sell or promote their products or services in the schools or on any other District property;
   3. school fund-raising activities (e.g., short term sales of items) to benefit a specific student population, club or activity.

B. Direct Advertising/Appropriation of Space:
To raise revenue to support interscholastic athletics and activities, special programs and activities, and other school and District events and programs, paid advertising and public service announcements consistent with this policy are permitted to appear on or in school and District property and as otherwise deemed appropriate under this policy.

1. District Advertising
   a. Except as outlined below regarding school sites, decisions allowing advertising on District property, including but not limited to athletic facilities, Greater Miami Athletic Conference (GMAC), and Middle School Athletic Program (MSAP) venues, shall be determined by the Superintendent and designated administrators in accordance with this policy and the administrative procedures implementing this policy.
   b. The Superintendent is authorized to solicit advertising services to manage District-sponsored advertising activities in accordance with the Board’s procurement policies.

2. School Site Advertising

Advertising on or within schools and school property, websites, social media sites, other communications, newspapers and yearbooks shall be determined by the principal in accordance with this policy and administrative procedures.

   a. The Principal shall establish procedures by which advertisements may be displayed in or on school property, school websites, social media sites, communications, schools newspapers, and yearbooks. Principals have the right to refuse advertising which is obscene or offends the morals and/or conscience of the school or community.
   b. In considering the appropriateness of advertising, principals shall adhere to Policy 1210, Standards of Ethical Conduct; Policy 1210.01, Code of Ethics; and Policy 1129, Conflict of Interest.
   c. When advertising is permitted, the principal shall consider community input, and local ordinances, rules and regulations governing outdoor advertising, where appropriate and/or applicable.
   d. School officials may cooperate with governmental agencies provided that such cooperation does not restrict or interfere with the school's educational program and the school facilities are not used for partisan political activity.

3. Third party advertisers are agencies that enter into contracts to secure advertisements to be placed on various types of displays, such as but not limited to, portable indoor scrolling displays, school parking lot bumpers, broadcasting, web sites, and billboards.

   a. School site and District administrators may contract with these agencies to secure the advertisements, maintain the displays, etc.
Compensation may be based on a set fee, commission, percentage, or other financial arrangement that is in the best interest of the District.

b. The Principal may sign one (1) year agreements for advertising at their school which are not anticipated to exceed $15,000 in revenue per year. Agreements exceeding $15,000 in revenue must be negotiated by the designated District administrator.

c. Agreements for advertising that involve more than one (1) District school will be negotiated by the designated District administrator. All funds from these District-negotiated agreements will be distributed equitably to schools.

d. Agreements for wallscapes and billboards on non-school District property will be negotiated by the designated District administrator. Wallscapes and billboard advertisements may require a multi-year lease agreement. The lease agreements will be developed in conjunction with the affected site, designated District administrator, the Board Attorney, and the Office of Facilities.

C. Indirect Advertising:

1. corporate-sponsored instructional or educational materials, teacher training, contests, conferences, meetings, incentives, grants, or gifts;

2. instructional materials developed by commercial organizations such as films and videos may be used only if the educational value of the materials outweighs their commercial nature in accordance with Policy 2531, Copyrighted Works.

The films or material shall be carefully evaluated by the school principal for classroom use to determine whether the films or materials contain undesirable propaganda and are in compliance with these guidelines.

The Board's name, students, staff members and District property shall not be used for any commercial advertising or otherwise promoting the interests of any commercial, political, nonprofit or other non-school agency or organization, public or private, unless approved in accordance with this policy and the administrative procedures. Use of trademarks, school names, and mascots shall only be allowed in accordance with Policy 9701, Trademark Licensing, Protection, and Use.

