

## SCHOOL BOARD WORKSHOP

GADSDEN COUNTY SCHOOL BOARD  
MAX D. WALKER ADMINISTRATION BUILDING  
35 MARTIN LUTHER KING, JR. BLVD.  
QUINCY, FLORIDA

May 1, 2012

8:30 A.M.

The workshop was open to the public and electronically recorded.

The following Board members were present: Mr. Judge B. Helms, Chairman; Mr. Eric F. Hinson; Mr. Roger P. Milton; and Mr. Isaac Simmons; and others. Mr. Charlie D. Frost; Mr. Reginald C. James, Superintendent and Secretary to the Board; and Mrs. Deborah Minnis, Attorney for the Board were absent

1. CALL TO ORDER

The workshop was called to order by the Chairman, Mr. Judge B. Helms, at 8:40 a.m.

2. NEOLA REVIEW OF POLICIES

Ms. Rosalyn Smith, Assistant Superintendent for Academic Services, introduced Mr. Richard Clapp and Mr. Tom Young with the Company Neola. She stated that Mr. Clapp and Mr. Young will present to the Board an overview of their Bylaws and alignment with the district's policies and procedures.

Mr. Young stated that Neola's Bylaws, Policies and Procedures were in compliance with federal and state laws. He stated that best practices are used by other school districts. He stated that Neola has experience with large and small school districts. He shared with the Board the following overview of their Bylaws:

**#0100 – Definitions**

- Administrative Procedures – A statement based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment of evaluation.
- Agreement – A collectively negotiated contract with a recognized bargaining unit.
- Board – The School Board of Gadsden County.
- Bylaw – Policy of the Board for its own governance.
- Chairman – The presiding officer of the Board.
- Compulsory School Age – Any children who have attained the age of six (6) years or who will have attained the age of six (6) by February 1<sup>st</sup> of any school year or who are older than six (6) years of age but who have not attained the age of sixteen (16) years,

except as otherwise provided in Florida Statute, are required to attend school regularly during the entire school term. (F.S. 1003.21)

- District –The School District. When referencing the local School District, School District will be capitalized.
- District-Based Noninstructional Administrators – Included in this classification are persons with District-level administrative or policymaking duties who have Board authority for the management of policies and general School District operations related to the noninstructional program. Such personnel often report directly to the Superintendent and supervise other administrative employees. This classification includes assistant, associate, or deputy superintendents and directors of major noninstructional areas, such as personnel, construction, facilities, transportation, data processing, and finance. (F.S. 1012.01(2)(b))
- Due Process – The safeguards to which a person is entitled in order to protect his/her rights.
- Full Board – Authorized number of voting members entitled to govern the District.
- Major Tangible Personal School Property – Any tangible personal property, of a nonconsumable nature, owned by the Board which has a capitalized value equal to or greater than the value defined in Florida Statute and a normal life expectancy of one (1) year or more . (F.S. 274)
- May – This word is used when an action by the Board or its designee is permitted but not required.
- Meeting – Any gathering which is attended by or open to all of the members of the Board, held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body. All meetings shall comply with Florida Laws (Sunshine Law).
- Minor Tangible Personal School Property – Those items which are tangible, or a nonconsumable nature, with a life expectancy of one (1) year or more and with a value less than that amount defined in Florida Statute. (F.S. 274)
- Parent/Guardian – The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise.
- Policy – A general, written statement by the Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.
- Principal – The principal shall be the administrative and supervisory head of the school to which assigned by the Board and shall be responsible for the enforcement of all Board regulations and Florida State Statutes which pertain to the office. In policy, implies delegation of responsibilities to appropriate staff members. (F.S. 1001.41, 1212.28)
- Property – All buildings, grounds, and other real or personal school property belonging to, held by, or used by the Board shall be termed to the school property.
- Real Property – That portion which is used as a site or school plant for purposes of carrying out the school program. This includes any equipment which is permanently attached to or is an integral part of the building or site.
- Relative – The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household as defined in the negotiated, collectively bargained agreement.

