

CHAPTER 1.00 – DISTRICT PHILOSOPHY

MISSION and IDENTIFICATION

1.10

- I. **Mission:** The mission of the Gadsden County School District is to collaborate with and engage all stakeholders in providing safe, caring, rigorous and engaging environments in which students can learn and succeed.
- II. **Name:** The School Board of this district shall be known officially as The School Board of Gadsden County, Florida
- III. **Address:** The official address of the School Board is Gadsden County Public Schools 35 Martin Luther King Jr. Boulevard, Quincy, Florida 32351.
- IV. **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.

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.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCOPE OF THE SCHOOL DISTRICT

2.10*

- I. 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.

- II. 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:**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

RESPONSIBILITIES AND AUTHORITY OF THE BOARD

2.20

- I. 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.
- II. 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

- I. 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.
- II. 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. Other Board members may be bonded at the discretion of the Board.
- III. 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.

- I. 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.
- II. 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 re-scheduled at a location other

than the regular meeting place, the Superintendent shall take such action to give public notice as required by Florida Statutes.

- III. All School Board meetings shall be conducted in accordance with Robert's Rules of Order.
- IV. 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 of a regular School Board meeting shall file with the Superintendent a request to be placed thereon by twelve o'clock (12:00) noon at least eight (8) working days prior to a meeting. Such request shall contain the following information:
 - (i) The name and address of the person making the request
 - (ii) The organization or group represented, if applicable
 - (iii) Content of the information to be presented - If written material is to be handed out, a copy of such material shall accompany the request.
 - (iv) An estimate of the time necessary for such a discussion and/or presentation
 - (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 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, if any, 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.
- V. A majority shall constitute a quorum for any School Board meeting. No business shall be transacted unless a quorum is present. Unless a majority is present, no meeting can be convened.
- VI. 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.
- VII. 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 chairperson 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.
- VIII. 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.
- IX. 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**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

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. The School Board rules shall be placed on the District's website.
 - A. A copy of any rule change shall be made available by the Superintendent to each holder of the compilation of School Board Rules 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.

IX. Periodically it may be 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, and corrections or additions for grammatical or typographical errors 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.

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:**

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

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 Descriptions

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

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: 10/15/06**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SPECIAL COMMITTEES OF THE SCHOOL BOARD

2.27

- I. 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. Members of special committees may attend the meetings in person or through the use of telecommunications networks such as telephonic or video conferencing.
- II. 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): 10/22/19
FORMERLY: 1.208**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHEDULE FOR LEGAL ADVERTISEMENTS

2.28

- I. The School Board shall inform the general public of certain actions through legal advertisements (e.g, Notices of Public Hearing, Invitation to Bid). Items of interest to the public shall also be advertised.
- II. Notification to all appropriate agencies and individuals to amend, adopt, or repeal a School Board rule shall be given twenty-eight days prior to the date of intended School Board action.
- III. Annually the tentative budget shall be posted on the District’s official website and advertised as required by law.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

120.54, 1001.43, F.S.

HISTORY:

**ADOPTED:
REVISION DATE(S): 09/09/02; 01/21/04 (EDITORIAL); 11/08/10
FORMERLY:**

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. 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. Members of the advisory council may attend meetings in person or through the use of telecommunications networks such as telephonic and video conferencing.
 - 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: 10/22/19**
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 - 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:**

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

BOARD MEMBER 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**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

PROGRAM OF AWARDS

2.60*+

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

- I. 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.
- II. 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.
- III. 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.
- IV. Non-monetary awards may be in the form of a certificate, plaque, ribbon, photograph, medal, trophy, or any appropriate award.
- V. 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:**