General Advertising Guidelines

The following guidelines shall be followed for any form of advertising on school grounds:

A. All commercial or corporate involvement should be consistent with the District's educational standards and goals.

B. No advertisement shall promote or contain references to alcohol, tobacco, drugs, drug paraphernalia, weapons, or lewd, vulgar, obscene, pornographic, or illegal materials or activities, gambling, violence, hatred, sexual conduct or
sexually explicit material, X, R, or PG rated movies, or gambling aids.

C. All advertising of food products must be consistent with the Board's Wellness Policy 8510. Food products that are prohibited from being sold to students on school campuses by Board policy shall not be advertised on Board property.

D. No advertisement shall promote any specific religion or religious, ethnic or racial group, and shall be non-proselytizing.

E. Advertisements containing a campaign or other political message supporting or opposing a political candidate for public office, a political platform, or a political issue, are prohibited. Consistent with this prohibition, no organization or political candidate may sponsor an advertisement (including public service announcement) if the name of that organization or candidate indicates, reflects, or in any way suggests its political message or candidacy.

F. No advertisement may contain libelous material.

G. No advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.

H. No advertisement shall include content from which State law permits students or parents to "opt out" if that content were to be presented in a classroom curriculum context, or on school campus.

I. No advertisement shall be false, misleading, or deceptive.

J. Each advertisement must be reviewed in advance by the Principal or District administrator for age appropriateness.

K. Advertisements may be rejected by the principal or District administrator if determined to be inconsistent with the educational objectives of the School District, inappropriate, or inconsistent with this policy or the administrative procedures.

L. All corporate support or activity must be consistent with the Board's policies prohibiting discrimination.

M. The Superintendent may require that samples of advertising be made available for inspection.

N. The inclusion of advertisements on school sites or District property does not constitute or imply approval and/or endorsement of any product, service, organization, or activity.

Accounting

Advertising revenues must be properly reported and accounted for.

A. Collection and accounting for advertising revenue shall comply with Policy 6610 which requires that all monies collected or disbursed by school personnel or by students within a school, in connection with the school program, for the benefit of that school, a class, or department shall be recorded in the school's internal funds account.

B. Funds raised through advertising on school property and facilities up to $15,000
shall be used to support school site activities, programs, and events that support the educational mission of the school. Schools shall retain 100% of the revenue raised through school advertising for internal fund purposes.

C. Revenues generated from advertising and related activities at schools exceeding $15,000 annually per contract, or negotiated by the District on behalf of the school(s), will be shared with the District at a ratio of seventy-five percent (75%) to the school and twenty-five percent (25%) to the District, with the school’s share retained for internal fund purposes.

D. Funds generated from non-school site advertising will be used for District programs at the discretion of the Superintendent and will be reported to the Board. The District will retain 100% of any revenues through non-school site advertising.

Naming Rights and Donor Recognition

An advertiser’s or donor’s name may be displayed on school site or District property as deemed appropriate by the Principal or designated District administrator in accordance with the administrative procedures and in compliance with Policy 7250, Commemoration of Facilities, if applicable.

F.S. 1013.10

Revised 3/9/16

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8510 - WELLNESS POLICY

Introduction

In November, 2005, the District, as a result of the 2004 Child Nutrition and WIC Reauthorization Act, was tasked with developing a District Wellness Policy. On May 10, 2006, by School Board action, the Wellness Policy for the District was established. The Healthy, Hunger-Free Kids Act of 2010 continues to require that the District Wellness Policy be reviewed by the District Wellness Advisory Committee, and if necessary, be revised annually. Its focus is to promote wellness and address current health issues facing our students and staff.

Preamble

The District is committed to providing a healthy environment for students and staff within the school environment, recognizing that individuals must be physically, mentally, and socially healthy in order to promote wellness and academic performance.

The District will focus on achieving five (5) goals:

A. Nutrition – All students and staff will have access to and be encouraged to take advantage of high-nutrient food options served at school and District/Region office cafeterias.

B. Physical Education – All students will be encouraged to participate in the recommended levels of physical education.

C. Physical Activity – All students and staff will be encouraged to engage in daily physical activity according to national guidelines.