- Rule – A statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of the District. As used in this document, the term “rule” and “policy” shall have the same definition.
- School Property Custodian – The custodian of school property is the person to whom responsibility for the custody of property under his/her control has been delegated by the Superintendent or the Board. This is not to be confused with the building custodian who is responsible for cleaning and maintaining the building and grounds.
- Shall – This word is used when an action by the Board or its designee is required. (The word “will” or “must” signifies a required action.)
- Student – A person who is officially enrolled in a school or program of the District.
- Superintendent – The chief executive officer of the School District. In policy, implies delegation of responsibilities to appropriate staff members.
- Textbook – This word is used to describe the learning material duly adopted and required as standard work for the study of a particular subject. It may be bound and printed with a hard or soft cover, or it may be electronic, e.g., computer software, interactive, videodisc, magnetic media, CD ROM, computer courseware, on-line services, electronic medium, or other means of conveying information.
- Vice-Chairman – The Vice-Chairman of the Board.
- Work Session or Work Shop – A meeting called by the Board Chairman, Superintendent, or a majority of the Board for the purpose of exploring matters that constitute the business of the District.

#### **#0110 – Identification**

- Name – The School Board of this District shall be known officially as The School Board of Gadsden County, Florida. (F.S. 1001.40)
- Geographical District – The School District is comprised of all the area designated by the State as Gadsden County. The history date will be added.
- Address – The official address of the School Board is 35 Martin Luther King, Jr. Blvd., Quincy, Florida 32351.
- Seal – The School Board shall adopt an official seal for the district.
- Purpose of the Board – A School Board is a legal entity for providing a system of public education within a geographic area of the State of Florida. The system was created by, and is governed by, State Statutes. Members of a Board are, therefore, State officers chosen by citizens to represent them and the State in the legislative management of the local schools.

The Board has the dual responsibility for implementing statutory requirements pertaining to public education and for meeting the desires of the citizens. While the Board has an obligation to determine and assess citizen desires, it is understood that when the citizens elect delegates to represent them in the conduct of specified educational programs, they, at the same time, endow their representatives with the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Board declares and, thereby, reaffirms its intent to:

- A. Maintain open communications with citizens of the District. The Board shall keep them informed of the progress and problems of the District, and the citizens shall be encouraged to bring their thoughts and concerns about the educational system to the attention of this body;

- B. Establish policies and make decisions on the basis of declared educational philosophy and goals; and
- C. Act as a truly representative body for citizens in all matters related to programs and operations. The Board recognizes that ultimate responsibility for public education rests with the State, but the Board has been assigned specific authority through statute, and the Board shall not relinquish or fail to exercise that authority.

**#0120 – Powers, Boardmanship, and Ethics**

- Responsibilities and Authority of the Board – 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 Board is constituted by the State Constitution and Florida Statutes. (Section 4, Article IX, Florida State Constitution F.S. 1001.40)

- Board Powers – The School Board shall be a body politic and corporate, and, as such, capable of suing and being sued; contracting and being contracted with; acquiring, holding, possessing, and disposing of real and personal property; taking and holding in trust for the use and benefit of the District, and grant or devise of land and any donation or bequest of money or other personal property. (F.S. 1001.41, 1001.42, 1001.43).

As prescribed by law, the general powers of the Board are the determination of educational policies; the adoption of such rules and regulations to supplement those prescribed by the State Board and the Commissioner of Education as will contribute to the more orderly and efficient operation of the school system; the determination of minimum standards; and the performance of any duties that are assigned to it by law or by State Board regulations and that are found by it to be necessary for the improvement of the school system in carrying out the purposes and objectives of the Florida Constitution and Florida Statutes.

The Board shall perform all duties found in Florida Statutes and shall provide educational opportunity as required by Florida Statutes. (F.S. 1000.41, 1001.42)

- Member Powers – School Board members as individuals do not separately possess the powers that reside in the Board. Board members shall have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is pursuant to specific official instructions of the Board.

