

SCHOOL DISTRICT OF GADSDEN COUNTY

APPENDIX A

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CHAPTER 1.00 - DISTRICT PHILOSOPHY

MISSION STATEMENT

1.10

To develop well-rounded, productive citizens who will make a better world.

It is the mission of the School Board of Gadsden County to work together with stakeholders (students, parents, faculty, staff, community members, etc.) to achieve and maintain excellence in its programs and practices. All policies are adopted to encourage use of the basic principles of due process. Consistent, fair, flexible and equitable practices are expected by all involved in order to foster respect for self, the school system, and the society.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.41, 1001.43, F. S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

@EMCS
Revised: 9/15/02

GADSDEN 1.10

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCOPE OF THE SCHOOL DISTRICT

2.10*

- (1) The School Board is the governing body of the District and is responsible for the control, operation, organization, management, and administration of public schools in the county pursuant to the provisions and minimum standards prescribed by Florida Statutes and State Board of Education rules.
- (2) The District school system is part of the state system of public education and includes all public schools, classes, and courses of instruction and all services and activities directly related to education in the District which are under the District school officials' directions.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.30, 1001.31, 1001.32,
1001.33, 1001.41, 1001.43, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

ORIENTATION OF BOARD MEMBERS

2.11

As soon as possible after the election or appointment of a new Board member, the Superintendent should provide him/her with copies of Florida School laws, State Board of Education rules, School Board rules, and the current budget of the District school system and other materials as deemed appropriate by the Superintendent.

STATUTORY AUTHORITY:

1001.41, F. S.

LAWS IMPLEMENTED:

1001.41, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

RESPONSIBILITIES AND AUTHORITY OF THE BOARD 2.20

- (1) The School Board is responsible for the organization and control of the public schools of the District and is empowered to determine the policies necessary for the effective operation and the general improvement of the school system. The School Board is a public corporate entity and may take action only when the Board is meeting in official public session and a quorum is present. The School Board shall limit its action to establishing policy and to meeting the requirements prescribed by laws and rules of the State Board of Education. Individual members of the School Board have authority to take official action only when sitting as a member of the School Board in public session except when the School Board specifically authorizes the member to act. The School Board shall not be bound in any way by any action on the part of an individual board member or an employee except when such statement or action is in compliance with the public action of the School Board.

- (2) The Board shall annually set the salaries of Board Members as required by Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

**1001.31, 1001.363, 1001.372(1),
1001.395, 1001.41, 1001.43,
1003.02, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 1.203**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

ORGANIZATION AND OFFICERS OF THE BOARD

2.21

- (1) A chairperson and a vice-chairperson, and such other officers as the Board may determine, shall be elected annually by the School Board at its organizational meeting held on the third Tuesday after the first Monday in November; provided, however, if a vacancy occurs in the chairperson position, the School Board shall elect a chairperson at the next regular or special meeting.
- (2) The chairperson shall preside at all School Board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the School Board. The vice-chairperson shall preside in the absence of the chairperson and shall perform such other duties of the chairperson as required by circumstances. The chairperson and vice-chairperson shall be bonded in the manner prescribed by the State Board of Education.
- (3) The Superintendent, as provided by law, shall be the secretary and executive officer of the School Board. At any organizational meeting, the Superintendent shall act as chairperson until the organization of the School Board is completed.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.371, 1001.41,
1001.43, 1001.48, 1001.51, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 1.204**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

BOARD MEETINGS

2.22*

All official School Board meetings shall be open to the public and all informal meetings and conferences involving School Board members shall be conducted as public meetings unless specifically exempted by Florida Statutes. No official action may be taken by the School Board at any time other than an official meeting.

- (1) Regular School Board meetings shall be established at the organizational meeting which is held in November following the general election. The regular meeting date may be changed by School Board action at any previous meeting, provided that each member is notified by letter or by distribution of the minutes showing a record of the change. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.
 - (a) Special meetings shall be held at the time designated by the Superintendent, School Board chairperson, or when called by a majority of the School Board members as specified in written notice.
 - (b) Emergency meetings may be held at any time by the Superintendent either upon his/her initiative or upon the School Board chairperson's request. An emergency meeting may be called as quickly as complying with notification procedures; School Board members shall be given a tentative agenda during the notification.
 - (i) The Superintendent shall prepare and distribute an agenda prior to the emergency meeting.
 - (ii) The agenda, the need for the emergency meeting, and the results of the emergency meeting shall be available to the public within twenty-four (24) hours of said meeting.
 - (iii) Emergency meetings shall be conducted in the same manner as prescribed for regular and special meetings.
- (2) Regular, special, and emergency meetings of the School Board shall be held in the regular Board meeting room, unless changed in the manner prescribed herein. As provided by Florida Statutes, any regular or special meeting may be held at any other appropriate public place within the District by giving prior public notice of at least forty-eight (48) hours. When such a meeting is scheduled or rescheduled at a location other than the regular meeting place, the Superintendent shall take such action to give public notice as required by Florida Statutes.

- (3) All School Board meetings shall be conducted in accordance with Robert's Rules of Order.

- (4) Any item to be placed on the agenda of a regular School Board meeting shall be submitted, in writing, to the Superintendent's office no later than five o'clock (5:00 p.m.), eight (8) working days prior to the meeting at which consideration is desired. This rule shall not preclude the right of any citizen to address the School Board; however, except for good cause as provided herein, the School Board shall not take action on any substantive proposal until such matter has been formally placed on the School Board agenda. Copies of the agenda for regular meetings shall be made available at least seven (7) days prior to the scheduled meeting date to the public or other parties who have expressed a desire for such copy of the agenda. Copies of the agenda for a special meeting shall be prepared at least forty-eight (48) hours prior to such meeting.
 - (a) Any person or group desiring to be placed on the agenda shall file with the Superintendent, by twelve o'clock (12:00) noon at least eleven (11) days prior to a meeting, a request to be placed thereon. Such request shall contain the following information:
 - (i) The name and address of the person making the request.
 - (ii) The organization or group, if any, represented.
 - (iii) Content of the information to be presented - if written material is to be passed out, a copy of such material shall accompany the request.
 - (iv) An estimate of the time necessary for such a discussion.
 - (v) Specific action desired of the Board.
 - (vi) Any charges to be made against an individual shall be in affidavit form. If any information is to be presented that is in the form of a statement or charges that might be considered derogatory or of a serious nature, such shall be presented in writing and shall specifically state the charges in the form of an affidavit.
 - (b) The Superintendent shall respond verbally or in writing to any person or group requesting to be placed on the agenda. In the event the agenda for the next regular meeting is unduly long, the Superintendent shall place the presentation request on the agenda for the following regular meeting. If a question should arise in regard to the granting of a request, the Superintendent and the chairperson shall confer and make a decision.
 - (c) At any School Board meeting, unless otherwise ordered by majority consent of the Board members present, the maximum amount of time allowed for presentation of, and discussion on, the subject matter of any such request shall be thirty (30) minutes, distributed as follows: ten (10) minutes to the maker of the request; ten (10) minutes to any opponent of the proposition of such maker; and ten (10) minutes for questions and

discussion by the Superintendent and the Board. Each speaker shall be allowed a maximum of three (3) minutes on a topic unless time is extended by the Board.

- (d) All agenda items on which action is deferred shall be listed on the next agenda under "Unfinished Business" unless a time certain is specified.
 - (e) The Superintendent shall either answer correspondence sent to the School Board or bring it to the School Board's attention at its next meeting by placing it on the agenda for information or School Board action.
- (5) A majority shall constitute a quorum for any School Board meeting. No business shall be transacted unless a quorum is present. There is no meeting for a minority to adjourn. Unless a majority is present, no meeting can be convened.
 - (6) The vote shall be unanimous if all members audibly vote "yes" or otherwise indicate an affirmative vote.

When a split vote occurs, the minutes shall show the vote of each member on the question. Each member who is present shall vote on each decision, ruling, or official act which is taken or adopted by the School Board, unless there is or appears to be a conflict of interest under the provisions of Florida Statutes. In such cases the member may abstain, but shall file a memorandum pursuant to requirements of Florida Statutes.

- (7) The official minutes of the School Board shall be kept as prescribed by Florida Statutes. The minutes shall be kept in a safe place by the Superintendent and shall be made available by the Superintendent during the time the office is open to any citizen desiring to examine the minutes.
 - (a) Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the name of the person who seconds the motion; and, the vote or action thereon shall be recorded.
 - (b) Any School Board member or Superintendent who wishes any of his/her statements to be recorded may request during the meeting that such become a part of the official minutes.
 - (c) Any other matter may be made part of the official minutes by direction of the chairman or by a majority of the School Board.
 - (d) Lengthy material such as, but not limited to, student assignments may be maintained in record books which are separate from, but supplemental to the basic record of minutes.
- (8) The public shall be informed that it is unlawful to knowingly disrupt or interfere with a School Board meeting and that any such action may result in a misdemeanor offense of the second degree. This includes individuals who

advise, counsel, or instruct students or School Board employees on techniques for disrupting a School Board meeting.

- (9) Workshops may be scheduled by the School Board as deemed appropriate. No formal action may be taken by the School Board during such workshops.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

Chapter 112, 120.525, 120.53, 286.0105, 286.011, 286.0111, 286.012, 447.605, 877.13, 1001.32, 1001.37, 1001.372(1),(2),(4),(4), 1001.41, 1001.42, 1001.43, 1006.145, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 1.101; 1.102; 1.206; 1.207**

SCHOOL BOARD RULES

2.23*

As used in these rules, the term *rule* and *policy* shall have the same definition.

These rules may be amended, repealed, or a new rule adopted as hereinafter prescribed. The term *rule* is defined in Florida Statutes; it does not include “curricula by an educational unit,” thereby, removing the development or prescription of curriculum by a School Board from the procedural requirements established for rule making.

- I. Unless an emergency exists, any proposal relating to a rule amendment, the repeal of any rule, or the adoption of a new rule shall be presented in writing to the School Board including a written explanation of the proposal.
 - A. The Superintendent shall give immediate and proper written notice to the public pursuant to the provisions of Florida Statutes, when the School Board has determined that it will give due consideration to the proposal for adoption, amendment, or repeal of a rule. The notice of a public hearing shall be advertised twenty-eight (28) days prior to the date of the hearing. The notice shall include a brief and concise explanation of the proposed rule’s purpose and effect, the estimate of economic impact to all individuals affected by the proposed rule or rule amendment, the specific legal authority for the School Board’s action, and the location where the text of the proposed change may be obtained.
 - B. Any person who is substantially affected by a proposed rule, rule amendment, or the repeal of a rule, may within twenty-one (21) days following notice of intent to adopt or repeal such rule, file a written request with the School Board seeking an administrative determination as to the validity of the proposed rule action.
 - C. The Superintendent shall file immediately in his/her office a copy of any new rule, rule amendment, or repeal of rule adopted by the School Board; policy handbooks shall be amended accordingly.
 - D. Such rules shall become effective upon adoption by the School Board unless a time certain date is specified therein.
- II. Any person substantially affected by an existing School Board rule may petition the Division of Administrative Hearings, Florida Department of Administration, to conduct a hearing on the rule validity pursuant to Florida Statutes. Any hearing examiner’s decision which is adverse to the School Board may, upon the School Board’s appeal, be judicially reviewed. Any hearing examiner’s decision which is adverse to the person substantially affected may, upon that person’s appeal, be judicially reviewed.
- III. The School Board may determine that the public health, safety, or welfare is endangered and that immediate action is required to protect the public interest. When this occurs, the School Board, at any meeting in which a quorum is present, may adopt emergency rules, without complying with the waiting period as provided in section I. herein for public hearings and other similar requirements. The Superintendent shall properly record the effective date for any such emergency rule. Any emergency rule shall not be valid in excess of ninety (90) days from the adoption or effective date.
- IV. Any School Board employee, citizen, or agency may obtain information relating to the method for proposing a rule or may submit a rule proposal to the Superintendent’s office.

- V. A copy of the compiled rules shall be available for inspection in the Superintendent's office, the principal's office, and in the library of any school.
- VI. Copies of the School Board rules shall be assigned to various positions within the District as determined by the Superintendent.
 - A. A copy of any rule change shall be made available by the Superintendent to each holder of the compilation who shall be responsible for entering all changes immediately upon receipt.
 - B. A copy of the School Board rules manual shall be available to all staff members either in the principal's office or school library. The school principal shall keep the compilation current.
 - C. The principal shall inform his/her staff members of the location of the School Board rules and any changes.
- VII. A School Board rule may be waived only to provide and implement overall goals and objectives of the School Board and to protect and preserve the health, safety, and welfare of the affected individual(s). Waiver of a School Board rule shall be addressed and a decision rendered regarding its waiver at a regular, special or emergency School Board meeting. A waiver of a School Board rule shall not render the policy void with respect to the continued implementation of the rule which is sought to be waived not to the application of said rule to said situations which may arise in the future.
- VIII. Any citizen may appeal to the Board for a variation or waiver with regard to any policy. The appeal process shall be that a written request shall be made to the Superintendent who shall review the matter and present recommendations to resolve the problem at the next regular School Board meeting to which the item may be added as a part of the agenda. In cases where an appeal process has been developed for a specific policy, the appeal shall be made in accordance with that procedure.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 120.52 - .72, 1001.43, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 08/23/05
FORMERLY: 1.103 - 1.303

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

COLLECTIVE BARGAINING AGREEMENTS

2.24

Any provision of a collective bargaining agreement which is ratified by the School Board and affects collective bargaining members shall prevail over any School Board rule conflicting with the agreement. The School Board rule shall be deemed to be amended during the term of the agreement. If such agreement expires prior to ratification of a subsequent agreement, the provisions of the expired agreement shall be in effect until ratification of a subsequent agreement or approval by the legislative body by a Resolution of Impasse.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

447.309(3), 1001.43 F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHOOL BOARD ADOPTED PLANS

2.25+

The School Board has plans, manuals, handbooks and codes which outline procedures to be followed relative to stated topics. The plans, manuals, handbooks and codes listed below may be adopted by reference as part of these rules when required by other Board rules, Florida Statutes, or other controlling requirements.

Administrative Services

- * Budget Document
 - District Emergency Plan
 - District Five-year Work Plan
 - District Master In-Service Plan
 - District Procedures Manual
 - District Safety Plan
 - General Outline of Revenue and Meal Accountability Procedure
 - Human Resources Management and Development (HRMD) Plan
- * Position Description
 - Project Priority List
 - School Plant Survey
 - Transportation Procedures Manual

Instructional Services

- After School Child Care Program Manual
- * Code of Student Conduct
 - District Testing Procedures Manual

- Instructional Materials Manual
- Instructional Technology Plan
- Limited-English Proficient LEP Plan
- Manual for Admissions and Placement for ESE Programs
- * Student Progression Plan
- School Handbooks
- School Health Procedures Manual
- School Improvement Plans
- Special Programs and Procedures Manual
- Student Education Records Manual
- Student Performance Standards
- Student Performance Standards of Excellence
- Student Report Cards
- Student Services Plan
- Truancy Plan

* These documents are adopted by the Board in accord with Florida Statute 120 (Administrative Procedures Act); all other documents are either approved or revised by the Board from time-to-time.

STATUTORY AUTHORITY: **1001.41, 1001.42, F. S.**

LAWS IMPLEMENTED: **1001.41, 1001.43, F.S.**

HISTORY: **ADOPTED:**
REVISION DATE(S):
FORMERLY: 8.220; 8.301; 8.302

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY 2.26*+

The School Board shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to Florida Statutes and State Board of Education rules. The system shall establish the individual school as the unit for education accountability and shall conform with the provisions of planning and budgeting as required by Florida Statutes. School as used herein shall include each school-within-a-school, magnet school, self-contained educational alternative center, and satellite center.

The system shall include, but not be limited to, the following components:

I. School improvement plans which are adopted for each District school.

Each District school shall develop and present to the Superintendent, by the date set by the Superintendent, an individual school improvement plan for consideration by the School Board. The approved plan shall be implemented the next school year.

A. The plan shall be designed to achieve the state education goals and student performance standards and shall be based on a needs assessment conducted pursuant to data collection requirements in Florida Statutes.

B. The plan shall address school progress, goals, indicators of student progress, strategies, and evaluation procedures including adequate measures of individual student performance. Specific school safety and discipline strategies and other academic-related issues may be included.

C. The plan for each District school shall be approved annually and shall be implemented as a new, amended, or continued school improvement plan.

D. The plan shall be developed by School Board employees in each District school in conjunction with the school advisory council.

E. Each school plan shall meet the requirements of Florida Statutes.

II. An approval process.

The District process for initial approval and subsequent annual approvals of school improvement plans shall provide for each school improvement plan to be reviewed and approved or disapproved by the School Board. The Superintendent shall refer any disapproved school improvement plans to the Florida Commission on Education Reform and Accountability.

III. A two-year individualized assistance and intervention plan for schools that do not meet or make adequate progress, as defined in Florida Statutes and State Board of Education rules, in satisfying the goals and standards of their approved school improvement plan.

IV. The District notification procedures to the Florida Commission on Education Reform and Accountability and the State Board of Education to identify any school that has completed a two-

year individualized assistance and intervention plan without making adequate progress in satisfying the goals and standards of its approved school improvement plan.

- V. A communication program to inform the public about student performance and educational programs in District and school reports.
- VI. Funds for schools to develop and implement school improvement plans.
- VII. A reporting procedure to provide the Florida Commission on Education Reform and Accountability with annual feedback on the progress of implementing and maintaining a system of school improvement and education accountability. Items specified in Florida Statutes, shall be included in all feedback reports.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 24.121(5)(c), 1001.01, 1001.10, 1001.42, 1001.43, 1001.452, 1003.413, 1008.345, 1008.385, 1011.01, F.S.

HISTORY: ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW, 10/15/06

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SPECIAL COMMITTEES OF THE SCHOOL BOARD

2.27

- (1) Special committees may be appointed by the School Board Chairperson when deemed necessary. The duties of any such committee shall be outlined at the time of appointment; the committee shall be automatically dissolved when the School Board accepts the committee's final report. Each School Board member shall be notified of all committee meetings, but shall have no vote unless the member is serving as a committee member. All meetings of School Board committees shall be open to the public.
- (2) Special committees or individuals who serve on special committees shall take no action which is binding upon the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.41, 1001.43, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 1.208**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHEDULE FOR LEGAL ADVERTISEMENTS

2.28

- (1) The School Board shall inform the general public of certain actions through legal advertisements (e.g.; Notices of Public Hearing, Invitation to Bid, etc.). Items of interest to the public shall also be advertised.
- (2) Notification to all appropriate agencies and individuals to amend, adopt, or repeal a School Board rule shall be given twenty-eight (28) days prior to the date of intended School Board action.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

120.54, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02
FORMERLY: NEW**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHOOL ADVISORY COUNCILS

2.30*+

The School Board authorizes the establishment of a school advisory council in each District school to assist in the enhancement of school site decision-making, to serve in an advisory capacity to the principal and to assist in the development of the educational program and in the preparation and evaluation of the school improvement plan required pursuant to Florida Statutes. The Superintendent shall develop guidelines pursuant to Florida Statutes to assist school advisory councils in order to ensure their active role in school site decision-making. School advisory councils shall not assume any of the powers or duties now reserved by law for the School Board or its professional staff. Nothing contained in the District and/or local school accountability process shall be construed to lessen or otherwise alter the authority of the school principal as provided for in law, rules or regulations.

- I. Composition and Selection of Councils - Council members shall include the school principal and an appropriately balanced number of teachers, education support employees, students, parents, and business and community representatives.
 - A. Members shall be representative of the ethnic, racial, and economic community served by the council.
 - B. Student representation shall be required for school advisory councils established at vocational-technical centers and high schools and may be included for school advisory councils serving middle and junior high schools. Student representation shall not be required for school advisory councils serving elementary schools.
 - C. The term *education support employees* as used herein shall refer to any person who is employed by a school for twenty (20) or more hours during a normal working week and who does not meet the definition of instructional or administrative personnel pursuant to Florida Statutes.
 - D. The term *teacher* as used herein shall include classroom teachers, certified student services personnel, and media specialists.
 - E. A majority of members must be persons who are not employed at the school.
 - F. *Appropriately balanced* as used herein shall mean a proportionate number of council members considering each peer group being represented on the council, excluding the school principal. The size of the school advisory council and the ratio of representatives among the peer groups, excluding the school principal, shall be set forth in the bylaws establishing procedures adopted by each school advisory council.
- II. Selection of Council Members - New council members shall be elected by their respective peer group, except for business and community representatives and the school principal.
 - A. The following council members shall be elected in a fair and equitable manner as determined by their respective peer group and as set forth in the bylaws of the school advisory council.
 1. A teacher(s) shall be elected by teachers;

2. An education support employee(s) shall be elected by education support employees;
 3. A student(s), when appropriate, shall be elected by students; and,
 4. A parent(s) shall be elected by parents.
- B. The school advisory council shall select business and community member(s) to serve on the school advisory council after reviewing the list of nominees prepared by the school principal.
1. Business and community representatives shall be selected initially through a nomination and selection process facilitated by the school principal of each school advisory council.
 - a. The school principal shall seek candidates who are interested in making a commitment to participate on the school advisory council by representing businesses and the community.
 - b. Letters, newsletters, or other media releases shall be used by the school principal to seek candidates.
 - c. The school principal shall prepare a list of individuals seeking nomination to the school advisory council and shall present the list to the school advisory council for selecting the business and community representative(s).
 2. Subsequent to the initial selection as described in section II.B.1. herein, the operational guidelines of the school advisory council shall set forth procedures for nominating business and community representatives to serve on the school advisory council.
- C. The principal shall submit the list of council members to the Superintendent for review of each school to determine compliance with section I. herein. The membership list shall contain the name of each council member and the peer group which is being represented by each member and a description of how the council represents the ethnic, racial, and economic community served by the school.
- III. Confirmation of the School Advisory Council - The Superintendent shall submit to the School Board for review and approval the membership list for each school advisory council in the District. The School Board shall determine if a school advisory council meets criteria specified in section I. herein; additional members shall be appointed by the School Board when it is required to achieve the proper representation on the school advisory council.
- IV. Responsibilities of Councils - Each school advisory council shall
- A. Review the results of any needs assessments conducted by the school administration.
 - B. Assist in the development of the school improvement plan and provide recommendations on specific components of the plan, such as the goals of the school, indicators of school and student progress, and strategies and evaluation procedures to measure student performance. The school advisory council shall be the final decision-making body at the school relating to school improvement.

- C. Define adequate progress for each school goal; obtain public input when defining adequate progress for school goals; negotiate the definition of adequate progress with the School Board; and notify and request assistance from the School Board when the school fails to make adequate progress in any single goal area.
 - D. Monitor students' and the school's progress in attaining goals and evaluate the appropriateness of the indicators of student progress and strategies and evaluation procedures which are selected to measure student performance.
 - E. Prepare and distribute information to the public to report the status of implementing the school improvement plan, the performance of students and educational programs, and progress in accomplishing the school goals.
 - F. Make recommendations on the accumulation and reporting of data that is beneficial to parents.
 - G. Serve as a resource for the principal and advise the principal in matters pertaining to the school program.
 - H. Provide input on the school's annual budget and the use of school improvement funds, and shall assist in the preparation of the school budget.
 - I. Inquire about school matters, identify problems, propose solutions to problems, suggest changes, and inform the community about the school.
 - J. Act as a liaison between the school and the community.
 - K. Assist in the preparation of the feedback report to the Florida Commission on Education Reform and Accountability as required by and pursuant to Florida Statutes.
 - L. Identify other duties and functions of the school advisory council.
- V. Operation of Council - Operational guidelines shall be established and mutually agreed upon by members of the school advisory council.
- A. The guidelines shall:
 - 1. State the duties and functions of the council.
 - 2. Indicate the procedure for electing council members and the nomination process for selecting business and community representatives.
 - 3. Identify the procedure for electing officers, including a chairperson, vice-chairperson, and recording secretary, and determine the term of office for each position.
 - 4. Establish the membership term for each peer group.
 - 5. Specify the proportionate number of council members for each peer group for the purpose of achieving an appropriately balanced council.
 - B. Regular meetings shall be held. The council shall determine the date, time, and place of the meetings.

- C. The agenda shall be advertised to the school community at least seven (7) days in advance of the scheduled meeting.
- D. Members of the advisory council shall be notified three (3) days in advance, in writing of any matter that is scheduled before the council for a vote.
- E. All meetings shall be open, public, and subject to Florida Statutes.
- F. The school advisory council shall be subject to maintaining records pursuant to Article 1, Section 24, and Article XII, Section 20, of the Florida Constitution.
- G. Sections of School improvement plans which require waivers of the terms or conditions in negotiated agreement(s) shall be subject to the approval of the Board and Bargaining Agent.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1001.452, 1008.385, 1012.01, F.S.

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: 2.124

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

LEGAL COUNSEL – BOARD

2.40

The School Board shall obtain an attorney, from outside its own membership, who shall act as legal advisor to the Board and the Superintendent. The Board shall provide a written contract for its attorney which shall specify duties and responsibilities for the duration of the contract with renewal and termination provisions and compensation to be paid. Special counsel may be retained to assist the Board attorney in any litigation or other matter when specifically approved by the School Board.

STATUTORY AUTHORITY:

1001.41, 1001, 42, F.S.

LAWS IMPLEMENTED:

1001.41, 1001.43, 1012.26, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 1.209

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

LEGAL COUNSEL – BOARD

2.40

The School Board shall obtain an attorney, from outside its own membership, who shall act as legal advisor to the Board and the Superintendent. The Board shall provide a written contract for its attorney which shall specify duties and responsibilities for the duration of the contract with renewal and termination provisions and compensation to be paid. Special counsel may be retained to assist the Board attorney in any litigation or other matter when specifically approved by the School Board.

STATUTORY AUTHORITY:

1001.41, 1001, 42, F.S.

LAWS IMPLEMENTED:

1001.41, 1001.43, 1012.26, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 1.209

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

LEGAL COUNSEL – SUPERINTENDENT

2.41

The Superintendent shall have the authority to obtain, at Board expense, an attorney to represent him/her in any legal matter regarding the performance of his/her duties when special counsel is needed beyond the service normally rendered by the School Board attorney.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1012.26, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

LEGAL SERVICES FOR EMPLOYEES

2.42

The School Board shall provide legal services for any School Board member or employee who is sued for any action arising out of or in the course of employment by the District subject to the Superintendent's determination that the employee was at the assigned place of duty and was not guilty of willful neglect of duty, gross negligence, or improper conduct.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1012.26, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.102**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

PARTICIPATION IN ACTIVITIES

2.50

Each member of the Board is encouraged to participate in the activities and programs conducted by state, regional and national associations of the School Board. The Superintendent shall include an amount in each proposed annual budget to cover expenses to support the participation of the Board in activities and programs conducted by the State and other organizations as the Board chooses. Any reimbursement for Board member travel outside of the state of Florida must be approved in advance by the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.41, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 1.205**

PROGRAM OF AWARDS

2.60*+

The Superintendent shall establish a program of awards for approval by the School Board.

- (1) Individuals who are eligible for receiving an award shall include:
 - (a) Employees with long and meritorious service or distinguished service in the performance of duty.
 - (b) Students who have excelled in scholarship, athletics, music, subject matter areas, citizenship, attendance, and any other areas recommended by the Superintendent and approved by the School Board.
 - (c) School volunteers or advisory council members who have contributed outstanding and meritorious service.
- (2) The criteria for awards granted at individual schools shall be established by the principal and the instructional staff, and shall be submitted in writing to the Superintendent.
- (3) The criteria for awards distributed at the District level shall be developed by the Superintendent with the assistance of representatives of the supervisory, administrative, instructional, and non-instructional staffs.
- (4) Non-monetary awards may be in the form of a certificate, plaque, ribbon, photograph, medal, trophy, or any appropriate award.
- (5) The amount of a monetary award shall be established by the School Board pursuant to Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1012.22, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY:**

**©EMCS
New: 9/15/02**

GADSDEN 2.60*+

**FAMILY AND SCHOOL PARTNERSHIP FOR STUDENT
ACHIEVEMENT**

2.261*+

- I. The School District and each school principal are encouraged to strengthen family involvement and family empowerment in the school. The District will coordinate and integrate parental involvement strategies with school improvement, Title I, Title II, Title IV, Title VI, Community Involvement Programs, Business Partnerships, and other community involvement activities.
- II. The District will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs, based on the National Standards for Parent/Family Involvement Programs, which include:
 - A. Communication between home and school is regular, two-way and meaningful.
 - B. Responsible parenting is promoted and supported.
 - C. Parents play an integral role in assisting student learning.
 - D. Parents are welcome in school and their support and assistance are sought.
 - E. Parents are full partners in the decisions that affect children and families.
 - F. Community resources are utilized to strengthen school programs, family practices and student learning.
- III. The District will communicate parental choices and responsibilities to parents.
- IV. The District shall develop and distribute a parent guide to successful student achievement. The guide shall contain information that parents need to know about their child's educational progress and how parents can help their child's success in school.
- V. The District will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the district professional development plan.
- VI. The District, to the extent practicable, shall provide full opportunities for parents with disabilities, parents with limited English proficiency and parents of migratory children to participate in school and parental involvement activities and programs.
- VII. The District will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy
 - A. To determine the effectiveness in increasing parent participation;
 - B. To identify barriers to greater parent participation; and
 - C. To report the findings to the State Board of Education.

VIII. The District will use the findings of the evaluations in designing strategies for school improvement and revising, if necessary, the parent involvement policies.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1002.23, 1001.42, 1001.51, 1001.54, 1002.20, 1003.33, 1006.07, 1008.25, 1012.72, 1012.98 F.S.
NO CHILD LEFT BEHIND ACT OF 2001, P.L. 107-110

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY:NEW, 10/15/06

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

PROHIBITING DISCRIMINATION, INCLUDING SEXUAL AND OTHER FORMS OF HARASSMENT

2.70

A. Policy Against Discrimination

- (1) No person shall, on the basis of race, color, religion, gender, age, ethnicity, national origin, marital status, disability, political or religious beliefs, national or ethnic origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School District, except as provided by law.
- (2) The School Board shall comply with all state and federal laws, which prohibit discrimination and are designed to protect the civil rights of applicants, employees, and/or students, or other persons protected by applicable law.
- (3) The School Board shall admit students to District Schools, programs, and classes without regard to race, color, religion, gender, age, national or ethnic origin, marital status, disability or handicap.

B. Policy Against Sexual Harassment or Other Forms of Harassment Prohibited by Law

- (1) The School Board desires to maintain an academic and work environment in which all employees, volunteers, and students are treated with respect and dignity. A vital element of this atmosphere is the Board's commitment to equal opportunities and the prohibition of discriminatory practices. The board's prohibition against discriminatory practices includes prohibitions against sexual harassment, or any other form of harassment based upon a person's membership in a protected class and specifically prohibited by applicable state or federal law. The School Board forbids sexual harassment, or any other form of illegal harassment, of any employee, student, volunteer or visitor. The Board will not tolerate sexual harassment, or any other form of illegal harassment by any of its employees, students, volunteers or agents.
- (2) The prohibition against discrimination including sexual and other forms of illegal harassment shall also apply to non-employee volunteers who work subject to the control of school authorities, and to all vendors or service providers who have access to School Board facilities.

C. Definition of Sexual Harassment

- (1) Prohibited sexual harassment includes, but is not limited to, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when:
 - (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
 - (b) Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting the individual.

- (c) The conduct has the purpose or effect of having a negative impact on the individual's academic performance or employment, unreasonably interfering with the individual's education or employment, or creating an intimidating, hostile, or offensive educational or employment environment.
 - (d) Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding any term or condition of employment, employment or academic_benefits, or services, honors, programs, or activities available at or through the school.
- (2) Types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:
- (a) Graphic verbal comments about an individual's body or appearance.
 - (b) Sexual jokes, notes, stories, drawings, pictures or gestures.
 - (c) Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions.
 - (d) Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates.
 - (e) Spreading sexual rumors.
 - (f) Touching an individual's body or clothes (including one's own) in a sexual way, including, but not limited to, grabbing, brushing against, patting, pinching, bumping, rubbing, kissing, and fondling.
 - (g) Cornering or blocking normal movements.
 - (h) Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.

D. Definition of Other Forms of Prohibited Harassment

(1) Illegal harassment on the basis of any other characteristic protected by state or federal law is strictly prohibited. This includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability, marital status, citizenship or any other characteristic protected by law and that:

- (a) Has the purpose or affect of creating an intimidating, hostile or offensive work or academic environment;
- (b) Has the purpose or effect of interfering with an individual's work or academic performance; or

(c) Otherwise, adversely affects an individual's employment or academic performance.

- (2) Examples of prohibited actions, which may constitute harassment include, but are not limited to, the following:
 - (a) Epithets, slurs or negative stereotyping;
 - (b) Threatening, intimidating or hostile acts, such as stalking; or
 - (c) Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the school or district office premises or circulated in the workplace or academic environment.

E. Retaliation Prohibited

- (1) Any act of retaliation against an individual who files a complaint alleging a violation of the District's anti-discrimination policy and/or sexual or illegal harassment policy or who participates in the investigation of a discrimination complaint is prohibited.
- (2) Retaliation may include, but is not limited to, any form of intimidation, reprisal or harassment based upon participation in the investigation if, or filing a complaint of, discrimination.

F. Procedures for Filing Complaint of Discrimination, Sexual Harassment, or Other Form of Illegal Harassment

- (1) Complaints. Procedures for filing.
 - (a) Any person who believes that he or she has been discriminated against, or placed in a hostile environment based on gender, marital status, sexual orientation, race, national origin, religion, age or disability by an employee, volunteer, agent or student of the School District should within 60 days of alleged occurrence file a written or oral complaint. The complaint should set forth a description of the alleged discriminatory actions/harassment, the time frame in which the alleged discrimination occurred, the person or persons involved in the alleged discriminatory actions, and any witnesses or other evidence relevant to the allegations in the complaint.
 - (b) The complaint should be filed with the School Principal, Site Administrator, or supervisor. Complaints filed with the Principal, Site administrator, or supervisor must be forwarded to the District's EEO Officer within five (5) days of the filing of the complaint. If the complaint is against the principal or site administrator, the complaint may be filed directly with the EEO officer.
 - (c) If the complaint is against the District's EEO Officer, the Superintendent, or other member of the School Board, the complaint may be filed with the School Board Attorney.

(2) Procedure for Processing Complaints

- (a) Complaints filed against persons other than the Superintendent or member of the School Board:
 - (i) Upon receipt of the written complaint by the District EEO Officer, the District EEO Officer shall appoint an investigator to conduct an investigation of the allegations in the complaint. The investigator shall interview the complainant and the accused; interview any witnesses identified by the complainant, accused, or by other sources; take statements from all witnesses; and review any relevant documents or other evidence. Upon completing a review of all evidence relevant to the complaint, the investigator shall prepare a written summary of the investigation, and make a recommendation to the District EEO Officer as to whether there is reasonable cause to believe a violation of the District's anti-discrimination policy has occurred. Copies of documents, evidence and witness statements which were considered in the investigation must be sent to the EEO officer along with the summary and recommendation.
 - (ii) If the complaint is against the EEO officer, the School Board Attorney shall appoint an investigator, who shall conduct an investigation in the manner set forth in Section 2(a)(1) above.
 - (iii) The investigation, summary, relevant documents, witnesses' statements and recommendation should be completed and forwarded to the EEO Officer within 30 days, or to the School board Attorney within 30 days, if the complaint is against the EEO Officer. The EEO Officer, or School Board Attorney, respectively, shall review the investigation summary, evidence and recommendation, and determine within ten (10) days whether there is reasonable cause to believe a discriminatory practice occurred.
 - (iv) If the EEO Officer or School Board Attorney determines there is reasonable cause to believe a violation of the nondiscriminatory policy occurred, he or she shall within ten (10) days provide notice of the reasonable cause finding to the complainant and the accused. The EEO Officer or School Board Attorney shall then forward the investigatory file, reasonable cause determination, and all related documents and evidence, to the Superintendent.
 - (v) If the EEO Officer or School Board Attorney determines, after a review of the investigation, summary, recommendation and other evidence, that there is no reasonable cause to believe a discriminatory practice occurred, he or she shall provide within ten (10) days notice of the finding of no reasonable cause to the complainant and accused.
 - (vi) The complainant may request a no reasonable cause finding by the EEO Officer or School Board Attorney be reviewed by the Superintendent

within ten (10) days of receipt of this notice. The complainant shall provide a written statement detailing facts in support of his or her disagreement with the determination. The complainant will also be given an opportunity to meet with the Superintendent and EEO Officer/School Board Attorney to present his or her position. The Superintendent and EEO Officer/School Board Attorney shall prepare a written memorandum summarizing the content of the conference to be included in the complaint file. The Superintendent shall within ten (10) days of receipt of the notice make a final determination as to whether there is reasonable cause to believe a discriminatory practice occurred.

- (vii) If review by the Superintendent is not timely requested, the EEO Officer or School Board Attorney's determination of no reasonable cause shall be final.
- (viii) The accused may request, within ten (10) days of receipt of a notice of a finding of reasonable cause, that the determination be reviewed by the Superintendent. The request must include a written statement expressing the accused's position on the complaint and findings, and address any facts, statements or evidence which he or she submits are inaccurate. The accused will be given an opportunity to meet with the Superintendent and the EEO Officer/School Board Attorney to present his or her position. The Superintendent and EEO Officer/School Board Attorney must within ten (10) days of receipt of the notice prepare a memorandum summarizing the content of the meeting to be included in the complaint file.
- (ix) After providing the opportunity for an informal hearing as referenced in section (viii) above, the Superintendent shall evaluate all the evidence, the investigation summary, recommendations and findings, along with any input by the accused and complainant, and make a final determination as to whether there is reasonable cause to support the complainant's allegations. He or she shall then determine any necessary disciplinary, remedial, or other action. Notice of the final disposition of the complaint and any disciplinary and/or remedial action shall within ten (10) days of the informal hearing be forwarded to the accused and the complainant, and a copy of will be filed with and maintained in the office of the District EEO Officer and the Personnel Director.

(b) Complaints against School Board Members or against the Superintendent:

- (i) Complaints against School Board Members or the Superintendent shall be filed with the School Board Attorney. The School Board Attorney will within twenty (20) days appoint an outside, independent investigator to conduct an investigation and make a recommendation as to whether a discriminatory practice has occurred. It is recommended, but not mandatory, that the investigator be an attorney familiar with federal and state law prohibiting discrimination on the basis of a protected status.
- (ii) The complainant and accused shall be interviewed by the outside investigator. Both shall provide written lists of witnesses to be interviewed, and documents or other evidence to be reviewed as

relevant to the complaint. The investigator shall interview all witnesses identified by the complainant or accused, in addition to witnesses with relevant knowledge which the investigator may discover from other sources. The investigator shall also review relevant documents and other evidence. The investigator shall within twenty (20) days of receiving the complaint prepare a written summary of his or her investigation, and a recommendation to the School Board Attorney as to whether there is reasonable cause to believe that a discriminatory practice may have occurred.

- (iii) If reasonable cause is recommended by the investigator against a School Board Member or an elected Superintendent, the recommendation shall within twenty (20) days be forwarded to the Governor's office to determine if there is evidence that a misfeasance or malfeasance of office occurred. The Governor's Office will be responsible for taking any necessary action in accordance with applicable law with reference to an elected official. The School Board shall receive and make the final determination if the Superintendent is appointed by the Board.
- (iv) A finding of no reasonable cause by the outside investigator, which is reviewed and confirmed by the School Board Attorney shall be final. In compliance with Florida Statute, the investigation file shall become public record and the Superintendent or School Board Member shall answer to their constituency.

(3) Penalties for confirmed Discrimination or Harassment

- (a) Student. A substantiated allegation of discrimination or harassment against a student shall subject that student to disciplinary action consistent with the Code of Student Conduct.
- (b) Employee or Volunteer. A substantiated allegation of discrimination or harassment against an employee may result in disciplinary actions including termination and referral to appropriate law enforcement authorities. A volunteer shall be removed from service and a referral may be made to appropriate law enforcement authorities.

(4) Limited Exemption from Public Records Act and Notification of Parents of Minors

- (a) To the extent possible, complaints will be treated as confidential and in accordance with Florida Statutes and the Family Educational Rights and Privacy Act ("FERPA"). Limited disclosure may be necessary to complete a thorough investigation as described above. The district's obligation to investigation and take corrective action may supersede an individual's right to privacy
- (b) The parents of a person under the age of 18 who has filed a complaint of discrimination and/or harassment shall be notified within three (3) days of receipt of a complaint.

STATUTORY AUTHORITY: 120.54; 1001.41, 1001.42; 1012.23, F.S.

LAWS IMPLEMENTED: 112.51; 119.07; 760.01 ET SEQ., 1000.05; 1000.21;
1001.43; 1012.22, F.S.; 34 CFR 99; 34 CFR 200.43(C);
P.L. 201-44, CODE OF FEDERAL REGISTER

STATE BOARD OF EDUCATION RULE: 6A-19.001 ET. SEQ.

HISTORY: **ADOPTED:**
REVISION DATE(S): 2/15/03, 7/15/03
FORMERLY: 2.29, 2.291, 2.71,
2.72, 2.81

REPORTING CHILD ABUSE

2.80

I. Definitions of Child Abuse, Abandonment or Neglect

- A. *Abuse* means any willful or threatened act that results in any physical, mental or sexual injury or harm that causes, or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
- B. *Abandonment* means a situation in which the parent or legal custodian of a child, or in absence of the parent or legal custodian, the caregiver responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations.
- C. *Neglect* occurs when a child is deprived of or is allowed to be deprived of, necessary food, clothing, shelter or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability, unless actual services for relief have been offered and rejected. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal custodian.

II. Notification of Responsibility

A notice providing the following information shall be posted in a prominent place in each school:

- A. All employees of the District have the responsibility to report all actual and suspected cases of child abuse, abandonment or neglect; immunity from liability if they report such cases in good faith; and the responsibility to comply with child protective investigations and all other provisions of law related to child abuse, abandonment or neglect.
- B. Statewide toll-free telephone number for the central abuse hotline.

III. Prohibition Against Child Abuse, Abandonment or Neglect

The School Board strongly prohibits any action or omission constituting child abuse, neglect, or abandonment by any of its employees, agents, volunteers, or by other persons affiliated in any way with the School District. Further, all employees, agents, and volunteers of the School District must comply with Florida law requiring reporting of child abuse, neglect, or abandonment.

IV. Requirements for Reporting Child Abuse, Abandonment or Neglect

- A. Florida Statute requires that any person, including, but not limited to, any
1. Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care or treatment of persons;
 2. Health or mental health professional other than one listed in 1.;
 3. Practitioner who relies solely on spiritual means for healing;
 4. School teacher or other school official or personnel;
 5. Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker; or
 6. Law enforcement officer or judge

who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Department of Children and Family Services.

- B. Each report of known or suspected child abuse, abandonment, or neglect shall be made immediately to the Department of Children and Family Service's abuse hotline, on the single statewide toll-free telephone number. The teacher or staff member may also contact the principal, a school designee, district office or support person to let them know the case has been reported, and for their own documentation and protection file a District County Schools Child Abuse Incident Referral Report.
- C. Reporters in the categories specified in A. above, will be required to provide their names to hotline staff. The extent of confidentiality of the reporter's name, with respect to the Department's records, is governed by Florida Statute.
- D. In accordance with state law, the Department of Children and Family Services, in conjunction with applicable law enforcement agencies, are responsible for investigating allegations of child abuse, abandonment, or neglect.
- E. Complaint Against School District Employee, Volunteer or Agent - If a complaint is made against a School District employee, volunteer, agent or other person affiliated with the School District which, if true, would constitute child abuse, neglect or abandonment by that person, that complaint shall be immediately forwarded to the Superintendent. The Superintendent shall forward the complaint to the Department of Children and Family Services for investigation as provided by statute. The person accused of child abuse, abandonment or neglect may be suspended or reassigned from duties involving interaction with children pending investigation of the allegations. If the allegations are substantiated by the Department of Children and Family Services, the Superintendent shall take appropriate disciplinary action. School District staff shall in good faith cooperate with, and participate only as directed by, the Department of Children and

Family Services and law enforcement during the investigation, and with respect to any subsequent criminal proceedings.

- F. When a report of child abuse, neglect or abandonment has been made to the Department of Children and Family Services or law enforcement agencies, a teacher, staff member, volunteer or agent should not take it upon himself/herself to interview the child, talk with the suspected abuser, discuss the allegations with other potential witnesses or otherwise investigate the case. Nor should a teacher, staff member, volunteer or agent divulge information relating to the complaint to persons other than school officials, the Child Protection Team, the Department of Children and Family Services, law enforcement, the State Attorney or other court designee. If a parent, caregiver, or legal guardian desires information related to a complaint of child abuse, that person should be directed to contact the Department of Children and Family Services and/or the applicable local law enforcement agency.
- G. Florida Statute provides that a person required by state law to report child abuse, abandonment, or neglect, but who willingly and knowingly fails to do so, or prevents another from doing so, is guilty of a first degree misdemeanor. Likewise, knowingly and willingly filing a false report of child abuse, neglect, or abandonment or advising another to do so constitutes a third degree misdemeanor.
- H. Child Abuse Prevention Training for School District employees, staff, volunteers shall be provided in compliance with and as specified in Florida Statute.

STATUTORY AUTHORITY: 120.54, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 39.0015, 39.01, 39.201, 39.202, 39.203, 39.205, 39.206, 1001.43, 1006.061, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 08/23/05
FORMERLY: NEW

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

TOBACCO USE IN DISTRICT FACILITIES

2.90

The School Board prohibits the use of any form of tobacco products in any area utilized by students or designated for student activities. Additionally, and in accord with law and other governing regulations, prohibits the use of tobacco products in any form in any facility or vehicle owned or leased by the Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**386.201 – 386.209,
1001.43, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.123**

CHAPTER 2.00 – SCHOOL BOARD GOVERNANCE AND ORGANIZATION

WELLNESS PROGRAM

2.95*+

I. Philosophy

The Gadsden County School Board believes that students who begin each day as healthy individuals will increase health awareness, promote positive lifestyles, decrease the risks of disease and enhance the quality of life for children, staff and district level personnel. The Board also believes that a healthy staff can effective staff and that healthy staff members can serve as role models for healthy lifestyles. This policy encourages a holistic approach to staff and student wellness that is sensitive to individual and community needs.

II. Nutrition Goals and Guidelines

- * To promote good nutrition for students and staff.
- * To provide meals that are appealing and attractive and served in clean and pleasant settings.
- * To establish guidelines for content and portion size of food and beverages in vending machines located at schools and at other worksites.

A. **Nutrition.** The Gadsden County Food Services Department will continue to emphasize meals that meet nutrition standards established by the USDA, conform to good menu planning principals and feature a variety of healthy choices that are tasty, attractive and of excellent quality. Academic performance and quality of life issues are affected by the choices and availability of good foods in our schools. Healthy foods support student physical growth, brain development, resistance to disease, emotional stability and ability to learn.

- (1) Nutrition guidelines that continue to use food preparation techniques to provide school meals which are lower in saturated fats, sodium, sugar and served in appropriate portion sizes consistent with USDA standards shall be established for all foods offered by the district's Food Services Department. Menu and product selection shall utilize students, parents, staff and community advisory groups whenever possible.
- (2) Guidelines for reimbursable meals shall not be less restrictive than federal and state regulations require.
- (3) A la carte offerings to students shall be nutritious foods selected with input from students, parents and staff.
- (4) Snack and vending standards shall provide for single serving snacks that meet at least two, and preferably three of the following: low sodium, low fat, low sugar and one or more grams of fiber per serving. Low fat and fat free snacks, baked chips, oven baked French fries, assorted salads, fresh fruit, yogurt plates, granola bars and trail mix will be made available. Beverages shall include water, 50%-100% fruit-based or vegetable based juice with no added sweeteners, non-fat, low fat, plain or flavored milk in cartons and "chugs". Electrolyte replacement beverages will be available in secondary schools.

- (5) Meal times will be scheduled at appropriate times within the academic time frame of the school site allowing for a minimum of ten (10) minutes to eat breakfast and twenty (20) minutes to eat lunch, after being seated.
- (6) Shall provide and encourage participation in the school breakfast program.
- (7) Shall sponsor a summer nutrition program consistent with Florida Statutes.
- (8) Shall provide nutritional staff training for food service and school site staff as well as students families, through pamphlets, school news letters and web sites.
- (9) Shall encourage and assist with participation of eligible students in the free and reduced price meal program.
- (10) Classroom activities shall be provided to all students that include hands-on applications of good-nutrition practices that promote health and reduce obesity.
- (11) School staff will be encouraged to consider not using food as a reward, celebrations and school sponsored events for students, especially that of low nutritional value.
- (12) Schools should encourage organizations to sell non-food items or nutritious food items for fundraiser, rather than candy or other low nutritional-value food as fundraiser item choice.

B. Health Education and Life Skills. Healthy living skills will be taught by a licensed or certified or trained instructor as part of a regular instructional program that provides the opportunity for all students to understand and practice concepts and skills related to health promotion and disease prevention.

- (1) Each school community shall value and promote sequential skill-based health education
- (2) Students shall have access to valid and useful health information and health promotion products and services.
- (3) Students shall have the opportunity to practice behaviors that enhance health and/or reduce health risks.
- (4) Students shall be taught communication, goal setting and decision making skills that enhance personal, family and community health.

III. Physical Education Goals and Guidelines

- * To provide a physical education program that emphasizes physical fitness and healthy lifestyles.
- * To provide a physical education program that includes the development of positive attitudes toward wellness and physical activity, safety guidelines, responsible behavior in physical activity settings, appreciation for a variety of physical activities, and understanding of the relationship between physical activity and wellness.
- * To encourage and assist students to set personal fitness goals.