D. Health and Nutrition Literacy – All students and staff will be encouraged to develop healthy life-style habits.

E. Preventive Healthcare – All students and staff will be encouraged to participate in preventive healthcare.
Nutrition

District Policy: The District will make nutritious foods available on campus during the school day to promote student and staff health.

A. The Department of Food and Nutrition will serve the following: foods that are a good source of fiber, free of added trans fat, low in added fats, sugar, and sodium, respectful of cultural diversity, and served in appropriate portion sizes consistent with United States Department of Agriculture standards. Meals will include plant-based food options and a vegetarian choice daily.

B. All food sold on campus beginning one (1) hour before the start of the school day and up until one (1) hour after dismissal of the final class of the day must meet the Rule on Food and Beverages Sold on Campus and in Vending Machines District-Wide. (Appendix A)

C. The Department of Food and Nutrition will pursue partnerships with local and regional farms to facilitate a Farm-to-School program.

D. Meals served within the Federally reimbursable meal program will be designed to feature fresh fruits and vegetables from local sources to the greatest extent possible.

E. The District will encourage parents and teachers to have healthy celebrations at school. Ideas and suggestions can be found at http://nutrition.dadeschools.net. When a list is sent home requesting donations for a celebration, it should include plain water and at least one (1) healthy option.

F. Fundraisers that occur on campus, beginning one (1) hour before the start of the school day and up until one (1) hour after dismissal of the final class of the day must comply with the Rule on Food and Beverages Sold on Campus and in Vending Machines District-Wide. The District will assist parents and staff in planning healthy fundraisers by providing suggestions which can be found at http://nutrition.dadeschools.net.

Physical Education

District Policy: The District will provide evidence-based physical education programs to enable students to develop healthy lifetime habits conducive to cardiovascular conditioning, flexibility, coordination, balance, and strength.

A. Elementary Physical Education, grades K–1: 150 minutes of weekly instruction in physical education provided by the homeroom teacher is required.

B. Elementary Physical Education, grades 2-5: 150 minutes of weekly instruction in physical education by a physical education teacher is
required.

C. Middle School Physical Education, grades 6 – 8: A minimum of one (1) semester of physical education in each of the three (3) years is required for all students, unless a waiver is submitted at the time of subject selection each year. Students will be encouraged to take physical education for the entire year in order to develop and maintain maximum health benefits.

D. Senior High School Physical Education, grades 9–12: A minimum of one (1) credit of physical education in senior high school is required. One (1) semester must be Personal Fitness while the second semester may be any physical education course offered by the District with the approved State course codes.

If additional periods are added to the current six (6) period day in senior high schools, then physical education requirements may be increased.

E. Physical education will be taught by a certified physical education specialist and will be an essential part of every school’s instructional program, subject to the differing abilities of students. The program will stress the importance of physical fitness, healthy life-styles, and fairness and respect for all students.

F. Nutrition education is required to be taught through physical education in grades K-12.

G. Physical education skills needed for enhancing health will include:

1. comprehension of concepts related to health promotion, disease prevention, and reduction of health risk;

2. ability to access valid health information;

3. effective interpersonal communication skills;

4. setting goals and making decisions;

5. stress reduction;

6. advocacy skills for personal, family and community health; and

7. instruction will include the psychomotor skills used in hands-on CPR/AED training (middle and senior high school only).
Physical Activity

District Policy: All students and staff will be encouraged to participate in the nationally recommended levels of a minimum of sixty (60) minutes or more per day of physical activity.

A. Recess for students in grades PK-5 is required to take place five (5) times a week for twenty (20) consecutive minutes each time. Recess is defined as unstructured free play that is supervised by adults, but not directed by adults; it can include activities directed by adults as outlined in the District’s Recess Manual available at http://pe.dadeschools.net/.