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

PROHIBITED DISCRIMINATION, INCLUDING SEXUAL AND OTHER FORMS OF HARASSMENT

2.70*+

I. Policy Against Discrimination

- A. The School Board of Gadsden County, Florida prohibits all forms of unlawful discrimination against students, employees and other persons in all aspects of the District’s programs, activities and operations. The term “unlawful discrimination” encompasses any unlawful policy, practice, conduct, or other unlawful denial of rights, benefits, or privileges that is based on any legally protected status or classification under applicable federal, state, or local law including but not limited to race (including anti-semitism), color, religion, gender, age, marital status, sexual orientation, pregnancy, disability, political or religious beliefs, national or ethnic origin, or genetic information. Various state and federal laws establish the actions that do (and do not) constitute unlawful discrimination with respect to each protected status or classification. Where applicable, unlawful harassment that is based on a legally-protected status is one form of unlawful discrimination.
- B. 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 or organizations protected by applicable law.
- C. The School Board shall admit students to District Schools, programs, and classes without regard to race (Including anti-semitism), color, religion, gender, age, national or ethnic origin, marital status, sexual orientation, political or religious beliefs, disability, handicap or any other distinguishing physical or personality characteristics.
- D. The School Board prohibits retaliation by any District personnel against a person for reporting, filing or being a witness in a discrimination (including harassment) charge, complaint, investigation or lawsuit associate or in connection with this policy.
- E. Established grievance procedures and appropriate discrimination complaint forms are available from the Office of Civil Rights & Equity (Professional Standards), Student Support Services or the Equity Coordinator at each school/district office. Complaints/inquiries regarding compliance with these regulations may be submitted in writing to:
 - 1. For Employee - Office of Civil Rights and Equity Compliance at The Gadsden County School Board, 35 Martin L. King Jr., Blvd, Quincy, FL 32351.

2. For Students – Student Support Services at The Gadsden County School Board, 35 Martin L. King Jr., Blvd, Quincy, FL 32351.
 3. Job applicants with disabilities requesting accommodations under the American with Disabilities Act (ADA) may contact Human Resources at (Contact information*)
 4. Current School District employees with disabilities requesting accommodations under the ADA may contact Professional Standards at (Contact Information)
- F. The Superintendent shall submit an annual equity report addressing the district’s educational and employment practices as required by Florida’s Educational equity Act.
- II. Policy Against Sexual Harassment or Other Forms of Harassment Prohibited by Law
- A. 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.
 - B. The prohibition against discrimination including sexual and other forms of illegal harassment shall also apply to nonemployee volunteers who work subject to the control of school authorities, and to all vendors or service providers who have access to School Board facilities.
- III. Definitions
- A. Compliance Officer is the person designated by the School Board to receive complaints of harassment referred by the Title IX Coordinator and oversees the investigation of those complaints as described below.
 - B. Sexual harassment prohibited by Title IX means conduct on the basis of sex that satisfies one or more of the following:
 1. An employee of the School Board conditioning the provision of an aid, benefit, or service of the School Board on an individual’s participation in unwelcome sexual conduct (quid pro quo)
 2. Any unwanted or unwelcome conduct that a reasonable person would find so severe, pervasive and objectively offensive that it denies a person equal educational access.
 3. Reports of sexual assault, dating violence, domestic violence and stalking, as defined in the federal Violence Against Women Act do not need to meet the description of severe, pervasive and objectively offensive.

- C. 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
 - 1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
 - 2. Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting the individual.
 - 3. 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.
 - 4. 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.
 - D. Types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to
 - 1. Graphic verbal comments about an individual's body or appearance.
 - 2. Sexual jokes, notes, stories, drawings, pictures or gestures.
 - 3. Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions.
 - 4. Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates.
 - 5. Spreading sexual rumors.
 - 6. 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.
 - 7. Cornering or blocking normal movements.
 - 8. Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.
- IV. Definition of Other Forms of Prohibited Harassment
- A. 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 (including ant-semitism), color, religion, gender, national or ethnic origin, age, disability, marital status, sexual orientation, political or religious beliefs, citizenship, pregnancy or genetic information or any other distinguishing physical or personality characteristic protected by law and that
 - 1. Has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment;
 - 2. Has the purpose or effect of interfering with an individual's work or academic performance; or

