

Marie Izquierdo, Chief Academic Officer  
Academics and Transformation

**SUBJECT:** FINAL READING: PROPOSED NEW BOARD POLICY 5330.02, SUN SAFETY, AND AMENDMENTS TO BOARD POLICY 5330, USE OF MEDICATIONS

**COMMITTEE:** INSTRUCTIONAL EXCELLENCE AND COMMUNITY ENGAGEMENT

**LINK TO STRATEGIC FRAMEWORK:** STUDENT, PARENT, AND COMMUNITY ENGAGEMENT

Overexposure to the sun causes 90% of skin cancers, and South Florida has one of the highest skin cancer rates in the United States. In light of the risks and prevalence of skin cancers, students and employees should be made aware of the dangers of overexposure to the sun and be encouraged to protect themselves through the use of sunscreen and other protective measures.

At its September 3, 2014, regular meeting, the Board approved Board Agenda Item C-100 authorizing rulemaking to promulgate new policy 5330.02, *Sun Safety*, and amend Policy 5330, *Use of Medications*, to allow students to carry and apply sunscreen at school without the requirement of obtaining a physician's note or prescription and to exempt the use of sunscreen from existing restrictions applicable to the possession and use of over-the-counter medications. The new policy is modeled on "*Billy's Bill for Sun Safety*," an innovative California law that was recently enacted after a 22 year-old California student died from skin cancer.

The policy generally prohibits school staff from providing or applying sunscreen to students. However, staff may assist a student who is unable to physically apply sunscreen when requested by the student and authorized by the student's parent and the school principal in writing. In addition, the new policy requires schools to encourage students to take other protective measures such as seeking shade and wearing protective clothing and sunglasses. The new policy also requires sun safety and skin cancer prevention to be included in the District's Comprehensive Health Education Curriculum.

REVISED  
**C-100**

The policy was collaboratively developed and reviewed by the Superintendent's Office, Intergovernmental Affairs and Grants, Exceptional Student Education and Student Support, Life Skills, the Florida Department of Health, and a University of Miami expert dermatologist.

The Notice of Intended Action was published in the *Miami Daily Business Review* on September 8, 2014, in various places for public information and mailed to various organizations representing persons affected by the new and amended policies and to individuals requesting notification. The time to request a hearing or protest the promulgation of this policy has elapsed.

In accordance with the Administrative Procedure Act, the new and amended policies are presented to The School Board of Miami-Dade County, Florida, for adoption and] authorization to file the policies in the official records of The School Board of Miami-Dade County, Florida.

REVISED

Attached are the Notice of Intended Action, the proposed new policy, and policy amendments. Changes from the current policy are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

**RECOMMENDED:**

That The School Board of Miami-Dade County, Florida, adopt new policy 5330.02, *Sun Safety*, and amended Policy] 5330, *Use of Medications*, and authorize the Superintendent to file the policies with The School Board of Miami-Dade County, Florida, to be effective October 7, 2014.

REVISED

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## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on September 3, 2014, its intention to promulgate new Board Policy 5330.02, *Sun Safety*, and to amend Board Policy 5330, *Use of Medications*, at its meeting of October 7, 2014

**PURPOSE AND EFFECT:** The purpose of the new policy is to encourage students and employees to protect themselves from dangerous overexposure to the sun and harmful ultraviolet rays that can cause skin cancer by allowing the use of sunscreen and protective clothing during outside activities. The new and amended policies exempt the possession and use of sunscreen from the restrictions applicable to over-the-counter medications.

**SUMMARY:** The new and amended policies allow students to carry and apply sunscreen at school without a physician's note or prescription and specifically exempt the possession and use of sunscreen from the restrictions applicable to over-the-counter medications in Policy 5330, *Use of Medications*. The policies generally prohibit school staff from providing or applying sunscreen to students. However, staff may assist a student who is unable to physically apply sunscreen when requested by the student and authorized by the student's parent and the school principal in writing. In addition, the new policy requires schools to encourage students to take other protective measures such as seeking shade, and wearing protective clothing and sunglasses. The new policy also requires sun safety and skin cancer prevention to be included in the District's Comprehensive Health Education Curriculum.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED:** 1001.41 (1), (2), 1001.42 (25), 1001.43 (10), F.S.