B. School policies and practices support that physical activity and recess should not be witheld as punishment for students

C. Students will be informed of the opportunity to participate in physical activity in after-school programs and school intramural programs.

D. Staff will be encouraged to participate in at least thirty (30) minutes of physical activity daily. This will include a combination of cardiorespiratory activity, flexibility, and muscular strength and endurance.

E. Staff will be informed of the opportunity to participate in physical activity in after-school programs and community events.

Health and Nutrition

District Policy: All students and staff will be encouraged to learn about the principles of nutrition and other competencies essential to making health-enhancing choices.

A. Health literacy education will be incorporated into classroom instruction when applicable to include the following: comprehensive concepts on health-enhancing behaviors, risk factor reduction for life-style disease prevention, bullying and violence prevention, personal safety, identifying and managing stress, and sexual health and body image.

B. Nutrition education will include lessons and experiential learning opportunities, such as edible gardens, that enhance health and take into account:

1. emphasizing the importance of goal-setting and positive decision-making strategies that enhance health including those related to food intake and energy expenditure;

2. analyzing the influence of culture, media and other factors on food choices and preferences in personal health practices including food preparation methods that enrich and challenge healthy living; and
3. the development and care of edible gardens.

C. Students will be taught to differentiate between marketing messages and substantive health information.

D. Health literacy resources will be available to staff focusing on concepts of health enhancing behaviors, risk factor reduction for disease prevention, personal safety, and managing stress.

E. Nutrition resources that include learning opportunities which enhance health will be made available for staff.

F. Healthy food choices and fresh food on school premises will be promoted by making relevant nutrition information available as close as possible to the point of choice.

## Preventive Healthcare

District Policy: All students and staff will be encouraged to participate in preventive healthcare that addresses physical, mental, social, and emotional wellness.

A. Through HealthConnect in our Schools, a school-based health team will be provided to offer a coordinated spectrum of healthcare to students that is consistently available at select District schools, including but not limited to:

1. coordinated professionally supervised school-based healthcare;

2. expanded health screenings and assessments with access to follow-up care;

3. mental and behavioral health services to identify and solve student health and educational issues;

4. improved access to a regular primary care physician;

5. assisting uninsured students in gaining access to primary health services;

6. chronic disease management; and

7. provision of school-specific health education classes.

B. The Florida Department of Health in Miami-Dade County School Health Program will provide health services to students in accordance
with Florida statutes, rules, regulations, and the local School Health Services Plan.

School health services provided will include, but are not limited to:

1. health appraisal;

2. records review;

3. nurse assessment;

4. nutrition assessment;

5. screenings: vision, hearing, scoliosis, and growth and development including Body Mass Index (BMI) referral and/or follow-up;

6. health and behavioral/mental health counseling;

7. referral and follow-up of suspected or confirmed health problems;

8. emergency health needs;

9. referral of students to appropriate health treatment;

10. consultation with a student’s parent or guardian regarding the need for health attention by the family physician, dentist, or other specialist when definitive diagnosis or treatment is indicated;

11. maintenance of records on incidents of health problems, corrective measures taken, and such other information as may be needed to plan and evaluate health programs;

12. health information regarding the placement of students in exceptional student programs and the reevaluation at periodic intervals of students placed in such programs;

13. education classes on a variety of health topics; and

14. medication administration quality assurance and improvement.
C. Healthcare provider will offer wellness resources that address physical, mental, social, and emotional wellness to support staff healthy habits.

Monitoring and Evaluation

The Superintendent's District Wellness Advisory Committee is responsible for reviewing and monitoring the District's Wellness Policy in accordance with the District's policies to improve the health and wellness of all students and staff.

School sites are required to convene School Wellness Committees to implement this policy and related activities. Schools will annually complete the School Health Index, the Healthy Schools Inventory and Action Plan, and the Principal's Wellness Checklist as self-assessments.