A. Physical Education and Activity. Physical education, taught by a certified instructor, is the core of each school's instructional program that provides the opportunity for all students to develop the skills, knowledge and attitudes necessary to participate in a lifetime of healthful physical activity.

- (1) School physical education programs shall provide for individual student skill acquisition, individual practice and a sequential curriculum that will develop an enjoyment of life-long participation in fitness activities.
- (2) Students shall be supported in setting and meeting personal fitness goals that result in the achievement and maintenance of a health enhancing level of physical fitness.
- (3) Students shall be provided the opportunities for enjoyment, challenge, self-expression and social interaction that will lead to a physically active lifestyle.

IV. Health and Safety Goals and Guidelines

- * To provide a comprehensive health and safety education program for students.
- * To maintain a school and worksite environment that is free from tobacco.

A. **Healthy and Safe Environment.** A healthy and safe environment for all, before, during and after school supports academic success. Safer communities promote healthier students. Healthier students do better in school and make greater contributions to their community.

- (1) District buildings and grounds, structures, buses and equipment shall meet current standards and be kept inviting, clean, safe and in good repair.
- (2) District buildings shall maintain an environment that is free of tobacco, alcohol and other drugs.
- (3) Safety procedures and appropriate training for students and staff shall support personal safety and a violence and harassment free environment.
- (4) Each work site, school and classroom shall work to create an environment where students, parents/guardians and staff are respected, valued and accepted with high expectations for personal behavior and accomplishments.

B. **Social and Emotional Well-Being.** Programs and services that support and value the social and emotional well being of students, families and staff build a healthy school environment.

- (1) Each school shall provide a supportive environment that encourages students, families and staff to request assistance when needed and links them to school or community resources.
- (2) Students shall be provided the skills to express thoughts and feelings in a responsible manner and give and receive support from others.
- (3) Students shall be taught to understand and respect the differences in others and how to build positive interpersonal relations.
- (4) Students and staff shall be encouraged to balance work with recreation and be aware of stresses that may interfere with health development.

C. **Health Services.** An effective health care delivery system that promotes academic achievement by providing appropriately trained personnel to respond to health needs of students.

1. Primary coordination of health services shall be through the school health coordinator with the support and direction of the Gadsden County School District and the Gadsden County Health Department.
2. Gadsden County School District shall collaborate with community health liaisons and resources to promote health and wellness for students, families, staff and community.
3. A coordinated program of accessible health services shall be provided to students and staff and shall include violence prevention, school safety, communicable disease prevention, health screening, community health referrals, immunizations, parenting skills, first aid and other priority health education topics.

V. Family and Community Involvement Goals and Guidelines

- * To promote the involvement of families in wellness activities.
- * To promote nutritional awareness by families.
- * To sponsor family wellness activities at schools and worksites

A. Family, School and Community Partnership. Long term effective partnerships improve the planning and implementation of health promotion projects and events within each school and throughout the community.

- (1) Family, student and community partners shall be included in school and district wellness planning processes.
- (2) The equality and diversity of the school and district community shall be valued in planning and implementing wellness activities.
- (3) Community partnerships shall be developed as a resource for school and district programs, projects, activities and events.
- (4) Schools and the district shall actively develop and support the engagement of students, families and staff in community enhancing activities at the school or throughout the community.

B. Staff Wellness. The district and each work site shall establish a staff committee to assist in identifying and supporting the health, safety and well-being of site staff.

- (1) Each school and district site shall be in compliance with drug, alcohol and tobacco free policies.
- (2) Each school and district site shall insure a safe, accessible and productive work environment free from physical dangers and emotional threat.
- (3) Employee vending machines shall include food and beverages that are low in fat, sugar and/or calories.

VI. Monitoring

Proper monitoring is an essential component in determining if a policy and its procedures are meeting the intended goals. It also provides valuable input to update and improve the process of meeting the intended objectives

The Superintendent shall designate one or more persons within the Local Education Agency (LEC) charged with operational responsibilities to ensure that the schools meet the local Wellness Policy.

The Superintendent shall direct the Wellness Advisory Committee (WAC) to monitor and review the district-wide Wellness Policy and related procedures. WAC is an ongoing established committee consisting of District staff as well as representatives from the public and private sectors.

The WAC shall:

- Monitor the implementation of the wellness program.
- Prepare a questionnaire to be completed at each school site that monitors the progress of the program and tracks the success toward meeting the goals of the policy.
- Assess annually and compare data to previous year.
- Report the results of the annual assessment to the Superintendent and the School Board.
- Recommend modifications in this policy and/or the program, if appropriate, after analyzing the assessment data.

VII. The Wellness Program shall meet the requirements of the National School Lunch Act and the Child Nutrition Act of 1966.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: P.L. 108-265, SECTION 204
NATIONAL SCHOOL LUNCH ACT (42 USC 1751 *et seq.*)
CHILD NUTRITION ACT OF 1966 (42 USC 1771 *et seq.*)
1001.43, 1006.06, 1006.0606, F.S.

STATE BOARD OF EDUCATION RULE(S) 6A-7.0411

HISTORY: ADOPTED: 6/27/2006
REVISION DATES: _____
FORMERLY: NEW

NEW: 06/27/06 **Gadsden 2.95*+**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

ADMINISTRATIVE ORGANIZATION

3.10*

The administrative head of each school is the school principal. The District also appoints assistant principals and administrative assistants to the schools as needed.

The District staff exists to give support and direction to the schools. The Superintendent is assisted in this responsibility by administrators on staff in the positions of Deputy Superintendent, directors, coordinators and supervisors.

Organizational Chart attached.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

120.53, 1001.42,
1001.43, 1012.27; 1013.43, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 1.101

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SCHOOLS-WITHIN-A-SCHOOL

3.11*+

Each school that does not meet the definition of a small school as defined by Florida Statutes shall subdivide into Schools-Within-A-School as required by Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.42, 1001.43, 1013.43(2), F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SCHOOL SITE DECISION MAKING

3.12*

It is the Board's intent that each school have maximum input in decisions made that affect the operation of each local school. The Superintendent shall develop procedures to implement this policy based on requirements of Florida State Statutes.

STATUTORY AUTHORITY:

1001.41, F.S.

LAWS IMPLEMENTED:

1001.41, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

PERFORMANCE GRADE SCHOOLS

3.20

- (1) The Superintendent shall establish procedures which shall be approved by the Board to give greater autonomy, including authority over the allocation of the schools' budget, to schools designated as performance grade category "A", making excellent progress and schools rated as having improved at least two performance grade categories as required by Florida Statutes.

- (2) Students who attend a school that has been designated as performance grade category "F" for two (2) school years in a four (4) year period shall be allowed to attend a high performing school in the district or an adjoining district or be granted a state opportunity scholarship to a private school.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.42, 1001.43,
1002.38, 1004.41, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

SUPERINTENDENT'S SALARY

3.201

The School Board will annually establish the Superintendent's salary by considering the following guidelines:

- (1) In accordance with Florida Statutes, the superintendent's salary will be at least as much as the amount set by Florida Advisory Council on Intergovernmental Relations (ACIR) for Gadsden County.
- (2) Other than paragraph (3) below, the Superintendent's salary will be determined in a manner that is independent of salary amounts of other personnel.
- (3) The Superintendent's salary will normally exceed the current annual salary approved by the board for the next senior person.
- (4) The current year salary will normally be no greater than the "panhandle average" derived from salaries for the prior year. The panhandle average is the average percentage above the ACIR salary of actual salaries (exclusive of state certified bonuses) for all elected superintendents in the eighteen (18) districts in the panhandle region of Florida. (See calculation example in District Procedures Manual).
- (5) Paragraphs (3) and (4) above define a "normal range" within which the board will determine an appropriate salary for the Superintendent. Factors to be considered by the board in determining the appropriate salary within the normal range include:
 - (a) The Superintendent's experience, diligence, and effectiveness in exercising general powers, duties, and responsibilities assigned by Florida Statutes.
 - (b) The extent to which the Superintendent has successfully led the district to achieve educational objectives established either by the board or by the Superintendent and approved by the Board.
 - (c) The general morale and professionalism of school system staff.
 - (d) The Superintendent's effectiveness in working with the school board, the community, the school system staff, and students.
 - (e) The Superintendent's management of the district's educational plan and budget, both in preparation and execution.

- (f) Other factors regarding performance of the district school system (such as test evaluations), which may be considered broad measures of educational effectiveness.
- (6) A salary below or above the “normal range” (paragraph (3) and (4) above) will be appropriate only in rare instances when the Superintendent’s performance and effectiveness have been demonstrably outside the norm, or for other exceptionally unusual circumstances, as determined by the Board.

STATUTORY AUTHORITY:

101.41; 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.43; 1001.47; 1001.49; 1001.51;
1006.08; 1006.21; 1006.28; 1012.27, F.S.**

STATE BOARD RULE:

6A-1.055

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 1.210**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

**DIRECTIVES, PROCEDURES, AND ADMINISTRATIVE
MANUALS**

3.21

The Superintendent shall have authority to issue such directives and to prescribe such procedures as may be necessary to carry out the purposes of School Board rules and the provisions of Florida Statutes and State Board of Education rules. The Superintendent may issue such administrative manuals or booklets of instruction as he/she may deem necessary for the effective administration of the District school system and distribute them to the employees directly concerned. Insofar as the provisions of such manuals and directives are consistent with these School Board rules, Florida Statutes, or State Board of Education rules, the provisions thereof shall be binding upon all employees.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1001.51, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 1.302**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

OPENING AND CLOSING OF SCHOOLS

3.22*

The Superintendent shall recommend and the Board shall set the opening and closing of schools and fix uniform dates.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.42, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.102**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

EMERGENCIES

3.23

- (1) In case of an emergency involving the welfare and safety of students and employees, the Superintendent may suspend any part of these regulations; provided, that he shall report the fact of and the reason for suspension at the next meeting of the School Board; and provided further, that the suspension shall expire at the time of such report unless continued in effect by actions of the School Board.
- (2) In case of an emergency, the Superintendent may close any school or all schools. The members of the School Board shall be informed immediately of any event or condition which requires the closing of a school or the schools of the District, and, where the public interest requires Board action, the Superintendent shall call a special meeting of the Board.

When an emergency exists affecting the health, safety, or welfare of the students, the principal may dismiss the school. Any such early dismissal shall be reported immediately by the Superintendent to the School Board together with the reasons therefore.

- (3) In any case or condition not covered by these regulations, the Superintendent shall base the decision on his/her best judgment.
- (4) During times of general public emergency, the Superintendent is authorized to use all available resources of the District in cooperation with other agencies to alleviate the emergency.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.33, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.104**

©EMCS
Revised: 9/15/02

GADSDEN 3.23

CHAPTER 3.00 - SCHOOL ADMINISTRATION

RESPONSIBILITIES OF PRINCIPALS

3.30

The principal is assigned direct and primary responsibility for his/her school and serves as the administrative and supervisory head of the school. Each principal is responsible for the enforcing of Florida Statutes, State Board of Education rules, School Board rules and directives of the Superintendent. Each principal shall carry out all duties as reflected in the Board adopted job description.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.32, 1001.43,
1001.54, 1006.09, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.310; 6.406; 7.306**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

CAMPUS DISORDERS AND TRESPASSING

3.40

- (1) No person who is not a student in good standing, teacher, or employee of the School Board, or any person who is not required by his/her employment to be on a school campus or school grounds shall enter upon said school campus or school grounds without first registering at the principal's office and obtaining a visitor's pass or otherwise receive permission for access to school grounds.
- (2) A student who is suspended or expelled is not in good standing and is not permitted on the school campus, school grounds, or at a school sponsored activity.
- (3) This policy shall apply not only during school hours, but at any time students in good standing, teachers, employees and other such persons are on the school campus or school grounds, and shall also apply for all school activities which are held after school hours.
- (4) Any person on a school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. Each principal shall keep a log of such incidents which shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify the principal or appropriate local law enforcement officials without further warning.
- (5) Individuals who enter School Board property without a legitimate reason and create a disturbance or refuse to leave the property when asked by the principal or person in charge are subject to criminal penalty as provided in Florida Statutes. The principal shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school grounds and take appropriate action to have the offender punished as prescribed by law. The Superintendent shall be notified immediately of any such action.
- (6) No person, except law enforcement and security officers, may have in his/her possession any weapon, illegal substance, or dangerous substance while on school property or at school-sponsored events.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.37, 1001.43, 1001.51,
1006.062, 1006.07, 1006.145,
1013.03, 316.614, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.110**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

DISRUPTIONS AT SCHOOL BOARD FUNCTIONS

3.41

No person shall knowingly disrupt or interfere with a School Board function. This includes persons who knowingly advise, counsel, or instruct any student or School Board employee to disrupt any function or activity. The School Board chairperson, Superintendent, or designee shall inform a person who is disrupting or interfering with a School Board function or activity that he/she may be found guilty of a second degree misdemeanor. The person shall be advised to immediately leave the school premises or facility where the function is being conducted.

- (1) Any person who purchased an admission ticket to a school event shall forfeit his/her rights under this rule by having disrupted or interfered with the event.

- (2) Any person who has been given notice by a school official and either fails to leave the premises or leaves the premises and subsequently returns to the premises shall be deemed a trespasser.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.37, 1001.43,
1006.145, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 3.00 - SCHOOL ADMINISTRATION

ALCOHOL, ALCOHOLIC BEVERAGES, MOOD-MODIFYING OR CONTROLLED SUBSTANCE ON BOARD PROPERTY

3.42

No person shall be in possession of or be under the influence of an intoxicating beverage or an illegal mood or behavior-modifying or controlled substance, as defined by Florida Statutes, while on school property, at school-sponsored activities, or while on school trips involving students.

- (1) All principals are hereby directed to advise an individual who has an alcoholic beverage in his/her possession to leave the school premises immediately.
- (2) Any person having purchased an admission ticket to a school event shall forfeit his/her rights under this rule by having an alcoholic beverage in his/her possession at the event.
- (3) Any person who has been given notice by a school official and either fails to leave the premises or leaves, but returns to the premises in possession of an alcoholic beverage shall be deemed a trespasser. The police or other proper law enforcement agency may be notified to arrest the trespasser.
- (4) While on school-sponsored trips, the following action may become necessary:
 - (a) Alcoholic beverages in possession of minors will be seized.
 - (b) Students and/or adults in possession of alcoholic beverages may be sent back and/or other appropriate action taken.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.22, 1012.27, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.109; 3.102**

DOMESTIC SECURITY

3.43+

I. The Superintendent shall establish a District domestic security plan that is consistent with the requirements of National Incident Management System (NIMS). The District plan shall include a plan for each school and facility operated by the School Board. The Superintendent shall ensure that the plan is consistent with NIMS requirements.

II. The domestic security plan shall include the following components:

A. Access Control

The District shall control access to and enhance the security of school campuses. District facilities, and transportation by implementing access control procedures and practices.

B. Emergency Equipment

The District shall ensure that emergency equipment and supplies are available and operable and that communication between school/District personnel and first responders is readily available.

C. Training

Initial and follow up training shall be provided for school/District personnel, students, and state and local partners. New employees shall receive training relevant to the position. When an employee is reclassified to a different position, his/her training record shall be reviewed and appropriate training shall be provided.

D. Communication and Notification Procedures

The District shall ensure that external and internal communication and notification procedures are developed and implemented.

E. Coordination with Partners

The District shall ensure coordination with state and local partners by establishing and maintaining a close working relationship with local law enforcement agencies, first responders and the county emergency operations center and participating on the Regional Domestic Security Task Force (RDSTF).

F. Vulnerability Assessment

The District shall establish standards for assessment and shall assess vulnerability of all District school and facilities.

- III. The District plan including all school and facility plans shall be reviewed annually or more frequently if needed. Modifications shall be made and communicated to relevant school/District personnel and emergency management officials. Conditions which may warrant interim review and possible modification of the plan include addition to or renovation of a facility, change in the use of a facility, change of grades served by a school, new programs added to the school and change in security threat level.
- IV. The Superintendent shall request documentation of compliance with the National Incident Management System (NIMS) standards from the county emergency management agency and shall obtain certification of compliance from the Commissioner of Education.

STATUTORY AUTHORITY: 1001.41, 1001.42
F.S.

LAW(S) IMPLEMENTED 1001.43, 1001.51, 1001.54, 1006.07,
1006.08, 1006.09, 1006.21, 1013.13, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.403, 6A-
3.0171

HISTORY: **ADOPTED:**
REVISION DATE(S):
FORMERLY:
NEW:

CHAPTER 3.00 - SCHOOL ADMINISTRATION

PUBLIC INFORMATION AND INSPECTION OF RECORDS

3.50

All public records pursuant to Florida Statutes shall be available for inspection or copying at reasonable times during normal office hours of the District office or other offices in which records are maintained.

- (1) Photocopying or other reproduction of any record shall be performed upon a person's request. Charges for photocopying or reproducing shall be in accordance with the School Board Rule entitled "Photocopying of Public Records" (3.51).
- (2) Records maintained by the District which are exempt from public inspection include:
 - (a) Personally identifiable records of students pursuant to Florida Statutes and the Federal Family Educational Rights and Privacy Act (FERPA);
 - (b) Portions of personnel records pursuant to Florida Statutes;
 - (c) All work products developed in preparation for collective bargaining pursuant to Florida Statutes;
 - (d) Appraisals, offers, and counter offers relating to purchase of real property pursuant to Florida Statutes;
 - (e) Legal records prepared by an attorney exclusively for civil or criminal litigation pursuant to Florida Statutes, and litigation files regarding employees while the case is active;
 - (f) Data processing software obtained under a licensing agreement which prevents its disclosure, and data processing software designated by the School Board as "sensitive" pursuant to Florida Statutes;
 - (g) Sealed responses to request for bids or proposals, until such time as they are publicly opened pursuant to Florida Statutes and PL 104-191, health Insurance Portability and Accountability Act of 1996 (HIPAA); and,
 - (h) Employee and student health and medical records as prescribed by Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

119.07(3); 447.605; 1001.43;
1002.22; 1012.31; 1013.14, F.S.;
34CFR 99; P.L. 103-382; 104-191

HISTORY:

ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: NEW

CHAPER 3.00 - SCHOOL ADMINISTRATION

PHOTOCOPYING OF PUBLIC RECORDS

3.51

- (1) Copies of public records may be obtained by making a request to the lawful custodian of the records. Charges for copies of public records not exceeding 8 ½" x 14" in size shall be fifteen (15) cents for each one-sided copy or twenty (20) cents for each two-sided copy, unless a different fee is otherwise prescribed or permitted by Florida Statutes. A one dollar (\$1.00) fee shall be assessed for a certified copy of a public record.
- (2) Audio, video, and other materials shall be charged at rates as established by the Superintendent/designee.
- (3) Copies shall be made by the appropriate staff members and reproduced at a time which does not interfere with the normal work duty.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**119.07, 119.08,
1001.43, 1001.52, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 1.101**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

COPYRIGHTED MATERIALS

3.52

The District shall abide by all provisions of the copyright laws.

- I. Commercial materials, whether printed or nonprinted, may not be duplicated without prior written permission from the owner or copyright holder.
- II. The School Board does not sanction or condone illegal duplication in any form, the use of illegally duplicated materials, or the improper use of commercially duplicated materials.
- III. Procedures and guidelines for the legal duplication of materials for instructional purposes may be obtained from the school or District office.
- IV. Employees who willfully infringe upon current copyright laws may be subject to disciplinary action by the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: NEW**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

FLAG DISPLAY AND PLEDGE

3.60

- I. The pledge of allegiance to the flag shall be recited at the beginning of each school day in elementary, middle, and secondary schools.
- II. A student may be excused from instruction and/or reciting the pledge of allegiance when his/her parent, as defined by Florida Statutes, files a written request with the school principal.
- III. The United States flag and the official flag of Florida shall be displayed daily on a suitable flag staff on the grounds of each school and School Board facility when the weather permits.
- IV. Each classroom and auditorium shall display the United States flag.
- V. All flags shall meet the requirements of Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.06, 1000.21, 1001.43, 1002.20,
1003.42, 1003.44, F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): 08/23/05
FORMERLY: 2.106
REVISED: 10/15/06**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

A MOMENT OF SILENCE

3.61

A moment of silence, not to exceed two (2) minutes, may be provided for students at the beginning of each school day.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1003.45, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

BACKGROUND SCREENING FOR CONTRACTORS

3.68+

- I. Contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students or who have access to or control of school funds must meet level two (2) screening requirements as described in Florida Statutes. Contractual personnel shall include any vendor, individual or entity under contract with the School Board. Each vendor, individual contractor or employee of a contractor as described in this section must provide verification that he/she has met the level two (2) screening requirements prior to accessing a school campus.
- II. Contractual personnel must also meet the level two (2) screening requirements every five (5) years following entry into a contract. If the fingerprints of an individual under contract with the School Board have not been retained by the Florida Department of Law Enforcement, the individual must submit a complete set of fingerprints to the District.
- III. Each person under contract as described in section I. must agree to inform the party with whom he/she is under contract within forty-eight (48) hours if convicted of any disqualifying offense while under contract. If it is found that a person under contract does not meet the level two (2) requirements, the individual shall be immediately suspended from working in a contractual position and shall remain suspended until final resolution of any appeals.
- IV. The Superintendent shall develop procedures to implement this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.32, 1012.465, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW 08/23/05

CHAPTER 3.00 - SCHOOL ADMINISTRATION

AGENTS, SOLICITORS AND SALESPERSONS

3.70

Because there are legitimate and necessary calls from business and professional representatives who provide supplies and services regularly used in the schools, agents, salespersons and delivery persons may visit schools at the discretion of the principal. All such persons shall sign in at school's main office upon arrival.

The principal shall prohibit all forms of canvassing or soliciting of teachers or students on school premises during school hours except as otherwise approved in writing by the Superintendent. No literature or materials from out-of-school sources shall be distributed to homes by students without the approval of the Superintendent/designee. Student or school surveys by outside groups or organizations require the approval of the Superintendent/designee.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.42, 1001.43, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 2.111

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SCHOOL VOLUNTEERS

3.80

A school volunteer is any non-paid individual who gives his/her time to a school or school staff member while performing assigned duties. Duties assigned to school volunteers shall be consistent with Florida Statutes and State Board of Education rules.

- (1) The school principal and each staff member who is assigned a school volunteer shall be responsible for assigning duties to school volunteers which are consistent with Florida Statutes, State Board of Education rules, and School Board rules. School volunteers shall be recommended by the Superintendent and approved by the Board.
- (2) The Superintendent shall issue directives concerning school volunteers as may be deemed necessary.
- (3) A school volunteer shall be accorded the same protection of Florida Statutes as accorded to certificated instructional personnel provided the school volunteer:
 - (a) Has officially recorded his/her attendance in the school where he/she is rendering services under an administrative or instructional staff member.
 - (b) Student contact volunteers shall be subject to background checks.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**110.504(4) (5), 440.01(11)(D)3;
768.28, 1001.21, 1001.43, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 5.108**

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Revised: 9/15/02

GADSDEN 3.80

CHAPTER 3.00 - SCHOOL ADMINISTRATION

CHARTER SCHOOLS

3.90

Gadsden District Schools, pursuant to Florida Statutes, may establish charter schools for the purposes of

- A. Increasing learning opportunities for students with special emphases on low achieving students;
 - B. Increasing learning opportunities for reading;
 - C. Increasing the use of different and innovative learning methods;
 - D. Increasing choices of learning opportunities for students;
 - E. Requiring the measurement of learning outcomes;
 - F. Establishing a new form of accountability for schools;
 - G. Making the school the unit for improvement;
 - H. Improving student learning and academic achievement; and,
 - I. Creating professional opportunities for teachers, including the opportunity to own the learning program at the school site.
- I. Responsibility of District School Administration:
- A. Receive, review, and recommend to the School Board all charter applications in a timely fashion as stipulated by Florida Statutes.
 - B. Develop a charter in cooperation with the applicant.
 - C. Monitor charter school contracts and make recommendations to the School Board.
- II. Eligibility for Charter Application
- The Board may sponsor one or more charters for schools which may serve any grade or combination of grades from kindergarten through grade twelve.
- Eligible proposers are
- A. Any not-for-profit organization; or
 - B. A public school which has been in operation for at least two (2) years and requests to convert to a charter school with fifty percent (50%) or more support of parents, and fifty percent (50%) or more support of teachers.

- C. Private schools, parochial schools, and home education programs are not eligible to become charter schools.

III. Legal Entity and Requirements

A charter school shall

- A. Organize as a nonprofit organization;
- B. Be nonsectarian;
- C. Charge no tuition or fees except those fees charged by other public schools;
- D. Meet health and safety standards of regular schools;
- E. Publish an annual progress report pursuant to Florida Statutes;
- F. Provide an annual financial audit similar to that of the School District to the School Board;
- G. Analyze and compare student performance;
- H. Report progress toward achieving the goals outlined in its Charter.
- I. Comply with Florida Statutes applicable to public schools as they relate to civil rights, student health, safety, welfare, public records, public meetings, public inspections, and penalties.

IV. Student Eligibility

- A. Participation and attendance of any student in a charter school is voluntary. If a public school converts to a charter school, parents may request nonparticipation and receive an assignment to a public school.
- B. All students attending a public school which converts to a charter school will be eligible to attend.
- C. All students are eligible for participation. Students who are at risk of academic failure, as defined in the statute, shall be a priority. Equal opportunity shall be provided for exceptional education students and limited English proficient students.

V. Charter School Boundaries

A charter school shall be open to any student residing in the School District.

VI. Student Selection for Charter Schools

- A. When a public school converts to charter status, enrollment preference shall be given to students who would have otherwise attended that public school.
- B. The charter school shall enroll a student who submits a timely application.

- C. If the number of eligible students exceeds the capacity of the program, class, grade level or building, a random selection of students will be made.

VII. Student Assessment

The charter school must implement a program to assess student achievement. At a minimum, the school must participate in state and local testing programs established to comply with the state-wide assessment program and District-required evaluations. The District will coordinate the administration of these instruments.

VIII. Student Records

The charter school must maintain both active and archival records for current/former students. The District will assist the school in establishing appropriate record formats. All permanent (Category A) records of students leaving the school, whether by graduation, transfer to the public school system, or withdrawal to attend another school, must be transferred to the school system in accordance with state law. Records of student progress (Category B) must be transferred to the school system if the student is returning to county public schools.

IX. FTE Reporting

Funding for a charter school is based on the number of full-time equivalent (FTE) students; therefore, it is essential that records of student attendance be maintained in a format consistent with state reporting requirements. The District will assist the charter school in establishing mechanisms for reporting FTE. The charter school will, however, be fully responsible for collecting and maintaining accurate and appropriate records and for reporting attendance in a timely manner to the District.

X. Withdrawal and Transfer of Students

- A. Parents may withdraw a student from a charter school at any time. The student either will return to the home school or to a school with an appropriate program, or, if the home school is the charter school, to a school agreed upon by the parent and the District.
- B. Charter schools may not withdraw or transfer a student involuntarily, unless the withdrawal or transfer is accomplished through established administrative procedures under present Board policy used by public schools.

XI. Transportation and Food Services

- A. Transportation and food services are the responsibility of charter schools, and must be provided according to District, state, and federal rules and regulations.
- B. A charter school may contract with the School District for transportation and/or food service or may contract with a private provider.

XII. Application for Charters

- A. Applications must be in compliance with the Application for Charter Schools format.
- B. The School Board shall receive all completed applications for a charter school on or before August 1 of each calendar year for charter schools to be opened at the beginning of the District's next school year. The School Board shall by a majority vote of the full Board approve or deny a formal application no later than sixty (60) days after receiving

the completed application during the submission period, following a public hearing to ensure community input.

- C. If the Board denies an application for a charter, the Board shall provide notice of denial to the applicants in writing within ten (10) days after the meeting at which the Board denied the application. The notice must specify the exact reason(s) for denial and must provide documentation supporting those reasons. The notification shall also be submitted to the Department of Education.

XIII. Charter

- A. Within sixty (60) days of approving a charter school application, the District shall provide an initial proposed charter contract to the charter school.
- B. The applicant and the District shall have seventy-five (75) days to negotiate the charter and provide notice for final approval of the charter contract.

XIV. Facility

It is the responsibility of the applicant to have an appropriate facility consistent with all applicable Florida Statutes and codes or provide evidence that one will be available for the beginning of the school year, consistent with the beginning day for students as listed on the approved public school calendar.

XV. Funding

- A. Funding for student enrollment in a charter school shall be the sum of District operating funds from the Florida Education Finance Program, including gross State and local funds, discretionary lottery funds, and discretionary operating millage funds divided by total District funded weighted full-time-equivalent students times the weighted full-time-equivalent students of the particular charter school. Charter schools, if eligible, shall also receive their proportionate share of categorical program funds included in the Florida Education Finance Program.
- B. Any eligible student enrolled in a charter school shall be provided federal funds for the same level of service provided other eligible students in the schools operated by the School Board.
- C. Total funding shall be recalculated during the school year to reflect actual weighted FTE students reported by the charter school during the FTE student survey periods.
- D. A charter school shall not levy taxes or issue bonds secured by tax revenue.
- E. Any administrative fee charged by the School District for a charter school shall be limited to no more than five percent (5%) of the available funds defined in XV.A. The District may only withhold an administrative fee for enrollment up to and including five hundred (500) students.
- F. When a charter is not renewed or terminated, any unencumbered funds from the charter school shall revert to the School Board. In that event, all School Board property and improvements, furnishings, and equipment purchased with public funds shall revert automatically to full ownership by the School Board.

- G. If a charter is not renewed or is terminated, any unencumbered capital outlay funds provided pursuant to 1013.62, F.S., and federal charter school program grant funds shall revert to the Department of Education for redistribution among other eligible charter schools.
- H. If a charter is not renewed or is terminated, the governing body of the charter school is responsible for all debts of the charter school.
- I. Payment shall be made to the charter school no later than ten (10) working days after receipt of funding or pay a penalty of one percent (1%) interest per month. The final payment during any fiscal year shall be adjusted to reflect the number of actual FTE students in membership during the FTE survey periods.

XVI. Insurance and Indemnification

- A. The governing body and employees of a charter school are governed by Florida Statutes. In accordance with Florida Statutes, the governing body and employees of charter schools shall be liable for tort claims in the same manner and to the same extent as a private individual under like circumstances, but liability shall not include punitive damages or interest for the period before the judgment. The governing body and employees of charter schools shall not be liable to pay a claim or judgment by any one person which exceeds the sum of one hundred thousand dollars (\$100,000) or any claim or judgment or portions thereof, which, when totaled with all other claims or judgments paid by the charter school arising out of the same incident or occurrence, exceeds the sum of two hundred thousand dollars (\$200,000).
- B. The School Board of Gadsden County, Florida, will not be held liable for any claim, action, loss, damage, injury, liability, cost or expense of whatsoever kind of nature including, but not by way of limitation, attorney's fees and court costs arising out of injury to persons or damage to property as a result of the negligence of the charter school or its agents, employees, invitees, or contractors.
- A. The charter school must maintain appropriate commercial general liability insurance, automobile liability insurance, workers' compensation insurance and professional liability insurance. The School Board of Gadsden County, Florida must be listed as additional named insured on these policies.

XVII. Students Rights, Discipline, and Safe Learning Environment

Applicants must describe, in writing, the charter schools' rules applicable to student rights, discipline, and safe learning environment.

XVIII. Employees of Charter Schools

A charter school shall select its own employee and implement employees labor and other relations pursuant to the requirements of Florida Statutes. A charter school may contract with the sponsor for the services of employees by the sponsor.

XIX. Technical Assistance

- A. It is the responsibility of the applicant to request technical assistance, in writing, from the Florida Department of Education. The School Board will provide application assistance to the extent feasible and, within present resources, consistent with assistance provided to other contractors.

- B. The rule is intended to be consistent with Florida Statutes. All other conditions, issues and procedures shall be in adherence with the charter school legislation, intent and statute.
- C. The charter schools law is incorporated herein by reference and made a part of this Board rule.
- D. The Application for Charter Schools format is incorporated by reference in this rule.

XX. Selection of Charter Schools

- A. A public announcement will be made at least sixty (60) working days prior to the due date for applications for charter schools which intend to operate during the next school year. Applications, including instructions for obtaining technical assistance, will be provided to all requesters.
- B. All completed applications must be received in the appropriate District office on or before August 1. All applications will be stamped with the date and time when they are received. Applications received after the prescribed due date may not be considered for a charter for the next school year.
- C. A committee shall review all applications and make recommendations to the School Board. The School Board must, by a majority vote, approve or deny an application no later than sixty (60) days after the application is received.
- D. The review committee shall be comprised of at least the following persons:

Superintendent, or designee; Directors of Elementary and Secondary Education; Supervisors of Transportation and Food Services; Director of Maintenance, and Comptroller/Finance.
- E. The committee shall review all applications and, by majority vote, make a recommendation for acceptance or denial of each application.
- F. All applications will be submitted to the School Board with an explanation of acceptance or denial, including the committee vote.
- G. The School Board will vote on all applications.

XXI. Procedures for appealing the School Board's decision to deny an application for a charter school are set forth in Florida Statutes and State Board of Education administrative rules.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.02, 1001.43, 1002.33, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.0781

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: 2.126
REVISED: 10/15/06

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

THE CURRICULUM

4.10*+

- I. The District curriculum shall be determined by
 - A. Students' needs as determined by studies, assessments and surveys;
 - B. Continuous evaluation of curriculum effectiveness in meeting students' needs in the District;
 - C. Florida Statutes, State Board of Education rules, and the School Board; and
 - D. Florida Department of Education developed and School Board approved Florida curriculum frameworks, State Student Performance Standards and course descriptions.
- II. The Superintendent may appoint such committees and special study groups as may be necessary to assist in determining the educational needs of the District.
- III. The Superintendent shall designate an appropriate staff member who is responsible for the development and coordination of the total curriculum of the District.
- IV. The program of instruction can be found in the *Student Progression Plan* for elementary, middle and high school levels. A student's progression from one grade to another shall be determined, in part, upon proficiency in reading, writing, science, and mathematics.
- V. The responsibility and right of an instructional staff member to present information of a controversial nature is hereby recognized. The teacher shall not present controversial material or issues which are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the question without bias or prejudice and shall permit each student to arrive at his/her own conclusions.
- VI. A course description shall be presented for School Board approval before any course or unit in the objective study of the Bible or a comparative study of religion, as provided in Florida Statutes, is initiated in any school. The description shall detail the purpose of the course, the materials to be used, grade location, length of the course, and credit value. No teacher shall present or permit to be presented any material which ridicules any religious sect, belief, or faith.

- VII. Prior to initiating any course or unit of instruction in human growth and development, a course outline and complete description shall be presented for School Board approval. This rule does not preclude the teaching of personal cleanliness in health and physical education classes or in the elementary grades, or the teaching of matters relating to sex as provided in state-adopted textbooks, or information relating to sex as required in other courses using duly-adopted textbooks and materials where sex is an incidental part of the course.

- VIII. It shall be the responsibility of the school to make students aware of the dangers and consequences of sexually transmitted diseases. The manner, scope, and levels at which this information will be presented shall be determined by the Superintendent or designee in consultation with instructional supervisors and principal(s). Prior to initiating any such unit of instruction, the proposed program, the materials to be used, and other essential information shall be presented to the School Board for approval. When any questionable information is to be viewed by mixed groups, the sexes may be separated for presentation of materials.

- IX. Age-appropriate information about Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV) infection, and other sexually transmissible diseases shall be taught in Grades K-12. Instruction shall address causes, transmission, and prevention and shall be approved by the School Board.

- X. The Superintendent or designee shall review curriculum frameworks which are prepared and distributed by the Florida Department of Education and related to AIDS education. If the curriculum frameworks are inconsistent with locally determined curriculum for AIDS education or are not reflective of local values and concerns, the Superintendent shall advise the School Board and provide recommendations for instructional activities.

- XI. A student shall be exempt from instructional activities on reproductive health or Acquired Immune Deficiency Syndrome (AIDS) provided his/her parent, as defined by Florida Statutes, files a written request with the school principal.

- XII. In compliance with Florida Statute, throughout instruction in Acquired Immune Deficiency Syndrome, sexually transmitted diseases, or health education, when such instruction and course material contains instruction in human sexuality, a school shall:
 - A. Teach abstinence from sexual activity outside of marriage as the expected standard for all school-age children while teaching the benefits of monogamous heterosexual marriage.

- B. Emphasize that abstinence from sexual activity is a certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), and other associated health problems.
 - C. Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.
 - D. Provide instruction and material that is appropriate for the grade and age of the student.
- XIII. The Superintendent or designee shall develop a physical education program to implement the requirements of Florida Statutes.
- XIV. The Superintendent or designee shall develop procedures to implement the provisions of the Florida Secondary School Redesign Act. Requirements of the Act shall be incorporated into the *Student Progression Plan*.
- XV. When dealing with political issues, the positions of all parties will be presented on a nonpartisan basis. Partisan political literature will not be distributed in schools. However, schools may give out information relating to School District taxes or the need for construction bonds.
- XVI. All course materials and verbal or visual instruction shall conform to the requisites and intent of all Florida law and the state constitution. All instructional materials, including teachers' manuals, films, tapes, or other supplementary instructional material, shall be available for inspection by parents or guardians of the children engaged in such classes.
- XVII. The Superintendent/designee shall develop procedures to assure all aspects of curriculum development and implementation are carried out.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1001.43, 1003.413, 1003.42, 1003.43, 1003.45, 1003.455, 1006.28, 1006.29, 1008.25, 1010.305, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0941, 6A-1.09412, 6A-1.09414

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 10/15/06
FORMERLY: 8.202, 8.203, 8.215

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT PROGRESSION PLAN

4.11*+

The School Board shall approve the *Student Progression Plan* and copies maintained in the District office and at each school. The Plan shall be pursuant to Florida Statutes and shall be comprehensive to include student performance standards and promotional and graduation requirements for Grades K-12, adult and general education, exceptional student education, dual enrollment, job entry, and vocational education including programs and courses in agriculture, business, marketing, health occupations, public service, home economics, industrial, and compensatory education. After School Board approval, the District's *Student Progression Plan* shall be made a part of this rule.

STATUTORY AUTHORITY: **1001.41, 1006.04, F.S.**

LAW(S) IMPLEMENTED: **1001.43, 1003.43, 1003.437, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.0941**

HISTORY: **ADOPTED:**
REVISION DATE(S): 2/23/05
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EXCEPTIONAL STUDENT EDUCATION

4.12+

Definition: An exceptional student shall mean any child who requires special instruction or related services to take full advantage of or to respond to educational programs and opportunities because of a physical, mental, emotional, social or learning exceptionality, as determined by a multi-disciplinary team which includes psychological, educational, and/or physical evaluation results provided by specialists qualified under State Board of Education rules. Exceptional students include children with specific learning disabilities or children who are mentally handicapped, speech and language impaired, hearing impaired, visually impaired, physically impaired, emotionally handicapped, socially maladjusted, profoundly handicapped, or gifted.

- I. Upon recommendation of the Superintendent, the Board shall annually adopt a plan for the provision of exceptional student education programs for all exceptional students.
- II. The annual plan for special programs and procedures for exceptional students shall include: screening procedures; pre-referral activities; referral procedures; eligibility criteria; program placement; program dismissal; and descriptions of program organization and operations.
- III. The annual plan for exceptional student education shall be subject to the approval of the State Commissioner of Education.
- IV. The exceptional student education program shall conform to the provisions adopted by the Board and approved by the Commissioner and shall function in accordance with the provisions of law, State Board of Education rules, and other applicable provisions of Board rules.
- V. Every parent, as defined by Florida Statutes, of an exceptional student shall be informed about the services that are available and appropriate for the student's disability.

STATUTORY AUTHORITY: **1001.41, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **1000.21, 1001.42, 1001.43, 1003.01, 1003.57, 1006.07, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-6.0131, 6A-6.03411**

HISTORY: **ADOPTED: _____**
REVISION DATE(S): 10/15/06
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ADULT EDUCATION

4.14*

The School Board may establish and maintain an Adult Education Program which is based on a needs assessment and is designed for basic skills education, secondary education, or life-long learning pursuant to Florida Statutes and State Board of Education rules. This program shall be the direct responsibility of the Superintendent. Course and credit requirements for the GED Diploma and the Adult General Education Program shall be approved by the School Board and incorporated into the Pupil Progression Plan.

- (1) The program shall be designed for:
 - (a) An individual who has reached the compulsory school age and has legally withdrawn from the elementary or secondary school of last attendance;
 - (b) A high school student who can be more effectively served in this program and who needs a course(s) required for high school graduation; and,
 - (c) Any adult resident who desires to further his / her education.
- (2) A student who withdraws from the regular high school program and subsequently enrolls in the Adult General Education Program shall be permitted to re-enter the regular high school program with the written permission of the regular high school principal and the adult education administrator.
- (3) A student who is enrolled in the Adult General Education Program is expected to attend every class. Attendance shall be kept and reported for each class period by the teacher. Absences shall be counted effective the first scheduled class meeting. An excused absence may be allowed in accordance with the school attendance policy.
- (4) An official transcript showing acceptable course work or credit completed by a student shall be placed in the student's record. An official transcript is one received directly from the school or school district.
- (5) Any student enrolled in the area technical center may withdraw from courses to enter active military duty without penalty. Students may reenroll as per Florida State Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1000.04, 1001.42, 1001.43, 1001.435, F.S.

STATE BOARD OF EDUCATION RULES:

6A-6.011; 6A-6.014, 6A-6.021

HISTORY:**ADOPTED:
REVISION DATE(S):
FORMERLY: 8.212; 9.103**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SUMMER SCHOOL

4.17

(1) The School Board authorizes summer school programs. The Superintendent shall determine the building site(s).

(2) It shall be the responsibility of the summer school principal to complete payroll and attendance reports and to maintain proper accounts of all funds. Registration fees as determined by the School Board shall be charged for students who do not generate state funds.

(3) All summer school requirements are contained in the Pupil Progression Plan.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.42, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

PHYSICAL EDUCATION

4.19*+

The School District of Gadsden County believes that physical education is an important component of the total educational program. Physical activity is essential to the development and maintenance of good health. The physical education program shall focus on providing students with the knowledge and skills to make healthy lifestyle decisions.

- I. The physical education program shall be consistent with the standards of the National Association for Sport and Physical Education and with the Sunshine State Standards. It shall be an integral part of the District Wellness Program.
- II. The physical education curriculum shall be a continuum from prekindergarten through grade 12. Activities shall be appropriate for the grade level and capabilities of the students and shall be of sufficient intensity and duration to provide a health benefit.
- III. Goals of the physical education program shall include
 - A. Competency in motor skills and movement patterns;
 - B. Understanding of human movement as it relates to physical activities;
 - C. Understanding of the benefits of regular participation in physical activity;
 - D. Regular participation in physical activity;
 - E. Achievement of a health-enhancing level of physical fitness;
 - F. Knowledge of safety in physical activities;
 - G. Knowledge of first aid and cardiopulmonary resuscitation (CPR);
 - H. Demonstration of responsible personal and social behavior in physical activity;
 - I. Recognition and acceptance of the differing abilities of people;
 - J. Recognition of the values of physical activity for health, enjoyment, challenge, self-expression, and social interaction; and
 - K. Increase in health and wellness.
- IV. The District shall develop a comprehensive physical education plan with input from teachers, parents, students, and representatives from the medical and sports fields. The plan shall be reviewed annually by the Wellness Committee and modified as appropriate. The plan shall adhere to the requirements of Florida Statutes.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1003.41, 1003.42, 1003.43,
1003.453, 1003.455, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 10/15/06
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ALLOCATION OF INSTRUCTIONAL MATERIAL

4.20*

- (1) The distribution of all textbooks, library resources, and other instructional materials shall be made on an equitable basis to District schools. The allocation of these materials shall be based solely on student full-time equivalent membership funds, school enrollment and membership, or similar indicators of the schools' student population and needs.
- (2) Student fees may be charged only for special need areas when recommended by the principal and approved by the Superintendent.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1006.28, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

INSTRUCTIONAL MATERIALS SELECTION

4.21

The School Board shall be legally responsible for the instructional materials used in the operation of District schools. Responsibility for the selection and management of the material is that of the principal of the school. The principal is also responsible for assuring that instructional materials are used to provide instruction to students enrolled at the grade level or levels for which the materials are designed and for effectively communicating to parents, as defined by Florida Statutes, the manner in which instructional materials are used to implement the curricular objectives of the school.

- I. The following standards will be used to determine the propriety of instructional materials for selection:
 - A. The age of the children who normally could be expected to have access to the material,
 - B. The educational purpose to be served by the material, with priority being given to the selection of materials that encompass state and District performance standards,
 - C. The consideration of the racial, ethnic, socioeconomic, and cultural diversity of the district,
 - D. The degree to which the material would be supplemented and explained as part of normal classroom instruction.

Consideration should be given to recommendations made by District committees who have reviewed the available material in a subject area. No books or other material containing hardcore pornography or other material prohibited by Florida Statute shall be used.

- II. No school may participate in a pilot program of materials being considered for adoption by the state during the eighteen (18) months prior to the official adoption of the materials by the Commissioner of Education. However, publishers, manufacturers, and/or agents are not prohibited from supplying sample copies of materials necessary for examination and review as part of the selection process.
- III. The principal of the school will provide to the Superintendent's designee prior to April 1 a list of selected materials planned for purchase for a subject during the first two (2) years of the state adoption cycle. If nonadopted materials are selected, a list of the titles and publishers will be provided with documentation that the selections and reasons for the selections have been reviewed and approved by the School Advisory Council.
- IV. The Superintendent or designee shall notify the Department of Education by April 1 of each year the state-adopted instructional materials that will be requisitioned for use in the District.

- V. The principal is to collect from each pupil or the pupil's parent the purchase price of any instructional material the pupil has lost, destroyed, or unnecessarily damaged and to report and transmit such amounts collected to the Assistant Superintendent of Finance. If the material is lost or destroyed during the first year of use, the purchase price of the material shall be collected. If the material has been in use for more than one year and is in the current adoption period, a sum ranging between fifty (50%) and seventy-five (75%) percent of the purchase price shall be collected. If the material is damaged, the sum shall be determined by the physical condition of the book. Upon reasonable effort by the principal to collect the sum, failure to satisfy the debt may result in the suspension of the pupil from participation in extracurricular activities or satisfaction of the debt by the pupil through community service activities at the school site as determined by the principal. The principal may not delay the transfer of a pupil's permanent record or delay the awarding of grades due to failure of payment of assessment on lost, destroyed, or damaged materials.
- VI. The principal, when requested by the parent of a pupil in the school, shall sell to the parent any instructional materials used in the school. The costs of the materials to the parents would be prorated based on the original purchase price, number of years of adoption, and number of years used.
- VII. All money collected from the sale, loss, or damage of instructional materials shall be transmitted to the Finance Department to be deposited in the District school fund and added to the District appropriation for instructional materials.
- VIII. Principals shall see that all books are fully and properly accounted for annually.
- IX. Instructional materials purchased by District School Board on behalf of dual enrollment students shall be the property of the School Board.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.43, 1006.28, 1006.29(5),
1006.31, 1006.32, 1006.42, F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: 8.207**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EDUCATIONAL MEDIA MATERIALS SELECTION

4.22

- (1) Objectives of Selection - The primary objective of the school's educational media center is to implement, enrich, and support the educational program of the school. The center shall provide a wide range of materials on all levels of difficulty, with diversity of appeal, and the representation of different points of view. The School Board asserts that the responsibility of the media center is to provide:
 - (a) Materials that will enrich and support the curriculum, taking into consideration the varied interest, abilities, and maturity levels of the students served.
 - (b) Materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
 - (c) A background of information enabling students to make intelligent judgments in their daily life.
 - (d) Materials representative of the many religious, ethnic, and cultural groups and their contributions to the American heritage.
 - (e) A comprehensive collection appropriate for the users of the media center which places principle above personal opinion and reason above prejudice in the selection of materials of the highest quality.
- (2) Criteria for Selection of Educational Materials -
 - (a) The standards to determine the propriety of the educational materials shall be pursuant to Florida Statutes.
 - (b) First consideration shall be given to the needs of the individual school based on knowledge of the curriculum, of the existing collection, and of the needs of children and youth. Requests from users of the collection (i.e., administrators, faculty, parents, and students) shall be given high priority.
 - (c) Materials shall be considered on the basis of accuracy of content, overall purpose, timeliness, importance of the subject matter, quality of the writing/production, readability and popular appeal, authoritativeness, comprehensiveness of material, reputation of the

publisher/producer, reputation and significance of the author/artist/composer/producer, etc.; and, format and price.

- (d) Gifts of media or money shall be accepted with the understanding that their use or disposition shall be determined by those persons having the responsibility for acquisitions, according to the same selection criteria and procedures as purchased materials.