- Standards for Boardmanship – While serving on the School Board, each member shall agree to uphold the following standards:

- A. Remember that the first and greatest concern must be the educational welfare of all students attending the public schools, regardless of ability, race, creed, sex, or socio-economic status;
- B. Obey the law of Florida and the United States and bring about desired changes through legal and ethical procedures;
- C. Respect the confidentiality of privileged information;
- D. Recognize that as an individual Board member there is no authority to speak or act for the Board;
- E. Avoid conflicts of interest or the appearance thereof;
- F. Delegate authority for the administration of the schools to the Superintendent and staff;
- G. Encourage ongoing communications among Board members, the Board, students, staff, and the community;

- H. Render all decisions based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interests groups;
  - I. Make a concerted effort to attend all Board meetings and workshops;
  - J. Become informed concerning the issues to be considered at each meeting;
  - K. Improve boardmanship by studying educational issues and by participating in in-service programs and FSBA activities;
  - L. Support the employment of staff members based on qualifications and not as a result of influence;
  - M. Cooperate with other Board members and the Superintendent to establish a system or regular and impartial evaluations of all staff;
  - N. Cooperate in assessing the effectiveness of the Board as a whole as well as each Board member;
  - O. Refrain from using the Board position for personal benefit or the benefit of family members or business associates;
  - P. Express personal opinions but, once the Board has acted, accept the will of the majority;
  - Q. Encourage recognition of the achievements of students and staff and the involvement and support of business and community members; and
  - R. Comply with all duties and responsibilities set forth in the K-20 Education Code and the Code of Ethics for Public Officers and Employees.
- Standards of Ethical Conduct – The School Board hereby establishes the following as the standards of ethical conduct for all members of the Board:
    - A. Each Board member shall:
      1. Make a reasonable effort to protect the student from conditions harmful to learning and/or to the student’s mental and/or physical health and/or safety.
      2. Not unreasonably restrain a student from independent action in pursuit of learning.
      3. Not unreasonably deny a student access to diverse points of view.
      4. Not intentionally suppress or distort subject matter relevant to a student’s academic program.
      5. Not intentionally expose a student to unnecessary embarrassment or disparagement.
      6. Not intentionally violate or deny a student’s legal rights.
      7. Not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable efforts to assure that each student is protected from harassment or discrimination.
      8. Not exploit a relationship with a student from personal gain or advantage.
      9. Keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
      10. Take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.
      11. Not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.
      12. Not use institutional privileges for personal gain or advantage.

13. Accept no gratuity, gift, or favor that might influence professional judgment.
14. Not directly or indirectly solicit any gift, or directly or indirectly accept any gift in excess of \$50.00, from any person, vendor, potential vendor, or other entity doing business with the School District. The term “gift” has the same meaning as in F.S. 112.3121 (12). This prohibition applies as well to relatives, as defined in F.S. 112.312(21).
15. Offer no gratuity, gift, or favor to obtain special advantages.
16. Maintain honesty in all professional dealings.
17. Not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.
18. Not interfere with a colleague’s exercise or political or civil rights and responsibilities.
19. Not engage in harassment or discriminatory conduct which unreasonably interferes with an individual’s performance or professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable efforts to assure that each individual is protected from such harassment or discrimination.
20. Not make malicious or intentionally false statements about a colleague.
21. Not use coercive means or promise special treatment to influence professional judgments of colleagues.
22. Not misrepresent one’s own professional qualifications.
23. Not submit fraudulent information on any document in connection with professional activities.
24. Not make any fraudulent statement or fail to disclose a material fact in one’s own or another’s application for a professional position.
25. Not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
26. Provide upon the request of a certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.
27. Not assist entry into or continuance in the professional of any person known to be unqualified in accordance with these *Principles of Professional Conduct for the Education Profession in Florida* and other applicable Florida Statutes and State Board of Education rules.
28. Self-report within forty-eight (48) hours to appropriate authorities (as determined by the District) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. 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, Board members shall self-report 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. When handling sealed and expunged records disclosed under

this rule, school districts shall comply with the confidentiality provisions of F.S. 943.0585(4)(c) and 943.059(4)(c).