The goals, objectives, and guidelines of the District Wellness Policy will be reviewed annually. Recommendations to the Superintendent by the Wellness Advisory Committee will address the following: changing conditions; new techniques and proven strategies; new objectives, if needed; and guidelines which reflect emerging scientific knowledge relevant to the health of students and staff.

APPENDIX A

Rule on Food and Beverages Sold on Campus and in Vending Machines District-Wide

The District is committed to providing an environment in which all students and staff can make healthy food choices for lifelong health. As such, the following Rule on Food and Beverages Sold on Campus and in Vending Machines District-Wide will be implemented for all sites, for all food sales beginning one (1) hour before the start of the school day and up until one (1) hour after dismissal of the final class of the day. This rule shall be applicable to all food and beverages sold in vending machines twenty-four (24) hours a day.

A. Beverages

All beverages must be non-carbonated and have no added caffeine.

1. Elementary School

   a. Plain water.

   b. Up to eight (8) ounce servings of milk and 100% juice.

      1) Fat-free or low-fat regular and flavored milk and nutritionally equivalent (per USDA) milk alternatives with up to 150 calories/eight (8) ounces.

      2) 100% juice with no added sweeteners, up to 120 calories/eight (8) ounces, and with at least ten percent (10%) of the recommended daily value of
three (3) or more vitamins and minerals.

2. Middle School

Same as elementary school, except juice and milk may be sold in twelve (12) ounce servings.

3. High School

a. Plain water.

b. No- or low-calorie beverages with up to ten (10) calories/eight (8) ounces.

c. Up to twelve (12) ounce servings of milk, 100% juice and certain other drinks.

1) Fat-free or low-fat regular and flavored milk and nutritionally equivalent (per USDA) milk alternatives with up to 150 calories/eight (8) ounces.

2) 100% juice with no added sweeteners, up to 120 calories/eight (8) ounces, and with at least ten percent (10%) of the recommended daily value of three (3) or more vitamins and minerals.

3) Other drinks with no more than forty (40) calories/eight (8) ounces.

d. At least twenty-five percent (25%) of non-milk beverages must be water and no more than twenty-five percent (25%) of beverages may be no- or low-calories options.

B. Food and Snacks

All food and snacks sold in school must meet the following:

1. No more than thirty-five percent (35%) of total calories from fat.

2. No more than ten percent (10%) of total calories from saturated fat.

3. No more than thirty-five percent (35%) added sugar by weight.
4. No added trans fat.

5. Be a “whole grain-rich” product;

6. Be a fruit, vegetable, dairy, protein food; or

7. Be a combination food that contains at least ¼ cup of fruit and/or vegetable.

Snacks sold separately from meal times and as approved fundraisers on campus one (1) hour before the start of the school day and up until one (1) hour after dismissal of the final class of the day, must:

1. have no more than 200 calories;

2. have no more than 230 mg. of sodium.

The District encourages healthy food and beverages at school-related events. Ideas and suggestions can be found at http://nutrition.dadeschools.net. However, when school-related events occur at least one (1) hour after dismissal of the final class of the day and where parents and other adults are part of an audience or are selling food and beverages as boosters during intermission, as well as immediately before or after an event, these rules do not apply. Examples of these events include school plays and band concerts.

Foods used in Culinary Arts and Training Programs for instructional purposes are also exempt from these rules.

School administrators will be responsible for the implementation of the District Wellness Policy at their school site. Non-compliance with this policy will be addressed at the administrative level by School Operations.

2 U.S.C. 1751 et seq.
42 U.S.C. 1771 et seq.
F.S. 595.405
F.S. 595.407
F.S. 1001.41
F.S. 1001.42
F.S. 1001.43
F.S. 1003.455(6)
F.A.C. 6A-7.0411

Revised 1/18/12
Revised 9/3/13
Revised 1/14/15
Revised 6/22/16
Revised 8/15/18

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Dear (Advertiser):

Thank you for your interest in supporting _______________ School and our extracurricular athletic and activities programs. Your purchase of an advertisement will go toward providing our clubs, teams and performing groups with much needed equipment, uniforms, travel, and a multitude of other needs.