(3) Procedures for Selection -

- (a) In selecting materials for purchase, the school media specialist shall evaluate the existing collection and shall consult with:
 - (i) Reputable, unbiased, professionally prepared selection aids such as those published by the American Library Association and other reputable publishing companies generally accepted by the educational media profession.
 - (ii) Media staff, curriculum consultants, faculty, students, and community representative.
 - (iii) Media committee appointed by the principal to serve in an advisory capacity in the selection of materials.
- (b) In specific areas, the media specialist shall follow these procedures:
 - (i) Purchase materials which are outstanding and frequently used;
 - (ii) Replace periodically worn or missing basic items;
 - (iii) Withdraw out-of-date or unnecessary items from the collection; and,
 - (iv) Examine sets of materials and materials acquired by subscription and purchase only material to fill a definite need.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.28, 1006.34(2) (b), F. S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 8.211

CHALLENGED MATERIALS

4.30

The following procedures shall be followed when the appropriateness of books or materials is questioned:

- I. School-community citizens may register their concerns with the principal of the school where material is being challenged.
- II. All concerns shall be presented in writing on a printed form that is available in each school office or the Superintendent's office. A complainant who does not complete and return the form shall receive no consideration. The statement shall include the following information:
 - A. Author, compiler, or editor;
 - B. Publisher;
 - C. Title;
 - D. Reason for objection;
 - E. Page number of each item challenged; and
 - F. Signature, address and telephone number of person making criticism.
- III. These procedures shall be followed for school level appeals:
 - A. A committee of teachers, educational media specialists, and other qualified personnel shall be appointed by the principal to evaluate the challenged materials and to make recommendations of any changes. The principal shall notify the Superintendent and the instructional materials coordinator when a committee is convened.
 - B. Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
 - C. Challenged materials shall be read and re-evaluated by the committee, considering the specific objections raised. The committee shall report its decision within fifteen (15) working days.
 - D. The complainant shall be informed in writing concerning the committee's recommendations.
- IV. These procedures shall be appropriate for district-level appeals and shall be followed when the complainant disagrees with the decision rendered from the school-level appeal. A committee shall be appointed by the Superintendent to review the appeal. The Superintendent shall designate the instructional materials coordinator as being responsible for the organization of this review committee according to School Board policies. The committee's recommendations shall be submitted to the Superintendent within fifteen (15) working days. A committee member shall not be selected from the school where the challenged materials originated.
 - A. The following shall serve as a review committee for elementary schools:

- 1. The chairperson of the School Advisory Council or designee;
- 2. Elementary media specialist;
- 3. Elementary principal;
- 4. A curriculum supervisor;
- 5. Three (3) instructional staff members at the elementary level; and
- 6. Two (2) parents, as defined by Florida Statutes, of elementary-age students.

B. The following shall serve as a review committee for secondary schools:

- 1. The chairperson of the School Advisory Council or designee;
- 2. Secondary media specialist;
- 3. Secondary principal;
- 4. A curriculum supervisor;
- 5. Three (3) instructional staff members at the secondary level; and
- 6. Two (2) parents of secondary-age students.

C. The committee’s review shall be treated objectively, unemotionally, and in businesslike manner and shall be conducted in the best interest of the students, the school, and the community. Efforts shall be made to meet with citizens who register concerns to consider their objections.

D. The complainant shall be informed, in writing, in fifteen (15) working days after the committee’s recommendation is received by the Superintendent.

V. A School Board appeal may be requested by the complainant when the school and district-level appeals do not satisfactorily resolve the concerns. The School Board shall review recommendations from the school and district-level committees and shall render the final decision on the complainant’s concern.

STATUTORY AUTHORITY: **1001.41, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **1000.21, 1001.41, 1001.43, F.S.**

HISTORY: **ADOPTED: _____**
REVISION DATE(S): 10/15/06
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EXTRACURRICULAR PROGRAM

4.40

Interscholastic extracurricular activities shall be defined as a planned secondary school-sponsored competitive activity which exists or is performed between students representing schools, school districts, regions, or the state. The extracurricular program shall be considered an essential part of the total school program and shall be under the principal's direction and general supervision. The principal shall select the personnel to direct and to act as advisors for the various extracurricular activities. Care shall be exercised to limit the load assigned to any one teacher.

- (1) The principal shall be responsible for determining each participant's eligibility in interscholastic extracurricular activities pursuant to the By-laws of the Florida High School Activities Association, Inc. Any school which allows an ineligible student to participate shall be subject to the penalties set forth by the Bylaws of the Florida High school Activities Association, Inc.
- (2) All extracurricular activities shall be self-supporting, when possible. Students shall not be excluded from participating in activities for lack of money for dues, materials, or uniforms. Provided, however, this does not apply to charging admission for students who are spectators of extracurricular activities.
- (3) Funds derived from extracurricular activities shall be processed according to the District's accounting procedures.
- (4) Students may be suspended from extracurricular activities based on procedures established by the Superintendent/designee.
- (5) Appropriate adult supervision consistent with Florida Statutes shall be provided all students.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1012.22, 1001.43, 1006.15, 1006.20(9), F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 7.409**

**©EMCS
Revised: 9/15/02**

GADSDEN 4.40

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

NON-SCHOOL RELATED TRIPS

4.41

The following provisions shall apply to trips in which students and teachers voluntarily and individually participate and which are not sponsored, endorsed, or supported by the School Board or within the scope of the regular instructional program.

- (1) Trips shall be organized between the individual participants and any sponsoring agency.
- (2) The School Board shall not be involved in the curriculum, itinerary, or selection of advisors for the trip.
- (3) Promotional activities shall not include the name of the individual school or School Board and shall clearly state that the School Board is not involved.
- (4) Class time may not be used for planning, collecting funds, distributing information, or in any manner concerning such trips.
- (5) Participation in such travel by employees and students shall be subject to the District's leave and attendance policies.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.41, 1001.43, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

PUBLIC APPEARANCE OF SCHOOL GROUPS

4.42

No school group may make a public appearance without the principal's approval.

- (1) Requests for any school group or organization to make a public appearance shall be directed to the principal for approval (For Field Trips see Policy 4.43).
- (2) School groups may be used for school activities, civic programs, and community benefit programs.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.07, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

FIELD TRIPS

4.43+

I. Educational Field Trips

Any trip which is directly related to a unit of instruction being studied by a particular group of students shall be considered an educational field trip. A field trip will be approved only when related to the instructional program of the school. The teacher shall direct the request for a field trip to the principal. The request shall include an outline of the trip and shall show how the field trip will be of benefit to the students.

- A. An educational field trip for one (1) day shall be limited to a radius of one hundred (100) miles from the school unless otherwise approved by the Superintendent/designee.
- B. Transportation costs of educational field trips shall be paid from the transportation budget.
- C. The Superintendent shall develop procedures to be followed relating to educational field trips.

II. Extracurricular Field Trips

- A. A trip which is not directly related to the instructional program but which is related to a school-sponsored or connected activity shall be considered an extracurricular trip.
- B. The Superintendent shall develop procedures to be followed relating to extracurricular field trips.

III. Parental Notification and Permission

The parent, as defined by Florida Statutes, shall be notified prior to any field trip. Such notice shall state the place to be visited, the date of the trip, the time of departure, and the time of return to the school. Any student making a trip shall present a note from his/her parent giving permission for him/her to make the trip.

STATUTORY AUTHORITY: **1001.41, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **1000.21, 1001.43, 1006.21, 1006.22, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-3.0171**

HISTORY:

ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: 6.305

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SCHOOL FUNCTIONS

4.44

- I. Any school social function shall be adequately chaperoned and include an instructional staff member and shall be approved by the principal prior to scheduling.
- II. Faculty members shall be encouraged to attend social functions.
- III. Dances sponsored by the school or held on school property shall be subject to the following conditions. Dances shall be
 - A. Attended by the principal or designee, and
 - B. Well chaperoned with at least one (1) chaperone being a parent, as defined by Florida Statutes.
- IV. A student shall lose all privileges under this rule if he/she is unable to behave in a pleasant and wholesome manner.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.07, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CHAPERONES FOR SCHOOL FUNCTIONS

4.45

All school functions including field trips and extracurricular events and recreational activities such as picnics, parties, excursions, and similar activities under the sponsorship of the school shall have at least one (1) sponsor and additional chaperone(s) as required. A sponsor is a School Board employee who holds a valid Florida Educator's Certificate. Chaperones shall be approved by the principal in compliance with procedures outlined by the Superintendent. The principal may use his/her discretion in determining whether additional chaperones are necessary. Activities sanctioned by the Florida High School Athletic Association, Inc., shall be governed by the regulations of that association. Activities of vocational student organizations shall be governed by rules of the State Board of Education.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1003.31, 1006.07, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: 2.107**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

BAND ACTIVITIES

4.46

Band instruction shall be a component of the District curriculum. Any school band shall observe the following rules:

- (1) Saturday and Sunday performances shall be limited to those approved by the principal.
- (2) There shall not be more than one (1) band appearance on a night preceding a school day during any one (1) week.
- (3) Uniformed band appearances shall cease on the closing day of school for any school year except by special permission of the School Board.
- (4) A school band may not play where alcoholic beverages are being served.
- (5) Adequate insurance shall be carried on all school-owned instruments.
- (6) The rules of the Florida School Music Association, Inc., shall be observed.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.07, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT CLUBS AND ORGANIZATIONS

4.50

- (1) All student clubs and organizations shall be approved by the principal before they can operate within a school center.
- (2) All student clubs and organizations shall comply with the following:
 - (a) The decision of the member of an organization shall not be one of the factors in selecting additional members.
 - (b) The charter and constitution of each student club or organization shall set forth the purposes, qualifications for members, and the rules of conduct and shall be maintained on file for immediate reference by all students and instructional personnel of the school.
 - (c) There shall be no type of hazing in any club or organization within the school. Hazing shall be defined as any action or situation for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of the school which recklessly or intentionally endangers a student's mental or physical health or safety.
 - (d) Dues shall be reasonable and not prohibitive.
 - (e) All meetings shall be held on School Board property. This may be waived for special meetings and events upon the faculty sponsor's request and principal's approval.
 - (f) A faculty sponsor shall be present at all meetings.
 - (g) All social events shall be adequately chaperoned.
 - (h) All monies accruing to any school club or organization shall be accounted for through the school's internal accounting system.
 - (i) A student club or organization shall not conduct any activity or act which violates Florida Statutes, School Board rules, or the regulations of the local school.
- (3) Any school club or organization which engages in an initiation ceremony for its members shall prepare and submit the program of initiation exercises to the faculty sponsor for review and approval by the school principal.

- (4) Secret societies, social clubs, sororities, fraternities, or any similar organizations are prohibited.

STATUTORY AUTHORITY: 1001.41, 1001.42, F. S.

LAWS IMPLEMENTED: 1001.43, 1006.07, 1006.09, 1006.63, F. S.

HISTORY: **ADOPTED:**
REVISION DATE(S):
FORMERLY: 7.408

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT PUBLICATIONS

4.51

The school principal may approve establishment of a school newspaper or magazine for students and their parent(s), as defined by Florida Statutes.

- I. The principal shall be responsible for supervising the publication of newspapers, magazines, yearbooks, and programs and for ensuring these publications do not impede or otherwise interfere with the educational purpose of the school. Publications shall conform with School Board rules relating to communications with the public.
- II. The principal shall not allow advertisements of intoxicants or tobacco products.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.28, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

DISTRICT AND STATE-WIDE ASSESSMENT PROGRAM

4.60+

- I. Provisions of the District and state-wide testing program for students shall be set forth in the *Testing Handbook for District Schools*. The handbook shall be approved by the School Board and is hereby incorporated by reference and made a part of these rules.
- II. No student shall be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any District testing program on the basis of race, color, religion, sex, sexual preference, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background.
- III. Test modifications shall be made for students with disabilities and Individual Education Plans (IEP) to ensure aptitude and achievement are measured and not their disability.
- IV. The parent, as defined by Florida Statutes, of each student must be notified as to the progress of the student towards achieving state and District expectations for proficiency in reading, science, writing, and mathematics. A student's state assessment results must be reported to the parent.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.11(5), 1001.43,
1008.22, 1008.34, F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: 8.213**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SECURITY OF TESTS

4.61

All mandatory tests administered by or through the State Board of Education and District administered national norm-referenced achievement tests shall be secured pursuant to Florida Statutes, and State Board of Education rules.

- I. District and school personnel who have access to mandated tests shall be informed of test security laws and procedures and of penalties for breaches of test security.
 - A. The testing coordinator shall instruct school test coordinators and principals on test security measures.
 - B. Principals shall be responsible for informing their faculty of test security measures.
- II. The loss of tests, cheating, or any other breach of test security procedures and laws shall be reported immediately to the testing coordinator. Any unresolved problems in the District shall be reported to the Florida Department of Education pursuant to provisions in State Board of Education rules.
- III. The testing coordinator shall coordinate the return and/or destruction of test materials as directed by the Florida Department of Education.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.11(5), 1001.43, 1008.22,
1008.24, 1008.34, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-10.042

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: NEW**

HOME EDUCATION PROGRAM

4.70

- (1) Home education programs shall adhere to the provisions of Florida Statutes. The Superintendent shall be responsible for assuring that the home education programs are in compliance with Florida Statutes.
- (2) The following provisions shall govern home education programs offered by a student's parent(s) or legal guardian. The parent(s) or legal guardian shall:
 - (a) Notify the Superintendent or designee in writing within thirty (30) days of the establishment of a home education program. The notice shall be signed by the parent(s) or legal guardian, and include the names, addresses, and birth dates of all children who shall be enrolled in the program. Copies of applicable Florida Statutes, and the home education policy will be given to the parent(s) or guardian and a conference to discuss the requirements will be held with the parent(s) or guardian.
 - (b) Maintain a portfolio of records and materials for a period of two (2) years. Contents of the portfolio shall include:
 - (i) A log made contemporaneously with the instruction, which designates by title the reading material being used.
 - (ii) Samples of any writings, worksheets, workbooks, and creative materials used or developed by the student.
 - (iii) Copies of any testing or other appropriate evaluations of skills taught, and,
 - (iv) A log of daily instructional and study times.
 - (c) Portfolios will be inspected by a District employee upon 15 days written notice.
 - (d) Parents shall provide an annual educational evaluation to their student(s) being home educated. The annual educational evaluation shall document the student's demonstration of educational progress at a level commensurate with his/her ability. A copy of the evaluation shall be filed annually with the School Board. The annual educational evaluation shall be conducted in accordance with Florida Statutes.

- (e) The Superintendent shall determine if the student has demonstrated educational progress commensurate with his/her ability. If such progress has not been achieved, the parent(s) or legal guardian shall be notified in writing and have one (1) year from the receipt of written notification to provide remedial instruction. Continuation in the home educational program shall depend upon the student's educational progress at the end of the one (1) year probationary period.
- (f) Home Education families are to provide written notice to the Superintendent's office of an address change or of their intention to terminate the home education program.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1000.21, 1001.41, 1002.43, CHAPTER 490, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

**PARTICIPATION OF HOME SCHOOLED STUDENTS IN
EXTRACURRICULAR ACTIVITIES**

4.71

Home-education students currently enrolled in home-education programs registered with the School District, as well as students entering grades nine (9) through twelve (12) in a public school from a home-education program, are eligible to participate in extracurricular activities, provided they meet all Florida Statutes requirements, rules established by the School Board and Florida High School Athletic Association and Florida School Music Association by-laws.

STATUTORY AUTHORITY:

1001.41, 1001, 42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.15, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: NEW**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

REPORT CARDS

4.80*

Policies relating to the content and issuance of student report cards shall be set forth in the District Procedures Manual.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1003.33, F. S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

REQUIREMENTS FOR ORIGINAL ENTRY

5.10

- I. Any student who initially enrolls in the District shall be required to present a certification of immunization for those communicable diseases as required by Florida Statutes.
 - A. Students who are under twenty-one (21) years of age and are attending adult education classes shall present certification of immunization for communicable diseases.
 - B. A transfer student may be granted thirty (30) days to provide documentation of school entry health examination and certification of immunization record.
 - C. Exceptions may be granted as provided in Florida Statutes.
- II. Students in Grades PK-12 who enter Florida public schools for the first time shall present evidence of a health examination within the twelve (12) month period prior to their initial entrance.
 - A. Any student who was previously enrolled in a Florida school and who seeks admission may be granted thirty (30) days to secure documentation of a school health examination.
 - B. The Superintendent may grant exceptions to this rule pursuant to Florida Statute.
 - C. The health examination shall be completed by a health professional who is licensed in Florida or in the state where the examination was performed.
- III. Any student who was previously enrolled in an out-of-state public school and who seeks admission to a District school shall be admitted on the basis of admission requirements established in the state in which the student resided prior to moving to the county, except as provided in this rule.
- IV. A student entering a District school from a private or nonpublic school shall be assigned to a grade based on previous school records and/or age and placement data.
- V. Any student who initially enrolls in the District shall be required to report any previous school expulsions, arrests that resulted in a charge, and any actions taken against the student by the Department of Juvenile Justice (DJJ). The District may waive or honor any final order of expulsion or dismissal of a student if an act committed by the student would have been grounds for expulsion according to the Gadsden County School Board's *Code of Student Conduct*.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1003.01, 1003.21, 1003.22, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.024

HISTORY: **ADOPTED:**
REVISION DATE(S): 7/15/03, 6/22/04, 2/23/05
FORMERLY: 7.104

CHAPTER 5.00 – STUDENTS

ADMISSION TO KINDERGARTEN

5.11

Any child shall be eligible for admission to kindergarten if he/she has attained the age of five (5) years on or before September 1 of the school year. Provided, however, a child who transfers from another state shall be admitted under the same age requirements as established in the state where he/she previously resided. Before admitting a child to kindergarten, the principal shall require evidence of:

- (1) The child's date of birth in the manner provided by Florida Statutes;
- (2) An up-to-date immunization record and tuberculosis test; and,
- (3) A school-entry health examination conducted within one (1) year prior to enrollment in school in accordance with State Board of Education rules.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

**1001.43, 1003.21,
1003.22, 1008.21, F. S.**

STATE BOARD OF EDUCATION RULE:

6A-6.024

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 7.104**

CHAPTER 5.00 – STUDENTS

ADMISSION TO FIRST GRADE

5.12

- (1) For admission to first grade, a student shall be six (6) years old on or before September 1 of the school year and shall satisfy one (1) of the following requirements:
 - (a) Previous enrollment and attendance in a Florida public school.
 - (b) Satisfactory completion of kindergarten requirements in a non-public school; or,
 - (c) Previous attendance in an out-of-state school in which he/she was admitted on the basis of age requirement established by the state of residency.
- (2) Kindergarten students who attend Gadsden County public Schools shall progress according to the District's Pupil Progression Plan.
- (3) First grade students shall progress according to the District's Pupil Progression Plan.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1003.21, 1003.22, F. S.

STATE BOARD OF EDUCATION RULE:

A-6.024

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

ADMISSION TO POST-SECONDARY VOCATIONAL PROGRAMS 5.13*

- (1) The Superintendent or designee shall develop written procedures to implement Florida Statutes and State Board of Education rules which pertain to students with learning disabilities or other impairments who enter post-secondary programs in vocational-technical education centers. The procedures shall include, but not be limited to:
 - (a) A method for identifying students who meet the definition of hearing impaired, visually impaired, or learning disabled pursuant to State Board of Education rules.
 - (b) Development of reasonable substitutions for admission and graduation requirements for post-secondary programs offered at a vocational-technical center.
 - (c) A plan for advising students about eligibility criteria and substitution requirements.
 - (d) Individualized counseling for students who may qualify for substitution requirements.
 - (e) An appeal process for students who do not qualify for substitution requirements.
 - (f) A student who attends the Area Vocational-Technical Center shall be classified as either a high school student or an adult student.
 - (i) A high school student is a student who is age sixteen (16) or older and is concurrently enrolled in a regular high school and the Vocational-Technical Center for one (1) to six (6) hours daily.
 - (ii) An adult student is a person who is sixteen (16) years or older and has withdrawn from a regular school program.
- (2) The Superintendent or designee shall maintain records on students who apply for and who are permitted to enter post-secondary programs on the basis of Florida Statutes and State Board of Education rules. Data collected shall be in accordance with State Board of Education rules.
- (3) Upon the recommendation of the Superintendent, the Board may approve plans and agreements with institutions of higher education for dual enrollment and/or early admissions programs.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1007.264, F. S.

STATE BOARD OF EDUCATION RULE:

6A-10.041

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

HOMELESS STUDENTS

5.14

- I. Homeless children who live within the county shall be admitted to school in the District and shall have access to free public education.
- II. *Homeless child* is defined as
 - A. One who lacks a fixed regular nighttime residence;
 - B. One who has a primary nighttime residence that is
 - 1. A supervised shelter that is designed to provide temporary living accommodations;
 - 2. An institution providing temporary residence for persons who are to be institutionalized; or
 - 3. A public or private place not designed or normally used for human residence;
 - C. One who resides with an adult who is not his/her parent or guardian because the parent/guardian is suffering financial hardship.
- III. The District shall assist homeless children to provide documentation to meet state and local requirements for entry into school.
- IV. A homeless child shall be given a thirty (30) school day exemption to provide proof of age, certification of a school-entry health examination and proof of immunization.
- V. Each homeless student shall be provided the services that are available for all other students including transportation, school nutrition programs, and education services for which the child meets the eligibility criteria such as exceptional education, Title I, and limited English proficiency programs.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1003.21, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1003.01, 1003.21, 1003.22, F.S.
NO CHILD LEFT BEHIND ACT OF 2001, P.L. 107-110**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): 08/23/05
FORMERLY:**

CHAPTER 5.00 – STUDENTS

FOREIGN EXCHANGE STUDENTS

5.15*

Policy:

Only those foreign exchange student programs that comply with the intent of the Gadsden County Public Schools Foreign Exchange Procedures as cited herein will be eligible to place students in the Gadsden County Public Schools.

- (1) **Sponsors:** Applications may be made by organizations designed as Exchange Visitor Sponsors for Teenager Programs by the U.S. Department of State to place students in Gadsden County Public High Schools, once they have been approved by the Council on Standards for International Travel as well as by the Gadsden County Schools Instruction Department. Any organization sponsoring a student must supply the name, address, and telephone number of a local representative who is a resident of Gadsden County and can be contacted at any time in case of emergency or other problem.
- (2) **Student Eligibility:** Students must meet the following eligibility requirements:
 - (a) Attendance for a minimum of two (2) semesters (one full school year). Students must be in attendance the first day of school.
 - (b) Must be a minimum of sixteen (16) but not more than eighteen (18) years of age on the date of enrollment.
 - (c) Not yet graduated from the sending home country school.
 - (d) Completed formal application which includes.
 1. An English translation of the student's school transcript must be included in the application with a brief description of each class taken in 9 – 12 grades which includes the focus of the course content.
 2. Pertinent information about the student, family, and host family.
 3. The student's health record.
 4. Evidence of appropriate medical insurance coverage.
 - (e) Placement with a host family.
 - (f) Must have sufficient reading and speaking knowledge of the English language to be able to successfully participate in regular high school classes (Levels 3, 4 or Fluent English Speakers (FES)).

District Language Proficiency Levels are as follows:

Level 1: Minimal comprehension, no verbal problems;

Level 2: Limited comprehension, one or two word response;

Level 3: Increased comprehension, simple sentences, some errors in speech.

Level 4: Very good comprehension, more complex sentences, complex errors in speech.

FES: Masters the oral / aural tests and scores above the 33rd percentile on reading and writing norm-referenced tests.

(g) Written approval of the principal or his / her designee. The principal may admit a maximum of ten foreign exchange students per year.

(3) **Student Admissions:** The sponsoring organization must apply for and obtain written approval from the principal for admission of the student by July 1 of the upcoming school year.

(a) At the time of application, it shall be determined whether the student will attempt to earn a high school diploma. Students who are interested in earning a high school diploma will be referred to the District office for review.

(b) Written approval or denial for admission shall be given to the sponsoring organization by the principal.

STATUTORY AUTHORITY:

230.22(2); 230.23(17), F. S.

LAWS IMPLEMENTED:

**230.23005(6),(8); 230.33(6),, F. S.
SECTION 625, P.L. 104-208**

HISTORY:

**ADOPTED:8-27-02
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

STUDENT ASSIGNMENT

5.20

The School Board shall establish residential attendance zones for each school. All students, unless otherwise provided by School Board rule or authorized by the School Board's order, shall attend the school serving the student's residential attendance zone. A student's residence is the residence of his/her parent(s), as defined by Florida Statutes. Any student residing in the School District shall be assigned to a school for attendance by the Superintendent or designee.

- I. No student shall be permitted to transfer, enroll, or be admitted to a school when he/she has been expelled from another school district. This prohibition shall be effective for the period of time in which the student was expelled from another district. Such students shall be accorded the same appeals procedure which is available to District students.
- II. A student may be permitted to attend a school in another residential attendance zone pursuant to guidelines adopted by the School Board. Guidelines shall be issued annually.
- III. Any student whose legal residence is outside the boundaries of the county may not be enrolled in any District school without the approval of the School Board, except under the provisions of Florida Statutes.
- IV. No student shall be permitted to cross district lines for the purpose of attending school in the School District or outside the School District, except under a written agreement as provided in Florida Statutes. Any such agreement between the School Board and any other Florida School District shall be duly recorded in the official School Board minutes. Such transfers shall be on a nondiscriminatory basis and shall not result in reducing desegregation in either school district or in reinforcing the dual school system.
 - A. The assigned school for an out-of-district student shall be designated on the basis of space available. Such assignment shall not occur after the February FTE (full-time equivalency) count, except under the provisions of the contract with another District school system or upon recommendation of the Superintendent and approval of the School Board.
 - B. The Board shall specify conditions for admitting students from other Florida school districts.
- V. Any student(s), who has been attending a school that has been designated with a grade of "F" failing to make adequate progress for two (2) school years in a four (4) year period, may choose to attend a higher performing school in the District or an adjoining district consistent with Florida Statutes and State Board of Education rule.
- VI. Enrollment of Homeless Children - Any child in Gadsden County whose primary nighttime residence is in a supervised publicly or privately operated shelter for temporary accommodations, or in a public or private place not designated for, or ordinarily used for, continuing human habitation, shall be entitled to enrollment in Gadsden County Schools.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.41, 1001.42, 1001.43,
1001.51, 1002.31, 1002.38, F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: 2.125, 7.102**

CHAPTER 5.00 – STUDENTS

STUDENT CONTROL

5.30+

All students enrolled in school shall be subject to the laws, regulations of the State Board of Education, the rules and policies of the School Board and the *Code of Conduct* for Students and shall be under the control and direction of the principal or designee during the time they are transported to or from school at public expense, during the time they are attending school or a school-sponsored activity, and during the time they are on School Board premises for school attendance and authorized activities.

- I. The principal or the principal's designated representative shall see that students are properly supervised while at school and during any school-sponsored activity.
- II. The teacher, other members of the instructional staff or bus driver shall assume such authority for the control and supervision of students as may be assigned by the principal or the principal's designated representative and shall keep good order in the classroom or other places where in charge of students.
 - A. No student may be suspended from school, from school bus transportation or from class, nor may corporal punishment be administered except as provided by law and the policies of the Board.
 - B. No student shall be suspended for unexcused absence, tardiness, or truancy unless otherwise provided in the *Code of Student Conduct*.
- III. This policy shall not apply to students while they are being transported to or from school by private citizens.
- IV. The *Code of Student Conduct* for elementary, middle, high school and postsecondary Schools are hereby incorporated by reference and made a part of this rule. The *Code of Student Conduct* and any revisions shall be approved and adopted by the School Board. The *Code of Student Conduct* shall:
 - A. Be developed by School Board members, appropriate grade level teachers, school personnel, school administrators, students, and parent organizations.
 - B. State grounds for disciplinary action procedures and the rights of students.
 - C. Be distributed to all teachers, school personnel, students, and students' parent(s) or legal guardian(s) at the beginning of each school year.
 - D. Be filed in the Superintendent's office.
- V. The *Code of Student Conduct* shall be discussed with students, school advisory committees, and parent/teacher associations at the beginning of each year.
- VI. Any School Board decision which conflicts with provisions in the *Code of Student Conduct* shall prevail until revisions are adopted.

VII. The principal shall use the *Code of Student Conduct* to familiarize students with School Board rules relating to students' rights, responsibilities, and conduct at the beginning of each school year and whenever he/she deems it necessary.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 120.57(1), 1001.43, 1003.04, 1003.21, 1003.31, 1003.32, 1006.07, 1006.08, 1006.09, 1006.10, 1006.13, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0404

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 08/23/05
FORMERLY: 7.301, 7.302, 7.303, 7.304, 7.305, 7.407

CHAPTER 5.00 – STUDENTS

USE OF REASONABLE FORCE

5.31

- (1) Maintaining a safe and orderly learning environment is an important responsibility for all educators. A variety of strategies are available to maintain discipline and encourage appropriate and responsible behavior. Staff response to problem student behavior shall always be proportional to the nature and extent of the disruption, conflict or problem.
- (2) The use of reasonable force shall be permitted by staff to protect a student from the following conditions.
 - (a) Conditions harmful or injurious to the student, other students, a staff member or other school personnel.
 - (b) Conditions harmful to the student's physical health.
 - (c) Conditions harmful to the student's mental health.
 - (d) Conditions that create a harmful or unsafe situation.
 - (e) Conditions that create serious harm to learning or the learning environment.
- (3) Physical force shall be used only when it appears that other alternatives are not feasible.
- (4) A staff member's decision to use or not use physical force, shall be based upon the following factors. The level of force used shall also be determined by these factors:
 - (a) The seriousness or severity of the situation.
 - (b) The potential danger to student, other students or self.
 - (c) Patterns of participants behaviors and potential for volatility.
 - (d) The size and physical conditions of the participants.
 - (e) Availability of other intervention strategies.
 - (f) Other actions already attempted.
 - (g) The availability of assistance.

- (5) The use of reasonable force shall not be excessive, cruel or unusual in nature. The use of pepper spray and other chemical agents shall be permitted only by trained law enforcement officers in critical situations.
- (6) The use of physical force by a staff member shall not be a retribution or punishment for misbehavior or a consequence for a past discipline violation.
- (7) The use of physical force shall be reduced immediately upon the reduction of the threat or harmful condition and cease immediately upon the restoration of a safe and orderly environment, and:
 - (a) The employee must document, if physical force was used, the type physical force, the reason it was needed, other alternatives used before force was applied, and the date and time of the incident.
 - (b) The student should get medical attention after physical force is applied if there is any indication of injury.
- (8) All school sites shall provide required training that informs staff of this policy, provides options to the use of physical force, teaches strategies for use of reasonable force in safe, effective and appropriate ways.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

**1001.43, 1003.31, 1006.07,
1006.09(9), 1006.13, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 7.314**

CHAPTER 5.00 - STUDENTS

STUDENT DETENTION, SEARCH, AND SEIZURE

5.311

- (1) The principal, a teacher, or any other staff member may temporarily detain and question a student when circumstances indicate that such student has committed, is committing, or is about to commit a violation of Florida Statutes or School Board rules.
- (2) Any activity involving student detention, search, and seizure shall be in accordance with procedures set forth in the Code of Student Conduct.
- (3) Each principal shall place a sign which is clearly visible to students and in a prominent location(s) within the school. The sign shall contain the following text:

Notice to Students

School authorities may search student lockers or other areas when reasonable suspicion that prohibited or illegally possessed substance or object is contained within the area Pursuant to Florida Statutes.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43; 1003.31; 1006.07; 1006.09(9); 1006.13, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 7/15/03
FORMERLY: NEW**

CHAPTER 5.00 - STUDENTS

ZERO TOLERANCE FOR SCHOOL RELATED CRIMES

5.32*

- I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. This policy implements the State Board of Education's Zero Tolerance Policy as outlined in Florida Statutes, including
 - A. Victimization of students.
 - B. Felony or misdemeanor as defined by Florida Statutes, Section 775.08.
 - C. Substance abuse which is defined in Section 984.03, Florida Statutes, as "using, without medical reason, any psychoactive or mood-altering drug, including alcohol, in such a manner as to induce impairment resulting in dysfunctional social behavior".
- II. Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and be referred to the criminal justice or juvenile justice system:
 - A. Bringing a firearm or weapon as defined in Chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.
 - B. Making a threat or false report as defined in Florida Statutes, Sections 790.162 and 790.163 respectively, involving school or school personnel's property, school transportation or a school-sponsored activity.
 - C. Assault or Battery on Specified Officials or Employees in violation of Section 784.081(1), (2), Florida Statutes.
 - D. Hazing as defined in 1006.135, Florida Statutes.
- III. The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.
- IV. The Superintendent may consider the one (1) year expulsion requirement on a case by case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system.
- V. If a student committing any of the offenses in this policy is a student with a disability, the School Board shall comply with the applicable State Board of Education rules.

Any student found to have committed a violation of Section 784.081(1)(2) or (3), Assault or Battery on Specified Officials or Employees, shall be expelled or placed in an alternative school setting or other program as appropriate. Upon

being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 120.57(1), 775.08, 784.081, 790.162, 790.163,
1001.42, 1001.43, 1001.54, 1003.31,
1006.08, 1006.09, 1006.13, 1006.135, 1012.28, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0404, 6A.603311

HISTORY:

ADOPTED: _____
REVISION DATE(S): 08/23/05
FORMERLY: 7.307, 7.308

BULLYING AND HARASSMENT

5.321*

The Gadsden County School Board prohibits acts of bullying and harassment. The School Board has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying or harassment, like other disruptive or violent behaviors, is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment. Demonstration of appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying or harassment is expected of administrators, faculty, staff, and volunteers to provide positive examples for student behavior.

Bullying or harassment is any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e. internet, cell phone, or wireless handheld device) that is reasonably perceived as being motivated either by any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression; or a mental, physical, or sensory disability or impairment; or by any other distinguishing characteristic. Such behavior is considered harassment or bullying whether it takes place on or off school property, at any school-sponsored function, or in a school vehicle.

I. Statement Prohibiting Bullying and Harassment

- A. It is the policy of the Gadsden County School District that all of its students and school employees have an educational setting that is safe, secure and free from harassment and bullying. The District will not tolerate bullying and harassment of any kind. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
- B. The District upholds that bullying or harassment of any student or school employee is prohibited:
 - 1. During any education program or activity conducted by a public K- 12 educational institution;
 - 2. During any school-related or school-sponsored program or activity;
 - 3. On a school bus of a public K-12 educational institution; or
 - 4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K- 12 education institution.

II. Definitions

- A. **Bullying** means systematically and chronically inflicting physical hurt or psychological distress on one or more students, or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause

discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:

1. Unwanted teasing;
2. Social Exclusion;
3. Threatening;
4. Intimidation;
5. Stalking;
6. Cyberstalking;
7. Cyberbullying;
8. Physical violence;
9. Theft;
10. Sexual, religious, or racial harassment;
11. Public humiliation;
12. Rumor or spreading falsehoods; or
13. Destruction of school or personal property.

B. Harassment means any threatening, insulting or dehumanizing gesture, use of technology, computer software, or written, verbal or physical conduct directed against a student or school employee that:

1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
2. Has the effect of substantially interfering with a student's educational performance, or employee's work performance, or either's opportunities, or benefits;
3. Has the effect of substantially negatively impacting a student's or employee's emotional or mental well-being; or
4. Has the effect of substantially disrupting the orderly operation of a school.

C. Cyberstalking is defined in F. S. 784.084(d) means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

D. Cyberbullying is defined as the willful and repeated harassment and intimidation of a person through the use of digital technologies, including, but not limited to, email, blogs, social websites (e.g., MySpace, Facebook), chat rooms, and instant messaging.

E. Bullying, Harassment, and/or Cyberbullying also encompass:

1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by
 - a. Incitement or coercion;
 - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system;
 - c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.
- 3.

Unwanted harm towards a student or employee in regard to their real or perceived: sex, race, color, religion, national origin, age, disability (physical, mental, or educational), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family background or being viewed as different in its education programs or admissions to education programs and therefore prohibits bullying of any student or employee by any Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District. For Federal requirements when these acts are against Federally identified protected categories, refer to Policy 4001.1.

- F. **Accused** is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District who is reported to have committed an act of bullying, whether formally or informally, verbally or in writing, of bullying.
- G. **Complainant** is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other

III. Behavior Standards

- A. The Gadsden County School District expects students and adults to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with proper regard to the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- B. The District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.
- C. The School District prohibits the bullying of any student or school employee:
 1. During any educational program or activity conducted by Gadsden County Schools District;
 2. during any school-related or school-sponsored program or activity or on a Gadsden County school bus;
 3. Through the use of any electronic device or data while on school grounds or on a Gadsden County school bus, computer software that is accessed through a computer, computer system, or computer network of the Gadsden County School Board. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action initiated under this section.
 4. Through threats using the above to be carried out on school grounds. This includes threats made outside of school hours, which are intended to be carried out during any school-related or school-sponsored program or activity, or on a Gadsden County school bus.

- 5. While the District does not assume any liability for incidences that occur at a bus stop or en route to and from school, a student or witness may file a complaint following the same procedures for bullying against a student and the school will investigate and/or provide assistance and intervention as the principal/designee deems appropriate, which may include the use of the School Resource Officer. The principal/designee shall use all District Reporting Systems to log all reports and interventions.
- D. All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, self discipline, good citizenship, and academic success, as seen in the required school plan to address positive school culture and behavior (the school's Discipline Plan).
- E. Student rights shall be explained as outlined in this policy and in the Student Code of Conduct: Respect for Persons and Property.
- F. Proper prevention and intervention steps shall be taken based on the level of severity of infraction as outlined in the Student Code of Conduct and this Policy.

IV. Stakeholder Responsibilities

- A. By August 2009, each school principal shall create a School Safety team and designate one of its members as a School Safety Liaison and contact who shall serve on a district School Safety team that address acts of violence and school safety. The district's Safety Investigation's Officer will be head the School Safety Team. At minimum, school teams should include staff members from administration, guidance, and instruction. These persons will serve as the key school based personnel who will receive prevention/safety training and assist in the dissemination of prevention/safety procedures, intervention, and curriculum, for bullying and other issues that impact the school culture and welfare of students and staff.
- B. The Academic Services' Office, in collaboration with other District departments, will collaborate with school based staff members, families, and community stakeholders to utilize this Policy and associated procedures to promote academic success, enhance resiliency, build developmental assets, and promote protective factors within each school by ensuring that each and every staff member and student is trained on violence prevention. These trainings will work to create a climate within each school and within the District that fosters the safety and respect of children and the belief that adults are there to protect and help them. Additionally, students and staff (including but not limited to school based employees, administrators, district personnel, counseling staff, bus drivers) will be given the skills, training, and tools needed to create the foundation for preventing, identifying, investigating, and intervening when issues of bullying arise.
- C. The Parent Services' Office, in collaboration with other District departments, will train a wide range of community stakeholders, profit, non-profit, School Resource Officers, and faith based agencies to provide the dissemination and support of violence prevention curriculums to students, their families and school staff. This collaboration will make effective use of available school district and community resources while ensuring seamless service delivery in which each and every school and student receives an equitable foundation of violence prevention.
- D. The District School Safety Team will serve as the coordinators and trainers of prevention/safety for all school staff and outside agencies/community partners. The District Safety Team will receive training in violence prevention programs. These team will ensure that these programs are evidence-based and proven. The team will be responsible for implementing the evidence-based interventions and proven programs within each of their schools.

- E. The Parent Services' Office, in collaboration with other District departments, will provide opportunities and encourage parents to participate in prevention efforts with their children in meaningful and relevant ways that address the academic, social, and health needs of their children. The District will offer parents and parent associations' trainings on violence prevention as well as knowledge of and/or opportunity to participate in any violence prevention initiatives currently taking place in their school via the district and school websites, open houses, and school newsletters. Training will provide resources and support for parents by linking them with internal supports as well as referral to community-based resources as needed.
- F. Evaluations to determine the effectiveness and efficiency of the services being provided will be conducted at least every three years and shall include data-based outcomes.
- G. The Superintendent, other district administrators, as well as school principals, will be held accountable for implementation of these student support services consistent with the standards of this policy. These administrators will take steps to assure that student support services are fully integrated with their instructional components at each school as well as in policy and practice.

V. Training for all Stakeholders

- At the beginning of each school year, the school principal/designee and or appropriate area/district administrator shall provide awareness of this policy, as well as the process for reporting incidents, investigation and appeal, to students, school staff, parents, or other persons responsible for the welfare of a pupil through appropriate references in the Student Code of Conduct, Employee Handbooks, the school website, and/or through other reasonable means.

VI. Consequences

- a. Committing an act of bullying or harassment
 - i. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
 - ii. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.
 - iii. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements. Additionally, gross acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
 - iv. Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
- b. Wrongful and intentional accusation of an act of bullying or harassment
 - i. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the Code of Student Conduct.

- ii. Consequences and appropriate remedial action for a school employee, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.
- iii. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

H. Reporting an Act of Bullying or Harassment

- a. At each school, the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.
- b. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.
- c. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
- d. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
- e. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.
- f. A school employee, school volunteer, student, parent/legal guardian or other persons who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
- g. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
- h. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
- i. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

I. Investigation of a Report of Bullying or Harassment

- a. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and shall begin with a report of such an act.
- b. The principal or designee shall select an individual(s), employed by the school and trained in investigative procedures, to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim.
- c. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.

- d. The investigator shall collect and evaluate the facts including but not limited to:
 - i. Description of incident(s) including nature of the behavior;
 - ii. Context in which the alleged incident(s) occurred;
 - iii. How often the conduct occurred;
 - iv. Whether there were past incidents or past continuing patterns of behavior;
 - v. The relationship between the parties involved;
 - vi. The characteristics of parties involved, *i.e.*, grade, age;
 - vii. The identity and number of individuals who participated in bullying or harassing behavior;
 - viii. Where the alleged incident(s) occurred;
 - ix. Whether the conduct adversely affected the student's education, educational environment or mental well-being;
 - x. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
 - xi. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
 - e. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include but not limited to:
 - i. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
 - ii. A written final report to the principal.
 - f. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
 - g. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.
- J. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of the District
- a. The principal or designee will assign an individual(s) who is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.
 - b. The trained investigator(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District.
 - i. If it is within the scope of the District, a thorough investigation shall be conducted.
 - ii. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.
 - iii. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.
- K. Notification to Parents/Guardians of Incidents of Bullying or Harassment
- a. Immediate notification to the parents/legal guardians of a victim of bullying or harassment.

- i. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
 - ii. If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states “. . . a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”
 - b. Immediate notification to the parents/legal guardians of the perpetrator of an act of bullying or harassment.
The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
 - c. Notification to local agencies where criminal charges may be pursued.
Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.
- L. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling
When bullying or harassment is suspected or when a bullying incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.
- a. The teacher or parent/legal guardian may request informal consultation with school staff, e.g., school counselor, school psychologist, to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents or legal guardian are included.
 - b. School personnel or the parent/legal guardian may refer a student to the school intervention team for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the intervention team.
 - c. If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
 - d. The intervention team may recommend
 - i. Counseling and support to address the needs of the victims of bullying or harassment;
 - ii. Research-based counseling or interventions to address the behavior of the students who bully and harass others, e.g., empathy training, anger management; and/or

- iii. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

M. Reporting Incidents of Bullying and Harassment

- a. Incidents of bullying or harassment shall be reported in the school’s report of data concerning school safety and discipline data required under s. 1006.09(6), F.S. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. The report shall also include each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.
- b. The District will utilize Florida’s School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related as a related element code.
 - i. Bullying and/or harassment incidents shall be reported and coded appropriately in SESIR using the relevant incident code and the bullying-related code as indicated in the *Code of Student Conduct*.
- c. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information System.
- d. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 5 from Education Information and Accountability Services, and at designated dates provided by the Department of Education.

N. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment

- a. The District shall ensure that schools sustain healthy, positive, and safe learning environments for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.
- b. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District’s policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying in schools.

O. Reporting to a Victim’s Parents/Legal Guardians the Actions Taken to Protect the Victim

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

P. Publicizing the Policy

- a. At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.
- b. Each District school shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and through other reasonable means.
- c. The Superintendent shall also make all contractors contracting with the District aware of this policy.
- d. Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students.
- e. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1003.04, 1003.31, 1003.32,
1006.07, 1006.08, 1006.09,
1006.10, 1006.147, F.S.
20 USC 1232g**

HISTORY:

**ADOPTED: 10/15/06
REVISION DATE(S): 2/27/07
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

TEACHER REMOVAL OF STUDENTS FROM CLASSROOM

5.33

(1) Appropriate action will be taken to remove or to make special provisions for a disruptive student.

Disruptive behavior will include: assault on staff or students, threat(s) or violence, willful disregard of a teacher's directions, malicious vandalism, possession of weapons of any type, continuing use of profane language or obscene gestures, and instigation of violence or mass disobedience to legitimate directions.

When a teacher sends a disruptive student to the office, the principal or his/her representative will provide oral and/or written feedback to the teacher with regard to present and/or future action concerning the student's behavior. The teacher may request a conference with the principal or his/her representative and the student's parent(s)/guardian(s) prior to the student being returned to his/her classroom. A disruptive student will not normally be returned to the classroom where he/she exhibited the disruptive behavior until the teacher has received the feedback.

(2) A teacher may remove a student from his/her class whose behavior the teacher determines interferes with the teacher's ability to effectively communicate with other students in the class or with the ability of the student's classmates to learn.

(3) The principal may not return a student who has been removed by a teacher from the teacher's class without the teacher's consent, unless the Placement Review Committee established herein determines that such placement is the best or only available alternative. The teacher and Placement Review Committee must render decisions within five (5) working days of the removal of the student from the classroom.

(4) Each school shall establish a Placement Review Committee(s) to determine if a student is to be returned to a teacher's class after that student has been removed by the teacher and the teacher has withheld consent for that student to be returned to the teacher's class.

(a) Committee membership shall include the following:

(i) Two (2) teachers selected by the instructional staff of the school.

- (ii) One (1) member of the school staff selected by the principal.
 - (iii) One (1) teacher selected by the instructional staff of the school to serve as an alternative member of the committee.
- (b) A teacher, who removed a student from his/her class and who has withheld consent for the return of that student to his/her class, shall not serve on the committee when the committee makes its decision regarding the return of the student.
- (c) The Placement Review Committee(s) will be selected during pre-school planning. Each school's faculty shall also determine the following during pre-school planning:
 - (i) If a current school committee(s) meets the criteria contained herein for the Placement Review Committee(s) and if the faculty wishes that committee to perform the duties of the Placement Review Committee(s).
 - (ii) The number of Placement Review Committees needed at each school.
 - (iii) The terms of office of the members of the Placement Review Committee(s).
 - (iv) The method the instructional staff will use in the selection of the Placement Review Committee(s) members.
 - (v) The appropriate form a teacher is to use to document the behavior which resulted in the teacher having the student removed from his/her classroom.
 - (vi) Any teacher who removes 25 percent of his/her total class enrollment shall be required to complete professional development to improve classroom management skills. Any required training under this provision shall be free of cost to the teacher.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1003.32, F. S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

The school principal may recommend to the Superintendent the expulsion of any student who has committed a serious breach of conduct including, but not limited to: willful disobedience; open defiance of authority of a School Board employee; violence against persons or property or any other act which substantially disrupts orderly conduct of the school. The school principal or designee shall recommend to the Superintendent the expulsion of any student who has violated School Board rules which require expulsion. Mandatory expulsion includes, but is not limited to: possessing, using or being under the influence of a controlled substance including alcohol on school grounds or at any school-sponsored activity; giving or selling intoxicating beverages, controlled substances, drugs, or counterfeit drugs to any person on school grounds or at any school-sponsored activity; threatening or using a weapon against any person; any felonious act; and, conviction of a felony.

- (1) The following procedures shall be observed when a student is suspended with a recommendation of expulsion:
 - (a) The Superintendent or designee shall receive and review recommendations for expelling a student from the school principal or designee who is directly charged with the supervision of the student concerned. These recommendations shall be submitted in writing to the Superintendent by the individual and shall indicate the grounds for the recommendation. The student's parent(s) or legal guardian or the adult student shall be notified in writing to inform them of the recommendation and to provide a reasonable opportunity to meet with the principal to discuss the recommendation and shall receive a copy of the recommendation submitted to the Superintendent. Such notification shall be sent by certified mail or by regular mail if the parent(s) or legal guardian or the adult student has been notified in person.
 - (b) A preliminary investigation shall be conducted in accordance with the following:
 - (i) The Superintendent or designee shall direct an investigation based on the school's recommendation within five (5) school days of receipt of a recommendation for expulsion. The student's parent(s) or legal guardian or adult student shall be informed that the investigation is being conducted in a manner reasonable calculated to notify them. The Superintendent or designee may extend an existing school suspension pending the results of the investigation when reasonable belief exists that the student's return to school or continued attendance at school is detrimental to the student,

school staff, and other students or tends to interrupt the orderly conduct of the educational process.