3. Otherwise, adversely affects an individual's employment or academic performance.
- B. Examples of prohibited actions, which may constitute harassment include, but are not limited to, the following:
1. Epithets, slurs or negative stereotyping; or
 2. Threatening, intimidating or hostile acts, such as physical acts of aggression against a person or his property; or
 3. 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.
- V. Procedures for Filing Complaint of Discrimination, Sexual Harassment, or Other Form of Illegal Harassment
- C. Procedures for Filing Complaints
1. 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, color, national or ethnic origin, religion, age, disability, political or religious beliefs, pregnancy or any other distinguishing physical or personality characteristics by an employee, volunteer, agent or student of the School District should report the alleged harassment to the Title IX Coordinator or to any school personnel. The alleged harassment should be reported within sixty (60) days of alleged occurrence. 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. Any school personnel who has notice that a student or other school personnel may have been a victim of prohibited harassment shall immediately report the alleged harassment to the Title IX Coordinator. The formal complaint must be resolved according to the federal regulations and District processes that specifically apply to such formal complaints; and
 2. After receiving a complaint, the Title IX Coordinator makes an initial determination whether the allegations may be sexual harassment prohibited by Title IX. If they may be, the Title IX Grievance Process listed below is followed. If it does not meet the sexual harassment prohibited by Title IX, then the complaint is referred to the Compliance Officer who follows the procedures set forth below. The Title IX Coordinator will also determine whether the alleged harassment may also constitute criminal conduct and ensure that law enforcement officials are notified, if necessary. If the alleged harassment may also constitute child abuse, then it must be reported to the Department of Children and Families.

3. 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 (*Equity or Professional Standards Coordinator) within five (5) days of the filing of the complaint. If the complaint is against the principal, site administrator, or supervisor, the complaint may be filed directly with the EEO (*Equity or Professional Standards coordinator) officer.
4. 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.

D. Procedures for Processing Complaints of Harassment

1. Complaints filed against persons other than the Equity Officer (Professional Standards Coordinator), Superintendent or member of the School Board.
 - a. Upon receipt of the written complaint by the District EEO/Equity Officer (Professional Standards Coordinator) Officer, the District EEO Officer shall appoint an investigator to conduct an investigation of the allegations in the complaint. The investigation may be conducted by school personnel or a third party designated by the school district. The investigation will be conducted within thirty (30) days. The investigator shall determine whether interim measures should be taken pending the outcome of the investigation. Such interim measures may include, but are not limited to, separating the alleged harasser and the person allegedly harassed. 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/Equity Officer (Professional Standards Coordinator) Officer as to whether there is reasonable cause to believe a violation of the District's antidiscrimination 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.
 - b. 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 V.B.1.a.
 - c. The investigation, summary, relevant documents, witnesses' statements and recommendation should be completed and forwarded to the EEO Officer within thirty (30) days, or to the

School Board Attorney within thirty (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.

- d. 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.
- e. 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. 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.
- f. 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.
- g. 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.
- h. 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.

- i. 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.
 - j. After providing the opportunity for an informal hearing as referenced in section V.B.1.h., 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 the notice will be filed with and maintained in the office of the District EEO Officer and the Personnel Director.
 - k. All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.
 - l. Employees may choose to pursue their complaints through the relevant employee grievance procedure instead of the complaint procedure in this policy.
2. Complaints against School Board Members or against the Superintendent
- a. 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.
 - b. 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.

- c. 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.
- d. 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.

E. Penalties for Confirmed Discrimination or Harassment

- 1. 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*.
- 2. 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.

F. Limited Exemption from Public Records Act and Notification of Parents of Minors

- 1. 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.
- 2. 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.

V. Sexual Harassment Prohibited by Title IX

A. Definitions

- 1. Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment prohibited by Title IX.

2. Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment prohibited by Title IX against a respondent and requesting that the allegation be investigated. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. The allegations in a formal complaint must be investigate. In response to a formal complaint, the Title IX grievance process noted below is followed.
3. Program or Activity includes locations, events or circumstances over which the School Board excises substantial control over both the respondent and the context in which the sexual harassment occurs.
4. Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment prohibited by Title IX.
5. Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measured are designed to restore or preserve equal access to the School Board’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar_measures. Any supportive measures provided to the complainant or respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

B. Title IX Complaint (Grievance) Process

1. Any person may report sex discrimination prohibited by Title IX, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time, including non-business hours, by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

2. Complainants and respondents are treated equitably by offering supportive measures to a complainant and by following this grievance process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent.
3. The Title IX Coordinator promptly contacts the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint.
4. Nothing herein precludes a respondent from being removed from the School's education program or activity on an emergency basis, provided that an individualized safety and risk assessment determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and that the respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.
5. Nothing herein precludes a non-student employee respondent from being placed on administrative leave during the pendency of a grievance process.
6. This grievance process treats complainants and respondents equitably by providing remedies to complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following this process before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent. Remedies are designed to restore or preserve equal access to the School's education program or activity.
7. The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
8. All relevant evidence is evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a complainant, respondent, or witness.
9. Any Title IX Coordinator, investigator, decision-maker, or any person who facilitates an informal resolution process may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
10. Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment prohibited by Title IX, the scope of the School's education program or activity, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding pre-judgment of the facts at issue, conflicts of interest, and bias. Decision-makers receive training on

issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant. Investigators receive training on issues of relevance in order to create investigative reports that fairly summarize relevant evidence.