We are in the process of selling advertising that will be placed on the walls of the gymnasium, on school fences, ___________, ______ and ___________. These banners will be professionally prepared by _____________________________. This advertising will be visible to students, parents and members of the community.

If you are interested in purchasing advertising, please complete the attached form. If you have any questions, please feel free to contact _________________ at ________________________.

Thank you for your support of ________________School.

Sincerely,

(Signature of Principal)
Principal
Attachment #4
MIAMI-DADE COUNTY PUBLIC SCHOOLS
Application for Advertising

Date of Application: _____________

Company Name: ____________________________ Contact Person: ____________________________

Address: __________________________________ Telephone Number: ____________________________

Email address: ____________________________ Fax Number: __________________________________

Type of Proposal: __________________________________________________________________________

Please enclose a business card or sample of what the advertisement should contain.)

Preferred Location of Advertisement: __________________________________________________________________________

Number of Schools to be serviced: ________________ Anticipated Implementation Date: ________________

(Not to exceed a period of one year.)

Total Monetary Value of Proposal: ________________

Cost of advertising must be paid in full before production.

Make checks payable to: _________________________________________________________________

____________________________________________________________________________________

Print Name of Company Representative Signature of Company Representative

__________________________________________________________ ________________________________

Date Date

RECOMMENDED:

Print Name of Athletic/Activities Director/Assistant Principal Signature of Athletic/Activities Director/Assistant Principal

(If applicable) (If applicable)

__________________________________________________________ ________________________________

Date Date

APPROVED:

Print Name of Principal or site-administrator Signature of Principal or site-administrator

__________________________________________________________ ________________________________

Date Date

NOTE: Advertising on School Board property is intended to support interscholastic athletics and activities, special programs and activities, and other school and District events and Miami-Dade County Public Schools (M-DCPS) programs.

A copy of approved advertisement is attached to this Application for Advertising Form.

Date Paid: ____________________________ Approximate date of placement: ________________

The school reserves the right to refuse to place any advertisement deemed to be in violation of the law or Board Policy 9700.01 - ADVERTISING AND COMMERCIAL ACTIVITIES.

Advertising is being permitted at the discretion of the school site administrator, that such is not intended to create an open or limited public forum.
ADVERTISING AGREEMENT

This Advertising Agreement is made and entered into on this ____ day of __________, 20__, between The School Board of Miami-Dade County, Florida (“School Board”) on behalf of _______________ (“School”), collectively referred to herein as School Board, and __________________________________ (“Advertiser”).

WHEREAS, the School Board has established Board Rules to allow advertising on Board property in accordance with law; and

WHEREAS, Advertiser desires to purchase advertising space on School Board property to provide financial support for school district programs, activities and athletics;

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

1. Scope of Advertisement Advertiser agrees to advertise on School Board property as detailed in the “Application for Advertising” attached hereto and incorporated herein. Advertiser grants School Board the authority to print, copy, distribute, publicly display and modify any material submitted by Advertiser.

2. Content School Board reserves the right to reject, alter or refuse any material in its sole discretion in accordance with laws and School Board Policies as currently in effect and as they may be amended from time to time. School Board may, at its sole discretion, change or relocate advertisements in another position without Advertiser’s approval. Advertiser understands and agrees that School Board is not in any way restricted from granting advertising rights to others, including competitors of Advertiser.

School Board reserves the right to refuse to place any advertisement deemed to be in violation of the law or Board Policy 9700.01 – ADVERTISING AND COMMERCIAL ACTIVITIES, School Board also reserves the absolute right to have Advertiser remove any advertisement for which approval has been granted, whether or not the advertisement has been placed on display if, at any time during the term of this Agreement, that advertisement is deemed undesirable by the School Board’s designee or the school site administrator. In such event, Advertiser will be allowed to utilize a replacement advertisement so long as that replacement is deemed acceptable by the School Board’s designee or the school site administrator and otherwise meets the laws and School Board Rules as then in effect or as they may be amended from time to time.