- (ii) The Superintendent shall inform the student's parent(s) or legal guardian or adult student by certified mail of the suspension or extended suspension. If requested, the student's parent(s) or legal guardian or adult student shall be given a hearing with the Superintendent or his/her staff to challenge the extension or imposition of a suspension. Such hearing shall be informal in nature and shall be granted upon an oral or written request.
 - (iii) All interested parties shall be immediately informed in an appropriate manner when the Superintendent's investigation reveals that no reasonable basis exists for an expulsion recommendation to the School Board. The student shall immediately be readmitted to school with no penalty imposed for absences related to the investigation; this does not include the initial school suspension if reasonable in nature. Student records shall be properly annotated to indicate that grounds for expulsion were insufficient.
 - (iv) All necessary school personnel shall cooperate in the investigation. Inquiries shall be made into alternatives to expulsion before further proceedings are initiated. The student's parent(s) or legal guardian or adult student shall be informed of any feasible alternatives and appropriate changes shall be made in the student's assignment or program to avoid expulsion proceedings. Any changes shall be based upon sound educational reasons and upon a reasonable belief that such a change will alleviate the problems leading to the school expulsion recommendation.
 - (v) The Superintendent may develop routine procedures and forms for gathering data relating to expulsions. Such forms and procedures shall be internal administrative matters.
 - (vi) Investigations shall be conducted with deliberate speed, considering the nature of the facts underlying the school's recommendation and the characteristics of the student and his/her program.
- (c) Charges and the notice of the right to a hearing shall be governed by the following:

- (i) Charges shall be made when a preliminary investigation is completed and there is reason to believe grounds exist for expulsion. The basis of the charges shall be specified with the Superintendent's recommended action, including specific allegations of fact to support the recommendation.
 - (ii) Charges shall be served upon the student's parent(s) or legal guardian or adult student in a manner reasonably calculated to inform him/her of the charges. Certified mail addressed to the last known address of the parent(s) or legal guardian or adult student shall be considered sufficient notice.
 - (iii) The student's parent(s) or legal guardian or adult student shall be notified, in writing, of a proposed hearing date and of the right to an administrative hearing, in accordance with the provisions of Florida Statutes, before the School Board, if they desire to dispute the material allegations of fact contained in the charges and the recommendation of expulsion. To request a hearing, the parent(s) or legal guardian or adult student shall file a written request for a hearing with the Superintendent's office at the specified address and before a certain date and time identified in the notice. Failure to timely request a hearing, in writing, shall be considered a waiver of the student's right to a hearing to contest the charges.
 - (iv) The student's parent(s) or legal guardian or adult student who timely requests a hearing shall be notified in a manner calculated to inform him/her of the time, place, and nature of the hearing, including a statement of the legal authority and jurisdiction under which the hearing is to be held, a reference to the particular sections of the Florida Statutes and State Board of Education rules involved, and specific references to School Board rules.
- (d) A hearing shall be conducted pursuant to the following:
- (i) The hearing shall be governed by Florida Statutes relating to administrative procedures.
 - (ii) The School Board chairman may direct the Superintendent or an administrative staff member to present the evidence and testimony to the School Board in support of the Superintendent's recommendation for expulsion.
 - (iii) Reasonable flexibility in method or order of presentation shall be permitted. No parent, legal guardian, or adult student shall be prohibited from presenting reasonable

matters to the School Board because of unsubstantiated procedural irregularities.

- (iv) No parent, legal guardian, or adult student shall be prohibited from being represented at the hearing by an adult, whether as legal counsel or qualified representative.
 - (vi) The School Board shall be the finders of fact and shall make conclusions of law based on competent substantial evidence presented at the hearing. Nothing herein shall prevent the School Board from seeking the advice of counsel of the attorney assisting it at the hearing. The School Board may indicate its finding of facts and conclusions of law to a School Board employee who shall write a final order for submission to the School Board for approval or modification.
- (e) Any student who is being considered for dismissal shall be accorded due process of law prior to dismissal. This shall include the following:
- (i) A written copy of the charges against the student;
 - (ii) The offer of a hearing at which the student may call witnesses and present evidence in the student's own behalf;
 - (iii) The right to cross-examine witnesses;
 - (iv) The right to defend the student's actions;
 - (v) Legal counsel at the student's expense to assist the student in presenting a defense; and,
 - (vi) A written copy of the School Board's findings or action.
- (f) The following shall apply to informal proceedings on undisputed facts:
- (i) The student's parent(s) or legal guardian or the adult student may request, in writing, that an informal proceeding be conducted before the School Board when the facts alleged in the charges upon which the Superintendent's recommendation is based are not disputed. The student's parent(s) or legal guardian or the adult student shall file a written request for informal proceeding before a date and time certain with the Superintendent's office as provided in the notice. Failure to timely file a written request for an informal proceeding shall be deemed a waiver of the

student's rights to an informal proceeding before the School Board.

- (ii) Notification of the right to informal proceedings shall be given in the same manner as in the notice of right of hearings of disputed fact. The Superintendent, acting for the School Board, may establish a date for the informal proceeding to provide timely information on proceedings of the charges. Acceptance of the informal proceeding date by the student's parent(s) or legal guardian or the adult student shall be deemed waiver of the notice requirements as to time. The hearing shall not be held in a manner calculated to cause inadequate preparation time. Fourteen (14) days shall be deemed sufficient preparation time unless an objection is timely raised; the days shall be calculated from the day immediately following the actual personal notice or posting of the notice by certified mail.
 - (iii) An informal proceeding shall be held before the School Board on the date proposed in the notice of right of informal proceeding when a timely request for an informal proceeding is filed. At the informal proceeding before the School Board, the student's parent(s) or legal guardian, the adult student, or the legal counsel or representative may present written or oral evidence in opposition to the Superintendent's recommendation for expulsion is based. The School Board shall consider any oral testimony or written statements submitted by the parties and render a final order in the same manner as in formal hearings of disputed fact.
- (g) The Superintendent shall notify the student's parent(s) or legal guardian or the adult student of the official School Board action by certified mail with reasonable speed and include a copy of the School Board's final order. The notice shall inform the student's parent(s) or legal guardian or the adult student of his/her right to appeal the School Board's final order to the District Court of Appeal.
- (h) A student who is expelled from the District by School Board action shall not be afforded a rehearing before the School Board unless prior evidence is proven to be false or new evidence is substantiated that was omitted from the original hearing. A request for rehearing shall be made by the parent(s) or legal guardian to the Superintendent or designee. The Superintendent's office shall determine whether the expulsion shall be reheard by the School Board.

- (2) The Superintendent may recommend to the School Board expulsion of a student who is found guilty of a felony. Provided, however, any student subject to discipline or expulsion for the unlawful possession or use of any substance controlled under Florida Statutes shall be entitled to a waiver of the discipline or expulsion if he/she divulges information leading to the arrest and conviction of the person who supplied such controlled substance or if he/she voluntarily discloses the unlawful possession of such controlled substance prior to arrest.
- (3) Provisions for the expulsion of exceptional education students shall be described and set forth in the Code of Student Conduct.
 - (a) The dismissal of an exceptional education student shall not result in a complete cessation of educational services; the District is responsible for providing the dismissed student's education during the expulsion in accordance with a revised individual education plan (IEP).
 - (b) The following procedures shall be followed for the expulsion of exceptional education students:
 - (i) The principal shall adhere to State Board of Education rules when recommending expulsion of exceptional students and shall be responsible for convening a disciplinary review committee. The disciplinary review committee membership shall comply with State Board of Education rules and shall include, but not be limited to, the District administrator of exceptional students or designee, the school psychologist, the exceptional student education teacher, and the principal or designee. The disciplinary review committee shall review the student's IEP and shall determine whether the student's behavior bears a relationship to his/her exceptionality. A disciplinary review committee that determines the student's behavior is in relation to his/her exceptionality may modify the student's IEP in accordance with current needs and expulsion may not be applied. Procedures in subsection (3)(b)3, herein shall apply when a student's conduct does not bear a relationship to his/her exceptionality.
 - (ii) An IEP meeting shall be conducted in compliance with State Board of Education rules and in conjunction with the disciplinary review committee meeting. The decision of the disciplinary committee shall be recorded on the IEP and shall be used in determining the adequacy of the current

special program and related services. The student’s IEP may be revised to reflect:

- (a) A modification of the current special program or an alternative placement;
- (b) An indication that the exceptionality is not a precipitating factor and the student is expected to behave in accordance with the rules established in the District’s Code of Student Conduct.
- (iii) The principal is responsible for taking appropriate action consistent with School Board rules and the Special Programs and Procedures for Exceptional Student Education Manual.
- (iv) The parent(s), legal guardian, or custodian of an exceptional education student shall be provided a copy of the suspension and expulsion procedures regarding discipline of exceptional education students at the initial placement meeting or at the first IEP meeting held in the District.
- (c) Additional requirements for the expulsion of exceptional education students may be set forth in the Special Programs and Procedures for Exceptional Student Education Manual.
- (4) This rule shall prevail over any District procedure which is contrary to or conflicts with these rule provisions.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

**120.57(1), 1001.43, 1001.54,
1003.31, 1006.07, 1006.08,
1006.09, 1012.28, F. S.**

STATE BOARD OF EDUCATION RULE:

6A-6.0331

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 7.311; 7.312**

GRANTING PERMISSION FOR STUDENTS TO LEAVE THE SCHOOL CAMPUS

5.35

- I. No student shall be permitted to leave the school grounds during the school day for school business/activities without the principal's prior approval or written consent from the student's parent(s), as defined by Florida Statutes, provided an acceptable reason is established.
- II. The principal or the teacher shall definitely establish the identity and authority of any person who requests the release of a student from school. If the person requesting the release of the student is a person other than the parent with whom the child resides, the principal or teacher concerned shall not release the child without the verified authorization of the parent with whom the child resides.
- III. The provisions of this subsection shall not apply to a law enforcement officer, court official, Children and Family Services, or proper school employee provided that the person's identity and authority are clearly established.
- IV. If a student is eighteen (18) years old or otherwise identified by statutes as being treated as having achieved majority status, and having verified this with school officials, he/she shall be considered as acting as his/her own guardian for purposes of this policy if the student provides proper written documentation, if feasible, that the parents have been informed of the decision.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.07, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: 7.405, 7.406

CHAPTER 5.00 – STUDENTS

VEHICLE USE BY STUDENTS

5.36+

- (1) Student shall be permitted to drive his/her automobile, motor scooter, or motorcycle to school provided a written consent of his/her parent(s) or legal guardian and a written agreement to comply with all the School Board rules relating to student vehicles is filed with the principal. Any student violating this rule shall be denied permission to bring his/her vehicle to school until such time as the principal restores the privilege.
- (2) The Superintendent shall develop guidelines to be used at school to implement this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.07, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

**STUDENT USE OF CELL TELEPHONES, PAGERS
AND OTHER COMMUNICATION DEVICES**

5.37

- I. Personal telephones may be brought to school with the following conditions applying:
 - A. Phones must be turned off during school hours.
 - B. If emergency calls to or from students are necessary they should be placed through the school office and not to or from the student's telephone.
 - C. Phones should be kept secure to prevent theft (vehicles, purses, backpacks, lockers, etc.).
- II. Violation of these provisions shall result in the confiscation of the personal telephone and its return only to the parent or guardian. If the student is of majority age, then they may be prohibited from possessing a phone on campus.
- III. The use of personal telephones at school events shall not be limited by this policy; however, the principal shall have full authority to promulgate rules that implement all provisions herein.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1003.04, 1003.31,
1006.08, 1006.09, 1006.145, F.S.**

HISTORY:

**ADOPTED: 2/23/05
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

STUDENT ATTENDANCE

5.40*

- (1) A student who is absent without the principal's approval shall have his/her parent(s) or legal guardian report such absences to the school center in the manner prescribed by the Code of Student Conduct.
 - (a) The Code of Student Conduct shall prescribe attendance requirements including, but not limited to, provisions for excused and unexcused absences, opportunities to make up work assignments, and reporting absences.
 - (b) Students shall be excused from any examination, study, or work assignments for observance of a religious holiday or because the tenets of his/her religion forbid secular activity at such time. The school principal shall implement this provision on an individual basis pursuant to Florida Statutes and State Board of Education rules.
 - (c) No adverse or prejudicial effects shall result to any student who avails himself/herself to the provisions of this rule.
- (2) Student absences must be tracked on a daily basis and parents contacted as required by law.
- (3) A person designated by the Superintendent/designee shall investigate truancy problems.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

**39.01(73)(C), 985.03,
1001.43, 1003.21, 1003.23,
1003.24, 1003.26, F.S.**

STATE BOARD OF EDUCATION RULE:

6A-1.044; 6A-1.09514

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 7.101; 7.103**

CHAPTER 5.00 – STUDENTS

STUDENT INJURIES

5.60

The following procedures shall be followed when a student is injured at school:

- (1) First aid shall be administered by the nearest person with first-aid training.
- (2) The student's parent(s) or legal guardian shall be notified immediately.
- (3) The family physician shall be notified and his/her instructions followed if the parent(s) or legal guardian, or a responsible adult member of the family cannot be reached.
- (4) A physician who has agreed to handle school emergencies shall be called if the parent(s) or legal guardian, adult member of the family, or the family physician cannot be reached.
- (5) A student shall be taken to the emergency room of the nearest hospital when a life threatening situation occurs. Discretion shall be used in moving a critically injured student without medical advice.
- (6) A serious injury to a student shall be reported immediately to the principal who shall make a prompt report by telephone to the Superintendent or designee.
- (7) An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.
- (8) An insurance report shall be prepared if an injury is covered by insurance.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.07, 1006.08, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

STUDENT ILLNESS

5.61

- (1) The teacher, principal or nurse shall isolate a student who becomes ill while at school until the student can be removed to his/her home. A student with a temperature above normal, diarrhea, or emesis shall be evaluated and sent home, if necessary.
- (2) A student who has had a serious communicable disease shall present a statement from a physician licensed by the state of Florida before being readmitted to classes. A student not attended by a physician may be readmitted if the principal, in his/her judgment, finds the student has met the criteria for readmission as established by the County Health Unit.
- (3) No internal medicine of any kind may be given to a student without the written permission of the parent(s) or legal guardian(s).

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAW IMPLEMENTED:

1001.43, 1006.07, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

ADMINISTRATION OF MEDICATION

5.62*+

- I. Administration of Prescription Medication -
 - A. Each school principal shall designate a staff member(s) to administer medications. The staff member(s) shall be trained annually by the registered nurse at each school.
 - B. Administration of prescription medications during school hours is discouraged unless a physician determines that a student's health needs require medication during school hours. If a parent sends medication with a note the medication may be administered on that day without the completed permission form; however, the form must be on file for the next day in order for additional administration of medication.
 - C. Instructions on using a prescription shall be provided by a physician or described on the medication container provided by the physician or pharmacist.
 - D. All prescription medications shall be delivered to the office/clinic in the original container(s) with the following information provided:
 - 1. Diagnosis;
 - 2. Reason for giving;
 - 3. Name and purpose of medication;
 - 4. Time and dosage the medication is to be given;
 - 5. Specific instructions on the administration of the medication;
 - 6. Approximate duration of medication;
 - 7. Beginning date - Ending date;
 - 8. Allergies;
 - 9. Side effects;
 - 10. A note signed by the student's parent(s) or legal guardian to grant permission for administering the prescription medication; and
 - 11. Medication to be counted with two (2) persons signing.
 - E. First dosage of any new medication shall not be administered during school hours because of the possibility of an allergic reaction.
 - F. Prescription medication which is kept at school shall be stored in a secure place under lock and key with the student's name attached. Only authorized staff who administer said medication shall have access to it.

- G. A student with a special health condition(s) such as asthma, diabetes or hypersensitivity may carry prescription medication for emergency situations on self if approved by his/her physician and his/her parent or guardian. The approval of the physician and the parent and information regarding the medication required in I.D. must be on file in the office/clinic. A student who has permission to self administer emergency medication may carry the medication on the school bus. The principal shall notify the bus driver and the transportation department regarding such students.
 - H. A record shall be maintained on each student who receives a prescription medication during school hours, including the time each dose of prescription medication was administered. These records shall be made available daily to the principal and the county health nurse.
- II. Administration of Non-prescription Medication - All non-prescription medication treated like prescription medication.
- A. Each school principal shall designate a staff member(s) to administer non-prescribed medications pursuant to instructions in the Standard Operating Procedures Manual. The staff member(s) shall be trained annually by the registered nurse at each school.
 - B. Administration of non-prescription medications during school hours is discouraged unless necessary for student's illness.
 - C. Instructions on using non-prescription medication shall be provided by the student's parent(s) or legal guardian.
 - D. All non-prescription medications shall be delivered to the office/clinic with the following information provided:
 - 1. Diagnosis; reason for giving;
 - 2. Name of student affixed to medication container;
 - 3. Name, purpose, and dosage of a non-prescription medication;
 - 4. Time or condition under which the non-prescription medication is to be given;
 - 5. Approximate duration of the non-prescription medication; and,
 - 6. A note signed by the student's parent(s) or legal guardian to grant permission for administering non-prescription medication;
 - 7. Beginning date - Ending date;
 - 8. Allergies;
 - 9. Side effects; and
 - 10. Medication to be counted by two (2) persons signing.
 - E. First dosage of any new medication shall not be administered during school hours because of the possibility of an allergic reaction.

- F. Non-prescription medication which is kept at school shall be stored in a secure place under lock and key with the student's name attached. Only authorized staff who administer said medication shall have access to it.
 - G. A student with a special health condition such as asthma may carry nonprescription medication for emergency situations on self if approved by his/her physician and his/her parent or guardian. The approval of the physician and the parent and information regarding the medication required in II.D. must be on file in the office/clinic. A student who has permission to self administer emergency medication may carry the medication on the school bus. The principal shall notify the bus driver and the transportation department regarding such students.
 - H. A record shall be maintained on each student who receives medication during school hours, including the time each dose of non-prescription medication was administered. These records shall be made available daily to the principal and the county health nurse.
 - I. When medication is down to five (5) doses, parent must be notified to send new medication in an original container.
 - J. At the end of the school year, the parent must be notified to pick up remaining medication. If the parent does not pick up medication, it should be disposed of, not sent home with the child.
- III. Field Trips - The requirements for the administration of medication while students are away from school property or on official school business shall be the same as those while on school property. All medications including nonprescription medications that are taken on field trips or other official school business must be in the original container. Only designated personnel will administer medication away from the school site except for students who have permission to self administer emergency medications.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1002.20, 1002.22, 1006.062, F.S.

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 08/23/05
FORMERLY: 7.308, 7.410

CHAPTER 5.00 – STUDENTS

PSYCHOTROPIC MEDICATION

5.621

- I. Psychotropic medication is a prescription medication used for the treatment of mental disorders and includes, without limitation, antihypnotics, antipsychotics, antidepressants, anxiety agents, sedatives, psychomotor stimulants, and mood stabilizers.
- II. The School Board of Gadsden County shall not deny a student access to programs or services because the parent, as defined by Florida Statutes, has refused to place the student on psychotropic medication.
- III. A teacher, administrator, or other District employee shall not require that a student take psychotropic medication; nor shall any District employee compel or attempt to compel a parent to administer psychotropic medication to his/her child.
- IV. A teacher, administrator, or other District employee may discuss school based observations of a student's academic, functional, and behavioral performance with the student's parent. The employee may offer options for programs and services that are available to the parent and student; however, the parent shall be responsible for selecting programs and services, if any, for the student.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.0625, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

STUDENT WITH AIDS OR HIV DISEASE

5.63

- (1) It is the School Board's intent to protect employees and students from exposure to infectious diseases and from risk occasioned by infectious diseases and environmental hazards and to provide reasonable accommodations to infected students.
- (2) It is recognized that students with any illness, including (HIV) infected persons, may continue to attend school as long as academic, behavioral, and medical evidence indicates that their condition is not a threat to themselves or to others. If it becomes necessary, reasonable accommodations within the school setting shall be made, or an alternative educational services delivery shall be implemented.
- (3) All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need to know.
- (4) School Board employees shall receive and review procedures governing immunization against Hepatitis B infection, HIV, AIDS, blood-borne pathogens, other communicable disease, and environmental hazards.
- (5) Staff members shall cooperate with public health authorities by practicing and promoting "universal precautions," as deemed by the Centers for Disease Control (CDC). Procedures for dealing with students who pose a threat of transmitting a blood-borne health condition are contained in the Health Services Manual.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1000.21, 1001.03, 1001.42, 1001.43, 1002.22, F.S.

STATE BOARD OF EDUCATION RULES:

6A-6.03020; 6A-6.0331

HISTORY:

**ADOPTED:
REVISION DATE(S): 7/15/03
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

EYE PROTECTION DEVICES

5.64

The principal shall inform all teachers concerned with instruction in courses specified in Florida Statutes of the requirements relating to the wearing of eye protection devices. The principal shall direct such teachers to continuously follow provisions of Florida Statutes without exceptions.

- (1) The School Board shall provide protective devices for School Board employees, students, and visitors.
- (2) The student shall be required to wear the eye protection device as directed by the teacher when engaged in activities listed under the Eye Protection Device Law. The student's failure or refusal to wear the device shall be cause for his/her suspension or dismissal from the course.
- (3) Any teacher who fails to carry out the provisions of this rule shall be charged with willful neglect of duty and shall be reported to the Superintendent or designee for such action as deemed appropriate.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.07, 1006.063, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 7.411**

CHAPTER 5.00 – STUDENTS

STUDENT RECORDS

5.70*+

School Board rules and procedures for maintaining student records shall be consistent with Florida Statutes, State Board of Education rules, and federal laws relating to Family Educational Rights and Privacy Act and Privacy Rights of Parents and Students. The Superintendent shall be responsible for interpreting this rule and the school principal shall be responsible for controlling and supervising student records, following all rules on student records, and interpreting rules on student records to the school staff, students, and the community.

- I. Procedures on student records shall be approved by the School Board and contained in the *Student Educational Records Manual*. Included shall be provisions of the No Child Left Behind Act requirements relating to the surveying of students, the collecting of information from students for marketing purposes, and certain nonemergency medical examinations.
- II. The individual records of children enrolled in the Voluntary Prekindergarten Education Program shall be maintained as confidential records exempt from the public records law as required by Florida Statutes.
- III. Reporting of student database information shall comply with these safeguards.
 - A. Data reported to the Florida Department of Education shall not disclose a student's name or identity unless required by Florida Statutes;
 - B. Data shall not be stored in a single file or released in such a manner that a complete student profile can be reported unless specified by Florida Statutes; and
 - C. Data shall be protected from unauthorized use at all times.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**20 USC §1232H (34 CFR PART 98)
119.07(1), 1001.43, 1001.52,
1002.22, 1002.72, 1003.25, F.S.
PL 103-382 (34 CFR PART 99)**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): 08/23/05
FORMERLY: 7.402**

CHAPTER 5.00 – STUDENTS

DIRECTORY INFORMATION

5.71

Students' parent(s) or legal guardian shall be notified annually in the Code of Student Conduct that the School Board may release "directory information" to the general public.

- (1) Directory information includes the following data about a student:
 - (a) Name;
 - (b) Address;
 - (c) Telephone number, if listed;
 - (d) Participation in officially recognized activities and sports;
 - (e) Weight and height, if an athletic team member;
 - (f) Name of the most recent previous school or program attended;
 - (g) Dates of attendance at schools in the District and degrees and honors received; and,
 - (h) Date and place of birth.
- (2) Information described in subsections (1)(a), (d), (e), (f), and (g) herein may be published routinely by the School Board in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.
- (3) Directory information requested in writing by agencies identified in Florida Statutes may be released subsequent to written notification to the student's parent(s) or legal guardian or a student who is eighteen (18) years or older. The written notification to the student or the student's parent(s) or legal guardian shall be by certified mail receipt and shall be addressed to the most current address on file at the school or District office.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1002.22, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

PARENTAL ACCESS TO INFORMATION

5.711+

- (2) The Board shall incorporate into the Board approved Student Services Plan, rules and procedures required by the No Child Left Behind Act relating to student privacy, parental access to information and administration of physical examinations to minors.
- (4) The Superintendent shall develop procedures to ensure that this policy is carried out in each of the district schools.
- (5) Parents/Guardians of each student shall be notified at a minimum, at least annually at the beginning of the year, the rules and procedures relating to this policy. Parents/guardians shall be notified within a reasonable period of time of any substantive change made to this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

20 U.S.C. 1232H; 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

**©EMCS
NEW: 2/15/03**

GADSDEN 5.711+

LEGAL NAME OF STUDENT

5.72

When a parent of any other person seeks to enroll a student under a name other than the legal name, or seeks to change the name of a student already enrolled, the parent or other person shall be informed that the name of the student as recorded on the birth certificate or other supporting evidence, as provided by law, will be used on all official records until such time as a final court order verifying a legal change is received.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1003.21, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 7.401**

- I. Each school may establish a board of control for athletics to include the school principal, instructional staff members, the athletic director, and any other member deemed appropriate by the school principal.
- II. All District high schools and schools with middle grades participating in interscholastic and athletic activities shall be members of the Florida High School Athletic Association, Inc. (FHSAA) and shall be governed by the rules and regulations adopted by FHSAA. Students who participate in athletics shall meet eligibility requirements established by FHSAA and the School Board. Membership dues will be paid from the internal accounts of each respective school.
- III. Students practicing or participating in any type of interscholastic athletics shall provide proof of accident insurance covering medical expenses of any injury sustained in a sport. The principal shall be responsible for obtaining proof, as evidenced by a copy of the insurance card and a signed statement from the student's parent(s), as defined by Florida Statutes, of the student's insurance prior to practice or participation in interscholastic athletics. Such insurance may be made available to the parent(s) through the school, or the parent(s) may submit evidence that insurance has been provided through another source.
- IV. No student shall engage in practice or participate in any interscholastic game without the written permission of the student's parent(s) and a current physical examination as required by Florida High School Athletic Association being on file.
- V. Pursuant to Florida Statutes licensed medical personnel who act as volunteers for school events and agree to render emergency care or treatment shall be immune from civil liability for treatment of a participant in any school-sponsored athletic event, provided such treatment was rendered in accordance with acceptable standards of practice and was not objected to by the participant.
- VI. An automatic external defibrillator (AED) will be available for use, if needed, at every preseason and regular season interscholastic contest and at every FHSAA state championship series contest. Staff will be trained to use such equipment.
- VII. All students shall be subject to all School Board rules and to the *Code of Student Conduct* while attending athletic events and practices.
- VIII. In order for a student to be eligible to participate in interscholastic extracurricular student activities, he/she must meet all of the requirements established by the Florida High School Athletic Association and maintain satisfactory conduct, as defined by the District *Code of Student Conduct*. If a student is convicted of an on- or off-campus felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether adjudication is withheld, the student's participation in interscholastic extracurricular activities will be suspended for the balance of the school year.
- IX. A report of an alleged violation of this standard of conduct shall be submitted to the principal or his/her designee for investigation. If the principal or his/her designee determines that a violation has occurred, the student and his/her parent shall be notified in writing, of the suspension from school sponsored extracurricular activities.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**768.135, 1000.21, 1001.43, 1006.07,
1006.15, 1006.16, 1006.20, F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW, 10/15/06**

The Gadsden County School Board receives funds from the U. S. Department of Education and is required by Federal law to comply with requirements for the collection and reporting of certain information by means of student surveys, as well as requirements to protect student privacy. The information that must be reported relates to student attitudes and behaviors on topics such as school safety, substance use and the prevalence of risky attitudes or behaviors, particularly with respect to alcohol and drug abuse. In addition, these surveys collect information on general health practices and human sexuality. Such information shall be anonymously collected on a sampling basis, and no personally identifiable information shall be obtained from or report on any individual student. The district shall cooperate with other governmental agencies as needed in conducting these surveys.

Parents shall be notified of upcoming surveys that reveal information concerning one or more of the following items:

- (1) political affiliations or beliefs of the student or the student's parent
- (2) mental and psychological problems of the student or the student's family
- (3) sexual behavior or attitudes;
- (4) illegal, anti-social, self-incriminating, or demeaning behavior
- (5) critical appraisals of other individuals with whom respondents have close family relationships
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers
- (7) religious practices, affiliations, or beliefs of the student or student's parent
- (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

No student shall be required to participate in such a survey if the student or the student's parent (if the student is a minor) objects to participation. Parents will be given the opportunity to opt their child out of participation.

A student or the student's parent (if the student is less than 18 years of age) has the right to inspect any such survey instrument before the survey is administered or distributed to students if a request is made within a reasonable period of time. Parents further have the right to be advised of arrangements that will be made to protect student privacy.

Parents will be annually notified of this policy at the beginning of each school year and with a reasonable period of time if any substantive changes are made

to this policy. Such notice shall include the specific or approximate dates during the school year when any such survey(s) will be administered.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.43,
No Child Left Behind Act, Title IV, P. L. 107-110, Title X, Part F**

HISTORY:

**ADOPTED:
REVISION DATE (S): 4/27/04
FORMERLY:NEW**

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT OF PERSONNEL

6.10*

- I All personnel shall be appointed or reappointed as prescribed by Florida Statutes and in conformance with applicable State Board of Education rules and School Board rules.

- II The Superintendent is directed to develop appropriate employment procedures governing the recruitment, screening, selection, appointment and employment of all personnel consistent with Florida Statutes, State Board of Education rules, and federal requirements and School Board rules.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAW(S) IMPLEMENTED:

**1001.42, 1001.43, 1012.22, 1012.27,
1012.32, 1012.39, F. S.**

STATE BOARD OF EDUCATION RULE(S):

**6A-1.0502, 6A-1.064,
6A-4.0081, 6A-4.0082, 6A-4.0083**

HISTORY:

**ADOPTED:
REVISION DATE(S):9/15/02
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

STAFFING PLANS

6.101*

- (1) A district-wide staffing plan shall be developed prior to any staff selection and hiring for each ensuing school/fiscal year. No staff selections, recommendations or hiring for the ensuing school/fiscal year shall occur until the staffing plan is approved by the School Board. The plan shall include the specific number of employee positions (full and part-time) that are required to adequately run the district worksite and/or comply with applicable state and federal laws. Any proposed variance to the approved plan shall be presented to the School Board for approval prior to the implementation of such variance.

Each position in the plan must be identified by its officially approved title, salary schedule, pay grade, number of days of employment for the school/fiscal year, a unique district assigned position identifier, center, and fund source/project from which salaries and benefits will be derived.

- (2) The Superintendent is directed to develop appropriate procedures governing the development and implementation of the plan and the formula to be used in the allocation of positions to the various worksites.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED: 1001.43, 1012.22, 1012.27 F. S.

STATE BOARD OF EDUCATION RULES: 6A-1.0502

HISTORY: **ADOPTED:**
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT DEFINED

6.11

- (1) Full-time. A regular full-time employee is a person who is employed for the school term or for the school fiscal year to render the minimum number of hours each day as established by the Board for that position or job.
- (2) Part-time. A part-time employee is a person who is employed to render less than the number of hours each day as established by the Board for a regular full-time employee.
- (3) Temporary. A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or to perform some work of a temporary nature. Such employment will cease at the close of the school term or school fiscal year or when the temporary work has been completed. A temporary employee may be a part-time or a full-time employee.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.22, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

DEFINITION OF PERSONNEL

6.111

Instructional, administrative, administrative support, and non-instructional support personnel shall be defined in accordance with the provision of Florida Statutes.

STATUTORY AUTHORITY:

1001.43, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1000.21, 1001.43, 1012.01, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 4.101; 5.101**

CHAPTER 6.00 – HUMAN RESOURCES

NEPOTISM

6.12

- (1) An employee may not be recommended for employment or be supervised by a close relative.
- (2) Two or more close relatives may not work in the same administrative unit except by special permission of the Superintendent.
- (3) Close relatives are defined as mother, father, son, daughter, brother, sister and spouse and in-laws of the same.

STATUTORY AUTHORITY:

**1001.43, 1012.27,
1012.23, F. S.**

LAWS IMPLEMENTED:

**112.3135, 1001.43,
1012.22, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.127**

CHAPTER 6.00 – HUMAN RESOURCES

YEAR OF SERVICE DEFINED FOR ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

6.13*

- (1) The minimum time which may be recognized as a year of service for contractual purposes shall be full-time actual service rendered under contract for more than one-half (1/2) of the number of days or more than one-half (1/2) the number of total hours required for the normal contractual period of service for the position held. In determining such service, sick leave and holidays for which the employee received compensation shall be counted, but all other types of leave and holidays shall be excluded.
- (2) Any claim to a year of service for salary purposes shall be the equivalent of the service required for a continuing, professional service, annual, or multi-year contract. Credit for service rendered in another state or as otherwise allowed under the adopted salary schedule shall be determined by using the minimum service required in the District for a comparable position and in accordance with the contract agreement between the School Board and the local education association.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1000.21, 1001.43, 1011.60, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 4.107**

CHAPTER 6.00 – HUMAN RESOURCES

THE INSTRUCTIONAL STAFF

6.14*

The instructional staff shall be composed of school-based personnel, as defined in Florida Statutes, other than administrators and school support personnel. The instructional staff shall be assigned direct responsibility for the supervision, instruction, and evaluation of students in disciplines which promote individual growth and development for becoming a member of society. Instructional staff members shall hold a valid Florida Educator's Certificate or the equivalent as prescribed by Florida Statutes and State Board of Education rules.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**1000.21, 1001.43, 1012.32,
1012.39, 1012.53, 1012.54,
1012.56, 1012.57, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 4.101**

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT OF ATHLETIC COACHES WHO ARE NOT FULL-TIME EMPLOYEES OF THE SCHOOL BOARD

6.141*

Persons who are not full-time employees of the School Board and hold an athletic coach's certificate, issued by the state of Florida, may be recommended by the Superintendent and appointed by the School Board, on a contract basis, to perform designated secondary school athletic coaching responsibilities, subject to the following conditions:

- (1) The principal has determined that qualified full-time employees of the School Board are not available to perform these responsibilities.
- (2) The contracted employment conforms to rules and regulations of the State Board of Education and the bylaws of the Florida High School Activities Association.
- (3) The employment procedures and contracted services conform to standards and procedures provided by the Superintendent including, but not limited to:
 - (a) Use of an approved agreement form for contracted services.
 - (b) Assessment of the qualifications of such persons.
 - (c) Agreement by the contracted employee to abide by the Code of Ethics of the Education Profession in Florida.
 - (d) Evaluation of performed services to be conducted by the principal and appropriate records maintained.
- (4) Payment for services shall be according to the approved District schedule of salary supplements for the services rendered.
- (5) The District shall attempt to ensure that community-based coaches reflect the diversity of racial, ethnic, and gender groups that the School Board believes to be important to the educational experiences of students.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

119.07, 1001.43, 1012.22,
1012.24, 1012.27, 1012.31,
1012.33. 1012.36, 1012.55,
1012.56, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

NON-CERTIFIED INSTRUCTIONAL PERSONNEL

6.142*

Persons who possess expert skill in or knowledge of a particular subject or talent but who do not hold a Florida teaching certificate constitute an invaluable community resource for the education of the students in the District. Such persons may serve as non-paid volunteers or as a paid member of the instructional staff to render instructional service in the individual's field of specialty but shall not be required to hold a Florida teaching certificate. Policies concerning non-certificated instructional personnel shall be as follows:

(1) Employment Procedures

Procedures shall be the same as those followed for certificated personnel, except that non-certificated personnel shall not be entitled to a contract as prescribed by State Board of Education rules. The supervisor recommending the appointment must explain the circumstances that necessitate employing a non-certificated instructional person. A copy of such material shall be placed in the employee's personnel file.

(2) Personnel Records

The records of non-certificated personnel shall contain the same kinds of information that would be contained in the record of a regular member of the instructional staff. In lieu of a certificate and transcripts there shall be complete, detailed and certified documentation attesting to the individual's expertise in the area for which he/she is employed. The record shall also contain a statement of the specific instructional duties assigned to be performed and evaluations of performance of such duties.

(3) Salary

Non-certificated persons shall be paid according to the terms set forth in the salary schedule.

(4) Assignment, Suspension, and Dismissal

Non-certificated instructional personnel may not be assigned to any teaching duties other than those for which specifically employed. They shall remain employed only as long as the need exists. At any time during the employment of a non-certificated instructional person there is an indication that he/she is not carrying out his/her duties as assigned,

he/she shall be suspended from that duty immediately and further action, including dismissal, shall be recommended by the Superintendent.

(5) Assessment of Performance

The performance of each non-certificated person shall be assessed against his/her specifically assigned duties. The supervisor recommending the appointment of these personnel shall monitor performance and provide a written evaluation at least once each school term using the teacher evaluation form.

(6) Student Welfare

Each non-certificated instructional person shall, prior to assuming his/her duties, be instructed as to his/her responsibilities in regard to the health, safety, and welfare of students. If assigned duties require knowledge of rules, regulations or policies of a special nature, the written statement of duties assigned shall include the duty to be familiar with such material.

(7) Instructional Practices and Policies

Prior to assuming their duties all non-certificated instructional personnel shall be advised of the State, District, and school policies relevant to instructional responsibilities.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.22, F. S.

LAWS IMPLEMENTED: 1001.43, 1012.42, 1012.55, F. S.

STATE BOARD OF EDUCATION RULES: 6A-1.0502; 6A-1.064

HISTORY: **ADOPTED:**
REVISION DATE(S):
FORMERLY: 4.112

CHAPTER 6.00 – HUMAN RESOURCES

**EMPLOYMENT OF NONDEGREED VOCATIONAL AND ADULT
INSTRUCTIONAL PERSONNEL**

6.143*+

The Superintendent is authorized to develop a procedural manual for the employment of nondegreed vocational and adult instructional personnel which is entitled *Qualifications for Employment of Non-degreed Full Time and Part-time Vocational and Part-time Adult Instructional Personnel* per Florida Statutes. These procedures shall be consistent with Florida Statutes and shall be approved by the School Board. The manual shall be published and made available to persons who are seeking employment in one of these positions.

STATUTORY AUTHORITY: **1001.41, 1012.22, 1012.23, F.S.**

LAW(S) IMPLEMENTED: **1001.43, 1012.32, 1012.36, 1012.39, F.S.**

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: 4.105

CHAPTER 6.00 – HUMAN RESOURCES

EDUCATIONAL PARAPROFESSIONALS AND AIDES

6.144*

Aides or paraprofessionals are persons assigned by the School Board to assist instructional staff member(s) in performing his/her instructional or professional duties or responsibilities. A paraprofessional has additional responsibilities consistent with the requirements of the federal No child Left Behind Act.

- (1) The conditions of employment of an aide or paraprofessional shall be governed by Board policy and shall include the following:
 - (a) An aide shall have a high school diploma or hold a high school equivalency diploma issued pursuant to State Board of Education rules.
 - (b) A paraprofessional shall meet one of the following requirements:
 - (i) Hold an associate's or higher degree;
 - (ii) 60 semester hours of study at an institution of higher education; or
 - (iii) A rigorous state or local assessment of knowledge of and the ability to assist in instruction in reading, writing, and mathematics or reading readiness, writing readiness, or mathematics readiness.
 - (c) Be at least eighteen (18) years of age.
 - (d) Present a complete set of fingerprints taken by a law enforcement agency or properly trained District personnel and the appropriate processing fee. The fingerprints shall be acceptable for processing by the Florida Department of Law Enforcement and the Federal Bureau of Investigation. The Supervisor of Human Resources or designee shall initiate a records check by the two (2) agencies.
 - (e) A drug test shall be required of all non-instructional applicants recommended for hire and shall be administered by the Board approved testing laboratory.

(2) The principal shall assure that the aide or paraprofessional assigned to the school possesses a clear understanding of State and District rules relating to their responsibilities and to the safety, welfare, and health of students. It shall be the principal and the instructional staff member's responsibility to ascertain that an aide or paraprofessional possesses the necessary knowledge about rules to perform duties of a special nature in a proper and reasonable manner.

(3) It shall be the principal's responsibility to assure the School Board and the Superintendent that each aide or paraprofessional possesses a clear understanding of all State and District instructional practices and rules relevant to their responsibilities if he/she is expected to assist a teacher in promoting learning activities. When an aide is assigned duties requiring knowledge of instructional practices and policies or providing prescribed physical care for students of a specialized nature, it is the instructional staff member's responsibility to ascertain in advance whether the aide possesses the necessary knowledge and skills.

(4) The aide or paraprofessional shall complete a period of supervised practice when assigned to a new instructional staff member or assigned a type of duty which he/she has not previously performed. The length of such supervised practice may vary depending upon previous experiences of the aide or paraprofessional. A record shall be maintained in each school to show the length, nature, and inclusive dates of each supervised practice assignment for each aide or paraprofessional.

- (5) An aide or paraprofessional shall not perform any of the following:
- (a) Establish instructional objectives;
 - (b) Render decisions regarding the relevancy of certain activities or procedures to achieve instructional objectives;
 - (c) Make decisions regarding the appropriateness of training materials for accomplishing instructional objectives; and,

(d) Evaluate a student's attainment of instructional objectives unless clear and objective criteria such as a specific achievement standard on an objective test are defined.

- (6) The principal and instructional staff members who are assigned aides or paraprofessional personnel shall be responsible for assigning duties which are consistent with Florida Statutes, State Board of Education rules, School Board rules and other controlling regulations.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAWS IMPLEMENTED:

1001.43, 1012.22, 1012.32, 1012.37, F.S.

34 CFR 200

STATE BOARD OF EDUCATION RULES:

6A-1.070; 6B-1.006

HISTORY:

**ADOPTED:
REVISION DATE(S): 7/15/03
FORMERLY: 5.107**

CHAPTER 6.00 – HUMAN RESOURCES

SUBSTITUTE TEACHERS

6.145*

- I. Each school principal is authorized to employ a substitute teacher when an instructional staff member is unable to perform assigned duties. The principal shall obtain substitute teachers from the approved list published by the Personnel Department.
- II. Applicants who seek employment as substitute teachers shall meet the following minimum qualifications and provide the appropriate materials as required by the Department of Personnel:
 - A. Hold a high school diploma or equivalent;
 - B. Be at least eighteen (18) years of age;
 - C. Submit a complete set of fingerprints taken by a law enforcement agency or properly trained District personnel and the appropriate processing fee to obtain a records check by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI);
 - D. Submit to a drug/alcohol screening; and
 - E. Complete an initial orientation/training program and other training required by Florida Statutes.
- III. The Personnel Department shall approve applicants as substitute teachers provided their qualifications are found to be satisfactory. Applicants shall not be eligible for substitute teaching until approved.
- IV. The compensation for substitute teachers shall be for services rendered in accordance with the salary schedule adopted annually by the School Board.
- V. Any member of the Florida Retirement System who has been retired for at least one calendar month from any state administered retirement system may be employed as a substitute or hourly teacher on a noncontractual basis.
- VI. A substitute teachers shall hold
 - A. A valid Florida Educator's Certificate or
 - B. A valid substitute certificate/document issued by the District. The substitute certificate/document shall verify satisfaction of requirements specified in section II. herein. Procedures for issuance of District certificates are described in School Board Rule 6.21 District Certificates.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.32, 1012.35, 1012.36,
1012.39, 1012.55, 1012.56, F.S.

HISTORY: **ADOPTED:**
REVISION DATE(S): 7/15/03, 6/22/04, 2/23/05
FORMERLY: 2.18

CHAPTER 6.00 – HUMAN RESOURCES

ASSISTING TEACHERS TO BECOME HIGHLY QUALIFIED

6.15+

The Superintendent shall develop procedures to assist experienced teachers to meet the highly qualified requirements of the No Child Left Behind Act under the provisions of the High, Objective, Uniform State Standard of Evaluation (HOUSSE).

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1012.22, 1012.27, F.S.
No Child Left Behind Act of 2001, P.L. 107-110**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

APPOINTMENT OR EMPLOYMENT REQUIREMENTS

6.17*

Any person desiring employment shall file a completed application on the form provided by the Superintendent.

I. Qualifications

- A. Must be of good moral character.
- B. Must have attained the age of eighteen (18) years with the exception of students employed by the Board.
- C. Must have received a high school diploma or a high school equivalency diploma (GED). The issuing institution must have been an accredited institution as recognized by the Florida Department of Education (*e.g.*, Southern Association of Colleges and Schools (SACS), a regional accrediting agency affiliated with SACS, or the Florida Council of Independent Schools). In the event the school is accredited by an agency not recognized by the state, the school's accreditation status must be verified and the standards of the accrediting agency must be comparable to standards of the SACS in the areas of support for learning, curriculum, instructional design and assessment.
- D. Must not be ineligible for employment under 1012.315, F.S., if applying for an instructional or administrative position. The ineligibility for employment set out under 1012.315, F.S. also applies to any other position requiring direct contact with students.

II. Certificate Requirements

Each applicant for an instructional or a certificated administrative position shall hold a certificate, have a receipt from the Florida Department of Education acknowledging that an application has been filed and that issuance of the certificate is pending, or have the proper license to perform services.

- A. To be considered for a position, an applicant shall be duly qualified for that position in accordance with state law, regulations of the Florida Department of Education and the approved job description. If it appears that the applicant is eligible for proper certification, appointment may be made subject to the conditions set forth in the annual contract of employment as approved by the School Board.

- B. Any person not holding a valid Florida certificate at the time of employment shall be required, upon initial employment, to make application to the Florida Department of Education for such a certificate, through the Personnel Services office of the District. When such certificate is received, it must be filed with the office of the Superintendent. If the Department of Education declines to issue a certificate, the person's employment shall be terminated immediately. Failure to file such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.

III. Interviews and Appointments

The Superintendent or designee shall monitor and ensure that appointments and assignments are consistent with the District's intent of maintaining a diverse work force.

IV. Driving Record

- A. The driving record of each applicant for the position of school bus operator or for any position that would require the person to drive a School Board vehicle shall be reviewed to determine if the record contains any infractions of the driving code that would make the applicant unqualified for the position in accordance with the District safe driver plan.
- B. The driving record of each current school bus operator shall be reviewed prior to the first day of the fall semester and periodically during the school year to determine if the record contains any infractions of the driving code that would make the operator unqualified for the position in accordance with the District safe driver plan. The driving record of any employee who is required to drive a School Board vehicle shall also be reviewed periodically during the year to determine whether the employee may continue in the position.

V. Initial Employment

- A. Any offer of employment with the School District is conditioned on submission of fingerprints as required by Florida Statute and a background investigation by the Superintendent or designee and District Criminal Background Check (CBC) committee. After a job offer, but prior to beginning employment with the District, all candidates for all positions must undergo a criminal and employment background check to determine suitability for employment. The application for employment shall inform applicants they are subject to criminal background checks, and advise applicants that failure to be truthful on the application about prior criminal history will be grounds for ineligibility or dismissal from employment.

- B. As a condition of employment and prior to beginning work, an applicant who has received a conditional job offer must file a complete set of fingerprints taken by an authorized law enforcement officer or an employee of the District trained to take fingerprints. The fingerprints shall be processed by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The applicant shall be required to pay for full costs of processing at the time of fingerprinting.
- C. A Criminal Background Check (CBC) committee shall be established to review the criminal history of all persons nominated for initial employment. The CBC committee shall obtain criminal background information for applicants through requests to the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The CBC Committee shall include, but not be limited to, the Director of Personnel Services, the District EEO Officer, and a representative of the County Sheriff's Department.
- D. When the fingerprint or background check reports are returned, the committee shall review both the application and the report(s) concerning the individual. The CBC committee will compare the information provided by the new employee with the information received from the FDLE and/or the FBI pursuant to Florida Statute.
- E. The Superintendent or designee shall conduct employment history checks of applicants for instructional, administrative or any other positions requiring direct contact with students. The employment history check shall include, but not be limited to, screening through the use of educator screening tools described in law and contact with each previous employer. All findings shall be documented. If the Superintendent is unable to contact a previous employer, he/she shall document all efforts to contact the previous employer. For all other applicants, the CBC committee or its designee shall contact or attempt to contact all prior employers for a minimum of the past ten (10) years and all private or public educational institutions by which the applicant was previously employed while age eighteen (18) or older. The committee shall document all attempts to contact previous employers.
- F. No applicant who has received a conditional job offer shall begin work before his/her fingerprints are processed, the criminal and pre-employment investigation is completed, and a determination is rendered as to suitability for employment.
- G. Based upon the facts of an application, criminal background check or other valid or reliable data sources, applicants who are, or have been

convicted of certain serious offenses may be denied employment by the School District. As used in this section the term conviction is defined as a finding of guilt, a plea of guilty, or a plea of *nolo contendere*, or a verdict of guilty. The withholding of adjudication or the entry of an order sealing or expunging the record requiring a pre-trial intervention or pre-trial diversion shall not be considered an exception to this section. Other information derived from the pre-employment investigation, which indicates the applicant may not be suitable for employment by the School District, may be grounds for denying employment to an applicant.

- H. An applicant shall be disqualified from employment in any position requiring direct contact with students, including non-instructional and non-administrative positions, if he/she is ineligible for employment under 1012.315, F.S.
- I. Any instructional or non-instructional person under contract to the School District to operate student programs, student teachers, persons participating in short-term teacher assistance experiences or field experiences who have direct contact with students must meet the requirements of V.A., B., E. and F. Such person may not be in direct contact with students if ineligible as otherwise set out in 1012.315, F.S.

VI. Current Employees

- A. Whenever a personnel investigation of a complaint against an employee is required, a criminal background check may be conducted as part of the investigation.
- B. If it is discovered during the period of employment that a regular employee has a prior criminal record and that the employee was requested to provide this information at the time of hire, but did not do so, the employee may be subject to disciplinary action, including dismissal for submitting false information on the employment application, or otherwise having misled the District.
- C. If it is discovered during the period of employment that an employee has a prior criminal record and no falsification of an application nor attempt to mislead occurred, the record shall be reviewed by the CBC committee. The committee shall consider all information, including any mitigating conditions, and report findings of fact, possible mitigating circumstances and recommendations for action to the Superintendent. The employee shall have the opportunity to respond in writing to the findings and recommendation. The Superintendent shall review the record, recommendation and response before taking appropriate action. Appeal

of the Superintendent's action shall follow collective bargaining agreements or School Board policy, as appropriate.

- D. An employee whose criminal record after employment would disqualify him/her from employment shall be subject to termination.

VII. Acceptance of Appointment

Failure to signify acceptance of appointment within ten (10) days after receipt of the official notice of appointment shall be considered a rejection of the offer and the position shall be declared vacant.

VIII. Reconsideration and Appeal

- A. Applicants who have been denied employment, and probationary employees who have been denied permanent employment, on the basis of their criminal record, drug screening and/or background check, may request reconsideration by the CBC committee only if they present new information not previously available to the committee.
- B. Applicants who have been denied employment, and probationary employees who have denied permanent employment, because of their criminal record and/or background check, may appeal to the Superintendent. Applicants and probationary employees shall receive written notice of the right to appeal the decision by the CBC committee to the Superintendent. Their appeal must be in writing, and may respond to the findings and decision of the CBC committee. If new information is to be submitted, the applicant must first request reconsideration by the CBC committee. The Superintendent's decision shall be final.