29. Report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).
  30. Seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).
  31. Cooperate with the Education Practices Commission in monitoring the probation of a subordinate.
  32. Comply with all duties and responsibilities set forth in the K-20 Education Code of Ethics for Public Officers and Employees.
- B. All Board members shall adhere to the principles enumerated above. Furthermore, pursuant to F.S. 1001.42(7), a Board member may not knowingly sign and transmit to any State official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student which the Board member knows to be false or incorrect, or knowingly fail to adopt policies that require instructional personnel and school administrators to report alleged misconduct by other instructional personnel and school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and school administrators, if the misconduct affects the health, safety, or welfare of a student. Violation of these provisions will result in the forfeit of the Board member's salary for one (1) year.

#### **#0130 – Functions**

- Legislative – The School Board is the policy making body for the School District. After considering recommendations submitted by the Superintendent, the Board shall determine policies as deemed necessary for its governance and the governance of its employees and students on its grounds or premises by adopting bylaws and policies for the organization and operation of the Board and efficient operation and general improvement of the School District.
- Adopting Policies – The policies and procedures of the Board may be amended or suspended by a majority vote of the Board at any meeting, provided that it is found that an immediate danger to the public health, safety, or welfare requires emergency action and that such action is in accordance with the specific requirements of Florida Statutes. (F.S. 120.54(4))

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be printed in the Board policy manual. The Board may determine policy matters governed by permissive law, but not on matters governed by mandatory law. The policy can be in conflict with the operative law of the State or with State Board of Education rules. Any policy or part of a policy that is superseded by a term in a collective bargaining agreement shall no longer be in force and effect as a policy.

Board adoption of policies or revisions to policies shall be pursuant to Florida Statutes. F. S. 120.536(1), 120.54 of the Administrative Procedures Act.

These policies may be amended, repealed, or a new policy 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

Board from the procedural requirements established for policymaking. As used in this document, the term “rule” and “policy” shall have the same definition.

A policy may incorporate material by reference, but only as the material exists on the date the policy is adopted. For purposes of the policy, changes in material are not effective unless the policy is amended to incorporate the changes. Material incorporated by reference in a policy may not incorporate additional material by reference unless the policy specifically identifies the additional material. (F.S. 120.54(1)(i)(1))

A School District policy that incorporates by specific reference another policy of the District automatically incorporates subsequent amendments to the referenced policy, unless a contrary intent is clearly indicated in the referencing policy. Any notice of amendments to a policy that has been incorporated by specific reference in other policies of the District must explain the effect of the amendments on the referencing policies.

(F.S. 120.54(1)(i)(2))

In policies adopted after December 31, 2009, material may not be incorporated by reference unless;

- A. The material has been submitted in the prescribed electronic format to the Department of State and the full text of the material can be made available for free public access through electronic hyperlink from the policy in the Florida Administrative Code making the reference, or,
- B. The School District has determined that posting of the material on the internet for purposes of public examination and inspection would constitute a violation of Federal copyright law, in which case a statement to that effect, along with the addresses and locations of the Department of State and the School District at which the material is available for public inspection, is included in the notice required.