11. A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.
12. The standard of evidence used to determine responsibility is preponderance of the evidence.
13. This grievance process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.
14. Notice of allegations
 - a. On receipt of a formal complaint, the Title IX coordinator gives the following written notice to the parties who are known:
 - (1) notice of the grievance process, including any informal resolution process, and
 - (2) notice of the allegations of sexual harassment potentially constituting sexual harassment prohibited by Title IX, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment prohibited by Title IX, and the date and location of the alleged incident, if known.
15. The Written Notice
 - a. includes the identities of parties involved;
 - b. includes the conduct allegedly constituting sexual harassment;
 - c. includes the date and location of the alleged incident;
 - d. a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
 - e. informs the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
 - f. informs the parties of any provisions in the School Board's code of conduct or the superintendent's Standards of Student Conduct that prohibit knowingly making false statements or knowingly submitting false information during the grievance process.

- g. If, in the course of an investigation, the investigator decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, notice of the additional allegations is provided to the parties whose identities are known.
16. Dismissal of formal complaints
- a. A formal complaint or any allegations therein must be dismissed if the conduct alleged in the complaint would not constitute sexual harassment prohibited by Title IX even if proved; or did not occur in the School's education program or activity; or did not occur against a person in the United States.
 - b. Such a dismissal does not preclude action under another provision of the School Board's code of conduct.
 - c. A formal complaint or any allegations therein may be dismissed if at any time during the investigation: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the School Board; or specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
17. Investigation of formal complaint
- a. When investigating a formal complaint and throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties provided that a party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party are not accessed, considered, disclosed or otherwise used without the voluntary, written consent of the party's parent, or the party if the party is an eligible student, to do so for this grievance procedure.
 - b. The parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
 - c. The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence is not restricted.

- d. The parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the complainant for respondent is not limited in any meeting or grievance proceeding.
- e. Any party whose participation is invited or expected is provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with sufficient time for the party to prepare to participate.
- f. The investigator provides both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to the completion of the investigative report, the investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.
- g. The investigator creates an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, sends to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.
- h. After the investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The

decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

18. Determination regarding responsibility
 - a. The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, must issue a written determination regarding responsibility.
 - b. The written determination must include:
 - (1) identification of the allegations potentially constituting sexual harassment prohibited by Title IX;
 - (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence; findings of fact supporting the determination;
 - (3) conclusions regarding the application of the School Board's code of conduct to the facts;
 - (4) a statement of, and rationale for, the result as to each allegation including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School Board's education program or activity will be provided to the complainant; and the procedures and permissible bases for the complainant and respondent to appeal.
 - c. The decision-maker must provide the written determination regarding responsibility to the parties simultaneously.
 - d. The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.
 - e. The Title IX Coordinator is responsible for effective implementation of any remedies.
19. Appeals
 - a. Either party may appeal from a determination regarding responsibility or from a dismissal of a formal complaint or any allegations therein, for the following reasons:
 - (1) procedural irregularity that affected the outcome of the matter;
 - (2) new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

- (3) the Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
 - b. Notification of appeal must be given in writing to the Title IX Coordinator.
 - c. As to all appeals, the Title IX Coordinator
 - (1) notifies the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;
 - (2) ensures that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator; and ensures that the decision-maker for the appeal complies with the standards set forth in Title IX and this policy.
 - d. The appeal decision-maker
 - (1) gives both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
 - (2) reviews the evidence gathered by the investigator, the investigator's report, and the decision-maker's written decision;
 - (3) issues a written decision describing the result of the appeal and the rationale for the result; and provides the written decision simultaneously to both parties and the Title IX Coordinator.