- IX. The District shall ensure that all aspects of the recruitment and selection process are job-related and are consistent with business necessity so as to ensure equal employment opportunity. Neither the District nor its agents shall engage in any discrimination with respect to employment in violation of any state or federal laws. Applicants shall be informed of the complaint procedure that may be used should they allege discrimination.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED: 381.0056, 1001.42, 1001.43, 1012.01, 1012.22, 1012.27, 1012.315, 1012.32, 1012.39, 1012.465, 1012.55, 1012.56, F. S.

STATE BOARD OF EDUCATION RULE(S): 6A-3.0141

HISTORY:

ADOPTED:
REVISION DATE(S): 7/15/03, 6/22/04, 2/23/05
FORMERLY: 4.103; 4.104;
5.102; 5.103; 5.201

CHAPTER 6.00 – HUMAN RESOURCES

PHYSICAL EXAMINATIONS

6.171

The Superintendent may require a physical, psychological, and/or psychiatric examination by a physician licensed in the state of Florida when in the Superintendent's judgment such an examination is relevant to the teaching performance or employment status of a School Board employee. The Superintendent shall select the physician(s), psychologist(s), or psychiatrist(s) and shall pay all costs incurred in the examination(s).

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.32, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.14**

CHAPTER 6.00 – HUMAN RESOURCES

LICENSE OF SCHOOL BUS DRIVER

6.172*

Each school bus driver shall possess the minimum qualifications prescribed in Florida Statutes, State Board of Education rules and other controlling regulations.

- I. All school bus drivers shall hold a valid Commercial Driver’s License (CDL) for a Class B vehicle with passenger (P) and school bus (S) endorsements.
- II. The license shall be displayed in a conspicuous place in the school bus or shall be carried by the driver while operating the bus.
- III. Any driver who knowingly operates a school bus with a suspended or revoked license shall be subject to dismissal.

STATUTORY AUTHORITY: **1001.41, 1012.22, 1012.23, F.S.**

LAW(S) IMPLEMENTED: **322.57, 1001.43, 1012.45, F.S.
49 CFR 350, *et al.***

STATE BOARD OF EDUCATION RULE(S): **6A-3.0141, 6A-3.0171(1)(d)**

HISTORY: **ADOPTED: _____
REVISION DATE(S): 08/23/05
FORMERLY: 5.201, 6.306**

CONTRACTS: INSTRUCTIONAL AND ADMINISTRATIVE PERSONNEL

6.18*

Any person employed as a member of the instructional staff shall hold a valid Florida Educator’s Certificate or professional license except as noted elsewhere in policy. Any person employed as an administrator shall meet those qualifications as enumerated in the Board adopted job description. All instructional and administrative staff shall be entitled to and shall enter into a written contract with the School Board as provided by law. All contracts shall be on forms prescribed by the Commissioner of Education. Any member of the instructional or administrative staff who is willfully absent from duty without leave shall forfeit compensation for the time absent, and his/her contract shall be subject to cancellation by the Board.

- I. Contracts with instructional staff. Each member of the instructional staff shall receive an annual or professional services contract in accordance with the provisions of law. The first ninety-seven (97) days of the initial contract shall be a probationary period during which the employee may be dismissed without cause. The contract shall be in accordance with the duly adopted salary schedule of the Board and shall be for a definite term of service.

- II. Contracts with administrative staff. Each member of the administrative staff on initial employment shall be given a written contract for a period not to exceed three (3) years subject to the condition that renewal of the contract from year to year will be based on an annual review of the services rendered and renewed only when acceptable and satisfactory service has been rendered. The first ninety-seven (97) days of the initial contract shall be a probationary period during which the employee may be dismissed without cause.

When the administrative staff member has rendered three (3) years of satisfactory and acceptable service, the School Board may enter into a contract for a fixed period of time not to exceed three (3) years. Any further renewal of the contract shall be based on a review and evaluation made during the last year of the contract and any additional contract shall be for a period of time not to exceed three (3) years.

STATUTORY AUTHORITY: **1001.41, 1012.22, 1012.23, F.S.**

LAW(S) IMPLEMENTED: **120.57, 1001.43, 1012.22, 1012.32, 1012.33, 1012.56, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.0502, 6A-1.064**

HISTORY:

ADOPTED:
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

PROBATIONARY STATUS FOR NON-INSTRUCTIONAL PERSONNEL

6.181

Upon initial employment, non-instructional employees shall serve a probationary period. If a collective bargaining agreement does not provide for the conditions of a probationary period then the following provisions shall govern the implementation of this policy:

- (1) The probationary period shall begin the first day of regular employment;
- (2) The probationary period shall be sixty (60) working days;
- (3) Employment during the probationary period must be continuous for probation to be successfully completed;
- (4) The probationary period may be extended if:
 - (a) the fingerprinting process is pending completion, or
 - (b) the Superintendent or designee determines that an additional probationary period is needed;
- (5) The Superintendent shall determine whether to continue the employee's employment for the duration of the contract year;
- (6) A probationary employee who is recommended for non-renewal shall not have rights of appeal nor have a written explanation; and
- (7) Probationary non-instructional personnel shall be entitled the same benefits that are provided other employees in the same work position;

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.40, F. S.

HISTORY:

**ADOPTED
REVISION DATE(S):
FORMERLY: 2.15**

CHAPTER 6.00 – HUMAN RESOURCES

CERTIFICATION OF ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

6.20*

No person shall be employed or continued in employment if he/she does not hold or is ineligible to hold a Florida Educator's Certificate, a local certificate, a certificate issued by a Florida School District that has a reciprocal agreement with the School District or holds a professional license, or a proper license to perform instructional services. However, a person may be employed under emergency conditions, pursuant to Florida Statutes, or may qualify as noncertificated instructional personnel pursuant to School Board rules. The staff member shall be responsible for maintaining a valid certificate. The staff member shall register his/her certificate and each certificate reissuance or renewal in the District office as soon as the Department of Education issues the new validity period on the certificate.

- I. The Superintendent shall designate a certification contact person to work directly with the Bureau of Educator Certification, Florida Department of Education, to assist personnel with certification issues.
- II. An individual nominated for an instructional position shall be properly certificated, be eligible for certification, meet conditions prescribed in State Board of Education rules or qualify for employment or re-employment as a nondegreed vocational education, adult education teacher or expert in the field based on School Board rules.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.60, 1012.24, 1012.54, 1012.55, 1012.56, 1012.57, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0501, 6A-1.0502, 6A-1.0503

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: 4.105

CHAPTER 6.00 – HUMAN RESOURCES

DISTRICT CERTIFICATES

6.21*

The School Board authorizes issuance of School District Certificates to substitute teachers, part-time adult education teachers, and full-time and part-time non-degreed vocational education teachers. The fields of certification shall be specified in the Qualifications for Employment of Non-degreed Full-time and Part-time Vocational and Part-time Adult Instructional Personnel Manual. Each certificate shall bear an effective date of July 1 of the school fiscal year for which it is issued and shall expire on June 30.

- (1) The Substitute Certificate shall be valid for five (5) school fiscal years and shall be issued to an individual who meets criteria established for employment in the School Board rule entitled “Substitute Teachers.”
 - (a) To re-issue a valid Substitute Certificate, an individual shall submit an application form to the Department of Human Resources.
 - (b) To re-issue an expired Substitute Certificate, an individual shall submit, to the Department of Human Resources, an application form and a complete set of fingerprints taken by a law enforcement agency or properly trained District personnel to obtain a records check by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The fingerprint processing fee shall be paid by the individual.
- (2) The following types of Full-time Certificates shall be issued at the non-degreed vocational level.
 - (a) Non-degreed instructional personnel will be issued a two-year (2) Temporary Certificate upon receipt of fingerprint clearance from the FDLE and FBI.
 - (b) A five (5) year Professional Certificate will be issued when all requirements have been completed as specified for a Professional Services Contract.
 - (c) To re-issue a valid Professional Certificate, official transcripts must be filed with the appropriate renewal form showing six (6) semester hours of college credit which includes three (3) semester hours specific to each area on the certificate. One hundred twenty (120) Inservice Points shall be considered equivalent.

STATUTORY AUTHORITY: 1001.43, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED: 1001.43, 1012.32, 1012.39, F. S.

STATE BOARD OF EDUCATION RULE: 6A-1.0502

HISTORY: **ADOPTED:**
REVISION DATE(S):
FORMERLY: 4.105

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYEE USE OF SCHOOL BOARD CELLULAR TELEPHONES

6.321+

It is the policy of the School Board to provide selected employees cellular telephones in support of fulfilling their assigned duties. In order to ensure that cellular telephones are used only for the benefit of the School District, the following conditions shall exist

- I. Personal calls or calls unrelated to school business are prohibited except in emergency situations.
- II. Employees with assigned cellular telephones shall submit monthly logs showing each call sent or received. The log shall include the date, telephone number called, party contacted, and reason for the call.
- III. Should a personal call be made or received and the cost charged to the District, the employee shall reimburse the District for the actual cost.
- IV. The Superintendent shall develop procedures for implementation of this policy.

Failure to follow this policy may result in disciplinary action including suspension or termination from employment.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.27, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

TEACHING OUT-OF-FIELD

6.22

- I. The employment or assignment of out-of-field teachers may occur when a qualified and appropriately certificated teacher is unavailable. Any teacher who is employed or assigned out-of-field shall be required to satisfy the course credit requirement in State Board of Education rule if he or she is appointed in a subsequent school year(s). The deadline for earning the six (6) semester hours of college credit or equivalent in the appropriate field shall be one (1) calendar year from the date of initial appointment to the out-of-field teaching assignment.
- II. Each principal shall report to the Superintendent any teacher who is assigned to teach a subject(s) for which he or she is not properly certificated. Such reports shall be filed at the beginning of each school year or when changes occur and shall include the following information: teacher's name, the certificate area(s) on the Florida Educator's Certificate, the out-of-field assignment, and the justification. The School Board minutes shall reflect such approvals.
- III. Recommendations will be given to a teacher to assist in meeting in-field certification requirements.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.42, 1012.55, 1012.57, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0503

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 7/15/03, 6/22/04, 2/23/05
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

PROFESSIONAL ETHICS

6.27*

- I. An effective educational program requires the services of personnel of integrity, high ideals, and human understanding. All employees shall be expected to maintain and promote these qualities. The Board shall also expect all administrative, instructional and support staff members to adhere to the *Code of Ethics of the Education Profession in Florida* and the *Principles of Professional Conduct for the Education Profession in Florida*.
- II. Administrative and instructional personnel, as defined by Florida Statute, shall be required to complete training on these ethical standards. All other employees shall participate in training related to professional ethics.
- III. All employees shall be responsible for reporting misconduct by School Board employees that affects the health, safety or welfare of a student.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**112.313, 1001.42, 1012.01,
1012.22, 1012.27, 1012.796, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6B-1.001, 6B-1.006

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW**

REPORT OF MISCONDUCT

6.29*

The School District of Gadsden County shall adhere to all requirements related to employee misconduct that affects the health, safety or welfare of a student.

I. Mandatory Reporting of Misconduct

It is the duty of all employees to report to the Superintendent alleged misconduct by any School Board employee that affects the health, safety or welfare of a student. Failure of an employee to report such misconduct shall result in disciplinary action.

II. Investigation

The Superintendent shall immediately investigate any allegation of misconduct by an employee that affects the health, safety or welfare of a student.

- A. An employee who is alleged to have committed such misconduct shall be reassigned to a position not requiring direct contact with students pending the outcome of the investigation.
- B. Information related to the alleged misconduct shall be considered confidential during the investigation.
- C. The Superintendent shall report alleged misconduct to the Department of Education as required by Florida Statutes.

III. Legally Sufficient Complaint

The Superintendent shall file any legally sufficient complaint for employees holding educator certificates with the Department of Education within thirty (30) days after the date the District became aware of the subject matter of the complaint. A complaint is considered to be legally sufficient if it contains ultimate facts that show that an instructional or administrative employee has committed a violation as provided in 1012.795, F.S., and defined by State Board of Education rule.

IV. Resignation or Retirement in Lieu of Termination

If an instructional or administrative employee resigns or retires in lieu of termination for misconduct that affects the health, safety or welfare of a student, the Superintendent shall report the misconduct to the Department of Education as required.

V. Employment Reference

A representative of the School District shall not provide an employment reference or discuss the performance of an employee with a prospective employer in an educational setting without disclosing the person's misconduct that affected the health, safety or welfare of a student. A District official shall not enter into any confidentiality agreement regarding terminated or dismissed personnel or personnel who resigned or retired in lieu of termination.

VI. Policy and Notification

The policies and procedures for reporting alleged misconduct by employees that affects the health, safety or welfare of a student shall be posted in a prominent place at each school and each school's website. The policy shall include the name of the person to whom the report is made and the consequences for misconduct. A notice shall also be posted at each school reiterating the affirmative duty pursuant to Chapter 39 to report all actual and suspected cases of child abuse, abandonment, and neglect. The notice shall also contain the State's toll-free telephone number for reporting such misconduct.

VII. Protection from Liability

- A. Any individual who reports in good faith any act of child abuse, abandonment or neglect to the Department of Children and Family Services or any law enforcement agency is immune from any civil or criminal liability that might result from such action.
- B. An employer who discloses information about a current or former employee to a prospective employer, at the employee's request or at the prospective employer's request, is immune from civil liability for such disclosure as provided by Florida Statute.

VIII. False or Incorrect Report

The Superintendent, a Board member or any District official shall not sign and/or transmit any report regarding employee misconduct to a state official that he/she knows to be false or incorrect. An individual who knowingly makes a false or incorrect report shall be subject to disciplinary action as prescribed by Florida Statute.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**39.203, 112.313, 768.095, 1001.42, 1006.061,
1012.01, 1012.22, 1012.27, 1012.795, 1012.796, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6B-1.001, 6B-1.006

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

VIOLATION OF LOCAL, STATE, AND/OR FEDERAL LAWS

6.30

- I. Anyone known to be violating a local, state, and/or federal law on School Board property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to Florida Statutes and School Board rules.
- II. Any employee in violation of the reporting requirements of policy 6.36 may be subject to disciplinary action by the Superintendent or board up to or including dismissal.
- III. As required by the provisions of State Board of Education Rule 6B-1.006(5), the *Principles of Professional Conduct for the Education Profession in Florida*, and Florida Statutes, professional employees and non-instructional and contractual personnel who have direct contact with students or who have access to or control of funds is required to self-report within forty-eight (48) hours to the Director of Personnel any arrests/charges involving the abuse of a child, the sale and/or possession of a controlled substance or any disqualifying offense. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, self-reporting shall also be required for any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or *nolo contendere* for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment.
- IV. It is the duty of all employees to report to the Superintendent or designee any misconduct by any School Board employee that affects the health, safety or welfare of a student in accordance with School Board policy.
- V. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585(4)(c) and 943.059(4)(c), Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**887.13, 943.0585, 943.059,
1001.41, 1001.42, 1001.43, 1006.145,
1012.22, 1012.27, 1012.465, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6B-1.006(5)

HISTORY:

**ADOPTED: _____
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

CONFLICT OF INTEREST IN PURCHASING

6.301

- I. No employee of the District shall on behalf of the District either directly or indirectly purchase, rent, or lease any realty, goods, or services from any business entity of which the employee or the employee's spouse or child has a material interest. No business in which an employee holds ownership or material interest shall provide either directly or indirectly purchase, rent, or lease any realty, goods, or services to the District, subject to Florida Statutes and provisions herein.
- II. This policy is not intended to prohibit the School Board from authorizing purchases or other related activities from or with a business or individual related to an employee who provides an acceptable bid or quote for such services or goods and, when all other conditions are equal or comparable. This policy does not prohibit reimbursements to employees for purchases made in connection with their employment.
- III. Any employee who is found to have violated the provisions of this policy shall be subject to the provisions of policy 6.30.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

112.313, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

6B-1.006(5)

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

RECORDS AND REPORTS

6.31*

All School Board employees shall faithfully and accurately maintain records and file reports as may be required by Florida Statutes, State Board of Education rules, and School Board rules, or as the Superintendent may deem necessary for the effective administration of the District school system. Such records shall include student attendance, property inventory, personnel, school funds and other types of information. Reports shall be submitted on forms prescribed for such purposes at designated intervals or on specified dates. All such reports shall be filed by the designated time. The Superintendent may withhold any salary warrants until the required report is submitted in acceptable form. School Board employees who resign shall receive the final salary warrant when all reports are current and officially checked.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.22, 1012.53, F. S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 3.104

CHAPTER 6.00 – HUMAN RESOURCES

TELEPHONE CALLS, ELECTRONIC COMMUNICATIONS AND FACSIMILES

6.32

District communication equipment shall be used for designated purposes and shall not be used for personal or non-school purposes.

- (1) An employee shall not make a personal long distance call or send a facsimile or other electronic transmission at School Board expense. An employee who violates this rule shall be required to pay for the call or facsimile. Such action shall be reported to the Superintendent at the principal or District department head's discretion.
- (2) All long distance telephone calls, facsimiles, or other electronic transmissions that relate to extracurricular activities of the school, including athletics, shall be paid from the school's internal funds collected for the specific activity.
- (3) Prior authorization for all long distance calls and facsimiles shall be given by the principal or District department head.
- (4) Any long distance telephone call made by a School Board member which is charged to the District office shall be paid by the School Board, provided the purpose of the call was to conduct School Board business.
- (5) The principal or District department head shall review telephone and facsimile bills and shall refer excessive or questionable bills to the Superintendent or designee for consideration.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.22, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

ALCOHOL AND DRUG-FREE WORKPLACE

6.33

- I. No employee shall possess, consume or sell alcoholic beverages or be under the influence of alcohol on the job or in the workplace.
- II. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of, on the job or in the workplace, any narcotic, drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in the Controlled Substances Act (21 USC 812) and as further defined by regulations at 21 CFR 1300 or Florida Statutes, Chapter 893, without a valid prescription.
- III. *Workplace* is defined as the site for the performance of work done in connection with the duties of an employee of the School Board. That term includes any place where the work of the School District is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; or any off-school property during a school-sponsored or school-approved activity, event or function, such as a field trip, workshop or athletic event.
- IV. As a condition of employment, each employee will
 - A. Abide by the terms of this policy, and
 - B. Notify the Superintendent of any criminal drug statute arrest or conviction for a violation occurring on the premises of the School Board, at the workplace, or during the conduct of any official activity related to the School Board within forty-eight (48) hours. Professional employees must be in compliance with Policy 6.30, section II.
- V. The School Board shall
 - A. Notify the appropriate agency within ten (10) days after receiving such notice from an employee or otherwise receiving actual notice of such conviction; and
 - B. Take one of the following actions, within thirty (30) days of receiving such notice, with respect to any employee who is so convicted:
 1. Require such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; or

- 2. If the employee fails to participate satisfactorily in such program, the employee may be nonrenewed or his or her employment may be suspended or terminated, at the discretion of the School Board; or
 - 3. Take appropriate personnel action against such an employee, up to and including termination.
- C. Offer assistance and information on drug abuse in order to maintain an alcohol and a drug-free workplace. Employee assistance will be available through the personnel department and the Employee Assistance Program. The School Board shall also conduct periodic workshops on drug and alcohol abuse in the workplace to inform employees and supervisors of the dangers of substance abuse and of the provisions in this policy.

STATUTORY AUTHORITY: 893.01, 1001.41, 1012.22, 1012.23, 1012.27, F.S.

LAW(S) IMPLEMENTED: 440,102, 1001.41, 1001.43, 1012.795, F.S.
**DRUG FREE WORKPLACE ACT OF 1988,
34 CFR PART 85, SUBPART F**

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
FORMERLY: NEW, 10/15/06

CHAPTER 6.00 – HUMAN RESOURCES

POLITICAL ACTIVITIES OF EMPLOYEES

6.34

- (1) School Board employees shall not solicit support of any political candidate, partisan or non-partisan, during regular work hours.
- (2) A School Board employee who offers himself/herself as a candidate for public office shall notify the Superintendent immediately upon qualifying for election. He/she shall conduct his/her campaign so as not to interfere with his/her responsibilities.
 - (a) Personal leave without pay may be taken during the campaign period.
 - (b) Such candidate shall adhere strictly to Florida Statutes governing political activity on the part of public officials and public employees.
 - (c) A successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or School Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

104.31, 106.15, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

GRIEVANCE PROCEDURE FOR PERSONNEL

6.35*

The provisions of this rule shall apply to all disputes with respect to interpretation or application of these Rules and shall not apply to disputes between the School Board and an employee or a group of employees involving terms and conditions of a collective bargaining agreement.

- (1) Informal Resolution. Within seven (7) working days (except in cases involving harassment or discrimination in which sixty (60) days will be allowed) after occurrence of the alleged violation, the aggrieved shall, during non-student-contact hours, at a conference where only the aggrieved and his immediate supervisor shall be present (except in cases of discrimination or harassment allegation involving the supervisor, in which case they shall report to the Equity Coordinator), orally present his concern to the supervisor, notifying the supervisor that the alleged violation is the basis for filing a formal grievance. Within five (5) working days after such conference, the supervisor shall orally give his answer to the employee.

(2) Formal Grievance Procedure. Every employee covered by this rule shall have the right to present grievances in accordance with these procedures, with or without representation. Nothing contained in this rule shall be construed to prevent any individual employee from discussing a problem with the administration and having it adjusted without intervention.

- (a) Step One. If the aggrieved is not satisfied with the informal resolution he or she may, within five (5) working days after the oral answer, file a formal written grievance. The grievant(s) shall state in writing the nature of the grievance, shall note the specific clause or clauses of these rules allegedly violated and relief sought, and shall sign the written grievance.

The written grievance shall be filed with the employee's immediate supervisor or alternate, who shall within five (5) working days after receiving the grievance, communicate his answer in writing to the grievant.

- (b) Step Two. If the aggrieved is not satisfied with the disposition at Step One he or she may, within five (5) working days after the answer at Step One, appeal in writing to the Assistant Superintendent for Administrative Services. The Assistant Superintendent for Administrative services may conduct whatever investigation is necessary to make a finding. Within ten (10)

working days after receipt of the grievance, the Assistant Superintendent shall notify the aggrieved in writing as to his disposition of the grievance.

- (c) Step Three. If the aggrieved is not satisfied with the disposition at Step Two he or she may, within five (5) working days after the answer at Step Two, appeal in writing to the Superintendent. The Superintendent may conduct whatever investigation is necessary to make a finding. Within ten (10) working days after receipt of the grievance, the Superintendent shall notify the aggrieved in writing as to his disposition of the grievance.
 - (d) Step Four. If the aggrieved is not satisfied with the disposition at Step Three he or she may, within five (5) working days after the answer at Step Three, inform the Superintendent in writing of his decision to request a Declaratory Statement concerning the appropriate interpretation of the Rule in question pursuant to Section 1.104.
- (4) The time limits provided in this rule shall be strictly observed, but may be extended as to any grievance by written agreement of the Superintendent and the grievant(s). In the event a grievance is filed after May 15 of any year and strict adherence to the time limits may result in hardship to any party, the administrative staff shall attempt to process such grievance prior to the end of the school term or as soon thereafter as possible. In computing any period of time prescribed or allowed by this rule, the day of the act, event or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a holiday, Saturday or Sunday.
 - (5) The failure of any aggrieved or grievant to file, or to appeal from the disposition of, any grievance within the time limits respectively prescribed therefore shall bar any further action or appeal by him, and an administrator's failure to give a decision within the time limits shall permit the grievant to proceed to the next step. The time limits may, however be extended by mutual agreement.
 - (6) Hearing and conferences under this procedure shall be conducted at a time and place which will afford a fair and reasonable opportunity for all persons, including witnesses, entitled to be present, to attend, and will be held, insofar as possible, after regular school hours, or during non-working time of personnel involved. When such hearing and conferences are held, at the option of the administration, during work hours all employees whose presence is required shall be excused, with pay, for that purpose.

- (7) Adjustment of any grievance as described herein shall not be inconsistent with the provisions of these Rules.
- (8) Any grievance arising under these Rules may be processed through the grievance procedure until resolution provided that the grievance is timely filed.
- (9) Confidentiality and protection from retaliation will be provided to the extent possible to any employee, student, applicant or affected party who alleges discrimination or harassment.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**447.3401, 1001.43, 1001.49,
1012.22, 1012.27, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.108**

CHAPTER 6.00 – HUMAN RESOURCES

COMPLAINTS RELATING TO EMPLOYEES

6.36

- I. Any complaint involving serious charges against an employee of the School board shall be referred to the Superintendent and shall be investigated by him.
- II. It is the duty of all employees to report to the Superintendent or designee alleged misconduct by any School Board employee that affects the health, safety or welfare of a student as required by Florida Statute and School Board policy.
- III. Any formal complaint against an employee which involves serious charges shall be in writing and shall bear the signature of the person making the complaint.
- IV. Where Board action is required, the Superintendent shall report the results of his investigation to the board for its consideration and action.
- V. If a complaint is filed against a certified member of the instructional or administrative staff which is legally sufficient, the Superintendent shall, within thirty (30) days after receiving such complaint, file a written copy of the complaint with the Department of Education for investigation.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.42, 1001.43, 1012.22, 1012.796, F. S.

HISTORY:

ADOPTED:
REVISION DATE(S): 9/15/02
FORMERLY: 3.103

SUSPENSION AND DISMISSAL

6.37

- I. No employee may be suspended from duty except by the Superintendent or the School Board. The Superintendent may suspend a member of the staff during an emergency for a period extending to and including the next meeting of the School Board.
- II. In the case of a suspension without pay by the School Board, an affected employee shall be entitled to a hearing on the charges as to why he/she should be suspended without pay. Said hearing shall be upon reasonable notice by the School Board.
- III. If any dismissal proceeding in which the substantial interest of the employee is affected, or in which the employee has a property interest, the employee shall be entitled to a hearing on the merits of the case in accordance with the provisions of Chapter 120, Administrative Procedure Act.
- IV. In the event an employee is entitled to a hearing, the Superintendent shall notify the affected employee in writing of his/her right to a hearing at the time a petition for suspension or dismissal is filed. The petition for suspension or dismissal must set forth the charges against the employee and shall further notify the employee that in the event a written request for a hearing is not received by the Superintendent within ten (10) days after receipt of said notice, that the employee waives his/her right to a hearing. In the event no such notice is sent by the Superintendent, the employee shall be deemed to have requested a hearing.
- V. In the event a hearing is required as prescribed by law, pursuant to this policy, a written notice of hearing shall be furnished to the employee in a timely manner according to law stating the date, place and time of the hearing.
- VI. No member of the staff may be dismissed except by action of the School Board.
- VII. Any suspension or dismissal shall be as prescribed by law.
- VIII. Non-renewal of employees during their probationary period or upon expiration of a time-limited contract shall not be considered dismissal and shall not be subject to this policy.
- IX. Any provision in the Collective Bargaining Agreement to the contrary shall supersede this policy.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 120, 790.15, 1001.43, 1012.22, 1012.27, 1012.33, F.S.

STATE BOARD OF EDUCATION RULE(S): 6B-4.009

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: 4.114, 5.112

CHAPTER 6.00 – HUMAN RESOURCES

SUSPENSION WITH PARTIAL OR NO PAY

6.38

The School Board hereby delegates authority of employee suspension with partial or no pay to the Superintendent in order to facilitate personnel management, to maintain an orderly and productive work environment, to avoid public embarrassment to employees, and to eliminate minor disciplinary action from the School Board's agenda.

- I. The suspension shall not exceed five (5) days.
- II. The suspension may be wholly or partially without pay.
- III. Suspension shall be authorized only if the Superintendent finds that the employee has
 - A. Been absent without leave;
 - B. Been insubordinate;
 - C. Endangered the health or well-being of a fellow employee or of a student(s);
 - D. Willfully neglected duty;
 - E. Consumed an alcoholic beverage while working; or,
 - F. Violated School Board rules to the extent that disciplinary action is required, but the violation is not severe enough for dismissal.
- IV. An employee who is suspended under the authority of this rule shall be granted all due process rights accorded by the Florida Statutes.
- V. This rule grants the Superintendent authority in addition to that provided by Florida Statutes. It shall not be construed to limit the Superintendent's statutory powers.

STATUTORY AUTHORITY: **1001.41, 1012.22, 1012.23, F.S.**

LAW(S) IMPLEMENTED: **1001.43, 1012.22, 1012.27, 1012.33, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6B-4.009**

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: NEW

©EMCS
Revised: 2/23/05

GADSDEN 6.38

CHAPTER 6.00 – HUMAN RESOURCES

ASSESSMENT OF EMPLOYEES

6.40

The Superintendent shall develop or select personnel performance assessment systems for all staff.

Each member of the staff shall receive an annual evaluation by his immediate administrative supervisor. The purpose of the evaluation shall be to improve the services of personnel in all departments. The administrative supervisors and department heads shall use the evaluation form provided by the Superintendent.

- (1) A copy of each employee's evaluation report shall be filed in the District Personnel office.
- (2) The assessment of all employees shall be based on observations of the individual's work by his/her immediate supervisor and shall be made at least once each year prior to re-appointment.
- (3) The Superintendent shall arrange for the assessment of all principals, supervisors and administrative personnel as required by law.
- (4) The principal and/or administrator supervising personnel shall arrange for the assessment of all employees under his supervision as required by law.
- (5) Prior to preparing the written report of the assessment, the individual being assessed shall be informed as to the criteria and the procedure to be used.
- (6) The written report of the assessment shall be reviewed with the employee and discussed with him/her by the person who made the assessment.
- (7) An employee may respond to an assessment in the manner provided by law or other approved procedures.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**1001.43, 1008.36, 1012.22,
1012.27, 1012.34, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 4.120; 5.105**

CHAPTER 6.00 – HUMAN RESOURCES

INSTRUCTIONAL EMPLOYEE PERFORMANCE CRITERIA

6.41*

The Superintendent or designee shall develop and present, for School Board approval, instructional employee performance criteria and/or measures. Such performance criteria and/or measures shall be consistent with statutory requirements, but may include additional elements as deemed appropriate.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**1001.43, 1008.36, 1012.22,
1012.27, 1012.34, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 4.120**

CHAPTER 6.00 – HUMAN RESOURCES

LEAVE OF ABSENCE

6.50*+

- (1) Leave of absence. A leave of absence is permission granted by the School Board or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave. Any absence of a member of the staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority. Leave may be with or without pay as provided by law, regulations of the State Board and these rules. For any absence that is without pay, the deduction for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the employment period.
- (2) The Superintendent shall develop procedures to implement leave provisions.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**1001.43, 1012.22, 1012.61,
1012.63, 1012.64, 1012.66, F. S.**

STATE BOARD OF EDUCATION RULE:

6A-1.079; 6A-1.080

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.113**

CHAPTER 6.00 – HUMAN RESOURCES

LEAVE APPLICATION

6.501*

An application for an extended, uncompensated leave shall be in writing and shall be directed to the School Board. The principal or supervisor, or other person under the direct supervision of the Superintendent, shall submit any leave application directly to the Superintendent. No leave, except military leave, will be granted for a period in excess of twelve (12) calendar months. Leave granted for a school year or for the remaining part thereof will expire at the end of the school year or school fiscal year for which such leave is granted.

A District employee having leave for the year or for the remaining part thereof, who plans to return to duty the next school fiscal year, shall send a copy of such notice to the administrative supervisor by March 1 of that fiscal year. Return to employment is contingent upon an open position being available.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.66, F. S.

STATE BOARD OF EDUCATION RULE:

6A-1.079

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.113**

CHAPTER 6.00 – HUMAN RESOURCES

APPROVAL OF LEAVES

6.502*

All requests for leave shall be submitted on the proper form and shall be approved either by the School Board or the Superintendent as provided herein:

- (1) The following types of leave require approval of the School Board:
 - (a) Extended Health Leave or Disability Leave including Maternity Leave
 - (b) Military Leave in excess of seventeen (17) days
 - (c) Personal Leave in excess of six (6) days
 - (d) Illness-in-line-of-Duty Leave in excess of ten (10) days
 - (e) Leave to seek political office
 - (f) Professional Leave as noted in Policy 6.547
 - (g) Sabbatical Leave
 - (h) Family and Medical Leave
- (2) The Superintendent is authorized to grant the following types of leave:
 - (a) Sick Leave
 - (b) Personal Leave not in excess of six (6) days
 - (c) Annual Leave
 - (d) Professional Leave as noted in Policy 6.547
 - (e) Jury Duty assignment
 - (f) Military Leave not to exceed seventeen (17) days
 - (g) Witness Duty absence
 - (h) Leave-in-the-Line-of-Duty
 - (i) Illness-in-the-Line-of-Duty Leave not to exceed ten (10) days

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:1001.43, 1012.22, 1012.61,
1012.63, 1012.64, 1012.66, F. S.**STATE BOARD OF EDUCATION RULES:**6A-1.080; 6A-1.081; 6A-1.082;
6A-1.083; 6A-L.084**HISTORY:****ADOPTED:
REVISION DATE(S):
FORMERLY: 3.105; 3.113; 3.114;
3.115; 3.116; 3.117; 3.118; 3.119;
3.121; 4.118; 4.119; 5.110**

CHAPTER 6.00 – HUMAN RESOURCES

ABSENCE WITHOUT LEAVE

6.511*

- (1) Administrative and instructional - Any member of the administrative or instructional staff who is willfully absent from duty without leave shall forfeit compensation for the time of the absence and the employee's contract shall be subject to cancellation by the School Board. In addition, such absence without leave shall interrupt continuity of service.
- (2) Non-instructional - Any other employee who is willfully absent from duty without leave shall be subject to dismissal from employment and shall forfeit compensation for the time of the absence.

STATUTORY AUTHORITY:

**1001.41, 1012.22,
1012.23, F. S.**

LAWS IMPLEMENTED:

**1001.43, 1012.33,
1012.66, 1012.67, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.113**

CHAPTER 6.00 – HUMAN RESOURCES

RESIGNATIONS

6.52

- (1) Any administrative or instructional staff member who wishes to resign shall submit his/her resignation in writing addressed to the School Board. The letter of resignation shall state the reasons for the resignation and the desired effective date. The resignation of any administrative or instructional staff member shall be sent to and countersigned by the person's administrative supervisor who shall forward the resignation to the Superintendent for presentation to the School Board. No resignation shall become effective until accepted by the School Board.
 - (a) The resignation of an administrative or instructional staff member may be accepted during the contractual period of service; provided that an acceptable reason is given or it falls within the 97 day rule. All resignations except those that fall within the 97 day rule shall be submitted four (4) weeks prior to the effective date.
 - (b) All resignations shall be processed through the Superintendent's office.
 - (c) An employee who violates the terms of an employment agreement or written contract by leaving his/her position without first being released from the agreement or contract by the School Board shall be subject to the jurisdiction of the Education Practices Commission. When this occurs, the Superintendent shall be responsible for notifying the Commissioner of Education about the School Board's action of declaring the position as abandoned and vacant.
- (2) A non-instructional employee who wishes to resign shall submit his/her resignation in writing addressed to the School Board on the prescribed resignation form. Whenever possible, two (2) weeks prior notice shall be given. The letter of resignation shall state the reason for the resignation and the desired effective date. A resignation of an employee shall be sent to and countersigned by his/her immediate administrative supervisor. The resignation shall be submitted to the School Board at its next regular or special meeting. No resignation shall become effective until accepted by the School Board; the School Board may refuse to accept any resignation for cause.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**1001.43, 1012.22, 1012.23,
1012.33, 1012.34, 1012.795, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.123**

**EFFECTIVE DATE FOR LEAVE, SUSPENSION, OR
TERMINATION**

6.521*

The effective date of any employment termination or unpaid leave of absence shall be the first day on which a School Board employee is not paid unless otherwise provided herein. The effective date of any suspension or paid leave of absence shall be the first day on which a School Board employee does not work. The following provisions apply to paid benefits for a holiday(s):

- I. An employee who terminates employment and does not work on the first day following a holiday(s) shall not receive pay for the holiday(s). The termination date shall be considered the last work day on which the employee is paid prior to the holiday(s).
- II. An employee to earn holiday pay may not be on an uncompensated leave either the day before or day after the holiday.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1011.60, 1012.22, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): 9/15/02
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

RETIREMENT OF EMPLOYEES

6.53

Any employee who plans to retire shall concurrently submit his/her resignation to the School Board and his/her application to the retirement system for retirement benefits. Employees are encouraged to submit the resignation and application form at least ninety (90) days in advance of the retirement date to ensure the retirement check is issued the month following the last month of service with the School Board.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.23, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 6.00 – PERSONNEL

ANNUAL LEAVE PAYMENT/DROP

6.541*

- (1) All personnel employed full-time on a twelve-months basis (245 contract days) will be allowed in each fiscal year vacation leave which may be taken at any time during the year as approved by the Superintendent, and in amounts as follows:
 - (a) During the first ten (10 years of the employee's full-time service for this School District, twelve (12) days per fiscal year. Such vacation leave may be cumulative up to a maximum of twenty (20) days.
 - (b) During and after the eleventh (11th) of the employee's full-time service for this School district, eighteen (18) days per fiscal year. Such vacation leave, taken together with vacation leave accumulative in previous years, may be cumulative up to a maximum as permitted by Florida Statutes.
- (2) Subject to law and applicable rules and regulations, a lump-sum payment for any accrued vacation leave will be made to each employee upon termination of employment, or upon retirement, or at the time of Deferred Retirement Option Program (DROP) enrollment, or to employees beneficiary if service is terminated by death. The amount of such lump-sum payment will be computed by multiplying the daily rate of pay of the employee at the time of such termination, retirement, DROP enrollment, or death by the number of accrued vacation leave days which the employee has at that time, as provided in above paragraphs (1)(a) or (1)(b), as applicable. In such computations, accrued vacation leave days may be counted whether earned before or after the effective date of this Rule.
- (3) A participant in the DROP who is in a position authorized to earn annual leave shall earn annual leave at the rate indicated in this Policy. DROP enrollment shall not alter the number of annual leave days earned by the employee. Annual leave accrued during DROP participation shall be paid to the retiree at the rate of pay at the time of termination.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED: 121.091, 1001.43,
1012.22, 1012.60, 1012.62, 1012.66, F. S.

STATE BOARD OF EDUCATION RULE: 6A-1.082

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: 3.117

CHAPTER 6.00 – HUMAN RESOURCES

FAMILY AND MEDICAL LEAVE

6.542*

- (1) In compliance with the Family and Medical Leave Act of 1993, full-time school employees are entitled to take up to twelve (12) weeks unpaid leave a year for the following reasons:
 - (a) The birth of the employee's child;
 - (b) The placement of a child with the employee for adoption or foster care;
 - (c) To care for the employee's spouse, child or parent who has a serious health condition; or,
 - (d) A serious health condition rendering the employee unable to perform his/her job.

- (2) Employees are to provide at least 30 days notice, if possible of their intention to take leave. Medical certification that the leave is needed is required for the employee's own serious health condition or that of a family member. The School Board will continue the employee's health insurance under the same conditions as if the employee were working. Upon returning from leave, the employee will be restored to the same or equivalent position with equivalent pay, benefits, and other terms and conditions of employment.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**1001.43, 1012.66, F. S.
THE FAMILY AND MEDICAL
LEAVE ACT OF 1993;
PART 825 OF THE CODE
OF FEDERAL REGULATIONS,
TITLE 29, U.S. DEPARTMENT OF
LABOR, EMPLOYMENT STANDARDS
ADMINISTRATION, WAGE AND HOUR DIVISION**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.121**

ILLNESS-OR-INJURY-IN-LINE-OF-DUTY LEAVE

6.543

- (1) Any full-time regular employee shall be entitled to illness or injury-in-line-of-duty leave for a period not to exceed ten (10) school days when he has to be absent from work because of a personal injury received in the discharge of his duties or because of illness from any contagious or infectious disease contracted in the performance of his/her duties. Illness-in-the-line-of-duty leave is intended to deal with the illnesses normally known as childhood diseases; such as mumps, measles, and chicken pox. This leave does not include normal adult illnesses such as colds and influenza. This leave is non-cumulative.
- (2) In order to be considered for injury-in-the-line-of-duty leave, the following conditions shall be met:
 - (a) The employee must provide written testimony or evidence that his/her injury was received in the line of duty.
 - (b) The employee must supply a letter from a medical doctor, who treated the patient, stating that in his/her opinion, there is a strong probability that the illness was contracted at the work site.
 - (c) The employee must file a written claim as outlined below.
- (3) The employee who has claim for compensation while absent because of injury or illness incurred as prescribed herein shall file a claim in the manner prescribed by law by the end of the school month during which the absence has occurred.

The Board may approve such claims and authorize the payment in accordance with the provisions of law.

- (4) Leave for any employee, as prescribed by law, shall be authorized for a total not to exceed ten (10) work days during any school fiscal year for an illness contracted or any injury sustained in the line of duty, or a total of ten (10) days for the same illness or injury. The employee granted such leave is entitled to full pay status for a period not to exceed ten (10) working days. If the employee is unable to resume work at the end of a ten (10) work day period, he/she may elect to use accrued sick leave and receive salary payments.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:1001.43, 1012.61, 1012.63,
1012.66, 1012.695, F. S.**STATE BOARD OF EDUCATION RULE:**

6A-1.080

HISTORY:**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.105; 3.114**

CHAPTER 6.00 – HUMAN RESOURCES

JURY/WITNESS DUTY

6.544*

- (1) An employee of the Board who is summoned as a member of a jury panel may be granted temporary duty leave. Any jury fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.
- (2) An employee who is subpoenaed as a witness, not involving personal litigation, may be granted temporary leave. Any witness fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness.
 - (a) When an employee is subpoenaed in line of duty to represent the Board as a witness or defendant, he/she may be granted temporary duty leave, since his/her appearance in such cases shall be considered a part of his/her job assignment. The employee may retain any fees received from the court. In the event no fees are received from the court, he/she may be paid per diem and travel expenses.
 - (b) In no case shall temporary duty leave with pay be granted for court attendance when an employee is engaged in personal litigation. In such cases, an employee may request personal leave.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**40.24, 40.271,
1001.43, 1012.66, F. S.**

STATE BOARD OF EDUCATION RULE:

6A-1.084

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.118**

CHAPTER 6.00 – HUMAN RESOURCES

MILITARY LEAVE

6.545*

- (1) Military leave shall be granted to an employee who is required to serve in the armed forces of the United States or of the state of Florida in fulfillment of obligations incurred under the Selective Service Laws or because of membership in the reserves of the armed forces or the National Guard. When an employee enters voluntarily into any branch of the armed forces for temporary or an extended period of service, military leave shall be granted at the School Board's discretion. Provided, however, an employee whose absence will interfere with the orderly operation of the school program shall be denied military leave except in unusual cases.
- (2) An employee granted military leave for extended active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice; provided that an application for re-employment is filed within six (6) months following the discharge date or release from active military duty. Following receipt of the application for re-employment, the School Board shall have a reasonable time, not to exceed six (6) months, to assign the employee to duty in the same or similar position he/she left in the District.
- (3) Compensation allowed during military leave shall not exceed seventeen (17) days except as provided in Section 115.07, Florida Statutes.
- (4) An employee who enters active military service shall be governed by the provisions of Sections 115.07, 115.14, 121.111, and 250.341, Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**115.07, 115.09, 115.14, 121.111,
250.341, 1001.43, 1012.66, F.S.**

STATE BOARD OF EDUCATION RULES:

6A-1.080; 6A-1.083

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02
FORMERLY: 3.116**

CHAPTER 6.00 – HUMAN RESOURCES

PERSONAL LEAVE

6.546*

- (1) Personal Leave chargeable to sick leave. Employees may be allowed six (6) days paid leave for personal reasons each year to be charged against accrued sick leave. Such leave shall be non-cumulative and any request for such leave shall be approved, in advance, by the Superintendent or his/her designee.
- (2) Unpaid Personal Leave. Employees shall make written application for such leave without compensation. Personal leave shall terminate at the end of the contractual period. Personal leave may be granted at the discretion of the School Board to include, but not limited to, the following:
 - (a) Parental Leave. Any full-time employee of the Board may be granted parental leave for the contract year for the purpose of child-rearing.
 - (i) Any full-time employee of the Board will be granted maternity leave without pay provided a written application for leave accompanied by a statement verifying the pregnancy is presented. Such leave shall not exceed the balance of the school fiscal year in which the child is born.
 - (ii) An employee who has parented a child may apply for parental leave for a period not to exceed the balance of the school fiscal year in which the child is born.
 - (iii) An employee may apply for a leave of absence on the event of his/her adoption of a child, provided such leave shall not exceed the balance of the school fiscal year in which such adoption shall occur, and provided a written application for such leave is submitted to the employee's immediate supervisor within two (2) calendar weeks after approval for adoption by the recognized agency or source.
 - (iv) In all instances herein where a leave of absence shall extend beyond one (1) school fiscal year, re-application shall be made in accordance with the rules of the Board.
 - (b) Leave for political campaigning. An employee who has filed for election to a political office and who desires personal leave for political reasons shall file an application for leave. The School Board may grant such personal leave without pay for a period not to exceed thirty (30) calendar days prior to the election.

- (c) Each extended leave-without-pay request shall be considered on its own merit by the School Board. Return from leave is contingent on there being a vacant position in the system which the employee is qualified to fill. Requests for extended leave to take another position for salary shall be denied unless there are extenuating circumstances that are acceptable to the Board.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.61, 1012.66, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.115**

CHAPTER 6.00 – HUMAN RESOURCES

PROFESSIONAL LEAVE

6.547*

Professional leave, with compensation, may be granted by the School Board for voluntary leave of any member of the instructional or administrative staff for the individual's professional benefit or advancement.

- (1) Leave of absence for one (1) semester or for one (1) year, for professional study or travel, and without compensation, when approved by the Superintendent, may be granted by the School Board.
- (2) Such leave shall be for a maximum of three (3) days for each year's service in this school district, and may be cumulative to a maximum of twelve (12) days.
- (3) Professional leave for ten-month (10) instructional or administrative personnel may be granted during post-school and pre-school periods for attendance at summer sessions of colleges and universities provided that suitable arrangements for performance of the individual's duties are made with the Superintendent.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.66, F. S.

STATE BOARD OF EDUCATION RULE:

6A-1.081

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 4.119**

CHAPTER 6.00 – HUMAN RESOURCES

SICK LEAVE

6.549*

- (1) Personnel employed on a full-time basis shall be entitled to earn one (1) day of sick leave per month of employment. Such leave shall be cumulative from year to year, and any leave charged against accrued sick leave shall be with full compensation. Sick leave shall be credited as follows:
 - (a) Administrative and non-instructional personnel. Such full-time employees shall be credited with four (4) days of sick leave at the end of the first month of employment of each contract year and shall thereafter be credited for one (1) day of sick leave for each month of employment.
 - (b) Instructional personnel. Such full-time employees shall be entitled to four (4) days of sick leave as of the first day of employment of each current year, and thereafter is credited for one (1) day of sick leave at the end of each month of employment.
 - (c) The total number of sick leave days earned shall be no more than one (1) day of sick leave times the number of months of employment during the year of employment, or four (4) days whichever is greater.
 - (d) Sick leave shall not be used prior to the time it is earned.
- (2) Accrued sick leave shall be taken only when the employee's service is interrupted by temporary disability which renders him/her incapable of performing his duties, or because of the illness or death of his/her father, mother, brother, sister, husband, wife, child, other close relative, or member of his/her own household. The term "temporary disability" as used herein shall include personal illness or injury and, in addition any temporary disability of the employee arising out of pregnancy, childbirth, miscarriage, abortion, or recovery therefrom which renders the employee physically incapable of performing assigned duties.
- (3) Any claim for sick leave shall be filed with the Superintendent, or his / her designee, within five (5) working days upon return of the employee to duty.
 - (a) The claim shall be in writing and shall set forth the days absent and that such absence was allowable under the provisions of Florida Statutes. The claim shall be duly signed by the claimant certifying that the facts are true and correct and that the claim is valid and legal.

- (b) Where there is any doubt as to the validity of a sick leave claim, the Superintendent may require the claimant to file a written certification of illness from a licensed physician or other supporting evidence where personal illness is not involved. Consequences of false claims for sick leave are as follows:
 - (i) Administrative and instructional personnel. A false claim for sick leave shall be deemed cause for cancellation of the contract and for action seeking the revocation of the teaching contract.
 - (ii) Non-instructional personnel. A false claim for sick leave shall be deemed grounds for termination of the employee.

- (4) An employee who has used all accrued sick leave but who is otherwise entitled to sick leave shall be granted sick leave without pay. The claim for such sick leave shall clearly state that the leave is without compensation. A statement from a practicing physician certifying that such leave is essential and indicating the probable duration of the illness and the needed leave may be required as an attachment to an application for sick leave due to extended illness.

- (5) When an employee of the School District interrupts service and subsequently returns to duty in the District without having transferred his/her sick leave credit to another Florida school district, such accrued sick leave credit shall become valid on the first (1st) day of contractual service.

- (6) When an employee retires and receives terminal pay benefits based on unused sick leave, all unused sick leave credit shall become immediately invalid.

- (7) Non-instructional and administrative employees may be credited with sick leave that has been earned while employed by a State of Florida Agency, the Florida University systems or a Florida District School Board, provided that at least one-half of the leave must be established while employed by the Gadsden County School Board. Instructional employees may be credited with sick leave earned while employed by a Florida District School Board, provided that at least one-half of the leave must be established while employed by the Gadsden County School Board. Instructional employees must have earned the sick leave in an instructional capacity. However, no transferred leave shall be credited to an employee's account at a rate, or in an amount exceeding that earned while an employee of the District School Board. The employee is responsible for the request for transfer of sick leave.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**1001.43, 1012.61,
1012.62, 1012.66, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02
FORMERLY: 3.113; 4.118; 5.110**

CHAPTER 6.00 – HUMAN RESOURCES

LEAVE-IN-THE-LINE-OF-DUTY **6.55***

- (1) An employee may be assigned to be temporarily away from his/her regular duties and place of employment for the purpose of performing other educational services, including participation in surveys, professional meetings, study courses, workshops and similar services of direct benefit to the school district. Such assignment may be initiated by the Superintendent or by the individual who desires the temporary duty as days of duty.