(F.S. 120.5491(i)(3))

Unless an emergency exist, any proposal relating to a policy amendment, the repeal of any policy, or the adoption of a new policy shall be presented in writing to the 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 Board has determined that it will give due consideration to the proposal for adoption, amendment, or repeal of a policy. The notice of a public hearing shall be advertised twenty-one (21) days prior to the date of the hearing. The notice shall include a brief and concise explanation of the proposed policy’s purpose and effect, the estimate of economic impact to all individuals affected by the proposed policy or policy revision of an existing policy the legal authority for the Board’s action, and the location where the text of the proposed revision to current policy or new policy may be obtained.
- B. Any person, who is substantially affected by a proposed policy, policy revision, or the repeal of a policy, may within twenty-one (21) days following notice of intent to adopt or repeal such policy, file a written request with the Board seeking an administrative determination as to the validity of the proposed action.
- C. The Superintendent shall file immediately in his/her office a copy of any new policy, policy revision, or repealed policy adopted by the Board; policy handbooks shall be amended accordingly.
- D. Such policies shall become effective upon adoption by the Board unless a time certain date is specified therein. (F.S. 11.242)



Any person substantially affected by an existing Board policy may petition the Division of Administrative Hearings, Florida Department of Administration, to conduct a hearing on the validity of the policy pursuant to Florida Statutes. Any hearing examiner's decision which is adverse to the Board may, upon the 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.

The 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 Board, at any meeting in which a quorum is present, may adopt emergency policies, without complying with the waiting period as provided in item "A" above for public hearings and other similar requirements. The Superintendent shall properly record the effective date for any such emergency policy. Any emergency policy shall not be valid in excess of ninety (90) days from the adoption or effective date.

Any Board employee, citizen, or agency may obtain information relating to the method for proposing a policy or may submit a policy proposal to the Superintendent's office.

A copy of the compiled policies shall be available for inspection in the Superintendent's office.

The Board policies shall also be accessible to all school employees, students, and parents on the District's website. (F.S. 120)

- Technical Corrections – Periodically it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include: consolidation of sections, transfer of sections, combining or dividing sections, renumbering subsections, sections, chapters and titles, corrections or additions for grammatical or typographical errors, and alterations and omissions not affecting the constructions or meaning of those sections, subsections, chapters, titles, or policies as a whole.

Should the School Board choose to make such technical corrections. It may be accomplished by resolution as part of the consent agenda without going through the normal policy adoption procedure. (F.S. 11.242)

- Executive – As set forth in State law, the School Board has limited executive power, and exercises this executive power through the appointment of the Superintendent, and in the appointment of legal counsel.

The Superintendent shall be the executive officer of the Board, and, as such, shall advise and counsel with the Board on all educational matters and recommend to the Board such matters as should be acted upon. (F.S. 1001.46, 1001.461, 1001.50 Section 5, Article IX, State Constitution)

The Superintendent shall cooperate with the Board in every manner practicable to the end that the School District may continually be improved.

The Superintendent has the authority to prepare procedures for the administration of the District with are consistent with statutes, rules of the State Board, or policies of this Board. (F.S. 1001.49, 1001.51)

Such administrative procedures shall be binding on the employees and the students of this District when issued.

The Superintendent shall cause to be distributed, in print or electronic format, to each school, school office, school library, and public library in the county, copies of the bylaws, policies, and regulations and copies of amendments thereto in sufficient quantity to be readily accessible to each regular employee and to the public. In lieu of the distribution of

the complete bylaws, policies, and regulations, the Superintendent may prepare a special edition for any specific class of employees, provided that any such special editions shall contain a clear statement indicating where the complete bylaws, policies, and procedures are available.

The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such actions shall be reported to the Board at the next meeting following such action.

The Superintendent, in cases of emergency, may suspend any part of these policies, and/or procedures, provided that the Superintendent shall report the fact of and the reasons for such suspension at the next meeting of the Board and provided further that the suspension shall expire at the time of said report unless continued in effect by action of the Board.

The Superintendent shall be delegated the authority to enter into written contracts or agreements with other public or private organizations under the following conditions:

- A. Contracts/Agreements shall be for a valid school purpose.
- B. All costs and expenses in connection with said contracts/agreements shall be paid from internal account funds.
- C. Said contracts/agreements shall not conflict in any respect with Federal, State, or local law or policy, or Board policy.
- D. Said contracts/agreements shall be made in the name of the School District, and shall be executed and delivered by the Superintendent in accordance with the administrative procedures promulgated by the Superintendent.