Advertiser understands and agrees that the advertising is being permitted at the discretion of the school site administrator, and such is not intended to create an open or limited public forum.

3. Payment for Advertising Advertiser agrees to remit the Advertising Fees as indicated on the “Application for Advertising” prior to production of the advertisement.

4. Most Favored Nation If the Advertiser agrees to pay a higher price and/or to provide any additional benefit to any other School Board site for the same or essentially similar advertising materials, then Advertiser, without the requirement of any notice, shall pay such price and benefits to all sites of the School Board of Miami-Dade County, Florida with whom the Advertiser has an agreement.

5. Duty to Remove and Restore - Security Deposit

Advertiser shall be responsible for the installation and removal of its advertising material and for the restoration of the installation location to the condition prior to the installation. All installations shall be done only under the supervision and with the advance approval, in writing, of the school...
principal or his/her designee. Advertiser is fully responsible for any and all damage done to any school property resulting from or related to the advertisement.

If the advertising material requires more than an easily removable mechanical attachment to a school fence or wall, the Advertiser shall deposit with the school a security deposit equal to one month’s advertising fee or the reasonable estimate of the cost of removal and restoration of the property on which the advertisement was installed.

Upon the termination of this agreement, Advertiser must promptly remove all advertising material from the School Board property.

6. Independent Contractor School Board and Advertiser shall be and act as independent contractors under this agreement. The parties understand and agree that this agreement shall not be construed as an agency, joint venture, partnership or employment relationship between the parties.

7. Limitation of Liability and Remedies

A. School Board shall not be liable for errors in any advertisement. Advertiser’s sole remedy shall be to request in writing that School Board correct the error within fourteen (14) days of receiving notice of the error from the Advertiser.

B. In the event School Board terminates the agreement due to breach of agreement, School Board shall not be required to refund any funds to Advertiser.

C. Advertiser assumes full responsibility and liability for all materials submitted, printed and published pursuant to this agreement and shall indemnify School Board and hold School Board harmless against all demands, claims or liability related to or arising from such materials or related to any allegation that content infringes on the intellectual property rights of a third party.

D. Advertiser assumes full responsibility and liability for all of its materials and shall indemnify School Board and hold School Board harmless against all demands, claims or liability related to or arising from this advertising contract including but not limited to any claims or liabilities arising from personal injury or property damage suffered by School Board or any third party.

E. Advertiser recognizes and acknowledges that the advertising material will be located in a public place and that the school cannot and will not be responsible for any damage suffered to the advertisement or any of Advertiser's property or equipment. Advertiser expressly waives and all rights to assert any claim for damages against the School Board or the school, including claims of negligence, gross negligence and/or intentional acts on the part of students and/or employees of the School Board and the school. Accordingly, Advertiser expressly accepts the risk of and agrees to be solely responsible for any damage suffered by the advertising material, Advertiser's property and/or equipment, no matter the cause.

F. Advertiser is wholly responsible for the upkeep, maintenance and removal of advertising and for any costs related thereto.

8. Modification; Non-Assignment This agreement may not be modified unless approved in writing by both parties. Advertiser shall not assign this agreement without prior written approval from School Board.

9. Termination School Board may terminate this agreement immediately without prior notice in the event Advertiser breaches any term or condition hereof, and Advertiser shall forfeit any unused portion of the fee. At its sole discretion, and at any time within the term of this agreement, without the necessity of cause. School Board may terminate this agreement for convenience upon ten (1) days written notice to the Advertiser. In the event of such termination for convenience and
upon removal of the advertising in accordance with the requirements of this agreement, School Board shall repay to the Advertiser any unused portion of the fee.