- (2) The Superintendent shall develop procedures and guidelines to implement this policy.

STATUTORY AUTHORITY: **1001.41, 1012.22, 1012.23, F. S.**

LAWS IMPLEMENTED: **1001.32, 1001.43,
1012.27, 1012.66, F. S.**

STATE BOARD OF EDUCATION RULES: **6A-1.084**

HISTORY: **ADOPTED:
REVISION DATE(S):
FORMERLY: 3.119**

CHAPTER 6.00 – HUMAN RESOURCES

TRANSPORTATION EMPLOYEE DRUG AND ALCOHOL TESTING

6.60*

The Gadsden County Drug Free Workplace and Drug and Alcohol Testing program Policy and Procedures are hereby incorporated by reference and made a part of this Rule. Any revisions shall be approved and adopted by the School Board.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**112.0455, 440.102,
1001.43, 1012.45, F. S.
349 CFR PART 40, DOT;
49 CFR PARTS 382 & 391,
FEDERAL HIGHWAY ADMINISTRATION**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 5.201**

CHAPTER 6.00 – HUMAN RESOURCES

SCHOOL BOARD EMPLOYEES WITH HIV, AIDS, OR OTHER COMMUNICABLE DISEASES

6.61+

- I. It is the School Board’s intent to protect employees from exposure to infectious diseases, to risk occasioned by infectious diseases, and to provide reasonable accommodations to infected School Board employees.
- II. See Policy 5.63 for Board adopted guidelines.
- III. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need-to-know.
- IV. The School Board shall receive and review administrative procedures developed by the staff. These shall, minimally, include procedures governing immunization against Hepatitis B infection, HIV, AIDS, bloodborne pathogens, other communicable disease, and environmental hazards.
- V. Staff members shall cooperate with public health authorities by practicing and promoting “universal precautions” as deemed by the Centers for Disease Control (CDC). Procedures for dealing with employees who pose a threat of transmitting a bloodborne health condition shall be developed.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

381.0098, 1001.43, 1012.27, F.S.

STATE DEPARTMENT OF HEALTH RULE(S):

64E-16

HISTORY:

ADOPTED: _____
REVISION DATE(S): 08/23/05
FORMERLY: 2.1235

CHAPTER 6.00 – HUMAN RESOURCES

AIDS, BLOODBORNE PATHOGENS, AND ENVIRONMENTAL HAZARDS

6.62+

The Board shall adopt appropriate procedures and guidelines consistent with federal and state regulations regarding the training and methods of handling and ameliorating the potential risks of exposure to bloodborne pathogens, other communicable diseases, and environmental hazards, such as asbestos, lead in drinking water, and radon gas.

STATUTORY AUTHORITY:

**1001.41, 1012.22,
1012.23, 1013.12, F. S.**

LAWS IMPLEMENTED:

**1001.43, 1012.27,
1012.61, 1012.66, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.1235**

CHAPTER 6.00 – HUMAN RESOURCES

STAFF TRAINING

6.70

All employees shall be provided opportunities for professional growth and development through participation in staff development activities.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**1001.43, 1012.22, 1012.27,
012.38, 1012.98, 1012.985, F. S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.116; 4.115; 5.106**

CHAPTER 6.00 – HUMAN RESOURCES

NAME AND ADDRESS OF EMPLOYEE

6.80

- I. Any employee who changes his/her name or address shall notify the human resources department within ten (10) days after a change of name or address.
- II. Any employee who is required to have a Florida Educator Certificate or other license or certificate shall maintain the license or certificate in his/her legal name.
- III. Any employee who is a certificated educator is responsible for maintaining his/her current name and address with the Department of Education. The Department of Education shall be notified in writing or electronically of any changes of name and/or address.

STATUTORY AUTHORITY:

1001.41, 1001.42 F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.561, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 6.00 – HUMAN RESOURCES

PERSONNEL FILES

6.90

The term “personnel file,” as used in this rule, shall mean all records, information, data, or materials maintained by the District in any form or retrieval system whatsoever, with respect to any employee, which is uniquely applicable to that employee.

- (1) A personnel record shall be maintained by the Superintendent on each employee. The record shall include:
 - (a) Application for employment
 - (b) References
 - (c) Annual evaluations
 - (d) Letters of commendation, reprimand, etc.
 - (e) Data substantiating placement on the salary schedule (education, official transcripts, experience, etc.)
 - (f) Teaching certificate, if applicable
 - (g) Any other pertinent data.
- (2) Except for materials pertaining to work performance or other matters that may be cause for discipline, suspension or dismissal under laws of this state, no derogatory materials relating to an employee’s conduct, service, character, or personality shall be placed in the personnel file of such employee. No anonymous letter or anonymous materials shall be placed in the personnel file.
- (3) Materials relating to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.
 - (a) No such materials may be placed in a personnel file unless they have been reduced to writing within forty-five (45) days, exclusive of the summer vacation period, of the administration becoming aware of the facts reflected in the materials.
 - (b) Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify as needed. A copy of such materials to be added to an

employee's personnel file shall be provided to the employee either by certified mail or by personal delivery.

- (c) The employee's signature on a copy of materials to be filed in the employee's personnel file signifies receipt and does not necessarily indicate agreement with its content. The employee will be afforded every right as outlined in Florida Statutes.
- (4) Personnel files, regardless of their location in the school system, are open to inspection pursuant to Florida Statutes, except as follows:
- (a) Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential until the conclusion of the preliminary investigation, or until such time as the preliminary investigation ceases to be active as defined in Florida Statutes.
 - (b) Employee evaluations prepared pursuant to Florida Statutes, rules adopted by the State Board of Education, or a local School Board shall be confidential until the end of the school year immediately following the school year during which each evaluation is made. No evaluations prepared prior to July 1, 1983, shall be made public.
 - (c) No material derogatory to the employee shall be open to inspection until ten (10) days after the employee has been notified pursuant to (3)(b) of this rule.
 - (d) The payroll deduction records of the employee shall be confidential.
 - (e) Employee medical records, including medical claims, psychiatric and psychological records, shall be confidential; provided however, at any hearing relative to an employee's competency or performance, the hearing officer or panel shall have access to such records.
 - (f) Any information in a report of injury or illness filed pursuant to Florida Statute that would identify an ill or injured employee.
- (5) Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be open to inspection at all times by School Board members, the Superintendent and the principal or their respective designees, in the exercise of their respective duties.
- (6) Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**112.08(7), 441.85(10); 1001.43, 1012.31, F.S.
34 CFR 99 (FERPA); 45 CFR 164 (HIPAA)**

HISTORY:

**ADOPTED:
REVISION DATE(S): 2/15/03, 7/15/03
FORMERLY: 3.125**

SALARY SCHEDULES

6.91*

- I. All personnel shall be paid in accordance with salary schedules as adopted by the School Board.
- II. Salary schedules shall include provisions for performance based pay and differential pay in accordance with Florida Statutes.
- III. Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1938, as amended, and who is required to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty (40) at the rate of one and one-half (1½) times the regular rate of pay for the service performed or shall be provided compensatory time.
- IV. Any employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.60, 1012.22, 1012.55, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.052

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 10/15/06
FORMERLY: 4.110, 4.111,
4.123, 5.104, 5.111, 6.112

CHAPTER 6.00 – HUMAN RESOURCES

SICK LEAVE POOL

6.911

- (1) Membership. Any bargaining unit member having been employed by the Board for at least one (1) school year and having at least six (6) days accrued sick leave may enroll in the Pool by voluntarily contributing one (1) sick leave day to the Pool.
 - (a) Each participating member shall contribute one (1) sick leave day at the time of enrollment, and additional days to replenish the Pool as set forth below. Enrollment must be made on a form provided by the Board.
 - (b) Any sick leave days contributed to the Pool by a member shall be deducted from the accrued sick leave balance of that member. Such days shall not be returned except as a benefit or as prescribed below.
 - (c) Membership in the Pool shall be voluntary. Voluntary withdrawal from membership will be effective immediately upon receipt, by the Finance Department, of written notification of the member's request to withdraw. The member shall not be eligible to withdraw sick leave already contributed to the Pool.
 - (d) At retiring or resigning, any member shall be permitted to donate to the Pool any whole number of his or her accrued unused sick leave days.
- (2) Pool Implementation and Duration.
 - (a) The first enrollment period for the Pool shall begin upon adoption of this Rule, and its duration shall be thirty (30) days. Thereafter the pool shall have two enrollment periods yearly: the first thirty (30) calendar days of each semester.
 - (b) Any member enrolling during any enrollment period may begin receiving benefits from the Pool commencing with the first work day following the close of that enrollment period. (Benefits shall be retroactive for sickness, etc., occurring during that enrollment period if the enrollee meets all other eligibility requirements).
 - (c) If by the end of the first enrollment period two hundred (200) days are not contributed, the pool will be terminated and all days returned to contributors.

(3) Replenishment contributions:

- (a) If the balance of sick leave days in the Pool falls below two hundred (200) days, each participating member shall contribute an additional sick leave day in order to continue membership. Each member will be sent a notice and will have a twenty-one (21) calendar-day time limit from receipt of the replenishment notification, to withdraw from the Pool, if he/she so desires. Assessment will be automatic if the member does not return the signed enrollment/withdrawal form to the Finance Department within the time limit.
- (b) If any member does not contribute the required day, that member will be ineligible for the benefits of the Pool until he/she has accrued two (2) sick leave days, at which time the assessment of one (1) day will be automatic. This, however, will not apply to any member who is then receiving benefits from the Pool.
- (c) If the Pool is not replenished, as required above, to at least two hundred (200) days, it will be terminated when the total number of days has been exhausted.

(4) Administration and Governance.

- (a) The Finance Department or other department designated by the Superintendent will administer the Pool and determine the validity of claims against it. If the claim of any participant member is determined to be invalid, the employee and the GCCTA will be so notified in writing. The reason for denial shall be provided. The determination shall be expedited in cases of extreme hardship. If a claim is determined to be invalid, the employee may request,

In writing, within two (2) work days of receipt of the denial, reconsideration of the decision.

- (b) The department administering the Pool will make available to each participating member, upon request, quarterly reports of usage of the Pool. A copy shall be provided to the GCCTA. The report shall include the number of days used and the reasons for usage. Each work site shall receive a copy of the quarterly report to be posted.

(5) Eligibility. In the event of a personal serious illness, accident or injury causing any member to be absent from work for an extended period of time, that member may receive paid leave as follows:

- (a) All accumulated sick leave must first be expended.

- (b) Application must be made to the Finance Department, submitting a written request including a statement from a doctor attesting to the member's extended absence due to illness, accident or injury and stating the probable date when the member will be able to return to work. The applicant will bear the cost of obtaining the medical statement.
 - (c) Any participating member shall be eligible for the use of sick leave from the Pool even though the member is eligible for Worker's Compensation benefits for the injury or illness. In this instance the sick leave days received from the Pool will have been pro-rated as necessary to makeup for days not paid for by Worker's Compensation. Any participating member who is receiving illness-in-line-of-duty leave shall also be eligible to use sick leave from the Pool upon the depletion of those days and in compliance with the other eligibility requirements of the Pool.
- (6) Benefits. The pool is designed to ease the financial impact of serious illness, accident or injury. Although not an inclusive list, typical usage would be for heart attack, cancer, automobile accident or major surgery. The Pool will not provide benefits for elective surgery or normal maternity-related cases. Upon approval of the application by the Finance Department, any member may use from the Pool not more than one hundred (100) paid sick leave days for each period of extended absence due to illness, accident or injury, subject to the following provisions:
- (a) Drawing of sick leave days is based upon availability of sick leave days in the Pool. In no case shall this leave be granted beyond the number of days in the Pool.
 - (b) No member shall be obligated to repay in any manner the number of days used from the Pool, except as outlined in the Abuse of Benefits section.
 - (c) Any sick leave drawn from the Pool by any participating member must be used only for that member's personal illness, accident or injury.
 - (d) Should this benefit be terminated by death, the member's eligibility shall cease upon the day when death occurs.
 - (e) Eligibility shall be based upon the work days associated with the Employment contract of the member.

- (7) **Abuse of Benefits.** Alleged abuse of the Pool by any participating member shall be investigated by the Superintendent or inappropriate use of benefits has occurred. If a determination is made that days have been inappropriately received, then those days shall be treated as excessive sick leave days, and an appropriate deduction shall be withheld from future earnings of that member, and returned to the Pool.
- (8) There is hereby established, for reconsideration and review of any decision made relative to any right claimed by any member pursuant to this Rule, a Review committee which shall consist of the following officers of the GCCTA: The President, the Vice President, and the Secretary. Such committee shall make its decisions by a majority vote of its members.

The GCCTA, its officers, and each of its members participating under the provisions of this Rule, shall by such participation automatically agree that any such decision made by the Review Committee shall be final and binding for all purposes on each and every one of them, and not subject to any further review or any collateral attack of any kind whatsoever; and the GCCTA and each and every one of the foregoing persons shall thereby automatically and finally waive any other remedies or rights of any kind, relative to any such decision or the subject-matter thereof.

- (9) **Definition of Terms.**
- (a) **Elective Surgery.** Any non-emergency surgical procedure which may be scheduled at the patient's convenience without jeopardizing the patient's life or causing severe impairment to the patient's bodily functions. The procedure will not be considered elective if the operation is of an emergency nature, as determined by the attending physician.
- (b) **Serious Illness.** An illness whose nature prevents the person from performing his normal, daily activities, and which may contribute to his death if proper medical attention is not sought.
- (c) **Normal Maternity.** A pregnancy in which no abnormalities or complications occur, and which results in the delivery of a child through normal procedures.
- (d) **Complications of Pregnancy.** Conditions which are not part of a normal pregnancy, but are caused by, or made worse by, pregnancy. This includes ectopic pregnancy or similar condition, spontaneous termination of pregnancy during a time a viable birth is not possible, eclampsia, puerperal infection, missed abortion, RH factor problems, severe loss of blood requiring transfusions, acute

nephritis, nephrosis, cardiac failure, hyperemesis gravidarum, and other similarly severe conditions related to pregnancy.

“Complications of pregnancy” does not include: false labor, occasional spotting, voluntary abortion, physician-prescribed rest during pregnancy, morning sickness, preeclampsia, or similar conditions which are part of a difficult pregnancy but which are not a separate complication of pregnancy.

(10) Limitations or Exclusions.

NO payment will be made for:

- (a) Cosmetic surgery performed, except repair of disfigurement that is a consequence of accidental injury occurring while the injured person is a member.
- (b) Any intentionally self-inflicted injury.
- (c) Losses resulting from intoxication, the commission or attempt at commission of a felony, or the use of drugs unless prescribed by a physician.
- (d) Professional services for the care and treatment of mental or nervous disorders, alcoholism, drug addiction, or chemical dependency.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.61, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 4.118(B)**

CHAPTER 6.00 – HUMAN RESOURCES

TERMINAL PAY

6.912

- (1) All payments made pursuant to this Section shall be subject to law and rules and regulations of the Florida State Board of Education.
- (2) Where eligible full-time employees (excluding administrative support, administrators and classified non-instructional personnel) have accumulated sick leave, the employee may upon request, at the end of any school year, receive, except as hereinafter otherwise indicated, pay for accumulated sick leave that is earned for that school year and that is unused at the end of such year, based on the daily rate of pay of the employee multiplied by eighty (80) percent. Days for which such payment is made shall be deducted from the accumulated leave balance.
- (3) Terminal pay for accumulated sick leave will, except as hereinafter otherwise indicated, be provided to all full-time employees at resignation without retirement, at normal retirement, when employee elects to participate in the Deferred Retirement Option Program (DROP), or to the beneficiary if such service is terminated by death. The sick leave days used in calculating the amount of such terminal pay shall not include any such days earned otherwise than in full-time service of this School District. Such terminal pay shall not exceed an amount determined as follows:
 - (a) For the individual himself, upon separation from such service by resignation without retirement, provided that he must then have been in the full-time creditable service of this School District for at least twenty (20) years: the daily rate of pay of the individual at that time multiplied by one hundred (100) percent times the number of days of accumulated sick leave.
 - (b) For the individual himself, upon normal retirement or DROP enrollment, provided that he must then have been in the full-time creditable service of this School district for at least ten (10) creditable years, a sum determined by multiplying the individual's then current coverage daily rate of pay by his number of days of accumulated sick leave, times a percentage figure depending on his number of years of such service, as hereinafter indicated:
 - After the 10th year – 50%
 - After the 11th year – 50%
 - After the 12th year – 50%
 - After the 13th year – 65%
 - After the 14th year – 70%
 - After the 15th year – 75%
 - After the 16th year – 80%
 - After the 17th year – 85%
 - After the 18th year – 90%
 - After the 19th year – 95%
 - After the 20th year – 100%

- (c) For the beneficiary, upon the death of the individual in the service of this School District, a sum determined by multiplying the decedent's then current average daily rate of pay by his number of days of accumulated sick leave, times a percentage figure depending on his number of years of such service, as hereinafter indicated:

During the first 3 years -	35%
During the next 3 years -	40%
During the next 3 years -	45%
During the next 3 years -	50%
During the 13 th year -	60%
During the 14 th year -	65%
During the 15 th year -	70%
During the 16 th year -	75%
During the 17 th year -	80%
During the 18 th year -	85%
During the 19 th year -	90%
During the 20 th year -	95%
During and after the 21 st year -	100%

Such terminal pay, when paid upon resignation without retirement, or upon normal retirement, shall be paid only where the individual's resignation or retirement is concurrent in time with his separation from the full-time service of this School District, unless employee is participating in DROP, and then only if he is resigning or retiring under favorable circumstances, and not, for example, if the individual is being or has been dismissed by the Board, or if proceedings for such dismissal are pending. Further, such payment shall not be made if, within three (3) calendar years preceding the individual's separation from the full-time service of this School District, the individual separation from the full-time service of this School District, the individual has or shall have been convicted, under the laws of the United States of America or any State thereof, of a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation. The plea of guilty in any court, or the decision of guilty by any court, or the forfeiture of a bond in any court of law, or the written acknowledgement of having so committed any such offense, duly witnessed and made to the Superintendent or his duly appointed representative of the School Board, shall for the purpose of this Section, have the same effect as that of a conviction of the offense.

- (4) An employee who participates in DROP will receive pay for accumulated sick leave as indicated in these Rules. The rate of pay for such leave shall be based upon the salary rate of the employee at the time DROP begins. Such leave shall be paid in annual installments during each of the years of DROP participation. The initial payment will be made during the first month of DROP, with subsequent payments made during the retirement anniversary months. Leave accrued during DROP will be included in the final

payment and will be paid at the salary rate of the retiring employee upon separation from service.

An employee who begins participation in DROP, but elects to cancel DROP shall, within six (6) months of the DROP cancellation, repay the Gadsden County School Board all sick leave pay previously received as part of DROP. Such sick leave time when repaid, will be returned to the account of the employee as if there had been no DROP participation.

(5) "Normal retirement" as used in this rule shall mean retirement as defined in Florida Statute 1012.61.

(6) Terminal pay for accumulated sick leave paid to any person pursuant to this Section shall totally replace and be in lieu of any and all payments to which the recipient might otherwise be entitled pursuant to any Rule or other provision by the Board relating to terminal pay for accumulated sick leave.

(7) Persons employed after July 1, 2001 shall be subject to the provisions of Florida Statute 1012.61.

STATUTORY AUTHORITY: 1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED: 1001.43, 1012.61, F. S.

STATE BOARD OF EDUCATION RULE: 6A-1.052

HISTORY: **ADOPTED:**
REVISION DATE(S):
FORMERLY: 3.120

USE OF SICK LEAVE BY FAMILY MEMBERS

6.914

- I. Any District employee may authorize the use of his/her accrued sick leave as follows:
 - A. As provided by any existing Sick Leave Bank provision.
 - B. Up to (insert # of days) by their spouse, child, parent, or sibling who is also a District employee.
- II. Sick Leave donated as provided in I.B, cannot be used until all of the individual's sick leave has been depleted, excluding sick leave or any existing Sick Leave Bank, if the recipient participates in a Sick Leave Bank.
- III. Donated sick leave shall have no terminal pay value.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.61, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

ANNUAL PAYMENT OF SICK LEAVE

6.915

Employees may receive an annual payment for accumulated sick leave for up to 12 days. (Note: The number of days cannot exceed the number of sick leave days earned in the applicable year.) Payment shall be made at the request of the employee and shall be based on the employee's daily base rate of pay multiplied by eighty percent (80 %) (Note: Maximum allowed by statute is 80%.) Days for which such payment is received shall be deducted from the accumulated sick leave balance.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.61, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

UTILIZATION OF SICK LEAVE

6.916

Full time employees who are not classified as instructional staff or educational support employees as defined by law shall utilize accumulated sick leave as follows:

- I. Sick leave accumulated prior to July 1, 2004 shall be carried forward for terminal pay in accordance with Board adopted policy.
- II. Effective July 1, 2004, the first days earned after this date shall be the first days utilized for sick leave purposes.
- III. Sick leave accumulated prior to July 1, 2004 shall be used only when all sick leave earned after June 30, 2004 has been exhausted.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 6.00 – HUMAN RESOURCES

HEALTH INSURANCE PREMIUMS

6.92

- (1) The School Board may pay an employee's normal health insurance contribution as provided herein (or insert the District's procedures).
 - (a) No health insurance premium shall be paid by the Board when an employee enters a non-pay leave status. The employee shall be provided an opportunity to continue the total health insurance payment for a period not to exceed twelve (12) months while on non-pay leave status.
 - (b) The health insurance premium may be paid when an employee enters a non-pay leave status involving a worker's compensation claim. The normal contribution shall be paid until the employee is released to return to work or a settlement is reached in the worker's compensation case through regular channels.
 - (c) Any employee who is on unpaid sick leave or unpaid approved family leave will receive up to a maximum of twelve (12) weeks of Board portion of health insurance per insurance fiscal year. This rule is in compliance with the Family and Medical Leave Act of 1993.
- (2) School Board members and employees who are a Florida resident and a member of the Florida National Guard or a reserve in any branch of the United States military and who are called into active military duty are entitled to health insurance pursuant to the provisions and conditions prescribed in Section 250.341, Florida Statutes.
- (3) The School Board shall not pay the contribution for dependents who are included in the employee's health insurance premium. This contribution shall be paid by the employee.
- (4) Retired School Board personnel and their eligible dependents may continue to participate in the current group health insurance program of the District provided the person enrolls immediately upon retirement and continues without interruption. The health insurance coverage shall be identical to that offered to School Board employees. Health insurance premiums for continued participation shall be paid by the retiree.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

**112.0801, 250.341,
340.33, 1001.43, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 7.00 - BUSINESS SERVICES

SCHOOL BUDGET SYSTEM

7.10+

Through the budget process the School Board intends for its budget to be prepared in a needs responsive, fiscally sound manner, with an emphasis on providing additional resources at the school level with any increase in recurring operating revenues.

In accordance with this philosophy, the School Board intends the following guidelines to be adhered to in the preparation of the annual operating budget:

- I. **Balanced Budget** – The budget should be prepared to ensure that the operating fund recurring revenue budget for the fiscal year shall be equal to or greater than the recurring expenditure budget.
- II. **Fund Balance Reserve** – An adequate fund balance reserve is necessary to cover unforeseen events including, but not limited to, revenue shortfalls and student enrollment under projections. The adopted annual operating fund budget shall include, if feasible, a fund balance reserve which is at least 4% of the recurring expenditure budget.
- III. The budget system shall be related to the goals and objectives of the District and its programs. To assure equity among schools and program elements, personnel and other resources shall be allocated to the schools on a formula basis or by other means as determined by the Board.
- IV. The Superintendent shall prepare an annual District budget in the manner prescribed by the State Board of Education. In formulating the budget, the Superintendent shall take into consideration the immediate and long range needs of the District's school system and student achievement data obtained pursuant to Florida Statutes. The Superintendent shall submit the proposed annual budget to the School Board for review.
- V. The Superintendent shall ensure that all District obligations and expenditures are within the appropriation allowed in the District school budget and:
 - A. Shall propose a budget amendment for the School board's consideration when the function and object amounts in the accounts prescribed by the State Board of Education are changed in the original budget approved by the School Board. Budget amendments shall be aggregated and presented as an item on the Board meeting agenda each month. Budget amendments consolidated after that time period shall be processed and placed on the agenda for the following month in the normal amendment cycle.

- B. May authorize an expenditure temporarily which exceeds the amount budgeted by function and object provided the School Board subsequently approves the expenditure and amends the budget in a timely manner. In situations where a budget category is temporarily exceeded, district personnel will process a budget amendment to correct the situation. If the need for an amendment has not been identified at the end of the month, the amendment shall be processed in the following month and School Board approval obtained in the normal amendment cycles.

It is the Board's intent that the guidelines enumerated above shall be controlling unless unusual circumstances dictate otherwise. In such instances, any variances from the guidelines will be highlighted and explained prior to the adoption of the budget by the Board.

Expenditures shall be in accordance with state law and rules of the State Board of Education.

STATUTORY AUTHORITY: **1001.41, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **1008.385, 1001.43, 1010.01, 1010.04, 1011.01 – 1011.18, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-1.002, 6A-1.004, 6A-1.006, 6A-1.007, 6A-1.0071**

HISTORY: **ADOPTED: _____**
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 7.00 - BUSINESS SERVICES

ACCOUNTING AND CONTROL PROCEDURES

7.20*+

(1) The financial records and accounts of the School Board shall be kept by the Superintendent on forms and in the manner prescribed by State Board of Education rules. If such forms are not prescribed by State Board of Education rules or Florida Statutes, a uniform system shall be established by the School Board.

- (2) The Superintendent shall submit to the School Board a financial statement for each month of the school fiscal year. The format of the statement shall be approved by the School Board and shall include a cumulative report to date of all receipts and expenditures for the school fiscal year.
- (3) The Superintendent shall develop and the School Board approve procedures under which any funds under their control are allowed to be transmitted by electronic transaction.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

215.85, CH 668; 1001.43,
1001.51, 1010.11, 1011.62, F. S.

STATE BOARD OF EDUCATION RULES:

6A-1.001; 6A-1.0011

HISTORY:

ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: 6.108; 6.111

CHAPTER 7.00 - BUSINESS SERVICES

EDUCATIONAL ENHANCEMENT FUNDS

7.30*

- (1) Enhancement funds received from state proceeds will be used to provide educational opportunities based on the needs of students, as determined by the School Board or as required to be distributed by state law, and consistent with proviso language included in the annual state appropriation bill or other state requirements.
- (2) Enhancement funds may be utilized to:
 - (a) Maintain approved programs;
 - (b) Develop and implement school improvement plans;
 - (c) Supplement school funding through the expansion of existing programs;
 - (d) Enhance equipment or facilities as permitted by state law;
 - (e) Provide financial awards for School Recognition; and
 - (f) Provide such other services, programs, or distribution as may be required or permitted by state law or regulations. Such services or programs shall be identified during the annual budget adoption process by the Board.
- (3) Enhancement funds provided directly to schools shall be subject to annual audit to assure compliance with state law and sound business practice.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

**1001.43, 1011.62, F. S.
ANNUAL STATE APPROPRIATIONS ACT**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 7.00 - BUSINESS SERVICES

SCHOOL FOOD SERVICE FUNDS

7.31*+

School food service funds shall be considered Special Revenue funds, but shall be subject to all requirements applicable to the District School Fund such as budgeting, accounting, reporting, and purchasing unless specific requirements are established by federal or state laws, rule or regulation.

- (1) Daily deposits of school food service funds shall be made by authorized personnel in a bank(s) designated by the School Board.
- (2) Revenue from the sale of all items handled by the Food Service Department shall be considered school food service income. This includes income from sale of cans, bottles, jars, rice bags, swill, and similar items. Such funds shall not be expended as cash.
- (3) All payments from school food service funds shall be made by check or wire transfer.
- (4) School food service funds shall be used only to pay regular operating costs.
- (5) Any loss of records, cash, or supplies through theft or otherwise shall be reported immediately to the Superintendent's office. Such losses shall be itemized and a copy of the report submitted with the regular reports.
- (6) Funds shall be collected and expended in compliance with United States Department of Agriculture and State Board of Education rules.
- (7) The Board shall annually adopt prices charged to students and adults who participate in the food services program.
- (8) The Superintendent shall develop written procedures for conducting the District's food service program.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

**1001.43, 1006.6,
1010.05, 1010.20, F. S.**

STATE BOARD OF EDUCATION RULE:

6A-1.012; 6A-1.087

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

**©EMCS
Revised: 2/15/03**

GADSDEN 7.31*+

CHAPTER 7.00 - BUSINESS SERVICES

INTERNAL FUNDS

7.32*+

- (1) **Definition.** Internal funds are defined as all monies collected and disbursed by personnel within a school for the benefit of the school or a school-sponsored activity. Internal funds shall be considered as unbudgeted public funds under the control and supervision of the School Board with the principal having responsibility as prescribed by the School Board (as used in this rule, school shall also mean a District department and principal shall mean a department head).
- (2) **Governance Provisions.** The collecting and expending of school internal accounts shall be in accordance with Florida Statutes, State Board of Education rules, School Board rules, and the Financial and Program Cost Accounting and Reporting for Florida Schools manual published by the Florida Department of Education. Sound business practices shall be observed in all transactions.
- (3) **Accounting Categories.** Separate accounting categories for school internal account funds shall be established to distinguish regular sources of funds from sources of funds derived from groups other than the student body.
 - (a) Regular sources of funds shall be a category for money received and expended for school activity programs. This includes, but is not limited to athletic and music events, concession sales, fund-raising by student body groups, gifts and contributions, paid admissions to entertainment, publications, school stores, summer programs, vending machines, salvage drives, property deposits, instructional aids, and advertisements.
 - (b) Other sources of funds shall be a category for money collected from sources other than student activities. These sources generally are derived from cooperative efforts with schools involving non-student organizations such as the faculty, parent-teacher organizations, alumni associations, and educational foundations. The activities of these non-student organizations shall contribute to the general welfare of students.

Other sources of receipts may include, but are not limited to, collections for the School Board, flower and gift funds, and trust accounts for specific groups.
- (4) **Basic Principles.**

- (a) All fund-raising projects and activities of the school, by any group within, connected with, or in the name of the school shall contribute to the educational experiences of students and shall not conflict with the total instructional program of the school system.
 - (b) School activity funds shall be used to supplement the program supporting the activities provided by the School Board.
 - (c) Purchases which are made from internal funds shall conform with requirements for purchasing and securing bids on purchases made by the School Board, except that purchases made from funds handled in trust for individuals are exempt from such requirements.
 - (d) Student body business practices shall be conducted in such a manner as to offer a minimum of competition to commercial firms.
 - (e) Purchases for any school shall not exceed the cash resources of the school during any school year.
 - (f) Funds collected generally shall be expended to benefit those students currently in school for whom the funds were accrued; funds derived from the student body as a whole shall be expended to benefit the student body as a whole.
 - (g) Florida Statutes and State Board of Education rules controlling purchases by school organizations shall be observed.
 - (h) The Superintendent shall be responsible for initiating such disciplinary action as may be deemed necessary in the event of violations of any of these rules.
 - (i) The collection of monies and the performance of other non-instructional duties by teachers shall be kept to a minimum.
- (5) Administration. Internal funds shall be categorized in accordance with subsection (3) herein. When a bank balance exceeds one hundred thousand dollars (\$100,000.00) and the excess is not insured, an additional account(s) shall be opened in another bank.
- (6) Responsibilities.
- (a) The School Board shall:
 - (i) Require that its written rules relating to internal funds be enforced;

- (ii) Provide fidelity bonds for employees responsible for such funds; and,
 - (iii) Provide for an annual audit of internal funds by a qualified auditor.
 - (b) The Superintendent shall administer all rules established by the School Board relating to internal funds.
 - (c) Each school principal shall:
 - (i) Be held accountable for the handling of all phases of internal funds accounting in his/her school; and,
 - (ii) Use a uniform system of accounting as directed by the Superintendent.
- (7) Management of School Internal Account Funds (MSIAF). The efficient and accurate accounting of school internal account funds requires that sound procedures be followed in handling school monies received and expended. Common practices which shall be followed to ensure effective management of these funds include:
 - (a) The principal of each school shall authorize one (1) or more persons, in addition to himself/herself, for signing checks to withdraw funds from the bank account. Two (2) signatures shall be required for all withdrawals, one (1) of which shall be that of the principal. Persons signing checks shall provide proper supporting evidence such as sales slips or invoices to substantiate each check.
 - (b) School activity accounts shall not be used for any purpose which represents an accommodation, loan, or credit to School Board employees or other persons, including students. Collections received shall not be used to cash individual checks. School Board employees or others shall not make purchases for personal use through the student body in order to take advantage of student body purchasing privileges, such as tax exemptions, school discounts, and the like.
 - (c) Methods of preserving and destroying records shall be in accordance with Florida Statutes and State Board of Education rules.
 - (d) Revenues which may be credited to classes and club accounts include: dues, assessments, and donations from members; income

from entertainment, dances, parties, etc.; and, sale of club or class sweaters, emblems, insignias, cards, announcements, etc. Authorization for expenditures shall require approval of a designated class or club officer, the sponsor, and the principal.

- (i) No class or club account may be overdrawn at the end of the school year.
 - (ii) No off-campus clubs may be permitted to carry accounts on school activity account books.
 - (iii) Any remaining balance in a class account after graduation of that class and after the class has had an opportunity to determine the disposition of the balance, shall be considered as general funds and shall be transferred to the general fund six (6) months after the graduation date. The same procedure shall apply to the fund balance of any club six (6) months after the close of the school year during which said club becomes inactive.
- (e) Any gifts identified as coming exclusively from a particular student group(s) shall be financed entirely by those group(s). This shall not prevent a class or club from contributing toward a project undertaken by several classes or clubs or by the student body. All such gifts to the school shall first receive the principal's approval. A student organization, upon the principal's approval, may earmark an amount for a specific future project which may reasonably be expected to materialize within the period that members of the organization are still in attendance at school. Disbursements from these reserves are subject to the standard procedures governing school activity funds. The reserve account, once approved and established, shall not be drawn on for other purposes. If the original purpose for the reserve becomes inoperative, funds in the account shall be transferred to the general fund or returned to the sponsoring organization.
- (f) Commissions earned from photography sales and other transactions shall be credited to the general fund or other designated accounts. Contracts and collections of monies from these types of activities shall comply with the provisions established by the principal.
- (g) The following procedures shall guide all employees who are responsible for school activity funds:

- (i) Receipts shall be deposited daily, one hundred percent (100%) intact.
 - (ii) Receipts shall be written for all money that is received or collected.
 - (iii) No money shall be kept in the school overnight except authorized petty cash.
 - (iv) Funds collected during late afternoon or evening activities shall be placed in a night depository as arranged by the principal. Sponsors or any other individuals shall not be expected to have the responsibility of protecting funds, but shall place such funds in a night depository. Under no circumstances shall such funds be left on the school premises. Any employee who fails to turn in funds each day shall be held liable for any loss.
- (8) Investment of School Internal Funds. The school principal shall provide for the investment of any school internal funds which are surplus or not needed immediately for expenditure. Such investments may be placed in savings accounts of banks or savings and loan institutions, certificates of deposits issued by banks, United States Government securities, or any other guaranteed in total by United States government securities.
- (9) Financial Transactions and Records. Complete and accurate records of all financial transactions, including records of all school and student activity funds, shall be kept by the principal on forms furnished by the School Board. The principal's monthly financial report on internal accounts shall be made promptly for each calendar month. The September report shall include all activity relating to those accounts for the period from July 1 through September 30. The monthly report shall be due by the tenth (10th) of the following month and shall be delinquent after the fifteenth (15th) of such month.
- (10) Retention of Financial Records. Records which are maintained as part of school internal funds and public records under Florida Statutes may not be destroyed or otherwise disposed of without specific authorization. All requests for disposition of school internal fund records after completion of an audit shall be referred to the staff members designated by the Superintendent to manage records retention. Records shall not be destroyed without written authorization.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

**1001.43, 1011.07,
1011.18, F. S.**

STATE BOARD OF EDUCATION RULES:

**6A-1.001; 6A-1.085;
6A-1.087; 6A-1.091**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.201; 6.202;
6.203; 6.204; 6.205;
6.212; 6.214**

CHAPTER 7.00 - BUSINESS SERVICES

PETTY CASH FUNDS

7.33*

The Superintendent may establish petty cash funds for his/her office, each District department, and each school. Petty cash funds shall be used for operating expenses in accordance with State Board of Education rules and provisions described herein.

- (1) A principal or District department head may establish a petty cash fund by submitting a request to the Finance Division for approval. Approval shall be obtained prior to issuing any checks.
- (2) The Superintendent or designee shall reimburse the funds from the budgetary accounts of schools and District departments when petty cash is exhausted.
- (3) Petty cash funds shall be accounted for separately from all other funds maintained at each school and District department. The amount of petty cash funds shall not exceed three hundred dollars (\$300.00) for the Superintendent's office, each District department and two hundred dollars (\$200.00) for each school.
- (4) An itemized receipt for each expenditure shall be kept to receive reimbursement.

STATUTORY AUTHORITY:

1001.42, 1006.21, F. S.

LAWS IMPLEMENTED:

1001.43, 1010.4, F. S.

STATE BOARD OF EDUCATION RULES: 6A-1.057; 6A-1.087

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

©EMCS
Revised: 9/15/02

GADSDEN 7.33*

CHAPTER 7.00 - BUSINESS SERVICES

HOSPITALITY FUNDS

7.34

The Superintendent may authorize expenditures for purposes of promotion, public relations activities and hospitality, as set forth herein. Such expenditures are restricted as to the source of funds, amount of annual expenditures and conditions for expenditures, as set forth herein and as limited by law or regulations. The use of federal funds to purchase food will be permissible when federal program guidelines permit such use.

- (1) Expenditures may be used for promotion and public relation activities, hospitality for business quests, and parent and community involvement activities provided they will directly benefit or are in the best interest of the district.
- (2) Expenditures shall be made from auxiliary enterprises and undesignated donations for promotion and public relations to the district.
- (3) Hospitality expenditures for business guests shall be limited to the maximum permitted by state law regulations.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1001.43(2)(G), 1010.08, F. S.

STATE BOARD OF EDUCATION RULE:

6A-1.0143

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02
FORMERLY: 6.203**

CHAPTER 7.00 - BUSINESS SERVICES

INVESTMENT OF FUNDS

7.35

(1) Based upon a written system of internal controls and operational procedures the Superintendent shall invest temporarily idle funds to earn the maximum return for the period available. Highest priority shall be placed on the safety and liquidity of funds. Funds may be placed in the following types of investments:

- (a) Bids from qualified depositories;
 - (b) Certificates of deposits;
 - (c) Time deposits;
 - (d) Securities of the United States Government including obligations of the United State Treasury; or,
 - (e) Investment pools managed and directed by an approved agency of the state.
- (2) The principal shall invest temporarily idle internal account funds in qualified depositories at the best available return subject to the advice of district staff trained in investment practices and procedures.
- (3) A periodic audit review of the written internal controls and operational procedures for investment of funds shall be conducted by an independent certified public accountant in conjunction with required district financial audits.
- (4) Other investments may not be made unless specifically authorized by law.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

1001.32, 1001.43, 1011.09, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.110; 6.114; 6.210**

CHAPTER 7.00 - BUSINESS SERVICES

**INDEBTEDNESS CREATED AGAINST A SCHOOL OR THE
SCHOOL BOARD**

7.36

Any school employee or other person shall be personally liable for creating any bill of indebtedness against a school or against the School Board unless authority exists under duly adopted policy of the School Board or unless authorized in writing by the Superintendent. Any employee violating the provisions of this rule shall be subject to cancellation of his/her contract or dismissal from employment.

STATUTORY AUTHORITY:

1001.41, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.22, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 3.106**

CHAPTER 7.00 - BUSINESS SERVICES

BONDED PERSONNEL

7.37*

Each Board member, the Superintendent and any employee of the School Board who is responsible for school funds or property shall be placed under a bond or insured in an amount to be determined by the School Board as provided in State Board of Education rules or state law.

STATUTORY AUTHORITY:

112.08, 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

112.08, 1001.42(10)(h); 1001.43, 1010.07, F.S.

STATE BOARD OF EDUCATION RULE:

6A-1.0692

HISTORY:

**ADOPTED:
REVISION DATE(S): 2/15/03, 7/15/03
FORMERLY: 6.113**

CHAPTER 7.00 - BUSINESS SERVICES

FACSIMILE SIGNATURE

7.38

- (1) In accordance with Florida Statutes, the Superintendent and the chairperson of the School Board, after filing with the Department of State, his/her manual signature certified by him/her under oath, may execute or cause to be executed with a facsimile signature in lieu of his/her manual signature:
 - (a) Any public security as permitted by Florida Statutes;
 - (b) Any instrument of payment;
 - (c) Any official order, proclamation, instrument of conveyance, or resolution, provided, however, that the same has been authorized by said School Board and such authorization be reflected in the minutes thereof; and
 - (d) Contracts with school personnel.
- (2) Definitions as used in this policy are as follows:
 - (a) Public security means a bond, note, certificates of indebtedness, or other obligation for the payment of money, issued by the Board;
 - (b) Instrument of payment means a check, draft, warrant, or order for the payment, delivery, or transfer of funds;
 - (c) Instrument of conveyance means an instrument conveying any interest in real property; and
 - (d) Facsimile signature means a reproduction by engraving, imprinting, stamping, or other means of the manual signature of an authorized officer.
- (3) The vice-chairperson shall have no authority to sign warrants or school documents except when he/she is required to assume the duties of the chairperson; in which case he/she shall be legally empowered to sign warrants and other legal documents as the chairperson would be empowered to sign.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

116.34, 1001.43, F.S.

STATE BOARD OF EDUCATION RULES:

6A-1.0421

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 6.118

CHAPTER 7.00 - BUSINESS SERVICES

FUND-RAISING FOR SCHOOL PROJECTS AND ACTIVITIES

7.40

All fund-raising projects and activities by schools or groups within the school shall contribute to the educational and extracurricular experiences of students and shall not be in conflict with the overall instructional program as administered by the Superintendent.

- (1) Money derived from any school fund-raising project or activity shall be deposited in the school's internal funds account and shall be disbursed as prescribed by School Board rules and State Board of Education rules.
- (2) Each school shall continuously evaluate its fund-raising projects and extracurricular activities of the school program, the promotion of education experiences, the time involved for students and teachers, and the additional demands made on the school community.
- (3) The determination of the fund-raising projects and activities for a school shall be the principal and the staff's responsibility, and shall conform to the following conditions and any directives by the Superintendent.
 - (a) Fund-raising activities and projects within all schools shall be kept within a reasonable limit. Before approving any project or activity, the principal shall require full justification of the need and explanation of the manner in which the funds will be expended;
 - (b) A written request for fund-raising projects and activities shall be submitted by the principal to the Superintendent or designee for approval; and
 - (c) Merchandising projects shall be kept to a minimum.
- (4) A parent-teacher association or any other organizations connected with the school may sponsor fund-raising activities provided school work and time are not adversely affected. Such activities shall be conducted in accordance with School Board rules. Unlawful activity shall be prohibited by any school group or on School Board property.
- (5) A student shall not sell raffle tickets on the school grounds during the school day. Students may not sell any other item on the school grounds without first having the principal's approval.
- (6) Individuals and business agencies shall not be subject to excessive annoyances from the solicitation of funds by school groups or school

personnel. The solicitation of funds away from school shall require the Superintendent or designee's approval. When possible, all necessary money shall be raised for school needs without recourse to any solicitation away from the school. The Superintendent shall approve a solicitation activity only when funds cannot be raised otherwise. This Rule does not preclude private or volunteer contributions for athletic or other purposes.

- (7) Food and beverage services which are available to students shall be provided only during the school day by the food and nutrition service program. Provided, however, school organizations approved by the School Board shall be permitted to sell food and beverage items to students in secondary schools even though the sale of such items is in competition with the food and nutrition service program.
 - (a) School organizations are authorized to conduct the sale of food and beverage items only one (1) hour following the close of the last lunch period.
 - (b) Food sold by school organizations shall comply with the provisions of State Board of Education rules.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

1001.51, 1006.02, 1010.01, 1011.07, F.S.

STATE BOARD OF EDUCATION RULES:

6A-1.085; 6A-7.042

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/01, 7/15/03
FORMERLY: 2.112; 6.211**

CHAPTER 7.00 - BUSINESS SERVICES

PAYMENT OF VOUCHERS/INVOICES

7.50

Expenditures for payment of vouchers and invoices shall be made by warrants or electronic transfers of the School Board. Authorization for such payments shall be deemed approved by the Board if within amounts approved in the Board-adopted District budget or amendment thereto. In cases of expenditures exceeding approved purchasing limits, specific School Board approval is required and shall be reflected in School Board minutes. Approval of individual warrants themselves by the School Board shall not be required.

Payment for purchases and services shall be made in a timely manner as set forth in Charter 218. Florida Statutes.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

218.72 - 75, 1001.43, 1001.51, 1011.06, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: 6.109**

CHAPTER 7.00 - BUSINESS SERVICES

PAYROLL PROCEDURES

7.51

- (1) Payrolls shall be submitted for all School Board employees and shall be properly signed by a designated administrative employee. Such payrolls shall be supported, where applicable, by time records.
- (2) Payroll checks or warrant distribution dates shall be established administratively to ensure that the employees are paid promptly in accordance with Florida Statutes.
- (3) No payment shall be made except to properly authorized and approved personnel.
- (4) Payment shall be based on the duly adopted salary schedule for each position. From time-to-time payments in the form of a bonus or other legally authorized payment may be made.
- (5) Full-time and part-time regular, probationary, and temporary employees shall be paid at the regular established pay period.
- (6) Principals shall be responsible for submitting accurate payrolls in accordance with the payroll time schedules and procedures.
- (7) Salary adjustments shall be paid at subsequent payroll periods. A person whose services are terminated shall be paid the full salary balance at the regular pay period following termination. Any exceptions shall be approved by the Superintendent or designee.
- (8) A payroll deduction for an employee beyond those required by Florida Statutes shall have the Superintendent's approval and shall be made only upon the written request of the employee. Such deductions shall not be granted to any group or organization with a membership of less than fifteen percent (15%) of the total numbers of employees. An authorized payroll deduction may be initiated during any fiscal year in which the group or organization deduction authorization and the written request of the employee(s) are in the district office on or before the date established as the final date for the initiation of employee deductions.
- (9) Any employee organization certified by the Florida Public Employees Relations Commission as the official bargaining agent for a group of District employees or other groups designated by law, may be entitled to a payroll deduction for membership dues. The organization may be billed

annually for the cost of deducting and transmitting such dues to the organization.

- (10) No payments shall be made for overtime services without prior approval of the Superintendent or designee.
- (11) There shall be no payroll deductions permitted in violation of section 106.15, Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

**106.15, 1001.43,
1011.60, 1012.22, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.116**

CHAPTER 7.00 - BUSINESS SERVICES

TRAVEL EXPENSE REIMBURSEMENT

7.52*+

Authorized travel for officers and employees of the School Board shall be reimbursed as follows:

- I. Authority to Incur Traveling Expenses
 - A. All travel by employees and authorized persons must be authorized and approved by the Superintendent or his designated representative, from whose funds the traveler is paid. The Superintendent shall not authorize or approve such a request unless it is accompanied by a signed statement by the traveler's supervisor stating that such travel is on the official business of the School District and also stating the purpose of the travel.
 - B. Traveling expenses of elected public officers shall be limited to those expenses necessarily incurred by them in the performance of a public purpose authorized by law and must be within the limitations prescribed by Florida Statutes.
- II. In-District Travel
 - A. Expenses for authorized travel by an employee, authorized person, or elected public officer, if he/she has not been assigned a car owned by the School Board, may be paid for the use of his/her personal car while used in travel on school business at the rate established by the Board.
 - B. Elected school board officers may opt to use a monthly reimbursement rate for mileage when his/her personal car is used for travel on school board related business. The maximum monthly reimbursement rate shall be \$275 and shall remain in effect until changed by rule.
- III. Out-of-District Travel
 - A. One-day trips - Expenses for authorized travel by employees, authorized persons, or public officers on school business which does not require an overnight stay shall be reimbursed at the mileage rate and the scheduled amount for meals established by the School Board.
 - B. Overnight trips - Expenses for authorized travel by employees, authorized persons, or public officers on school business requiring absence in excess of one day shall be reimbursed for travel and per diem at the rate established the School Board.
- IV. When more than one (1) employee is going to the same destination, travel shall be pooled when such is practical.
- V. Where a common carrier is used, reimbursement will be made only for the most economical class. The expense of common carrier travel may be processed through the District office on a purchase order or by copies of paid bill(s) attached to the employee's travel voucher.
- VI. Reimbursement may be requested for tolls, taxis, registration fees, and limousine service, storage or parking, and communication expense when properly documented. No reimbursement may be

authorized for gratuities. Reimbursement for registration fees shall be reduced by the value of any lodging or meals which are included if such items are claimed elsewhere for reimbursement.