- **Quasi-Judicial** – The School Board may assume jurisdiction over any dispute or controversy arising within the District and concerning any matter in which authority has been vested in the Board by statute, policy, a contract, or policy of this Board. The Board shall act as final appeal in the resolution of all matters of dispute within the school system including suspension, termination, promotion, and transfer of personnel. All such matters shall appear on the agenda in order to be adjudicated by the Board. (F.S. 1012.22, 1012.34)

#### **#0140 – Membership**

- **Number** – The School Board shall consist of five (5) members; and all members shall be elected by single member districts. Each member of the Board shall serve as the representative of the entire District, rather than as the representative of a district School Board member residence area.

- **Conflict of Interest** – A School Board member shall not have any direct financial interest in a contract with the School District nor shall she/he furnish directly any labor, equipment, or supplies to the District.

In the event a Board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the School District, the Board member shall declare his/her interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her place of employment may conflict even through such conflict may not exist. (F.S. 112.311, 1001.42)

- **Conflicting Employment or Contractual Relationship** – Subject to the exemptions provided in F.S. 112.313(12), no School Board member shall have or hold any employment or contractual relationship with any business entity of or any agency which is doing business with the District, excluding those organizations and their officers who, when acting in their official

capacity, enter into or negotiate a collective bargaining contract with the District, nor shall a member of the Board have or hold any employment or contractual relationship that will create any conflict whatsoever between his/her private interests and the performance of his/her duties or that would impede the full and faithful discharge of his/her duties.

Lastly, pursuant to F.S. 112.313914, no Board member may personally represent before the Board for compensation another person, business entity, or agency which is doing business with the District for a period of two (2) years following vacation of office or termination of employment. Language describing this prohibition shall appear in all contract, documents, Requests for Proposals (RFPs) and Request for Quotations (RFQs) and, if violated, shall be sufficient cause to disqualify the vendor. (F.S. 112.313(7))

- Qualifications – Each member of the School Board shall meet the qualifications specified by F.S. 1001.34.
- Oath – Before entering upon the duties of office after election, or within ten (10) days of appointment if appointed, members shall take the prescribed oath of office. (F.S. 1001.37)
- Orientation – The School Board believes that the preparation of each Board member for the performance of Board duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools, and learn Board procedures. Accordingly, each new Board member, when his/her election is certified, shall receive for use during his/her term on the Board: a copy of the Florida Ethics Law; a copy of the Board policy manual; a copy of each current negotiated agreement; the current budget statements, audit report, and related fiscal materials; Florida School Laws, current edition; and State Board of Education rules.

The Board will establish and maintain a library of publications and reference materials for the use of the Board members and will provide a new Board member with a list of references that should be reviewed.

The Superintendent shall provide an orientation program for newly elected Board members to commence as soon as possible after their new term begins. This orientation shall reflect, among other things, the purpose and role of the Board, the conduct of individual Board members, an overview of educational programs, and a review of Board rules and policies. Each new Board member shall be invited to meet with the Superintendent and members of the Superintendent's cabinet to discuss District functions, policies, and procedures. The Board shall encourage the attendance of each new Board member at orientation and training meetings.

- Election – The County shall be divided into residence areas approximately equal in population. Members of the School Board shall be elected by the residences of that member's residence area and once elected shall represent the entire District. Members of the School Board shall be elected in a countywide election and once elected shall represent the entire District. (F.S. 1001.362)
- Residence Areas – As provided by law, the School Board may make any changes it deems necessary in the boundaries of any Board member residence area in odd-numbered years, provided that such a change shall not disqualify an incumbent member during his/her elected term.
- Term – School Board members shall be elected at the general election in November for staggered terms of four (4) years arranged so that, of five (5) members, three (3) members shall be elected at one general election and two (2) members shall be elected at the ensuing general

election. The term of office shall begin on the third Tuesday after the first Monday in November of the year in which the member is elected. (F.S. 1001.35, 1001.371)