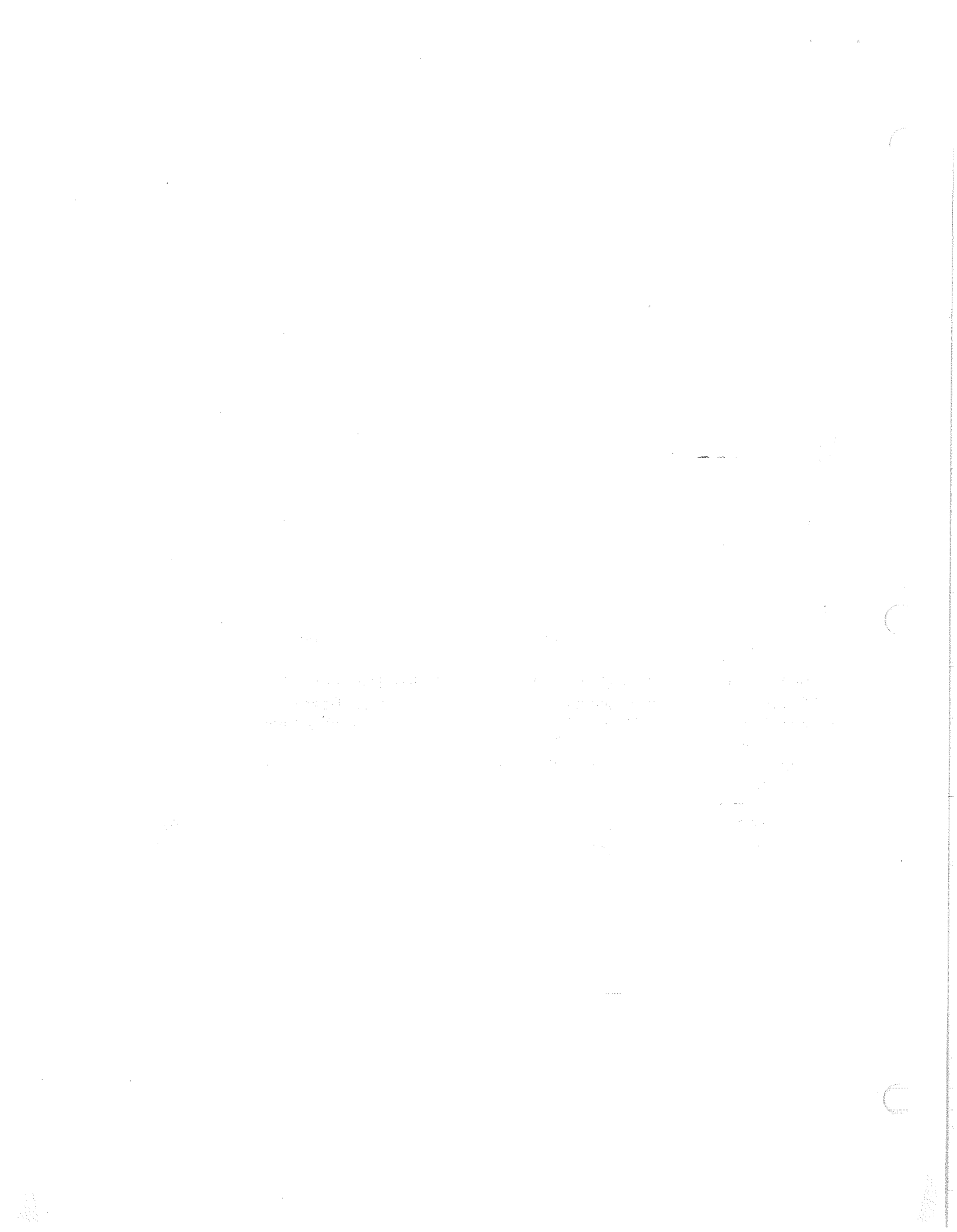
**LAWS IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 1006.062, 1006.08, F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE SCHOOL BOARD MEETING OF October 7, 2014, which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative as provided in Section 120.54(1), F.S., must do so in writing by September 29, 2014, to the Superintendent, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED NEW POLICY AND AMENDED POLICY is available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Ms. Marie Izquierdo  
Supervisor: Mr. Alberto M. Carvalho  
Date: August 20, 2014



The School Board of Miami-Dade County  
Bylaws & Policies

**5330.02 - SUN SAFETY**

Students and staff are encouraged to use sunscreen and protective clothing to protect against dangerous overexposure to the sun, harmful ultraviolet (UV) rays and the development of skin cancer.

**Definitions**

Ultraviolet radiation, or "UV ray," from sunlight is a major risk factor for most skin cancers. Even though UV rays make up only a very small portion of the sun's rays, they are the main cause of the sun's damaging effects on the skin.

"PABA free" means that the product does not contain para-aminobenzoic acid. PABA free sunscreens are hypoallergenic. PABA has been known to cause problems with some individuals with certain allergies.

**Use of Sunscreen**

Students shall be allowed to carry and apply sunscreen without a physician's note or prescription. Sunscreen shall not be considered an over-the-counter medication pursuant to Policy 5330, *Use of Medications*. Unless they are siblings, students may not share sunscreen.

School staff shall not provide or apply sunscreen to students. However, staff may assist a student who is unable to physically apply sunscreen when requested by the student and authorized by the student's parent and the school principal in writing.

**Other Protective Measures**

Schools shall encourage students and staff to:

- Seek shade when engaged in outside activities especially from 10 a.m. to 4 p.m. when excessive UV rays are present.
- Wear protective clothing when exposed to the sun, including hats which cover the ears and back of the neck.
- Use a PABA free sunscreen product 30 minutes before engaging in outside activities.
- Wear sunglasses which block the majority of UV rays and reduce the potential for cataract formation.
- Avoid artificial sources of UV rays such as sunlamps and tanning beds.

**Education and Awareness:**

- Sun safety and skin cancer prevention shall be included in the District's Comprehensive Health Education Curriculum.

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- 1 Inservice programs will be conducted for those authorized to administer medication.
- 2 Administrative procedures implementing this policy are found in the Manual for
- 3 School Health Facilitators.
  
- 4 F.S. 1006.062