- VII. Out-of-State Travel - Actual expenses for authorized travel by employees, authorized persons, or public officers not to exceed the single occupancy rate shall be reimbursed for lodging and the scheduled amount for meals as established the School Board.
- VIII. The Superintendent or designee is authorized to approve monetary advances for anticipated travel expenses for persons who are traveling on the School Board's behalf and whose responsibilities require extensive travel from the District. The financial advancement shall not exceed eighty percent (80%) of the anticipated cost of each trip.
- IX. The Superintendent or designee shall develop procedures which detail travel reimbursement claims and restrictions.
- X. Violations or abuse of District travel policies and/or procedures shall be a basis for employee discipline.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

112.061, 1001.39, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.056

HISTORY:

ADOPTED: _____
REVISION DATE(S): 07/26/05, 10/15/06
FORMERLY: 6.106

AUDITS

7.60*

- I. District Audits
 - A. Periodic audits shall be made of accounts, records, financial practices, and program elements of the District pursuant to Florida Statutes and State Board of Education rules.
 - B. The School Board shall select an independent auditor to perform audits of the District when the Auditor General advises a financial audit will not be completed within the twelve (12) month period immediately following the fiscal year or if otherwise deemed needed by the School Board.
 - 1. The School Board shall establish an audit committee as require by Florida Statutes. The primary role of the committee shall be to assist in selecting an auditor to conduct the annual financial audit.
 - 2. Selection of the financial auditor shall be pursuant to provisions in Section 218.391, Florida Statutes.
 - 3. The certified public accountant who coordinates the financial audit shall have completed twenty-four (24) hours of inservice training in government or governmental auditing as approved by the Board of Accountancy within the last three (3) years.
 - 4. At the conclusion of the audit field work, the preliminary findings shall be discussed with the Superintendent or designee. The auditor's comments shall reflect items which are intended to be included in the final audit report.
 - C. Other auditors may be selected as permitted by law.
- II. Audits of Internal Accounts
 - A. Each principal shall report in writing to the auditor of internal accounts within ten (10) days of receiving an audit report. The written report shall address the audit report and any discrepancies cited therein.
 - B. The Superintendent may direct an audit of a school's internal accounts without prior notification. Such audits may be conducted by a School Board employee or an independent accounting firm.
- III. Nonfinancial audits shall be conducted by persons or entities qualified to conduct audits of the program, functions, or services to be audited.
- IV. Results of all audits shall be provided to the School Board for information and appropriate action consistent with law if action is required.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 11.45, 218.39, 218.391, 1001.42, 1001.43, 1008.35, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.087

HISTORY: **ADOPTED:** _____
REVISION DATE(S): 08/23/05
FORMERLY: 6.209

CHAPTER 7.00 - BUSINESS SERVICES

PURCHASING AND BIDDING

7.70*

All purchases of supplies, materials, equipment and services made from district school funds shall be the responsibility of the Superintendent or his designee as established by school board rule. No person, unless authorized by the Superintendent or acting on the basis of School Board rules may make any purchase involving the use of school funds and no unauthorized expenditure will be approved by the School Board.

- (1) Contracts for services that are funded from the general fund and exceed the sum of \$7,500, including, but not limited to, academically related services, social services, psychological services, rehabilitation services and other consultant services shall be procured only after submission to the Board for approval. All contracts for purchase of services shall be submitted to the Board monthly or for review where the amount is under \$7,500 or funded from other than the general fund.
- (2) Before making any purchase which he is authorized by the School Board to make or before recommending any purchase to the board, the Superintendent shall, insofar as possible, propose standards and specifications to be prescribed for the materials or services to be purchased. The Superintendent shall see that all materials or services so purchased conform to such standards and specifications and shall take such other steps as may be necessary to see that the maximum value is received for any money expended. Before making a commitment in excess of \$10,000, the Superintendent shall obtain a sworn statement from the vendor attesting to the fact that the vendor has not been convicted of a public entity crime.
- (3) The Superintendent is authorized to make purchases for materials, equipment and supplies, or to approve purchases of a business assistant functioning under his direction, of any such item where the total amount of the purchase does not exceed the sum of \$15,000 or as allowed by law an State Board Rule, as allowed under the state on line procurement system, and for instructional materials purchased under state contract from the state textbook depository subject to the limitations provided by applicable law, rules and regulations, including but not limited to, Section 6A-1.012 of State Board of Education Rules. Once the cumulative sum paid to one vendor reaches \$15,000 in a fiscal year, all further procurement of services from that vendor whether by contract or purchase order must be submitted to the Board for approval. All persons authorized to initiate purchase orders shall make every effort to obtain the best price possible. For purchases greater than \$3,000 but less than \$15,000 or as allowed by law and State Board rule, the initiator shall be responsible for maintaining documentation that at least three (3) quotes were obtained or written justification as to why they could not be obtained.

Acquisitions by the School Board may be made also by direct negotiation and contract as described in Section 6A-1.012, State Board of Education Rules.

(4) Bids shall be requested from three (3) or more sources for any purchase of materials, supplies, services or equipment exceeding \$15,000 or as allowed by law and State board rule, unless the item is purchased on the basis of an established state contract, as allowed under the state on-line procurement system, or is otherwise exempted from bidding by law or State Board of Education Rules.

(5) Emergency Situations - Occasionally, situations arise which necessitate immediate action in order to ensure the health and safety of students and staff, or to keep a facility in operation. In such cases, at the determination of the Superintendent, the normal procedures may be waived and all Board members will be notified of such action as soon as practicable. The purchasing department shall be required to make telephone contacts to request quotations, determine availability and ability to deliver services or products in a timely manner. All such contacts must be documented and followed by written bids from those contacted. The Superintendent shall be given all facts relating to the problem and a recommendation for the purchases necessary to resolve the problem. Upon the Superintendent's approval, the lowest and best bidder will be given authorization to proceed. A formal tabulation, giving complete details and justification, shall be submitted at the next regular Board meeting for ratification.

STATUTORY AUTHORITY: 337.11(5) (a), 1001.42, F.S.

LAWS IMPLEMENTED: 112.312, 120.57, 212.0821,
255.04, 1001.43, 1010.01,
1013.47, F.S.

STATE BOARD OF EDUCATION RULES: 6A-1.012; 6A-1.085;
6A-1.087; 6A-7.042

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 2/26/04, 6/22/04
FORMERLY: 6.101; 6.205; 6.312

CHAPTER 7.00 - BUSINESS SERVICES

BID PROTEST RESOLUTION

7.701

The following procedures shall govern the resolution of protests from contract bidding procedures prior to initiation of formal or informal proceedings pursuant to Chapter 120, Florida Statutes.

- (1) The School Board shall provide notice of its decision or intended decision concerning a bid solicitation or contract award as follows:
 - (a) For bid solicitation, notice of a decision or intended decision shall be sent by United States mail or by hand delivery.
 - (b) For any other Board decision relating to contract bidding procedures, notice of a decision or intended decision shall be given either by posting the bid tabulation at the location where the bids were opened, or by certified mail, return receipt requested. This notice shall contain the following statement: "Failure to file a protest within the time prescribed in Section 120.53, Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.
- (2) Any person who is affected adversely by the Board decision or intended decision shall file with the Board a notice of protest in writing within 72 hours after the posting of the bid tabulation or after receipt of the notice of the Board's decision or intended decision, and a formal written protest within ten (10) days after the date he filed the notice of protest. Failure to file a formal written protest shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.
- (3) Upon receipt of a notice of protest which has been timely filed, the Board shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved by final School Board action, unless the Board sets forth in writing particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process without delay to avoid an immediate and serious danger to the public health, safety or welfare.

- (4) The Board, on its own initiative or upon the request of a protestor, shall provide an opportunity to resolve the protest by mutual agreement between the parties within fourteen (14) days of receipt of the formal written protest.
 - (a) If the subject of a protest is not resolved by mutual agreement within fourteen (14) days of receipt of the formal written protest, and if there is not disputed issues of material fact, an informal proceeding shall be conducted pursuant to Section 120.57, Florida Statutes, and rules related to administrative hearings.
 - (b) If the subject of a protest is not resolved by mutual agreement within fourteen (14) days of receipt of the formal written protest, and if there is a disputed issue of material fact, the Board shall refer the matter to the Division of Administrative Hearings of the Department of Administration for a formal hearing pursuant to Section 120.57, Florida Statutes, and rules related to administrative hearings.
- (5) Construction bids protested shall be in accordance with the policy on the topic found in the section of these policies dealing with construction.

STATUTORY AUTHORITY:

1001.42, 1001.43, F. S.

LAWS IMPLEMENTED:

120.53(2), 120.57, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.105**

CHAPTER 7.00 - BUSINESS SERVICES

SELECTING PROFESSIONAL SERVICES

7.71

When it is determined that the School Board may need to contract for the professional services of an architect, construction management, landscape architect, professional engineer, or registered land surveyor, the procedures prescribed herein shall be followed:

- (1) Definition - The term "firm" means any firm, partnership, corporation, association, individual, or other legal entity entitled to practice architecture, engineering, construction management, or land surveying in the State of Florida.
- (2) Pre-qualification - The Superintendent shall, by letter, inform not less than five (5) firms of the type of service desired by the School Board and shall determine whether or not such firms have an interest in qualifying to render such services when needed. The Superintendent shall continue his efforts until at least three (3) firms have indicated an interest. There shall be a list of pre-qualified firms for each of the specialized areas of professional services enumerated in Florida Statutes.
 - (a) Upon receipt of notice of interest, the Superintendent shall request the firm to furnish the following information:
 - (i) A full and complete statement of qualifications and capabilities;
 - (ii) Number of years in business;
 - (iii) Location of firm's office nearest the county seat;
 - (iv) The membership of the firm's staff and the special qualifications of the person or persons who would render the type of service desired; and,
 - (v) The names and address of at least three (3) school boards or other agencies for whom similar services have been performed within the last five (5) years and the date and the specific service rendered in each case.
 - (b) Within thirty (30) days following indication of interest, the Superintendent shall complete the file on each firm. In addition to the information filed by the agency or firm, the Superintendent shall obtain a written evaluation from at least three (3) agencies for which such service has been rendered. Any firm which pre-

qualifies under this rule shall file an annual statement of qualifications and performance data and thereby keep its file current.

- (c) Any firm which has furnished the information prescribed in this subsection shall be sent a copy of the legal notice when service in the firm's area of specialty is to be contracted.
- (3) Public notice and applications - Where the board by official action determines that it will enter into a contract for such professional services, the Superintendent shall cause to be published once each week for three (3) successive weeks in the local newspaper a public notice stating the type of professional services desired, giving a general description of the project, and stating how an interested firm may apply and the deadline for applications.
- (a) Each firm which pre-qualifies, as provided in Subsection (2) of this rule, shall be sent a copy of the public notice together with a request that an application be filed if the firm desires to be considered.
 - (b) Each firm which files an application and which has not pre-qualified shall be required to complete the information required in Subsection (2) of this rule within ten (10) days following the deadline for making applications.
- (4) Rating of applications - Based on the data filed by each applicant firm and the follow up data obtained by the Superintendent, the School Board will determine the order in which the applicants will be arranged for negotiation purposes.
- (a) To facilitate the selection process, the Superintendent shall prepare a full and complete summary report on each applicant firm.
 - (b) Based on data available and its best judgment, the School Board will select the three (3) firms most qualified to perform the desired professional services and will rate them as first, second, and third most qualified for negotiation purposes.
- (5) Negotiations - Subsequent to the above determination, the School Board will notify the firm rated as first most qualified and establish a date for the firm to make its presentation and to enter into negotiations with the Board for the professional services.
- (a) If the Board cannot obtain a fair, reasonable and competitive price for which the professional services will be rendered by such firm,

negotiations shall be formally terminated by the Board. The Board will then undertake negotiations with the firm rated second most qualified. If an accord cannot be reached with this firm, negotiations will be formally terminated, and the Board will then undertake negotiations with the firm rated third most qualified.

- (b) If the Board is unable to negotiate an acceptable contract with any one (1) of the first three (3) firms, it will select from among the remaining applicants in the order of competence and qualifications and continue its negotiations, provided, that such firms are considered competent to perform the services desired.
- (6) Special assistance - Where the professional service contract will require a fee in excess of twenty-five thousand dollars (\$25,000), the Department of Transportation or the Department of General Services will be requested to provide assistance in selecting a consultant for professional services; provided that the School Board after three (3) attempts has not obtained a reasonable, fair, and competitive price.
- (7) Contracts - Any contract entered into by the School Board for professional services, as provided herein, shall include a prohibition against contingent fees.
- (8) The Superintendent or designee may authorize outside consultants to provide professional reviews, assistance or training.
- (9) Full or part-time employees of the Board shall not contract for additional service to the Board as consultants.

STATUTORY AUTHORITY: **1001.42, F.S.**

LAWS IMPLEMENTED: **237.02; 287.055, 1001.43, 1001.53, 1011.06, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-2.001**

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: 6.102

CHAPTER 7.00 - BUSINESS SERVICES

ACQUISITION, USE AND EXCHANGE OF SCHOOL PROPERTY 7.72

- I. Acquisition -
 - A. All property purchased through District funds, internal funds, or donations from outside sources shall be acquired using District purchasing procedures.
 - B. All property, including vehicular equipment, shall be under the full control and name of the School Board.
 - C. All property with a value consistent with the provisions of this policy manual, acquired through internal accounts or donations, shall be reported immediately by the principal or work site supervisor to the designated property records office on the prescribed forms.
 - D. Principals and work site supervisor shall be responsible for determining that all property is identified and accounted.
- II. Exchange - Each principal and work site supervisor shall determine the property needs for his/her school or department. The principal or District department head shall declare any property which is not needed, upon approval of the designated property control office, and may requisition additional property through proper procedures.
 - A. Surplus property shall be reported on proper forms to the designated Property Records office which shall be responsible for acquiring and storing the surplus property.
 - B. Property items with a value as established in I.C. above may be exchanged between schools and District departments when approval is granted by the designated property records office and subsequently by the appropriate District department head. Notification of each approval shall be filed in writing with the designated property records office to adjust property records of schools and District departments.
 - C. School Board equipment may be used by employees away from School Board property under certain conditions when prior approval is obtained from the principal or District department head. These conditions include familiarization with the equipment for instructional purposes or improvement of job performance.
 - D. School Board equipment shall not be used for gainful outside employment or private use of employees or by any outside group or organization.
- III. Acquisition of real property is not included under this policy.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 274.01, 274.02, 1001.43, 1011.06, F.S.

HISTORY: **ADOPTED:**
REVISION DATE(S): 9/15/02, 7/15/03, 6/22/04, 2/23/05
FORMERLY: 6.206, 6.312

ACQUISITION OF REAL PROPERTY

7.73

- (1) A determination by the School Board that real property is needed for school use shall be based on approved master planning data. Two (2) or more proposed locations shall be considered for each acquisition unless extenuating circumstances preclude such consideration. Extenuating circumstances shall be as follows:
 - (a) Availability of alternate locations because of prior land use commitments; the need to acquire land adjacent to an existing school site for purpose of expanding said site; or the purpose of establishing a new school center adjacent to an existing school center for implementation of programs that may be suitably carried out through common use of facilities for more than one (1) school.
 - (b) Joint use of land, as part of a master plan, for educational purposes and community recreational and cultural purposes.
- (2) The Superintendent or designee may negotiate with the owner and determine the purchase price of the land, if such is determined to be in the best interest of the School Board.
- (3) If it is determined to be in the best interest of the School Board, two (2) independent, qualified real estate appraisers shall be appointed to provide a standard narrative form of appraisal complete with supporting data. Final settlement shall not exceed the amount of the highest appraisal.
- (4) If negotiations with the owner are not successful, the School Board may exercise its right of eminent domain, and proceedings shall be filed in a court having jurisdiction and a date of value established on which to base the market value of the property.
- (5) Topographical surveys and legal descriptions shall be obtained, including metes and bounds description of all real property considered for purchase.
- (6) Upon decision of the School Board to acquire real property, a title search shall be initiated by a competent, legal consultant or a title search company, and a policy of title insurance will be required upon completion of acquisition proceedings secured by surety satisfactory to the School Board.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1001.44, 1013.13; 1013.14, F. S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 6.206; 6.512

CHAPTER 7.00 - BUSINESS SERVICES

LEASE AND LEASE-PURCHASE OF LAND, FACILITIES AND EQUIPMENT

7.74

The Superintendent shall make recommendations to the School Board regarding any offer received from a person or entity for the lease or lease-purchase of any land owned by the District.

- (1) The lessee shall state in writing how the land will be used for educational purposes.
- (2) The Superintendent's recommendation shall include:
 - (a) The location and description of the land and its present use;
 - (b) The long-range plan for its use;
 - (c) The stated use of the land by the prospective lessee;
 - (d) The fair market value of the parcel, as determined pursuant to State Board of Education rules, when the land is to be released by a lease to purchase agreement; and,
 - (e) The terms and value to be received from the prospective lessee.
- (3) Prior to final action on the proposal for a lease or lease-purchase agreement, the School Board shall hold an open and public hearing on the issue after due notice is given as required by Florida Statutes. At this meeting the proposed agreement, in its final form, shall be made available for inspection and review by the public.

The Superintendent may recommend the acquisition of land, facilities, and equipment under lease or lease-purchase agreements under provision of Florida Statutes through competitive bids or proposals.

- (4) The Superintendent's recommendation shall include:
 - (a) Such acquisition is in the best interest of the District;
 - (b) Length and terms of such agreements;
 - (c) Procedures for developing and approval of agreements;
 - (d) Estimated annual costs and sources of funding;

- (e) Proposed schedule for any required public advertisements and hearings;
- (f) All required written documents necessary for the execution and maintenance of agreements; and,
- (g) Agreements do not constitute a debt, liability, or obligation of the State or Board, or pledge the faith and credit of the State or Board.

STATUTORY AUTHORITY:**1001.41; 1001.42, F. S.****LAWS IMPLEMENTED:****1001.43, 1013.15, 1013.19, F. S.****HISTORY:****ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: NEW**

CHAPTER 7.00 - BUSINESS SERVICES

SALE, TRANSFER OR DISPOSAL OF PROPERTY

7.75*

Obsolete, uneconomical or inefficient surplus property which serves no useful purpose may be disposed of in accordance with state law and regulations. Prior to disposal, reasonable attempts should be made to salvage all or part of any item of property for school use.

When it is no longer practical that property be retained, it shall first be offered for sale or transfer to other state agencies. When not disposed of in this manner, the property shall be offered for sale to the public at large and to private businesses.

Any remaining surplus property may be declared unusable and disposed of in a reasonable, environmentally sound manner, including donation to appropriate nonprofit groups.

Disposal of unusable property shall occur only after due consideration of school needs.

STATUTORY AUTHORITY:

112.08, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.41, 1013.28, F. S.

STATE BOARD OF EDUCATION RULE:

6A-1.087

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.408; 6.504**

CHAPTER 7.00 - BUSINESS SERVICES

LOST OR STOLEN PROPERTY

7.76*

- (1) The principal or designee shall notify the following individuals when any school property has been vandalized, stolen, or lost:
 - (a) The proper law enforcement agency immediately to provide such information as may be available if the property is believed to have been stolen;
 - (b) The District office by telephone; and,
 - (c) In writing with a copy of such notice being sent to the Superintendent.
- (2) The custodian of the property records shall prepare a written report and recommendations to the Superintendent if the property is not recovered within thirty (30) days.
- (3) The Superintendent shall report to the Board any property that has been lost or stolen if not recovered within thirty (30) days after the discovery of the loss or theft except major losses shall be reported to the Board immediately. Such report shall include a recommendation that the property record be made inactive and any information applicable to personal liability shall also be reported.

STATUTORY AUTHORITY:

1001.42, F. S

LAWS IMPLEMENTED:

1001.43, F. S.

STATE BOARD OF EDUCATION RULE:

6A-1.087

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.503**

CHAPTER 7.00 - BUSINESS SERVICES

INVENTORIES AND PROPERTY RECORDS

7.77*

The Superintendent or designee shall maintain an adequate and accurate record of all tangible personal property of the District. The record shall indicate the date of acquisition, the fund from which purchased, identification number, and property record number, and shall be consistent with all requirements of Florida Statutes and the rules of the Auditor General. School inventories shall be verified by the District administration at the Superintendent's direction.

- (1) All equipment shall be listed that has a value or cost of seven hundred fifty dollars (\$750.00) or more. The principal shall notify the District office of all removals, transfers, and receipt of donated or purchased property that meets criteria for being recorded as a fixed asset in order to update records and of all new equipment.
- (2) Property inventories shall be performed annually. It shall be each principals' duty to designate a person to make an annual inventory of all school property within his/her building(s). This report shall include recommendations for the disposition of obsolete and surplus equipment and equipment beyond economical repair. Such inventory shall be filed with the District office either at the time designated in writing by the property control officer or at the time of any principal's resignation.
- (3) Any incoming principal and the property control officer shall make an inventory of all school equipment when the new principal assumes the duties of the position. This inventory shall be checked against the last inventory made at the school and a report shall be filed with the District office to identify any shortages or discrepancies.
- (4) The principal shall also be responsible for taking inventories of properties not covered in subsection (1) herein such as student furniture, library books, films and tapes, and other materials as deemed appropriate. These inventory records shall remain on file in the individual school.
- (5) The Superintendent shall prescribe the procedures for the accountability of property as defined in Florida Statutes.
- (6) All equipment purchased by the various District organizations or by outside organizations for District use shall become School Board property and shall be recorded and inventoried in the same manner as all other equipment of a similar nature.
- (7) The principal shall keep an inventory of all equipment in his/her school on forms provided by the property control officer.

- (8) The Superintendent or designee shall maintain a current and perpetual inventory of all stock in School Board warehouses, and shall file an annual end-of-the-year report of the count and value of such items with the Finance Department.
- (9) The Superintendent shall report to the School Board any property that has been lost or stolen if recovery is not made by the next regular School Board meeting after the discovery of the loss or theft. Such report shall include a recommendation for inactivation of the property record and information concerning possible personal liability which may be appropriate as the circumstance of the loss or theft may indicate.

STATUTORY AUTHORITY:**1001.42, F. S.****LAWS IMPLEMENTED:****1001.43, CHAPTER 274, F.S.****STATE BOARD OF EDUCATION RULE:****6A-1.087****HISTORY:**

ADOPTED:
REVISION DATE(S): 9/15/02
FORMERLY: 6.119

CHAPTER 7.00 - BUSINESS SERVICES

RISK MANAGEMENT INSURANCE

7.80

The Superintendent shall recommend annually to the School Board insurance programs, including property, liability, worker's compensation and motor vehicle insurance, that provide the best protection against loss to the District.

The Superintendent or designee is authorized to approve claim payments against the School Board up to deductible amounts specified in District risk insurance programs approved by the School Board. Claims payments in favor of the School District shall be accepted by the Superintendent or designee and shall be reflected in appropriate budget amendments brought to the School Board for approval.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1001.51, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.120**

CHAPTER 8.00 - AUXILIARY SERVICES

SAFETY

8.10*+

- (1) The safety of pupils, employees and visitors shall be the responsibility of the authorized person in charge of each site owned or operated by the School Board. The supervisor of each site or facility shall cause to be established a safety committee which shall be responsible for the promotion of a safety education and accident prevention program for that site.
- (2) Schools shall cooperate with the police, sheriff's department, fire department and other agencies promoting safety education.
- (3) To assist in carrying out the responsibilities for safety, each principal shall appoint a member of the staff as school safety coordinator.
- (4) No person shall bring on any School Board premises or have in his possession or in his vehicle any School Board property, any firearm, weapon or destructive device unless such weapon is required as part of his/her regular job responsibilities.

(5) Non-medical school district personnel shall not perform invasive medical services that require special medical knowledge, nursing judgment and nursing assessment, including but not limited to: sterile catheterization, nasogastric tube feedings, cleaning and maintaining a tracheotomy and deep suctioning of a tracheotomy. Non-medical assistive personnel can perform health related services upon successful completion of child-specific training by a registered nurse, a licensed practical nurse, a physician or a physician assistant. These procedures, which include but are not limited to clean intermittent catheterization, gastrostomy tube feedings, monitoring blood glucose and administering emergency injectable medications, must be monitored by a nurse. A registered nurse, licensed practical nurse, physician or physician assistant shall determine if non-medical school district personnel shall be allowed to perform any other invasive medical services not listed above.

- (6) The Superintendent or designee shall require that hazardous conditions found on any School Board property be reported immediately and that reported hazards be investigated and corrected or removed, as appropriate.
- (7) School alarm systems shall be monitored on a monthly basis or more frequently as needed. Any malfunction shall be reported for immediate repair.
- (8) The Superintendent shall develop and present to the board for approval appropriate emergency management and emergency preparedness plans.

STATUTORY AUTHORITY:

1001.41; 1001.42, F. S.

LAWS IMPLEMENTED:

316.614, 985.40, 1001.43; 1006.062(3), 1006.07, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: 6.508; 6.509**

CHAPTER 8.00 - AUXILIARY SERVICES

USE OF AUTOMATED EXTERNAL DEFIBRILLATORS

8.101*+

- (1) The School Board authorizes the use of Automated External Defibrillators (AED) in a perceived medical emergency and as authorized by the provisions of 401.2915, F. S. "Perceived medical emergency" means circumstances in which the behavior of an individual leads a reasonable person to believe that the individual is experiencing a life-threatening condition that requires an immediate medical response regarding the heart or other cardiopulmonary functioning of the individual 768.135(2)(a), F. S.
- (2) All persons who use an AED must obtain appropriate training in accordance with 401.2915, F.S.
- (3) Exceptions to the training requirements shall be in accordance with 768.1325(3) (c), F.S.
- (5) The Superintendent of Schools shall develop procedures to govern the implementation of this policy. The procedures shall be reviewed and approved by the Gadsden County Emergency Medical Services Director.

(5) The School District shall register each AED with the Gadsden County Department of Public Safety as required by 768.1325(4) (a), F. S. The Gadsden County Department of Public Safety will be notified any time a change is made in the location of an AED, or an AED is added or removed from service.

- (6) The School District shall ensure that each AED is properly maintained as required by 768.1325(3) (b).

STATUTORY AUTHORITY:

1001.41; 1001.42, F. S.

LAWS IMPLEMENTED:

401.2915; 768.1325; 1001.42, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

**©GCSB
NEW: 10/24/06**

GADSDEN 8.101*+

CHAPTER 8.00 - AUXILIARY SERVICES

SAFETY PROGRAM

8.11

The Board recognizes the necessity of a comprehensive Risk Management Safety Program designed to provide for the safety and health of its employees, students and the protection of its physical facilities and environment. This program shall ensure compliance with all applicable local, state and federal rules, regulations and procedures as they pertain to the safety and health of employees and students, and to the security of district facilities. The Code of Federal Regulations (CFR) as adopted by the state of Florida, for enforcement in all public sector employment locations, shall be strictly adhered to; in addition, the provisions relating to safety and health as contained in Florida Statutes.

This comprehensive program shall provide for the following:

- (1) Safety requirement for employees, students and visitors
- (2) Loss prevention/safety training
- (3) Work site safety inspections
- (4) Reporting of hazards
- (5) Work site safety committees
- (6) Accident/incident reports
- (7) Security
 - (a) Planning
 - (b) Security of personnel
 - (c) Security of facilities
 - (d) Monitoring
- (8) Contractor safety requirements.

STATUTORY AUTHORITY:

1001.42(6), F.S.

LAWS IMPLEMENTED:

316.614, 1006.062(3),
1006.07, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 8.00 - AUXILIARY SERVICES

TOXIC SUBSTANCES IN SCHOOL WORK AREAS

8.12+

The Superintendent shall develop and implement a program to ensure School Board employees are provided information concerning the nature of toxic substances which are used in the workplace. The program shall include, but not be limited to:

- (1) Notification of School Board employees of where to direct requests for information on such substances;
- (2) An orientation session, within thirty (30) days of employment, for all new School Board employees to advise them of any adverse health effects which may occur as a result of contact with toxic substances; and,
- (3) Distribution of information regarding the use of any toxic substances in the District school system to the local fire department.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

442.101, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

INFECTION CONTROL GUIDELINES

8.13

School Board employees who handle students' body secretions shall adhere to the following procedures which emphasize avoidance of direct contact of employees' skin and mucous membranes with blood and other body secretions or wastes of persons who may have a communicable disease:

- (1) Rubber or latex gloves shall be worn and discarded after one (1) use.
- (2) Body secretions or blood shall be removed by using a freshly prepared disinfectant solution as prescribed in approved District operating procedures. All soiled surfaces shall be cleaned with this mixture by using disposable towels, whenever possible. Any substitute disinfectant solution shall be approved by the appropriate District officer.
- (3) All soiled articles shall be disinfected and discarded in red bags pursuant to approved guidelines.
- (4) Mops and other cleaning implements shall be thoroughly rinsed in the disinfectant solution.
- (5) Hands shall be washed thoroughly with soap and water after removing gloves or if bare hands accidentally contact any body secretions.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1012.23, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

INSPECTIONS

8.14*

All school buildings shall be inspected at least once during each school fiscal year by a person who is certified by the designated state agency. Such inspection shall be conducted to determine compliance with State Board of Education rules and shall include, but not be limited to, wiring, plumbing, structural parts, safety hazards, and general repair needs. A copy of such inspection report(s) shall be submitted to the principal, Superintendent, and School Board.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

404.056, 1001.43, 1013.12, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03, 6/22/04, 2/23/05
FORMERLY: 6.510**

CHAPTER 8.00 - AUXILIARY SERVICES

FACILITY FIRE SAFETY INSPECTION

8.15*

When an authorized agent under the Florida Fire Prevention Code conducts a fire safety inspection as authorized in Florida Statutes, and it is determined that a serious fire safety hazard exists which poses an immediate danger to the public health safety, or welfare, the authorized agent and Superintendent are permitted to issue a joint order to vacate the facility in question, which order shall be effective immediately. The Superintendent shall immediately notify the School Board members about such an order.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

**125.56, Chapter 633,
1001.43, 1013.12, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

EMERGENCY EVACUATION DRILLS

8.16*

- (1) The Principal shall hold emergency evacuation and other emergency procedures drills during each month that school is in session in accordance with State Board of Education rules, with the first drill being held within the first five (5) days of the school term. A written report of each emergency evacuation drill shall be sent to the District office. Under current standards, required emergency evacuation drills are to be conducted no less than ten (10) times each school year. Should that number increase or decrease the Superintendent/designee shall immediately inform the schools of the change.
- (2) The principal and instructional and non-instructional school staff members shall develop a base emergency exit and cover plan for such emergencies as fire, bomb threats, foul weather and national emergencies, designed to familiarize the occupants with all means of exit and appropriate cover areas for emergencies. Special emergency exits that are not generally used during the normal occupancy of the building shall be carefully detailed and outlined. Diagrams shall be posted in each student occupied area clearly indicating fire exits and alternate evacuation routes.
- (3) The principal shall plan and assign to staff members the responsibility of the prompt and orderly evacuation of school buildings.
- (4) The principal shall identify and report to the Superintendent hazardous areas requiring corrective measures. The Superintendent shall be responsible for informing the School Board of the principal's report.
- (5) The Superintendent shall make available to each principal a copy of State Board of Education rules and any amendments adopted by the State Board of Education relating to emergency evacuation drills.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.07, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.114**

CHAPTER 8.00 - AUXILIARY SERVICES

EMERGENCY DISASTER

8.17*

School centers shall be available as emergency shelters for the office of Emergency Management in the event of an emergency disaster. Principals or designees shall be available to prepare their school plant as an emergency shelter when it is forecast that a storm or hurricane will hit in or near this geographical area.

- (1) Each school building principal shall provide an emergency disaster plan for his/her school in the event of a hurricane, tornado, or other civil defense emergency. This plan shall be printed and posted in all classrooms and shall be made available to all concerned parents and the school staff.
- (2) The emergency disaster plan of a high school shall include the use of the areas designated by the state of Florida as appropriate emergency shelters.
- (3) Food Service Managers shall be expected to cooperate in the food program when an emergency exists and shall be expected to issue food from storerooms and to keep an accurate account of all supplies purchased and donated. School food service personnel shall direct the use of all equipment when volunteer workers are used.
- (4) The District shall develop and maintain a comprehensive emergency disaster plan.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

235.02, 1001.43, 1013.10, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.506**

©EMCS
Revised: 9/15/02

GADSDEN 8.17*

CHAPTER 8.00 - AUXILIARY SERVICES

EMERGENCY CLOSING OF SCHOOLS

8.18

In case of an emergency, the Superintendent/designee is authorized to close any school or all schools and to dismiss a school(s) prior to the regular daily dismissal hour. Except that, the principal may dismiss the school when the Superintendent or designee cannot be contacted and an extreme emergency exists endangering the health, safety, or welfare of students. Any such early dismissal made by the principal shall be reported immediately to the Superintendent's office with a statement describing the reasons for early dismissal. Such report shall be submitted to the School Board at its next regular meeting unless a special meeting is held relating to the emergency.

- (1) In a declared state of emergency, control of students shall be maintained by school personnel until these students are released from school or in the case of transported students, until they depart from the school bus.
- (2) The principal shall cooperate with emergency preparedness authorities during a natural or man-made disaster. If a riot or similar situation occurs, the principal shall cooperate with the law enforcement authorities.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1001.51, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

SECURITY PLAN

8.19+

(1) All District schools shall develop and implement a school security program to be in effect during school operating hours. The security program shall be consistent with provisions in Florida Statutes and State Board of Education rules.

(2) Security plans may provide for security trailers to be located on school property.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, F.S.

STATE BOARD OF EDUCATION RULE:

6A-1.0403

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

PREVENTIVE MAINTENANCE

8.20

The Board shall strive to provide well-maintained schools and facilities which are safe from hazards, are sanitary, and are properly equipped, and adequately lighted and ventilated. The Superintendent shall be responsible for maintenance and upkeep of school plants.

The principal shall report, in writing, to the Facilities Department any needed repairs to any buildings or the grounds. Any emergency repairs shall be reported to the Department by telephone and confirmed in writing.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.507**

CHAPTER 8.00 - AUXILIARY SERVICES

SANITATION

8.21

The school principal or work site supervisor or designee shall be responsible for maintaining satisfactory standards of sanitation and housekeeping. A formal inspection of all buildings under his/her supervision shall be made at least once each month including all toilet areas, food service areas, storage rooms, and other student or staff occupied areas.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.42, 1001.43, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 6.509

CHAPTER 8.00 - AUXILIARY SERVICES

VANDALISM AND MALICIOUS MISCHIEF

8.22

The principal or designee shall report any vandalism immediately to the Superintendent and to the proper law enforcement agency giving all available information.

- I. A student who willfully damages school property shall be properly disciplined and his/her parent(s), as defined by Florida Statutes, if the student is a minor, shall be requested, in writing, to restore or to replace any damaged property in accordance with the true value as determined by the principal, the responsible District department head, or in extreme cases the Superintendent and/or School Board. In extreme cases of vandalism, a student shall be subject to suspension or expulsion from school under the charge of serious misconduct. The Code of Student Conduct shall identify disciplinary procedures for students who abuse school property. An adult student involved in the destruction of school property shall be held solely responsible for the damages.
- II. A civil action against the student's parent(s) may be instituted by the School Board in an appropriate action to recover damages in an amount not to exceed the limit prescribed by Florida Statutes if vandalism or theft of school property is known to have been committed by a minor and the parent(s) refuses to restore or replace the property.
- III. In any case of willful or negligent damage to school property by a person other than a student, the user or the person responsible for the damage shall replace the property or pay the damages in accordance with the true value as determined by the Superintendent.
- IV. Each organization which is granted a permit for the use of public property shall be responsible for any damage to the buildings, equipment, or grounds beyond that which would be considered normal wear and tear and shall pay for any such damage in accordance with the true value as determined by the Superintendent. Failure to comply with a request for payment of such assessed damages shall result in the individual, group, or organization being ineligible for further use of school property and such legal action as the School Board deems proper to recover the amount of damages.

STATUTORY AUTHORITY:

1001.41, 1001.42 F.S.

LAW(S) IMPLEMENTED:

741.24, 806.13, 1000.21, 1001.43, 1013.10, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: 6.503

CHAPTER 8.00 - AUXILIARY SERVICES

PURPOSE AND FUNCTIONS OF THE TRANSPORTATION PROGRAM

8.30*+

The transportation program shall be administered to provide safe and efficient services at the lowest possible cost. Transportation funds shall be used primarily to provide transportation of students to and from the nearest appropriate school as determined by the School Board and in accordance with Florida Statutes.

The Superintendent or designee shall be responsible for supervising, administering, investigating, and resolving problems of the District's transportation system. This shall include determination that all School Board employees involved with the transportation system are knowledgeable of applicable Florida Statutes and State Board of Education rules.

The Superintendent or designee shall develop a handbook which sets forth guidelines, responsibilities, directions and procedures for the District's transportation system. The handbooks and modifications to it shall be subject to School Board approval.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

**234.01; 1001.43, 1006.21, 1006.21(3),
1006.22, 1006.23, 1011.68, F.S.**

STATE BOARD OF EDUCATION RULE:

6A-3.017

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.301**

CHAPTER 8.00 - AUXILIARY SERVICES

STUDENT TRANSPORTATION

8.31*

Each student who is transported shall be entitled to free transportation provided he/she abides by the rules of safety and behavior necessary to operate the District's transportation system. Serious infraction of these rules may result in the loss of the student's privilege. The student's parent(s), as defined by Florida Statutes, shall be responsible for making sure the student abides by the rules or for providing the student's transportation. Suspension from a bus shall not affect the attendance laws and rules.

- I. Any student who resides two (2) or more miles from his/her designated school by the most direct traveled route is eligible to ride the school bus to and from that school. These students shall be reported for funding purposes. Under the following conditions, students who reside within two (2) miles of the designated school may be eligible to ride the school bus.
 - A. Special authorization is granted by the School Board.
 - B. An exceptional student not requiring special care may ride a school bus regardless of distance from home to school upon furnishing a statement from the director of exceptional students or designee certifying that the student is handicapped and is unable to walk to school.
- II. A student who is eligible for transportation and resides beyond the accessibility of a school bus may be provided transportation by payment from the School Board to the parent(s) for use of a private automobile or other conveyance for this purpose.
- III. The School Board may cooperate with other school districts to provide transportation for students.
 - A. When it is practical to extend a school bus route to serve any territory located in another school district, the School Board shall enter into an agreement with the School Board of the other district to provide transportation services to students residing in the adjacent school district. Any such agreement shall be recorded in the official School Board minutes of each School Board. The agreement shall state in detail the responsibility of each school board for operating the school bus and maintaining a daily schedule.
 - B. Whenever a school bus crosses a school district line, all rules of the School Board shall apply to students transported by the said school board unless otherwise stated in the agreement between the school boards.
- IV. Only a student who is regularly enrolled as a transported student and whose name appears on the bus driver's handbook for that bus shall be permitted to ride such bus while it is being operated on a regular school bus route except upon the written request of the transportation supervisor. Such approval may be granted only when the student's welfare is involved due to an emergency condition in the home. When an emergency condition exceeds five (5) school days, the Superintendent's approval shall be required. Approval shall not be allowed for:
 - A. Student visitation, unless duly authorized; or
 - B. A student to obtain transportation to his/her regular place of employment.
- V. No person shall be eligible for transportation on a field trip or extracurricular school trip unless he/she is authorized by the principal or designee.

- VI. Maximum regard for the safety of students and due consideration for the protection of health of all students transported shall be primary requirements in the routing of buses, establishing student stops, appointing drivers, and in providing and operating transportation equipment.
- VII. A student who arrives early or remains late because of transportation service shall be under school supervision at all times and shall, if practicable, have a planned schedule of activities. The principal shall be responsible for providing such supervision.
- VIII. Each route shall be planned and adjusted as nearly as possible to the bus capacity. Travel each morning and afternoon shall be considered in planning and establishing bus routes and, so far as practical, not exceed fifty (50) minutes for elementary students and sixty (60) minutes for secondary students.
- IX. Periodically student transportation routes and student walking conditions shall be reviewed to determine if hazardous conditions exist. Appropriate requests for designation of hazardous conditions shall be provided as required by state law or State Board of Education rules.

STATUTORY AUTHORITY: **1001.42, F.S.**

LAW(S) IMPLEMENTED: **1000.21, 1006.21, 1006.22, 1006.23, 1011.68, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-3.001, 6A-3.0171**

HISTORY: **ADOPTED: _____**
REVISION DATE(S): 10/15/06
FORMERLY: 6.302, 6.318

CHAPTER 8.00 - AUXILIARY SERVICES

BUS ROUTES

8.32

- (1) Designation of Bus Routes. The School Board shall delegate to the Superintendent authority to designate the route to be traveled regularly by each school bus. Each such route shall meet the following requirements:
 - (a) The route shall be planned, scheduled, and adjusted to the capacity of the bus to serve students whose homes are beyond a reasonable walking distance from the school center to which they are assigned, except as otherwise provided by Florida Statutes and State Board of Education Rules. The routing and scheduling of buses shall be planned to eliminate the necessity for students to stand while the bus is in motion. In emergency situations where the number of transported students in a bus exceeds the rated seating capacity, the bus shall proceed at such a reduced rate of speed to maximize students' safety.
 - (b) Designated school bus routes shall be restricted to those areas where road conditions, bridge capacities, and the number of transported students allow such service to be economically feasible and practicable.
 - (c) A route shall not be extended for the purpose of accommodating students whose homes are within a reasonable walking distance by a shorter or more economical route which is available to serve the students.
 - (d) School bus routes shall, insofar as possible, be restricted to main routes and county-maintained roads
 - (e) A suitable turning area shall be available for any route requiring a bus to be turned around.
 - (f) Only one (1) bus shall be assigned students on any given route unless the school schedules necessitate a dual assignment of buses.
 - (g) Student loading and unloading stops shall be established at least one quarter of a mile (1,320 feet) apart; provided, however, stops may be closer than one quarter of a mile when students' safety and welfare involved.
- (2) Spur Routes. A spur route shall exist only when a extremely hazardous condition is present, requiring the bus to deviate from the main trunk.

- (3) Change in Routes. School bus drivers shall not discontinue stops, begin new stops, or otherwise change a route without prior approval of the Superintendent or designee.
- (4) Other Provisions. Students who are approved to attend a District school which is not located in their assigned attendance area shall be ineligible for transportation provided by the School Board except as otherwise permitted by the School Board rule.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43; 1006.21, F.S.

STATE BOARD OF EDUCATION RULE:

6A-3.017

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.304**

CHAPTER 8.00 - AUXILIARY SERVICES

BUS EMERGENCY EVACUATION DRILLS

8.33*

- (1) The Superintendent or designee shall instruct bus drivers in the procedures to be followed while conducting a bus emergency evacuation drill. Initial instruction for bus drivers shall be provided during the first six (6) weeks of school for students.
- (2) The Superintendent or designee shall direct that each bus serving a school conduct an emergency evacuation drill during the first six (6) weeks of each semester.
- (a) The member of the transportation department or principal shall inform the bus drivers as to the day on which any practice emergency evacuation drill is to be conducted. The bus driver shall hold the drill as directed, and the transportation or principal shall record the process.
- (b) A practice emergency evacuation drill shall be held at a point in which the least possible danger exists from traffic.
- (c) Any bus driver serving more than one (1) school shall report for instruction to the school as determined by the transportation department.
- (d) The record of the drill shall be filed in the appropriate District office.
- (3) All transportation students shall be provided instruction on safe practices on and off the bus during the first six (6) weeks of the first semester of the school year.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.21, F.S.

STATE BOARD OF EDUCATION RULE:

6A-3.017

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.314**

**©EMCS
Revised: 9/15/02**

GADSDEN 8.33*

CHAPTER 8.00 - AUXILIARY SERVICES

INSTRUCTION IN BUS SAFETY PRACTICES

8.34*

Each school principal or designee shall provide instruction at least twice each year for all transported students in safe practices to board and depart from the school bus including emergency evacuations. Initial instruction shall be given during the first twenty (20) days of the school year and the second period of instruction shall be given during the first two (2) weeks of the second semester. The principal and his/her instructional staff members shall determine the most effective and practical manner in which to provide such instruction.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1006.21, F.S.

STATE BOARD OF EDUCATION RULE:

6A-3.017

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.315**

CHAPTER 8.00 - AUXILIARY SERVICES

TRANSPORTATION LIABILITY

8.341*

The Superintendent is directed to ensure that School Board liability is protected when transporting persons, other students and students to events or activities in which the School Board or school has agreed to participate or co-sponsor.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, 1006.21, 1006.24, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 7/15/03
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

EXITING THE SCHOOL BUS

8.35

No student shall leave the school bus on his/her way to or from school without the student's parent(s), as defined by Florida Statutes, and the principal or designee's written authorization except at the customary destination of the bus which shall be either the school or the assigned stop.

STATUTORY AUTHORITY: **1001.41, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **1000.21, 1006.21, 1006.22, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-3.0171**

HISTORY: **ADOPTED: _____**
REVISION DATE(S): 10/15/06
FORMERLY: NEW

TRANSPORTING STUDENTS IN PRIVATE VEHICLES

8.36*

- I. The Board will normally use school buses, as defined in Florida Statutes, for all regular transportation of students, prekindergarten through grade 12. *Regular transportation or regular use* means to and from school or school-related activities which are part of a scheduled series or sequence of events to the same location. Regular transportation of students in motor vehicles other than school buses may occur only under the following conditions:
 - A. When transportation is for a physically handicapped or isolated student and the Board has entered into a written agreement for the transportation of the student.
 - B. When the transportation is part of a comprehensive contract for a specialized educational program between the Board and a service provider for instruction, transportation and other services.
 - C. When the transportation is provided through a public transit system.
 - D. When transportation is for trips to and from school sites or agricultural education sites.
 - E. When transportation is for trips to and from agriculture related events or competitions.
- II. Except as provided in section I., the transportation of students in private vehicles may be authorized by the principal on a case-by-case basis only under the following conditions;
 - A. When a student is ill or injured and must be taken home or to a medical treatment facility under nonemergency circumstances and
 - 1. The school has been unable to contact the student's parent, as defined by Florida Statutes, or the parent or responsible adult designated by the parent is not available to provide the transportation;
 - 2. Proper adult supervision of the student is available at the location to which the student is being transported;
 - 3. The transportation is approved by the school principal or designee; and
 - 4. If the school has been unable to contact the parent prior to the transportation, the school continues to attempt to contact the parent until the school is able to notify the parent of the transportation and the circumstances.
 - B. When the transportation is in connection with a school function or event in which the school has undertaken to participate and
 - 1. The function is a single event which is not part of a scheduled series or sequence of events to the same location, such as, but not limited to, a field trip, recreational outing, a competitive or cooperative event, or an event connected to an educational program; and
 - 2. Transportation is not available, as a practical matter, using a school bus or school board passenger car; and

3. Each student's parent is notified in writing about the transportation arrangement and gives written consent before a student is transported in a private vehicle.
 - C. When Board employees are required to use their own vehicle to perform duties of employment, and such duties include the occasional transportation of students.
- III. A private vehicle used to transport students shall be a passenger car or multipurpose passenger vehicle or truck, as defined by federal law, designed to transport fewer than ten (10) students.
 - IV. Any private vehicles used to transport students under this policy shall be currently registered in the state of Florida, be insured for personal injury protection and property damage liability in at least the minimum amounts required by law, and be in good working order. A person wishing to transport students in a private vehicle will request approval by submitting his/her driver's license, vehicle registration and insurance identification card, to the principal in a reasonable amount of time before the planned travel. The principal will examine the driver's license, vehicle registration and insurance card, and determine that the driver meets the requirements of the District safe driver plan. The principal may, in his or her discretion, give approval for the transportation of students in the private vehicles as requested.
 - V. Student transportation in private vehicles may only be authorized for trips within the state of Florida. When transportation is authorized in a private vehicle, students may only be transported in designated seating positions and shall be required to use the occupant crash protection system provided by the vehicle manufacturer. A student who is transported to an activity in a private vehicle approved under this policy shall return from the activity in the same vehicle, unless the student is released to his/her parent.
 - VI. Employees will be covered by the Board's liability program when they are transporting students as part of their assigned or related duties. Benefits due from private vehicle insurance will be primary, except for workers' compensation, in accordance with state law.
 - VII. Notwithstanding any other provision of this policy, in an emergency situation which constitutes an imminent threat to student health or safety, school personnel may take whatever action is necessary under the circumstances to protect students.

STATUTORY AUTHORITY:**1001.42, 1001.43, F.S.****LAW(S) IMPLEMENTED:****1000.21, 1006.21, 1006.22, 1006.24, F.S.****STATE BOARD OF EDUCATION RULE(S):****6A-3.0171****HISTORY:**

ADOPTED: _____
REVISION DATE(S): 10/15/06
FORMERLY: 6.303

CHAPTER 8.00 - AUXILIARY SERVICES

SEAT BELTS

8.37

- (1) The operator and each passenger of a motor vehicle who are conducting School Board business or a school-related activity shall be restrained by a safety belt when the vehicle is in motion. This provision is applicable to all vehicles as defined in Florida Statutes, except for the following:
- (a) A school bus except as required by law;
 - (b) A bus used for transportation of persons for compensation;
 - (c) A farm tractor or implement of husbandry;
 - (d) A truck of net weight of more than five thousand (5,000) pounds; and,
 - (e) A motorcycle, moped, or bicycle.

(2) The number of passengers of a vehicle shall not exceed the number of safety belts which were installed by the manufacturer.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

316.003, 316.614, 1001.43; 1006.21, F.S.

STATE BOARD OF EDUCATION RULE:

6A-3.017

HISTORY:

**ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: NEW**

**©EMCS
Revised: 6/22/04**

GADSDEN 8.37

CHAPTER 8.00 - AUXILIARY SERVICES

AUTOMOTIVE EQUIPMENT

8.38

All automotive equipment owned by the School Board shall be assigned to the Superintendent or designee for proper care and maintenance.