• Filling Board Vacancy – A vacancy occurs on the School Board when one (1) of the following events occurs:

- A. death of the incumbent
- B. failure to maintain the residence required
- C. failure of the person elected to qualify as an elector of the School District and a resident of the residence area from when the member was elected before taking office, or failure of the person appointed to qualify as an elector of the School District and a resident of the residence area for which the member was appointed with ten (10) days of said appointment;
- D. resignation;
- E. removal from office;
- F. unexplained absence for sixty (60) consecutive days.

Vacancies shall be filled by appointment by the Governor. (F.S. 1001.38, Fla. Const. Art. X, Section 3)

• Removal – The Governor is empowered to suspend or remove for cause an elected or appointed School Board member. Convictions of certain offenses and failure to adhere to prescribed standards of conduct as defined by statute are grounds for removal from office. (F.S. Const. Art. IV, Section 7)

• Compensation – Pursuant to State law, each School Board member shall receive a salary based on the population of Gadsden County, Florida, and as adjusted by Florida Statutes. (F.S. 1001.395)

The Board may authorize all approved expenses for membership of its Board members in recognized School Board Associations. Expenses of a Board member incurred in the performance of his/her duties will be paid by the District, provided that each such member submits a written statement of his/her expenses consistent with Board policy and within the constraints of budgeted resources.

A Board member shall receive term life insurance in an amount equal to their annual salary and medical insurance coverage with an option to purchase additional coverage at prescribed rates. Board members are eligible to participate in the Florida Retirement System as specified by law. Board members shall not receive sick leave or vacation pay.

• Use of Equipment and Services – The Superintendent is authorized to make available to School Board members for their official use the following equipment and services:

- A. Routine office supplies, computer, printer, fax machine, desk, chair, filing cabinet; electronic communication device; a stipend in lieu of an electronic device.
- B. Business cards and stationery
- C. Software compatible with District systems.

Any additional non-budgeted items desired by members must have Board approval. Equipment and services shall be acquired in accordance with District purchasing and property accounting procedures and shall be accounted for by the Superintendent. Equipment must be returned on the last day of service. (F.S. 1001.41)

• Access to Records – Individual members of the School Board do not possess the powers that reside in the Board, but no member of the Board shall be denied documents or information to which she/he is legally entitled and which are required in the performance of his/her duties as a Board member.

Access to District personnel records shall be subject to Board policy and State statute.

Information obtained from employee personnel records by members of the Board shall be used only for the purpose of aiding the members to fulfill their legal responsibilities in making decisions on such matters as appointments, assignments, promotions, demotions, remuneration, discipline, and dismissal, or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.

- **Public Expressions of Members** – The School Board Chairman shall function as the official spokesperson for the Board. From time to time, however, individual Board members may make public statements on school matters to local media and/or to local or State officials.

Sometimes the letters imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. The misunderstandings that can result from these incidents can embarrass both the member and the Board. Therefore, Board members should, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

Under no circumstances shall Board members use e-mail to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

There should be no expectation of privacy for any messages sent by e-mail. Messages that have been deleted are still accessible on the hard drive, if the space has not been occupied by other messages. Messages, deleted or otherwise, are subject to disclosure under the Public Records Act, unless an exemption would apply.

- **Board Member Participation at District Committee Meetings** – The School Board believes that the involvement of stakeholders in the formulation of recommendations to the Superintendent and the Board is essential to good decision-making. To ensure that the presence of Board members at committee meetings does not unduly influence or stifle committee deliberations, their attendance shall be in an observer status. Board members may participate in committee discussions as members of the public. Statements by Board members which reflect personal opinion will be clearly identified as such to committee members.

- **Board-Staff Communications** – The School Board desires to maintain open channels of communication between itself and the staff. The basic line of communication, will, however, be through the Superintendent.