20. Timelines

- a. The investigative report will be provided to the parties within 35 days from the date the formal complaint is filed.
- b. A decision will be issued within 10 working days from the date the investigative report is submitted to the decision-maker.
- c. Either party may appeal within 5 working days from the date the written determination regarding responsibility is given to the parties.
- d. Any appeal will be resolved with 15 calendar days from the filing of the appeal.
- e. If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution processed.
- f. Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the complainant

and the respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

VI. Informal Resolution Process

- A. At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution process must be completed within 10 days of the agreement to participate in the process.
- B. The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:
 - 1. The parties are provided a written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
 - 2. The parties, voluntarily and in writing, consent to the informal resolution process; and
 - 3. The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.
- C. If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the document and receive a copy, and forward it to the title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.
- D. Parties cannot be required to participate in an informal resolution process.
- E. An informal resolution process is not offered unless a formal complaint is filed.

VII. Training

- A. Training is mandatory for all school-based Title IX Coordinators, investigators, decision-makers, hearing officers, and appeals decision-makers.
- B. All training materials is available to the public on request and is located on the district's website.

VIII. Recordkeeping

- A. The School Board will maintain for a period of seven (7) years records of:
1. Each investigation of allegations of sexual harassment prohibited by Title IX including any determination regarding responsibility and any audio or audiovisual recording or transcript, if any, required under the Title IX regulations, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the school's education program or activity.
 2. Any Appeal and the result therefrom;
 3. Any informal resolution and the result therefrom; and
 4. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.
 5. For each response required under 34 C.F.R. §106.44, the School Board must create, and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment prohibited by Title IX. In each instance, the School Board will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to its education program or activity. If the School Board does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

IX. Retaliation Prohibited

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

STATUTORY AUTHORITY:

120.54, 1001.41, 1001.42, 1012.23, F.S.

LAW(S) IMPLEMENTED:

**112.51, 119.07, 760.01 et seq.,
1000.05, 1000.21, 1001.43, 1012.22, F.S.
34 CFR 99, 34 CFR 108, 34 CFR 200.43(c), P.L.110-233
42 U.S.C. 12112, American with Disabilities Act of 1990
42 U.S.C. 2000ff et seq., Genetic Information Non-discrimination Act of 2008
29 U.S.C. 701 et seq., Rehabilitation Act of 1973
29 U.S.C. 621 et. seq., Age Discrimination in Employment Act of 1967
20 U.S.C., 1681 et seq., Title IX of the United States Education Amendments of 1972;**

42 U.S.C., 2000e et seq., Civil Rights Act of 1964;
29 CFR Parts 1600-1699

STATE BOARD OF EDUCATION RULE(S):

6A-19.001 et seq.

HISTORY:

ADOPTED: 10/22/2019

REVISION DATE(S): 12/15/2020, 03/23/2021

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

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:

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 A1 above;
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 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:**

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

FAMILY AND SCHOOL PARTNERSHIP FOR STUDENT ACHIEVEMENT

2.261*+

- I. The School District and each school principal are encouraged to strengthen family engagement and family empowerment in the school. The District will coordinate and integrate parental engagement strategies with school improvement, Title I, Title II, Title III, Title IV, Title VI, Community Involvement Programs, Business Partnerships, and other community engagement 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 engagement programs, based on the National Standards for Parent/Family Engagement 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 engagement 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 engagement activities and programs.
- VII. The District will conduct, with the engagement 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 engagement 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.**
Every Student Succeeds Act, 2018 as amended through P.L. 115-224

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

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 may be assisted in this responsibility by administrators on staff in the positions of Deputy Superintendent, assistant superintendents, directors, coordinators and supervisors.

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

SUICIDE PREVENTION

3.14+

- I. This policy covers actions that take place in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles or at bus stops, and at school-sponsored out-of-school events where school staff are present. This policy applies to the entire school community.

The School Board is committed to protecting the health, safety and welfare of its students and school community. The Board recognizes that suicide is one of the leading causes of death for Florida's youth. It is critical for families and community members to communicate with and provide information to school staff to identify students at risk of suicide.