- (1) Automotive equipment shall be used exclusively for school business. It shall not be used for unauthorized purposes.
 - (a) The Superintendent shall report any unauthorized equipment usage to the School Board.
 - (b) Violation of this rule shall be cause for disciplinary action.
- (2) Failure of the operator to notify the Transportation Supervisor as to any mechanical defect of any piece of automotive equipment may be cause for disciplinary action by the School Board.
- (3) All mechanical defects of equipment, where repairs are needed, shall be the Superintendent or designee's responsibility and repairs shall be made immediately; provided that the vehicle may be withdrawn from use by the Superintendent until the repairs are made. The School Board shall not assume any financial responsibility for purchases or contract for repairs unless prior approval is obtained from the Superintendent or designee.
- (4) The Transportation Supervisor shall determine that all equipment is inspected at regular intervals. The equipment shall be placed in the District's garages for repairs or service if needed.
- (5) Under no conditions shall equipment be repaired by a private shop or private individual without approval of the Superintendent or Transportation Supervisor.
- (6) The person who is assigned a vehicle on a full-time basis shall be responsible for delivering the vehicle to the District's garage for inspection as prescribed by the Transportation Supervisor.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

1006.21, 1006.22, F. S.

STATE BOARD OF EDUCATION RULE:

6A-3.017

HISTORY:

ADOPTED:

REVISION DATE(S):

FORMERLY: NEW

CHAPTER 8.00 - AUXILIARY SERVICES

VEHICLE MAINTENANCE PROGRAM

8.39

- (1) All transportation equipment shall be maintained in safe operating condition. The Transportation Supervisor shall be responsible for a planned program of maintenance to keep all vehicles running safely and efficiently. This program shall include:
 - (a) Instructing bus drivers in methods of anticipating and noting maintenance problems;
 - (b) Inspecting and servicing all vehicles as prescribed in State Board of Education rules on a periodic basis;
 - (c) Maintaining service and repair records on each vehicle as required by State Board of Education rules. A checklist shall be devised for use in recording the results of the safety inspection;
 - (d) Planning and scheduling preventive maintenance, through major overhaul and repair of all equipment; and,
 - (e) Training through in-service activities for apprentice mechanics.
- (2) The mechanical condition of each school bus shall be determined at least once each thirty (30) working days that the bus is in operation. Any school bus which does not comply with the requirements of Florida Statutes and State Board of Education rules shall be withdrawn immediately from use until it meets such requirements.
- (3) Only School Board or government-owned vehicles may be repaired or serviced in the school bus garage.
- (4) The School Board shall maintain appropriate school bus replacement programs to assure appropriate maintenance of the bus fleet.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

1006.21, 1006.22, 1006.25, F.S.

STATE BOARD OF EDUCATION RULES:

6A-3.017

HISTORY:

ADOPTED:
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: 6.313

CHAPTER 8.00 - AUXILIARY SERVICES

GENERAL FOOD SERVICE REQUIREMENTS

8.40*+

- (1) The school food service program shall operate according to requirements set forth in Florida Statutes and State Board of Education rules. The school food service program shall include the federally reimbursed lunch program, ala carte food, beverage offerings, and sale of food and beverage items offered by School Food services through vending machines or other methods to students at all school facilities during the school day and may include the federally reimbursed breakfast program.
- (2) The school food service program shall be an integral part of the District's educational program, offering nutritional and educational opportunities to students.
- (3) Foods and beverages available in schools shall be only those which meet the nutritional needs of students and contribute to the development of desirable health habits unless permitted otherwise by State Board of Education rules and approved by the Superintendent.
- (4) The school food service program shall meet the standards for Food Service and Sanitation and Safety as provided by the Florida State Board of Health and Florida State Department of Education.
- (5) School food and nutrition service funds shall not be considered or treated as internal funds of the local school, but shall be a part of the district school funds. School food and nutrition service funds shall be subject to all the requirements applicable to the district fund such as budgeting, accounting, reporting, and purchasing and such additional requirements is set forth in the written procedures manual authorized in this policy.
- (6) USDA commodities shall be acquired, stored, and utilized in accordance with United States Department of Agriculture and related State Board of Education rules.
- (7) The Superintendent or designee shall develop a written procedures manual to govern school food and nutritional services programs.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.06, 1006.0605, F. S.

STATE BOARD OF EDUCATION RULE:

6A-7.040; 6A-7.041; 6A-7.042; 6A-7.045

HISTORY:**ADOPTED:**
REVISION DATE(S): 9/15/02, 7/15/03
FORMERLY: 6.401

CHAPTER 8.00 - AUXILIARY SERVICES

MEAL PATTERNS

8.41*

All schools with grades K-12 shall participate in the National School Lunch Program and shall serve student lunches according to meal patterns established by the United States Department of Agriculture. Schools may participate in the National School Breakfast Program; breakfast shall be served to students according to meal patterns established by the United States Department of Agriculture.

STATUTORY AUTHORITY:

1001.42, 1001.43, F. S.

LAWS IMPLEMENTED:

1006.06, F.S.

STATE BOARD OF EDUCATION RULE:

6A-7.040

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

FREE AND REDUCED PRICE MEALS

8.42*

Free or reduced price meals shall be served to all students who are unable to pay the full price of meals and who qualify based on eligibility criteria approved by the School Board.

- (1) The income Eligibility Guidelines for free or reduced price meals shall be in accordance with the scales provided by the Florida Department of Education as adopted by the State Board of Education based upon income guidelines prescribed by the United States Secretary of Agriculture.
- (2) Eligibility criteria shall be applicable to all District schools and shall provide that all students from a family meeting the eligibility criteria and attending any District school are offered the same benefits.
- (3) Procedures for implementing the free and reduced price meal services shall be reviewed annually and shall be in accordance with procedures and guidelines published by the Florida Department of Education and the United States Department of Agriculture.

STATUTORY AUTHORITY:

1001.42, 1001.43, F. S.

LAWS IMPLEMENTED:

1006.06, 1006.0605, F.S.

STATE BOARD OF EDUCATION RULES:

6A-7.0421

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.402**

CHAPTER 8.00 - AUXILIARY SERVICES

SUMMER NUTRITION PROGRAM

8.44+

- I. The District shall develop a plan to sponsor a summer nutrition program. One (1) site shall be within five (5) miles of an elementary school at which fifty percent (50%) of the students qualify for free or reduced price school meals and shall operate for thirty-five (35) consecutive days. The remaining sites shall be within ten (10) miles of each elementary school at which fifty percent (50%) of the students qualify for free or reduced price school meals. The Superintendent may collaborate with governmental agencies and not-for-profit entities in implementing this plan.

- II. The School Board may seek an exemption from sponsoring a summer nutrition program as provided by law. Annually the School Board shall reconsider the decision to be exempt from providing a summer nutrition program. The School Board shall notify the Commissioner of Education within ten (10) days of the decision to continue the exemption.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.0606, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S): 08/23/05
FORMERLY: NEW

CHAPTER 8.00 - AUXILIARY SERVICES

SCHOOL CONSTRUCTION BIDS

8.50*

- (1) All school construction bids shall be the immediate responsibility of the Superintendent or designee. All applicable Florida Statutes, State Board of Education rules, and School Board rules shall be observed in school construction bid procedures.
- (2) The Superintendent or designee shall be responsible for preparing the legal notice for bids and shall determine that such notice meets the requirements of Florida Statutes and State Board of Education rules and contains the information needed by the prospective bidders to include the following:
 - (a) Date, time and place relating to submitting of bids;
 - (b) Pre-qualifications of bidder;
 - (c) Procedures for presenting bids;
 - (d) Conditions and terms for receiving bids;
 - (e) Procedures to be followed in opening and presenting bids to the School Board; and,
 - (f) Conditions for awarding contracts based on bids.
- (3) The advertisement for bids shall be published in at least one (1) local newspaper having circulation in the district. Such advertisement shall be published at least once each week for three (3) consecutive weeks and the last notice shall appear at least one (1) week prior to the opening of bids.
- (4) In addition to the publishing of the advertisement for bids, the bid documents shall be sent to at least three (3) prospective bidders. The advertisement or specifications shall not specify the use of materials or systems by a sole source.
- (5) Bid bonds shall be required on new construction and any renovations or remodeling exceeding twenty-five thousand dollars (\$25,000.00).
- (6) These provisions shall be followed for construction bids:
 - (a) The bid time and date shall be established by the School Board after the Superintendent's recommendation.

- (b) Bids shall be opened at the designated time in the invitation to bid. At the designated time, the person presiding shall inquire if all bids have been received; no other bids shall be accepted and no bid may be withdrawn after the deadline. Negligence on the part of the bidder in preparing the bid shall confer no right for withdrawal after the designated time for opening of bids. Bids by telegram shall not be accepted nor shall any other type of bid be accepted which cannot be classified as a sealed bid. Bids received by mail shall be stamped with the time and date received by the Purchasing office.
 - (c) All bids shall be opened, read aloud, and recorded in the presence of all persons.
 - (d) Each bid shall be accompanied by a bid bond, a certified check, or a cashier's check in an amount equal to five percent (5%) of the total amount of the bid. Failure to include such bond shall automatically disqualify the bid from further consideration.
 - (e) The board will consider all bids received and within the time limit stated in the advertisement for bids will either reject all bids or award the contract to the lowest and best bid with preference to materials, contracts, builders, architects, and laborers who reside within the county and state, whenever such materials can be purchased at no greater expense.
 - (f) When a construction contract has been awarded to a contractor on the basis of proper bids, payments on that contract shall be made on a scheduled basis in an amount approved by the architect. This amount shall consider the ten percent (10%) hold-back required by Florida Statutes. Upon completion of the construction, the final payment shall be made only on the School Board's approval after proper inspection of the facilities.
- (7) The specifications for construction bids may not be written to limit any purchase of systems or materials to a specific brand or a single source of supply, unless the School Board, after consideration of all available alternative materials and system, determines that the specifications of a sole material or system is justifiable, based upon its cost interchangeability.
- (8) All bid requests shall include a notification to bidders that failure to file a bid protest within the time and in the manner prescribed by School Board rule shall constitute a waiver of any further right to protest such bid award.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

255.04, 287.055, 287.057,
1001.43, 1013.46 - .48, F. S.

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY: 6.103

CHAPTER 8.00 - AUXILIARY SERVICES

PREQUALIFICATION OF CONTRACTORS FOR EDUCATIONAL FACILITIES CONSTRUCTION

8.502

The School Board shall pre-qualify contractors for a one year period or for a specific project in accordance with the following:

- (1) **Criteria.** Contractors shall be pre-qualified on the basis of the following criteria and any additional criteria specific to the project under consideration:
 - (a) Proof that the contractor holds a contractor's license which authorizes the contractor to supervise work within the scope of the construction project.
 - (b) Evidence that the applicant has financial resources to start up and follow through on projects and to respond to damages in case of default as shown by written verification of bonding capacity equal to or exceeding the amount of any project for which the contractor seeks prequalification. The written verification must be submitted by a licensed surety company rated excellent ("A-" or better) in the current A.M. Best Guide and qualified to do business within the State. In the absence of such written verification, the Board may require the applicant to submit any audited financial information necessary to evaluate an applicant's financial ability to perform the project and to respond to damages in the event of default.
 - (c) Evidence of experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects, and building codes for similar or less cost or scope projects of similar size within the past five (5) years.
 - (d) Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or similar size within the five (5) years preceding the submission of the application. Any claim against a contractor shall be deemed to have been satisfactorily resolved if final judgment is rendered in favor of the contractor or any final judgment rendered against the contractor is satisfied within ninety (90) days of the date the judgment becomes final.
 - (e) Type of work for which the contractor is licensed.
- (2) **Procedures.**

- (a) The Board shall hold a public hearing to discuss the Board's intent to pre-qualify contractors and the proposed policies, procedures and rules.
- (b) The Board shall publish two (2) notices of the public hearing in a local newspaper having general circulation throughout the district and least thirty (30) days and again seven (7) days prior to the hearing. The notice shall contain at least the purpose, date, time, and place of the hearing.
- (c) It is the policy and procedure of the Board to provide for open competition which shall not prevent the submission of a bid, nor prohibit the consideration of a bid submitted by a prequalified contractor. Those standards which the Board applies when soliciting bids for goods and services generally shall be applied equally to the solicitation of bids from prequalified contractors.
- (d) It is the policy of the Board to allow for prequalification of any responsible contractor who, through its submittal to the Board, meets the uniform criteria established by the State Requirements for Educational Facilities and incorporated in Section 1 of this policy whether such contractor is a resident or non-resident of the geographical area served by the Board.
- (e) It is the policy of the Board to allow those contractors seeking prequalification to submit all required company financial information separate and apart from the other required submittals, as specifically outlined in the Prequalification Submittals section of the Request for Qualifications, in order to endeavor to protect privileged company information from public disclosure.
- (f) The Board shall appoint a Contractor Prequalification Review Committee to review and evaluate the submissions and to make recommendations to the Board as to which contractors should be prequalified to bid for type of project, dollar volume and limits allowed within the scope of the prequalification.
- (g) These prequalification procedures shall not supersede any small business, woman-owned, or minority-owned business enterprise preference program adopted by the Board.
- (h) Notwithstanding anything contained herein, the Board may reject any proposals which, in the Board's sole opinion, contain inaccurate information. In addition, the Board shall have the sole discretion to declare a contractor delinquent and to suspend or revoke a prequalification certificate.

- (i) The Board shall receive and either approve or reject each application for prequalification within sixty (60) days after receipt by the Board's administrator. Approval shall be based on the criteria and procedures established in this policy.
- (3) **Application.** Each contractor, firm, or person requesting prequalification shall submit separate applications that include the following:
- (a) Detailed information on Board prescribed forms setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a Public Entity Crimes Statement, and references.
 - (b) Audited financial information current within the past twelve (12) months, such as a balance sheet and statement of operations, and bonding capacity. The requirement for financial information may be satisfied by the contractor providing written verification of the contractor's bonding capacity.
 - (c) General information about the contractor company, its principals, and its history, including state and date of incorporation.
 - (d) Contractor trade categories and information regarding the state and local license and license numbers held by the applicant.
 - (e) A list of projects completed within the past five (5) years, including dates, clients, approximate dollar value, and size.
 - (f) Certificates of insurance confirming current worker's compensation, public liability and property damage insurance as required by law.
 - (g) A list of all pending litigation and all litigation within the past five (5) years, including an explanation of each. Litigation initiated by the contractor to protect the contractor's legal rights shall not be used as a basis for rejecting prequalification.
 - (h) The completed application and financial information shall be attested to and signed by an authorized officer of the company, the owner, or sole proprietor, as appropriate. The signature shall be notarized.
 - (i) **EXCEPTION:** When two (2) or more prequalified contractors wish to combine their assets for a specific project, they may do so by filling an affidavit of joint venture. Such affidavit shall be valid only for that specific project.

- (4) **Issuance of Certificate.** The Board shall issue to all prequalified contractors a certificate valid for one (1) year or for the specific project. That certificate shall include the following:
 - (a) A statement indicating that the contractor may bid for projects during the time period specified.
 - (b) A statement establishing the type of work the contractor will be permitted to provide.
 - (c) A statement establishing the total dollar value of work the contractor will be permitted to have under contract with the Board at any one time as determined by the contractor's bonding capacity or ten (10) times the net quick assets.
 - (d) A statement establishing the maximum dollar value of each individual project the contractor will be permitted to have under contract with the Board at any one time. The maximum value of each project may be up to twice the value of the largest project previously completed, but shall not exceed the contractor's bonding capacity or ten (10) times the net quick assets.
 - (e) The expiration date of the certificate.
- (5) **Renewal of Certificate.** Certificates not for a specific project shall be renewed annually.
 - (a) Financial statements or written verification of bonding capacity on file with the Board shall be updated annually. Failure to submit a new statement or verification of bonding capacity, after at least thirty (30) days written notice by the Board, shall automatically revoke a prequalification certificate.
 - (b) Prequalified contractors may request a revision of their prequalifications status at any time they believe the dollar volume of work under contract or the size or complexity of the projects should be increased if experience, staff size, staff qualifications, and other pertinent data justify the action.
- (6) **Delinquency.** The decision to declare a contractor delinquent may only be made by the superintendent and must be ratified by the Board at its next regular meeting following the decision by the superintendent. Should the contractor be determined to be delinquent, after notice and an opportunity for a fair hearing, the Board shall notify the contractor and his surety, in writing, that the contractor is disqualified from bidding work with

the Board as long as the delinquent status exists. A delinquent condition may be determined to be in effect when one (1) or more of the following conditions occur without justifiable cause:

- (a) A substantial or repeated failure to comply with contract documents after written notice of such non-compliance.
 - (b) A substantial or repeated failure to provide supervision and coordination of subcontractor's work after written notice of such failure.
 - (c) Substantial deviation from project time schedules after written notice of noncompliance.
 - (d) Substantial or repeated failure to pay subcontractor's after the Board has paid the contractor for the work performed by the subcontractors and in accordance with approved requisitions for payment.
 - (e) Substantial or repeated failure to provide the quality of workmanship compatible with the trades standards for the community after written notice of such failure.
 - (f) Substantial or repeated failure to comply with the warranty requirements of previous contracts after written notice of such failure.
 - (g) Failure to maintain the required insurance coverage after written notice of such failure.
- (7) Suspension or Revocation. The Board may, for good cause, suspend a contractor for a specified period of time or revoke the prequalification certificate. Causes for suspension or revocation shall include, but not be limited to, one or more of the following:
- (a) Inaccurate or misleading statements included in the application.
 - (b) Declared in default by the Board.
 - (c) Adjudged to be bankrupt.
 - (d) Performance, in connection with contract work, becomes unsatisfactory to the Board, based on the Board asserting and recovering liquidated damages in an action against the contractor.
 - (e) Payment record, in connection with contract work, becomes unsatisfactory to the Board, based on the contractor's failure to

comply with the Construction Prompt Pay Act (Section 715.12, F.S.).

- (f) Becomes delinquent on a construction project pursuant to section 6 above.
 - (g) Contractor’s license becomes suspended or is revoked.
 - (h) No longer meets the uniform prequalification criteria established in this policy.
- (8) **Appeal.** A contractor whose application has been rejected or whose certificate has been suspended or revoked by the Board shall be given the benefit of reconsideration and appeal as follows:
- (a) The aggrieved contractor may, within ten (10) days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of appeal.
 - (b) The Board shall act upon the contractor’s request within thirty (30) calendar days after the filing and shall notify the contractor of its action to adhere to, modify, or reverse its original action. The Board may require additional information to justify the reconsideration.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, F.S.

STATE BOARD OF EDUCATION RULE:

6A-2.001

HISTORY:

**ADOPTED:
REVISION DATE(S): 7/15/03
Formerly: new**

CHAPTER 8.00 - AUXILIARY SERVICES

RENOVATIONS OR REMODELING OF FACILITIES

8.51

- (1) The Superintendent when recommending the preliminary school budget, or any amendments thereto relating to capital outlay projects may, after evaluation, recommend to the School Board that suitable projects costing two hundred thousand dollars (\$200,000.00) or less be provided on a day labor basis.
- (2) Parent groups, school staff and civic associations often raise funds to make improvements to various School Board facilities. Such changes are regulated by building codes, Florida State Department of Education rules, School Board rules and Florida Statutes. In addition, these changes often have cost implications on maintenance, energy usage and inhibitions to future site construction. The change or addition always poses questions regarding Board liability for the facilities as any deviation from State Regulations would be a factor in a damage suit, if the change in facility was related to a personal injury.
- (3) When a project is being considered at any existing facility, the following procedures shall be followed:
 - (a) A description of the proposed project, including an approximation of the expected cost, shall be submitted to the school principal for review and approval on the Request for Change(s) to School Board Facility form.
 - (b) Full funding for the design costs, construction and any other related costs must be identified.
 - (c) If the principal is in agreement, he/she shall request approval from the Superintendent to submit the request.
 - (i) If the project requires funding from the District, the Director of Finance must be consulted to determine feasibility and availability of funds.
 - (ii) Should a booster club, PTA, or other school affiliated group be supplying the funds, the Superintendent must be informed.
 - (iii) All projects must comply with State Board of Education rules.
 - (iv) If the project will affect the student capacity of the school, approval of the Superintendent is required.

- (d) Prior to an installation or construction, a detailed design must be submitted to the Facilities Supervisor. The content of this request shall include a detailed project description and a statement regarding the method of funding. Plans and/or specifications will be reviewed by the Facilities and Maintenance Departments.
- (i) Upon completion of the plans and specifications, such must be submitted for review for compliance with State Board of Education Regulations with consideration given to the impact upon the maintenance and energy usage of the facilities and inhibitions to future site construction. A minimum of ten (10) days is required and must be provided for review of plans and specifications, plus time to prepare an agenda item to present to the School Board if judged appropriate by the Superintendent.
 - (ii) After approval by the School Board, plans may require submission to the Department of Education. (Department of Education approval which will take approximately two (2) to three (3) months.)
 - (iii) Upon Department of Education approval, (if required), the project must either be formally advertised and bid, in accordance with State Board of Education rules or a minimum of three (3) sealed proposals must be obtained to ensure compliance with the Construction Documents. The bids must contain a work schedule to facilitate inspections by the reviewing department.
- Projects funded by booster clubs, PTA or other school affiliated groups, will also be handled by the “respective” group during the bid/proposal process. It is recommended proposals be sealed when submitted and opened at a designated time, in the presence of at least the school principal, the president of the parent group, a representative of the purchasing department, facilities department, or maintenance department, and the designing architect/engineer, if applicable.
- (e) In the event the project cost is expected to exceed \$10,000.00, a registered architect/registered professional engineer must be engaged to design, prepare, and “Seal” the necessary construction documents in accordance with State Board of Education rules. The project cost shall include all materials and labor, production design fees, reproductions, testing and surveys.

- (f) All bids or proposals, including work schedules, must then be submitted to the Facilities Supervisor for review and determination of the low bidder's compliance with the projects' contract documents. The project's originating group must make a recommendation regarding acceptance of the low bidder.
- (g) When compliance has been established, PTA, booster club, or other school affiliated group will receive written authorization to proceed from the Superintendent.
- (h) Depending on the scope of work involved, supplemental, periodic inspections may be made by the maintenance department as determined by the facilities supervisor.
- (i) Upon completion of the work the facilities supervisor must be contacted for final inspection prior to acceptance of the School Board at one of its regularly scheduled meetings.

STATUTORY AUTHORITY: 1001.41; 1001.42, F. S.

LAWS IMPLEMENTED: 1001.43, 1013.01, 1013.35, 1013.45, F.S.

STATE BOARD OF EDUCATION RULES: 6A-2.0111

HISTORY: ADOPTED:
REVISION DATE(S):
FORMERLY: 6.505

CHAPTER 8.00 - AUXILIARY SERVICES

CHANGE ORDERS

8.52

The Superintendent is authorized to approve and execute any construction contract Change Order which will decrease the construction contract amount or which will increase the construction contract amount by twenty-five thousand dollars (\$25,000.00) or less, provided the approval is in the best interest of the Board. To assure that the board receives quality work and maximum value, changes in the work shall be placed out for bid whenever practical or feasible. Each approval shall be reported by the Superintendent to the Board and entered in the official minutes at the next regular Board meeting.

- (1) Any Change Order which will increase the construction contract amount by more than twenty-five thousand dollars (\$25,000.00) shall be submitted by the Superintendent to the Board for review and action thereon. No such Change Order shall be binding until it is approved and executed by the Board.
- (2) Requested Change Orders concerning the same subject shall not be split in the event that the sum total of the initial requested change increases the contract amount by more than twenty-five thousand dollars (\$25,000.00).
- (3) With all requested Change Orders the Contractor shall provide, prior to commencing the work involved, accurate cost data in sufficient detail to enable any Architect or Engineer to evaluate and confirm its accuracy and the fair market value of all labor, materials, equipment, and incidentals required to accomplish the change.
- (4) With all requested Change Orders the Architect of Record for the Project shall certify in writing to the Superintendent and the Board that the cost of the requested change is fair, reasonable, and in proper proportion to the cost of the original work of the contract and shall recommend action thereon.
- (5) The cumulative total of all approved Change Orders on any project shall not increase the original construction contract amount by more than eight percent (8%) or \$100,000, whichever is less, without prior Board approval.
- (6) The Director of Facilities shall serve in the Superintendent's capacity for Change Order authorization whenever the Superintendent is absent or is ill. It is the intent of the Board that this provision be used sparingly. When construction changes can wait for the Superintendent's return, without undue harm or project delay, the approval shall wait for the Superintendent's personal review and signature.

- (7) All Change Orders shall be in compliance with Florida Statutes; Florida Department of Education publication titled "State Requirements for Educational Facilities, 1994" or any successor statute or rule.

STATUTORY AUTHORITY: 1001.41, 1006.28, 1001.51, 1013.48, F.S.

LAWS IMPLEMENTED: 1001.43, 1013.48, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.511**

CHAPTER 8.00 - AUXILIARY SERVICES

IMPROVEMENTS TO SCHOOL PLANTS AND GROUNDS

8.53

Any group, including the parent-teacher organization, which desires to improve the school site, to add facilities, or to install equipment, shall submit a written proposal to the principal and Superintendent for approval. Any such improvement or addition shall become the property of the School Board. Permanent structures shall have utilitarian value in the operation of the school or may be erected in memory of some individual or group that has been associated with the school either as a student or School Board employee or an organization which has made some outstanding contribution to the school or District school system.

- (1) Articles of equipment donated to schools by individuals, groups, or organizations may be accepted if they contribute to the operation of the school program. Donors shall be notified that the title of this gift be in the name of the School Board.
- (2) All property, acquired, moved, or transferred which require alterations to the buildings or grounds for utilization of the facilities, shall be submitted for the Superintendent or designee's approval or disapproval. The request shall include a description and method of financing the property. Any agreement in which District funds are to supplement installation shall require prior written approval. All installations, including air conditioners, shall be in compliance with the overall plan for the building and its maintenance.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.42; 1001.43; 1001.44; 1013.37,
1013.371, 1013.372, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.502**

CHAPTER 8.00 - AUXILIARY SERVICES

MINORITY BUSINESS PARTICIPATION IN CERTAIN CONTRACTS

8.54

- (1) Construction and Definitions. In construing this rule and each and every word, phrase, or part hereof, where the context will permit: (1) the singular includes the plural and vice versa; and (2) the masculine includes the feminine and neuter and vice versa. As used in this rule, the expressions "small business", "minority person", "minority business enterprise", and "certified minority business enterprise" shall have the same respective meanings as those expressions have when used in Section 287.093, Florida Statutes, the "Florida Small and Minority Business Assistance Act of 1985".
- (2) Scope and General Policy. It is the policy of the School Board that, in the performance of contracts for the construction, remodeling, repair or maintenance of its facilities, minority business enterprises (MBE's) shall have the maximum feasible opportunity for participation; provided that this rule shall be applicable only to such contracts of which the total dollar amount shall be one hundred thousand dollars (\$100,000) or more.
 - (a) The prime contractor (contractor) may, in lieu of making an independent investigation as to the status of any subcontractor as a minority business enterprise (MBE), rely on a written statement, furnished by the Department of General Services of the State of Florida and kept on file by the contractor, to the effect that the business of the subcontractor is currently a "certified minority business enterprise" as defined in Section 288.703, Florida Statutes. If the contractor elects to independently investigate whether a subcontractor qualifies as an MBE, the contractor shall provide an affidavit stating that he has so investigated and verified that the subcontractor is a qualified MBE.
- (3) Policy Implementation. In implementation of the policy described in Subsection (2), and as to each such contract, the specifications submitted to each prospective bidder shall include a copy of this rule, compliance with which will be monitored by the architect involved in the applicable contract.
- (4) Goal.
 - (a) The contractor agrees that he will make a good faith effort to subcontract at least ten (10) percent of the total value of the contract to MBE's. For purposes of MBE participation, the term "subcontract" includes those contracts, executed by the contractor in performance of the work on the School Board's facilities under the contract, for construction, remodeling, repair, site-improvement, service work, and supplies or materials. It is not made a requirement that the contractor in fact meet or exceed these goals in his subcontracting; however, it is a requirement that the contractor objectively demonstrate to the School Board that he has exerted good faith efforts to meet these goals. Notwithstanding the fact that the contractor may have the capability to complete the total project with his own work force and without the use of subcontractors, the contractor will still be required to make good faith efforts to subcontract to MBE's a share of the work consistent with the goals stated herein. An MBE contractor is prohibited from subcontracting more than ninety (90) percent of the original contracted amount to a majority subcontractor.

- (b) The degree of goal attainment by minority-majority joint ventures, minority contractors, and minority suppliers shall be calculated as follows:
 - (i) A joint venture consisting of minority and majority business enterprises, which joint venture is functioning as a contractor, will be credited with minority participation on the basis of the percentage of the dollar amount of the work to be performed by the MBE. For example, if such a joint venture proposes to perform fifty (50) percent of the contract, the total value of which is \$1,000,000.00, and fifty (50) percent of the work is to be performed by the minority partner in the joint venture, minority participation will be credited as twenty-five (25) percent of the total work or \$250,000.00.
 - (ii) If the contractor is an MBE, he will be credited with minority participation for the portion of the contract which he performs and that portion which he subcontracts to other MBE's. For example, if the contractor is an MBE and proposes to perform the contract for a total price of \$1,000,000.00 and then subcontracts twenty-five (25) percent to a majority firm and twenty-five (25) percent to another MBE, the minority participation will be credited as 75 percent or \$750,000.00.
 - (iii) The contractor will receive ten (10) percent credit toward goal attainment for the use of MBE's who are suppliers of materials. For example, where the contractor proposes to purchase \$100,000.00 worth of construction materials from an MBE supplier, then \$10,000.00 will be credited toward the contractor's MBE participation goal. However, where the MBE supplier is also the manufacturer of the product supplied, then minority participation will be credited as 100 percent of the dollar amount of the materials so supplied.
 - (c) The contractor shall maintain records showing both awards of subcontracts to MBE's, and good faith efforts to identify and award subcontracts to MBE's. The contractor shall also submit periodic status reports, as required by the architect, regarding the contractor's attainment of the MBE goals stated herein, and in a form and manner to be prescribed by the School Board.
- (5) Good Faith Efforts.
- (a) Any bidder who fails to agree to make a good faith effort to subcontract at least ten (10) percent of the total value of the contract to MBE's shall have his bid rejected as being nonresponsive.
 - (b) The contractor shall be deemed to be in compliance with the School Board's MBE participation requirements if he meets or exceeds or demonstrates that he made good faith efforts to meet or exceed the goals previously expressed herein for participation of MBE's as contractors, subcontractors, and suppliers. The contractor's commitment to the goals for MBE participation constitutes a commitment that he will make every good faith effort to meet those goals. No contractor shall be found to be in non-compliance solely due to his failure to meet the MBE participation goals stated herein, unless the contractor fails to make good faith efforts to achieve the MBE participation goals.
 - (c) Should the contractor fail to attain the goals for MBE participation set forth herein, he must demonstrate to the School Board his good faith efforts by documentation which includes, at least, the following:

- (i) Documentation of announcements in minority trade association newsletters and/or minority-owned media for specific subcontracting opportunities at least equal to the percentage goal for MBE utilization specified in the contract.
 - (ii) Documentation showing that the work to be subcontracted was reasonably segmented to an extent consistent with the size and capability of MBE's in order to provide reasonable subcontracting opportunities.
 - (iii) Documentation showing that, within ten (10) days after the contract is awarded, minority contractor associations were given written notice of the availability of specific subcontracting opportunities.
 - (iv) Copies of solicitation letters inviting quotations or proposals from MBE's segmenting portions of the work, and specifically describing, as accurately as possible, the portions of the work for which quotations or proposals are solicited and encouraging inquiries for further details.
 - (v) Documentation of good faith negotiations with those MBE's from whom quotations were received in an effort to reach mutually acceptable prices. Where the MBE negotiation was unsuccessful due to failure to agree on price, the contractor must document that the subcontractor selected for the work segment submitted a lower quotation than the MBE and that the work segment subcontracted was the same work segment under negotiation with the MBE, and not a reduced portion thereof.
- (d) The policies set forth in this rule describe the minimum good faith efforts which shall be made by the contractor in providing for MBE participation in implementation of the contract.
- (6) At the time final payment is requested, documentation shall be submitted to the School Board demonstrating that the contractor met or exceeded the MBE participation goals, or, if the MBE participation goals are not met or exceeded, that the contractor made good faith efforts to achieve the goals. If the contractor fails to demonstrate that good faith efforts, as provided for in this rule, were made to achieve any unmet portion of the MBE participation goals, the contractor will not be entitled to receive the dollar amount of the work which should have been subcontracted to an MBE but was not so subcontracted.
- (7) This rule shall be incorporated by reference in, and shall become an integral part of, every contract as described in Subsection (1) of this rule.

STATUTORY AUTHORITY:**1001.41; 1001.42, F.S.****LAWS IMPLEMENTED:****1001.42; 1001.43, 1001.44;
1013.46; 1013.47, F.S.****HISTORY:****ADOPTED:
REVISION DATE(S):
FORMERLY: 6.104**

CHAPTER 8.00 - AUXILIARY SERVICES

TELECOMMUNICATION PLAN AND ELECTRONIC COMMUNICATION USE

8.60

The District shall develop a comprehensive telecommunications plan for administrative and instructional purposes. The plan shall advance and promote public education consistent with technology advances and availability of resources. To the extent feasible, it shall promote access, collaboration, and information sharing between and among schools, District offices, and the global community.

The Superintendent or designee shall be responsible for establishing and authorizing use of telecommunications services and networks in keeping with the telecommunication plan which shall be presented to the School Board for approval. Such plan shall be updated from time-to-time and submitted for Board review and approval.

Such guidelines shall be broadly distributed and/or posted in appropriate locations. Such guidelines shall address computer room access; sale of computer services; acceptable use; proper etiquette; security; vandalism; harassment; and supervision of student use by staff. Any user violating such guidelines shall be subject to denial of school-based access and such other legal or disciplinary actions as are appropriate to the violation.

District computers, network access, and other information resources such as electronic mail (e-mail) are provided for staff use to support the District mission and goals. All such resources are District property, and subject to the same rules for use as other physical property. In addition, the following rules shall apply:

- (1) Use of information resources shall be limited to legitimate educational purposes. Programs for personal, commercial, or illegal purposes, including games, are not authorized.
- (2) E-mail, World Wide Web pages, and other forms of electronic documentation:
 - (a) Will not be obscene, abusive, or contain other inappropriate material.
 - (b) Will require the same handling as other public records.
- (3) User accounts and passwords must not be shared except where authorized. The person in whose name an account is issued is responsible for its proper use at all times.

- (4) Copyright and license agreements will be respected; no unauthorized copies of programs or files will be made.
- (5) Users shall not take unauthorized actions which gain access or attempt to gain access to, deny access or attempt to deny access to, disrupt, change, or destroy the data or service of the computer or network systems.

STATUTORY AUTHORITY:**1001.42, F. S.****LAWS IMPLEMENTED:****386.201 - 386.209, 1001.43, F.S.****HISTORY:****ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

TELEPHONE SERVICE

8.61

In order to promote efficiency and economy, the Superintendent or designee shall develop a uniform system for implementing effective telephone service systems, including use of telephone lines to support technology. School personnel shall be informed of this system.

The system shall encourage use of SUNCOM networks or equivalent services. Logs shall be maintained of long distance calls by work location. Logs shall be in a uniform format. Staff shall not utilize the School Board telephone system for conducting personal business.

Telephone service billings and long distance logs shall be subject to periodic review and audit. No person shall charge personal calls to the School Board.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

386.201- 386.209, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 8.00 - AUXILIARY SERVICES

MANAGEMENT INFORMATION SYSTEM

8.70+

The District shall develop and maintain an integrated information system for educational management. The Superintendent or designee shall assure that compatibility exists with the state comprehensive management information system. Procedures and guidelines shall be developed to assure that adequate management information support needs are met.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

**386.201- 386.209,
1001.11, 1008.385, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.119; 2.122**

CHAPTER 8.00 - AUXILIARY SERVICES

RECORDS RETENTION AND DISPOSAL

8.80*+

- I. The School Board shall establish and maintain a system for the retention and destruction of District school records in order to reduce the space required for record storage and to permit the Superintendent to administer the affairs of the District more efficiently.
- II. Pursuant to public records laws and rules of the Florida Department of State, the management information services office shall develop a records retention schedule for each records series of type of record, including teachers' records on each student's grade and attendance.
- III. Records which are designated as permanent in Florida Statutes, and by the Division of Archives, History and Records Management of the Florida Department of State, and those selected by the School Board or Superintendent as having permanent value, may be destroyed after being photographed or reproduced, or stored electronic media. Photographs or micro-photographs, in the form of film or prints made in compliance with this rule, shall have the same force and effect as the originals and shall be treated as originals for the purpose of admissibility in evidence.
- IV. After complying with the provisions of Florida Statutes, the Superintendent is authorized, at his/her discretion, to destroy general correspondence over three (3) years old and other records, papers, and documents over three (3) years old which are on the retention schedule approved by the Division of Archives, provided such records do not serve as an agreement or understanding or have value as permanent records.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

**119.01, 119.041, 257.37,
1001.43, 1001.52, F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): 9/15/02, 2/23/05
FORMERLY: NEW**

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS 9.10

- (1) Background.
 - a. The school Board recognizes the potential and significant service provided by Parent, Booster, Foundation, and other support organizations to both students and specific programs within individual schools.
 - b. All activities conducted by Parent, Booster, Foundation or other support organizations shall be in keeping with the educational purposes of the Board.
 - c. Under the direction of the Superintendent, administrative procedures shall be established and maintained to provide criteria for such organizations to carry out their activities.
- (2) Definitions.
 - a. A direct-support organization is an organization that meets the statutory definition in Section 1001.453, Florida Statutes.
 - b. A parent-teacher-organization is a parent/ educator/ student/ community group that may or may not be affiliated with a national organization and whose primary goal is to provide support for parents, children, and schools(s). Fund raising activities by a Parent Teacher Association (PTA) are not school-sponsored activities.
 - c. A booster organization is a parent and/or community group that provides resources to support a particular program or co-curricular activity or sport at a school.
 - d. School sponsored activities are defined for this section to be those activities utilizing students directly in the solicitation of funds and other resources.
- (3) Direct Support Organizations.
 - a. Foundations or other direct support; organizations shall meet the following requirements:
 - i. Have been approved by the Gadsden County School Board;
 - ii. Be incorporated as a not-for-profit corporation by the Florida Department of State;
 - iii. Be organized exclusively to hold and administer property and to make expenditures for the benefit of Gadsden County Public Schools;
 - iv. Provide equal employment opportunities to all persons regardless of race, color, religion, sex, age, or national origin.
 - b. The Board of Directors of a Direct Support Organization shall be approved by the Gadsden County School Board.
 - c. The direct support organization shall make provisions for an annual post of its financial accounts, to be conducted by a properly licensed

certified public accountant in accordance with all applicable rules of the Florida Department of Education.

(4) Fund Raising by Parent/Teacher or Booster Organizations.

- a. Contributions and collections derived from school-sponsored fundraising activities conducted by booster clubs and other related organizations shall be deposited in school internal accounts. Funds collected by Parent Teacher Associations (PTA) may be deposited in a separate account by those associations with tax exempt or 501 (c) (3) status. Such associations shall use financial controls and management as set forth in Chapter 7 of “Financial and Program Cost Accounting and Reporting for Florida Schools”, and shall submit quarterly financial reports and annually audit report to the principal of the school.
- b. All cooperative fundraising activities with the school shall receive prior approval of the principal. A prior written agreement shall evidence any allocation of gross profits, minus expenses.
- c. Booster groups supporting school-based athletic programs are restricted to secondary schools only.

(5) Remuneration.

- a. Remuneration to employees shall be strictly prohibited, except as provided in section (6) below.
- b. As defined in this section, “remuneration” includes:
 - i. Real property or tangible or intangible personal property.
 - ii. Any other monetary transaction, which is either inconsistent with, or prohibited by, applicable section of the Florida High Activities Association (FHSA) Bylaws and Policies of the School Board Gadsden County, Florida.

(6) Recognitions.

- a. Gifts or awards as defined in F. S. 112.312(12) may be bestowed upon any employee in recognition of outstanding achievement or service in his/her field of endeavor.
- b. Permission for such recognitions shall be requested in advance and must receive approval of the board of directors of the organization purchasing the gift or award and the school principal or his/her designee if the principal or his/her designee is not a member of the organization’s board of directors.
- c. Restrictions. Gifts or awards shall not exceed a fair market value of one hundred dollars (\$100).

(7) Tax Status. No outside group operating independently of the school district or any unit therein may claim or extend the district's sales tax exemption status in its purchasing activities.

STATUTORY AUTHORITY: 1001.42(2), 1001.42(17), F. S.

LAWS IMPLEMENTED: 1001.42(15); 1001.43(5); 1001.453; F.S.

HISTORY: ADOPTED: 1-25-00
REVISION DATE(S): 5/27/03
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

PUBLIC INFORMATION

9.20

Because the schools belong to the people who created them by consent and who support them by taxation, it is the declared intent of the School Board:

- (1) To keep the citizens adequately informed through appropriate channels of communication on policies, programs, problems, needs and the planning of the school system and to carry out this policy through its own efforts and the Office of the Superintendent.
- (2) To seek advice and opinion of the people of the School District.
- (3) To require each school and the District staff members to cooperate in keeping the public informed of all newsworthy events which would be of interest or concern to the citizens of the District and which would promote the welfare of the school system; provided, that any news release by a particular school be approved by the principal, and that any release relating to the District as a whole shall be approved by the Superintendent.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1001.52, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.101; 9.101**

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

ANNUAL SCHOOL REPORT

9.21+

- (1) Each school shall develop and distribute the school's annual school report each year. Reports must be distributed to all parents, guardians, and adult students and made available to the general community upon request.
- (2) Reports shall follow a uniform District-wide format that is easy to read and understand. Each report shall include the elements required by Florida Statutes and State Board of Education rules. Reports may include other information as approved by the Superintendent.
- (3) Schools may include other information in the report about the school's progress and other related school information determined by the school advisory council.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

1001.11, 1008.345

STATE BOARD OF EDUCATION RULE:

6A-1.09982

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: NEW**

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

USE OF FACILITIES

9.30*

The principal may approve the use of school property, facilities, and equipment for any group provided herein. The use of school property, facilities and equipment shall not interfere with the educational program of the school. The principal shall be responsible for safeguarding the school property, facilities, and equipment, enforcing and informing groups of School Board rules, executing proper forms, and collecting payments.

- (1) Use of School Property Without Charge. The Superintendent may authorize the use of school facilities without charge, except as may be required for supervision or clean-up. If the principal is unsure about the eligibility of the organization to use facilities without charge, the matter shall be referred to the Superintendent for resolution. School facilities may be made available to:
 - (a) National youth groups (e.g., scout groups) operating under the sponsorship of a county organization provided the group is properly supervised. District use agreements may be executed with the community organization for all schools or for an individual school.
 - (b) The Supervisor of Elections for voting precincts in any election provided the election does not interfere with the school's operation.
 - (c) Any governmental or community agency when specifically approved by the School Board as being in the public interest.

- (2) Use of Facilities With a Charge. The principal may permit the use of school facilities by a civic, religious, or other organization for non-school activities on a specific, temporary, or short-term basis not to exceed one (1) year with specific Board Approval. The following conditions shall apply:
 - (a) The payment of the fee shall be in accordance with subsection (3) herein.
 - (b) School Board approval, upon the Superintendent's and principal's recommendations, shall be required for repetitious use for a period of more than six (6) months.
 - (c) Sufficient supervision and adequate custodial service of the school facility shall be determined by the principal. School personnel/custodial must be present at all times when the facility is being rented.

- (d) The use of the cafeteria shall require permission from the principal. The use of school food service facilities shall require that the kitchen be operated by a School Board food service employee(s) or School Board employee.
3. Fees. If the facility or equipment is being used for commercial or private gain and an admission or attendance fee is being charged, a rental fee will be charged for the use of the facility and equipment. The amount of rental fee will be based on a schedule of fees approved by the Board upon the recommendation of the Superintendent.
- (4) Payment of Required Fees. Fees as specified in subsection (3) herein shall be paid in advance for use of facilities. Full reimbursement for custodial, supervisory, and other required services or for damages to the facility, furnishings, or equipment shall be paid within ten (10) days of billing. Checks shall be made payable to the individual school.
4. Liability and Insurance Coverage. Each organization utilizing school facilities shall:
- (a) Agree to hold the School Board harmless from any liability which may accrue the School Board as a result of use;
 - (b) Provide general liability insurance coverage in the amount of at least one million dollars (\$1,000,000.00) naming the School Board as an additional insured; and,
 - (c) Execute a form of indemnity agreement as prescribed by the Superintendent.
 - (d) Insurance coverage on the building must be in possession of the principals at least five days before facility is to be used.
- (6) Prohibited Uses of School Facilities. School property, facilities, and equipment shall not be used for the following purposes:
- (a) Programs involving any form of gambling or other illegal activity;
 - (b) Private teaching for personal gain, unless specifically approved in advance by the School Board;
 - (c) Programs in violation of Florida Statutes or School Board rules; and,
- (7) Special Provisions. The following special provisions shall apply:

- (a) Restrooms shall be made available for all organizations using the school facilities.
 - (b) Any school or community event sponsor or vendor who uses school facilities shall notify the local public health unit not less than three (3) days prior to a scheduled school carnival, fair, or other celebration involving the sale or preparation of food or beverages.
 - (c) If a principal has a request from a group which he feels may be controversial, he may require this group to present their request to the Superintendent to be included in an agenda for a regular school board meeting for consideration by the School Board.
 - (d) The principal has the right to require a group to provide security for a function if he/she feels security would maintain a safe and secure environment.
- (8) Appeals to the Superintendent. A person who feels his/her organization was improperly denied use of school facilities or an improper charge or fee was assessed may file a written appeal with the Superintendent for resolution.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

**106.15, 509.032; 509.232,
1001.33, 1001. 43, 1001.51,
1013.10, F.S.**

HISTORY:

**ADOPTED:
REVISION DATE(S): 10/22/02
FORMERLY: 6.501**

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

ADVERTISING IN SCHOOLS

9.40

School facilities shall not be used for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency; or individual organization; nor shall School Board employees or students be employed in such a manner. Advertising on school buses shall be prohibited. The following are exceptions:

- (1) School officials, with the Superintendent's approval, may cooperate with any governmental agency in promoting activities in the general public's interest or may cooperate in furthering the work of any non-profit community-wide social service agency; provided, that such cooperation does not restrict or interfere with the educational program of the school and is non-partisan and non-controversial.
- (2) A school may use film or other educational materials which contain advertising. The film or material shall be carefully evaluated by the school principal for classroom use to determine whether the film or material contains undesirable propaganda.
- (3) The Superintendent may announce or authorize to be announced any lecture or community activity of particular educational merit.
- (4) Demonstrations of educational materials and equipment shall be permitted with the principal's approval.
- (5) Schools may utilize athletic facilities for commercial advertising to support school programs. The principal shall maintain approval rights on the content and form of such advertising. Money collected from these commercial advertisements shall be deposited into the proper internal account.
- (6) Schools may have advertisements in school programs, yearbooks, similar publications and at athletic facilities.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 9.102; 2.108**

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

DISTRIBUTION OF LITERATURE AND MATERIALS TO STUDENTS

9.50

Literature or materials which originate from out-of-school sources shall be approved by the Superintendent or designee prior to distribution to students.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.08, F. S.

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 2.117; 9.102**

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

VISITORS

9.60

Any person entering the premises of a school shall report to the principal or his/her supervisory designee and make known the purpose of the visit.

- I. This policy does not apply to routine deliveries or scheduled maintenance visits.
- II. A student not enrolled in the school or a student not accompanied by a parent, as defined by Florida Statutes, is prohibited from visiting a school unless otherwise approved by the principal.
- III. Parents are invited to visit the schools. To avoid interrupting the daily program, the parent should request a conference for after school hours or during a teacher's conference period. Parents are encouraged to plan such conferences with teachers and shall sign in at the principal's office and be issued a visitor's badge at the time they arrive on the campus.
- IV. Any person who enters or remains upon District property without legitimate purpose may be found to be trespassing and, therefore, in violation of Florida Statutes and subject to arrest and penalties as defined by statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1006.145, 1006.07, F.S.

HISTORY:

ADOPTED: _____
REVISION DATE(S):10/15/06
FORMERLY: NEW

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

RELATIONS WITH GOVERNMENTAL AUTHORITIES

9.70

- (1) When possible, the Board will cooperate with local, state and federal organizations or agencies; however, such cooperation shall not be at the expense of district level or local school programs.
- (2) The Superintendent may initiate or accept proposals and request for cooperative endeavors; major final action shall be subject to Board review and approval.
- (3) Community relations of a continuing nature may be temporarily approved by the Superintendent if they involve no cost to the system, and will neither disrupt the school system nor involve substantial use of facilities or personnel.
- (4) Formal agreements shall require advance Board approval. The Board shall also review and approve major cooperative agreements or arrangements between other school districts, colleges, universities, correctional schools or other educational organizations.
- (5) Guidelines related to joint activities and requests for cooperation shall address costs which may be incurred, the extent of school personnel involvement, and prior agreements or arrangements with the same or similar organizations.
- (6) Long range facilities planning shall be coordinated with other governmental agencies as required by law.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

1001.51, 1013.33, 1013.36, F. S.

HISTORY:

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