- A. **Staff Communications to the Board** – All communications from staff members to the Board or its committees shall be submitted through the Superintendent. The Superintendent shall forward such communications received from staff members to the Board. This procedure is not intended to deny any staff member his/her constitutional right of free speech or the right to appeal to or otherwise address the Board on important matters through established procedure.

- B. **Board Communications to Staff** – All official communications, policies, and directives of the Board of staff interest and concern to the staff will generally be communicated through the Superintendent, who shall also keep staff members informed of the Board's concerns and actions.

- C. **Social Interaction** – Both staff and Board members share an interest in the schools and in education generally, and it is to be expected that when they interact at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the District. However, since individual Board members are not authorized to act on behalf of the Board unless in open public

session or when specifically vested with such authority, it will be considered to be unacceptable conduct for Board members to discuss individual personalities, personnel grievances, or other complaints with members of the staff. Instead, staff members should be encouraged to utilize the procedures, established in Board policy or the collective bargaining agreement to have their concerns, complaints, or grievances addressed.

### **#0150 - Organization**

- Organizational Meeting – The School Board shall organize annually on the third Tuesday after the first Monday in November of each year. (F.S. 1001.371)
- Officers – The organizational meeting shall be called to order by the Superintendent who shall act as presiding officer until the organization is complete. After new members have received the oath of office, elections of officers shall be by majority vote of members physically present.
  - A. Officers shall serve for one (1) year and until their respective successors are elected and shall qualify;
  - B. In the event that the office of Chairman or Vice-Chairman becomes vacant, the School Board shall fill the vacancy for the unexpired term at the ensuing regular or special meeting in the same manner as the election conducted at the organization meeting. (F.S. 1001.371, 1001.462)

The Superintendent shall be the secretary and executive officer of the Board. (F.S. 1001.48)

- Appointees – At the organizational meeting, the Chairman shall appoint members as may be necessary to the various organizations, committees, and/or councils as may be required by law, School Board policy, or as desired by the Board; the School Board will provide for the selection of members as may be necessary to the various organizations, committees, and/or councils as may be required by law, Board policy, or as desired by the Board; the School Board will reach a consensus in the selection of members as may be necessary to the various organizations, committees, and/or councils as may be required by law, Board policy, or as desired by the Board; and Board members shall discuss the need or necessity for Board members to participate in various organizations, committees, and/or councils as may be required by law, Board policy, or as desired by the Board and determine appropriate representation.

Further, at the organizational meeting, the Board shall elect one (1) member to serve on the County Value Adjustment Board. Additionally, it is the responsibility of the Board to appoint one (1) citizen member who owns a business occupying commercial space located within the School District to the Value Adjustment Board. (F.S. 194.015, HB 909)

- Motions – The School Board shall, at the organizational meeting, designate a day, place, and time for regular and special meetings.
- Committees – The School Board may establish committees and sub-committees as the need arises. The School Board shall designate the standing committees. Committees of Board members shall, when specifically charged to do so by the Board, conduct studies, make recommendations to the Board. Whenever a majority of a committee and/or sub-committee meets for any pre-arranged discussion or public business of that committee or sub-committee, it shall abide by the Sunshine Law. The Law requires that the committee or sub-committee give public notice of each meeting as well as prepare, file, and maintain minutes of the proceedings. Such minutes shall also be available for inspection by the public.
- Legal Counsel – The School Board may employ or retain legal counsel to render legal services as are needed by the Board or Superintendent for school matters. (F.S. 1001.32(3))

The Chairman recessed the workshop at 11:05 a.m.; and reconvened at 11:10 a.m.

The Board members agreed to schedule another workshop to discuss and review the remaining bylaws as well as the policies and procedures. They thanked Neola's staff for a very informative workshop.

3. ITEMS BY THE SUPERINTENDENT

None.

4. SCHOOL BOARD REQUESTS AND CONCERNS

None.

5. The workshop adjourned at 11:50 a.m.