- II. The Board directs all school district staff members to be alert to a student who exhibits warning signs of self-harm or who threatens or attempts suicide. Any such warning signs or the report of such warning signs from another student or staff member shall be taken with the utmost seriousness and reported immediately to the Principal or designee.
- III. The Superintendent shall develop procedures to ensure that this policy is carried out in each of the District schools. The Superintendent will prepare and disseminate guidelines to assist school district staff members in recognizing the warning signs of a student who may be contemplating suicide, to respond to a threat or attempted suicide. The Superintendent will develop an intervention plan for in-school suicide attempts, out of school suicide attempts and an appropriate re-entry process, including a re-entry meeting to discuss the development of a safety plan and additional interventions or supports.
- IV. Professional development training in youth suicide prevention opportunities shall be provided to student personnel services staff, administration and instructional staff. A two (2) hour continuing education program of youth suicide awareness and prevention training, utilizing training materials from the list approved by the Florida Department of Education (FLDOE) is also available for all district staff in all job categories as well as other adults on campus who regularly interact with students or are in a position to recognize the risk factors and warning signs of suicide. Instruction about how to identify appropriate mental health services and how to refer youth and their families to those services should be included in the program. If all instructional personnel at a District school participate in the two (2) hour training the school will be considered a "Suicide Prevention Certified School".

- V. Florida Statute 1003.42 required instruction of 5 hours of mental health instruction for grades 6-12 will be implemented annually through developmentally appropriate instruction and skill building and will address, at a minimum, the following topics: (1) Recognition of signs and symptoms of mental health disorders; (b) Prevention of mental health disorders; (c) Mental health awareness and assistance; (d) How to reduce the stigma around mental health disorders; (e) Awareness of resources, including local school and community resources; (f) The process for accessing treatment; (g) Strategies to develop health coping techniques; (h) Strategies to support a peer, friend, or family member with a mental health disorder; (i) Prevention of suicide; and (j) Prevention of the abuse of and addiction to alcohol, nicotine, and drugs.
- VI. The Principal shall immediately contact the parent(s) of the student exhibiting warning signs of suicide to inform the parent(s) the student will be referred to a school-based mental health services provider to perform either the C-SSRS or SAFE-T suicide risk assessment prior to determining whether the student requires an involuntary examination (Baker Act).

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1003.42, 1012.583, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY:

**ADOPTED: 12/15/2020
REVISION DATE(S): 03/23/2021
FORMERLY: NEW**

CHAPTER 3.00 – SCHOOL ADMINISTRATION

SCHOOL CALENDAR

3.18

- I. Annually the Superintendent shall establish a School Year Calendar committee.
- II. The committee shall prepare a proposed school year calendar for the school year following the next occurring fiscal year and present to the Superintendent for approval and recommendation to the Board.
- III. School calendars shall adhere to the provision of Florida Statutes.
- IV. The Superintendent/designee shall prepare a list of specific religious observance days which occur when school is in session and may result in a student's absence in accordance with provisions of the Code of Student Conduct and other Board rules related to student attendance.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

1001. 21; 1001.42; 1001.43; 1001.51, F.S.

STATE BOARD OF EDUCATION RULE(S):

**6a-1.045111; 6a-1.09514;
6a-10.019**

HISTORY:

**ADOPTED:
REVISION DATE(S): 04/16/07 (CITATION);
06/11/07 (EDITORIAL); 11/13/2001; 11/14/2001; (CITATION)
FORMERLY: 3.115**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

PERFORMANCE GRADE SCHOOLS

3.20

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.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

**1001.42(d), 1001.43,
1002.38, F. S.**

HISTORY:

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

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

- I. 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.
- II. 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.

- III. In any case or condition not covered by these regulations, the Superintendent shall base the decision on his/her best judgment.
- IV. 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

CHAPTER 3.00 - SCHOOL ADMINISTRATION

AUTOMATIC EXTERNAL DEFIBRILLATORS

3.25+

- I. The School Board authorizes the use of an automatic external defibrillator (AED) in a perceived medical emergency.
- II. All persons who are reasonably expected to use an AED shall be trained to use the device. Employees or volunteers expected to use an AED must complete a course in cardiopulmonary resuscitation (CPR) or a basic first aid course which includes CPR and demonstrated proficiency in the use of a defibrillator.
- III. Each school that is a member of the Florida High School Athletic Association shall have an operational AED on school grounds. The device shall be available in a clearly marked and publicized location for all athletic activities, including those held outside of the school year. The location of the device shall be registered with the local emergency medical services director. All persons reasonably expected to use the device shall be notified annually in writing of the location of each AED on school grounds
- IV. The Superintendent or designee shall develop procedures to implement this policy. The procedures shall be reviewed and approved by the local emergency medical services director.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**401.2915, 768.1325, 1001.42,
1001.43, 1006.165, F.S.**