10. Governing Law & Venue This agreement shall be construed in accordance with the laws of the State of Florida. Any dispute with respect to this agreement is subject to the laws of Florida, venue in Miami-Dade County. Each party shall be responsible for its own attorneys’ fees and costs incurred as a result of any action or proceeding under this agreement.

The undersigned agree to the terms stated above:

ADVERTISER: _____________________________

(Name of Individual or Entity)

By: ________________________________

(Superintendent of Schools/ Principal)

(Name of Individual signing on behalf of self or entity)

By: ________________________________

( Name of School)

Title: ________________________________

Date: ________________________________

The SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA

By: __________________________________

(Name of School)

Date: ________________________________
Anti-Discrimination Policy

The School Board of Miami-Dade County, Florida adheres to a policy of nondiscrimination in employment and educational programs/activities and strives affirmatively to provide equal opportunity for all as required by:

**Title VI of the Civil Rights Act of 1964** - prohibits discrimination on the basis of race, color, religion, or national origin.

**Title VII of the Civil Rights Act of 1964 as amended** - prohibits discrimination in employment on the basis of race, color, religion, gender, or national origin.

**Title IX of the Education Amendments of 1972** - prohibits discrimination on the basis of gender. M-DCPS does not discriminate on the basis of sex in any education program or activity that it operates as required by Title IX. M-DCPS also does not discriminate on the basis of sex in admissions or employment.

**Age Discrimination Act of 1975** - prohibits discrimination based on age in programs or activities.

**Age Discrimination in Employment Act of 1967 (ADEA) as amended** - prohibits discrimination on the basis of age with respect to individuals who are at least 40 years old.

**The Equal Pay Act of 1963 as amended** - prohibits gender discrimination in payment of wages to women and men performing substantially equal work in the same establishment.

**Section 504 of the Rehabilitation Act of 1973** - prohibits discrimination against the disabled.

**Americans with Disabilities Act of 1990 (ADA)** - prohibits discrimination against individuals with disabilities in employment, public service, public accommodations and telecommunications.

**The Family and Medical Leave Act of 1993 (FMLA)** - requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons.


**Florida Educational Equity Act (FEEA)** - prohibits discrimination on the basis of race, gender, national origin, marital status, or handicap against a student or employee.

**Florida Civil Rights Act of 1992** - secures for all individuals within the state freedom from discrimination because of race, color, religion, sex, national origin, age, handicap, or marital status.

**Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)** - prohibits discrimination against employees or applicants because of genetic information.

**Boy Scouts of America Equal Access Act of 2002** - No public school shall deny equal access to, or a fair opportunity for groups to meet on school premises or in school facilities before or after school hours, or discriminate against any group officially affiliated with Boy Scouts of America or any other youth or community group listed in Title 36 (as a patriotic society).

**Veterans** are provided re-employment rights in accordance with P.L. 93-508 (Federal Law) and Section 295.07 (Florida Statutes), which stipulate categorical preferences for employment.

**In Addition:**

School Board Policies 1362, 3362, 4362, and 5517 - Prohibit harassment and/or discrimination against students, employees, or applicants on the basis of race, color, ethnic or national origin, religion, marital status, disability, genetic information, age, political beliefs, sexual orientation, sex/gender, gender identification, social and family background, linguistic preference, pregnancy, citizenship status, or any other legally prohibited basis. Retaliation for engaging in a protected activity is also prohibited.

For additional information about Title IX or any other discrimination/harassment concerns, contact the U.S. Department of Education Asst. Secretary for Civil Rights or:

Office of Civil Rights Compliance (CRC)
Executive Director/Title IX Coordinator
155 N.E. 15th Street, Suite P104E
Miami, Florida 33132
Phone: (305) 995-1580 TDD: (305) 995-2400
Email: crc@dadeschools.net Website: https://hrdadeschools.net/civilrights

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