HISTORY:

**ADOPTED: 12/15/20
REVISION DATE(S): _____
FORMERLY: NEW**

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

SURVEILLANCE CAMERA USAGE

3.38

The purpose of this policy is to provide guidance in the use of security cameras on property owned and/or utilized by the District in a way that enhances security and aids law enforcement while respecting the privacy expectations and shall apply to all faculty and staff employed by the Gadsden County School Board and to all schools and departments within the school system.

Responsibilities and Authority

The Superintendent of schools has the responsibility for oversight of installation, maintenance, and utilization of security camera systems in the district as well as associated policies, procedures and standards. The oversight may be delegated to the district's Safety and Security Officer or other personnel as deemed appropriate by the Superintendent.

The oversight includes but may not be limited to:

- creating, maintaining, and reviewing the district's strategy for the procurement, deployment, and use of security cameras,
- designating a standard campus security camera system or service,
- authorizing the placement of all security cameras,
- reviewing existing security camera systems and installations and identifying modifications required to bring them into compliance district policy,
- creating and approving campus standards for security cameras and their use and
- creating and approving procedures for the use of security systems and it's cameras.

This policy shall not apply to use of cameras for reasons unrelated to surveillance activity including but not limited to:

- Remote monitoring of facility construction and progress,
- Videotaping of athletic events,
- The use of cameras in connection with human subject and animal research,
- The use of cameras in certain laboratories to ensure safe research practices,
- The use of cameras for other legitimate educational purposes, and
- Cameras used by law enforcement in covert operations for the purpose of criminal surveillance; or mobile cameras used in, on, or about law enforcement or parking services vehicles; or body-worn or otherwise portable cameras used during the course of investigations or normal law enforcement functions; or parking enforcement cameras.

The primary purpose of utilizing security cameras in the Gadsden County School District is to deter crime and to assist school administrators and/or law enforcement in enhancing the safety and security of the school district community and district property. The existence of this policy

does not imply or guarantee that security cameras will be monitored in real time continuously or otherwise.

Definitions

As used within this policy and its accompanying procedures, the following terms are defined as follows.

- **Safety and Security Officer:** The employee designated as the primary overseer of safety and security in the district.
- **Private areas:** Areas in which a person has a reasonable expectation of privacy, including, but not limited to, non-common areas such as bathrooms, shower areas, locker and changing rooms and other areas where a reasonable person might change clothes. Additionally, areas designed for the personal comfort of District employees or the safeguarding of their possessions, such as lounges and locker rooms, and areas dedicated to medical, physical, or mental therapy or treatment shall be considered private areas for the purpose of this policy.
- **Public areas:** Areas made available for use by the public, including, but not limited to, campus grounds, parking areas, building exteriors, areas of ingress and egress, classrooms, lobbies, libraries, cafeterias, gymnasiums, and recreation areas. Areas of the District in which persons would not have a reasonable expectation of privacy, but to which access is restricted to certain District employees, such as storage areas, shall also be considered public areas for the purpose of this policy.
- **Security camera:** A camera used for monitoring or recording public areas for the purposes of enhancing public safety, discouraging theft and other criminal activities, and investigating incidents.
- **Security camera recording:** a digital or analog recording of the feed from a security camera.
- **Security camera system:** any electronic service, software, or hardware directly supporting or placement of a security camera.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1006.08, 1006.07, 119.021, F. S., 163.31802

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY:

CHAPTER 3.00 - SCHOOL ADMINISTRATION

DISRUPTIONS AT SCHOOL BOARD FUNCTIONS

3.39

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.

- I. 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.
- II. 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:**

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SAFE AND SECURE SCHOOLS

3.40+

I. Introduction

The Gadsden County District School Board has as its first obligation to provide a safe, secure and orderly learning environment in all schools and at all sponsored activities for students, school personnel, and other persons.

II. Orderly Environment

An orderly environment can only be achieved by developing procedures to control students, personnel, and other persons on school property and attending School Board or school sponsored events or activities. All procedures shall reflect the following policy provisions:

- A. No person other than a student and employee of a school site shall be on a school campus during school hours unless they are in compliance with Policy 9.60, Visitors.
- B. 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.
- C. 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.
- D. Individuals who enter School Board property, activity, or School Board meeting without a legitimate reason and create a disturbance or refuse to leave the property or activity when asked by the Board chairperson, Superintendent/designee, principal or person in charge are subject to criminal penalty as provided in Florida Statutes. The person in charge shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school property or activity and take appropriate actions to have the offender punished as prescribed by law. The Superintendent shall be notified of any such action at schools or school activities.
- E. 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 events.

III. The following emergency response agency(ies) will notify the District in the event of an emergency:

Emergency Response Agency

Agency	Address	Telephone	Type of Emergency
Quincy Police Department	121 E. Jefferson St. Quincy, FL 32351	850-627-7111	Public Safety/First Responder
Gadsden County Sheriff's Office	339 E. Jefferson St. Quincy, FL 32351	850-627-9233	Public Safety/First Responder
Gretna Police Department	120 Beech Ave. Gretna, FL 32332	850-856-5257	Public Safety/First Responder
Chattahoochee Police Department	32 Jefferson St. Chattahoochee, FL 32324	850-663-4383	Public Safety/First Responder
Havana Police Department	121 7 th Avenue E Havana, FL 32333	850-539-2800	Public Safety/First Responder
Quincy Fire Department	20 N. Stewart Street Quincy, FL 32351	850-875-7315	Emergency Medical Response/Fire Prevention
Midway Police Department	50 M.L. King Blvd Midway, FL 32343	850-875-8825 850-574-3057	Public Safety/First Responder
Gadsden County Emergency Management	9 E. Jefferson St. Quincy, FL 32353	850-875-8650	Emergency Operations (Weather related disaster)

IV. Safety, Security and – Emergency Plans

- A. The Superintendent shall develop a School Safety and Security Plan with input from representatives of the local law enforcement agencies, the local Fire Marshall(s), representative(s) from emergency medical services; building administrators, representative(s) from the local emergency management agency, School Resource Officer(s) and/or representative(s) of the Gadsden County Health Department.
- B. As required by state law, the Superintendent shall require the use of the Safe School Assessment Survey based on the School Safety and Security Best Practices Indicators created by FL DOE Safe School Assessment Tool (FSSAT) to conduct a self-assessment of the District's current safety and security practices.
- C. Upon completion of these self-assessments, the Superintendent shall convene a safety and security review meeting for the purpose of (a) reviewing the current School Safety and Security Plan and the results of the self-assessment; (b) identifying necessary modifications to the plan; (c) identifying additional necessary training for staff and students; and (d) discussing any other related matters deemed necessary by the meeting participants.
- D. The Superintendent shall present the findings of the safety and security review meeting to the Board for review and approval appropriate school safety,

emergency management and preparedness plans. The Superintendent shall make any necessary recommendations to the Board that identify strategies and activities that the Board should incorporate into the School Safety and Security Plan and/or implement in order to improve school safety and security. The School Safety and Security Plan is, however, confidential and is not subject to review or release as a public record.

- E. The Superintendent shall report the self-assessment results and any action taken by the Board to review the School Safety and Security Plan to the Commissioner of Education within thirty (30) days after the Board meeting.
 - F. Emergency management and preparedness plans shall include notification procedures for weapon use and hostage situations, hazardous materials and toxic chemical spills, weather emergencies, and exposure resulting from a manmade emergency.
 - G. Emergency management and preparedness procedures for active shooter situations shall engage the participation of the district school safety specialist, threat assessment team members, faculty, staff and students for each school and be conducted by the law enforcement agency or agencies designated as first responders to the school's campus.
 - H. Each school shall develop and maintain an up-to-date plan based upon the uniform guidelines and including the provisions of Florida law, State Board of Education rules, and other applicable regulations.
 - I. Copies of school plans shall be provided county and city law enforcement agencies, fire departments, and emergency preparedness officials.
- V. Threat Assessment
- A. The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. The Board's threat assessment process is designed to be consistent with the process set forth in the joint U.S. Secret Service and U.S. Department of Education publication. Threat Assessment in Schools: a Guide to Managing Threatening Situations and to creating Safe School Climates for identifying, assessing, and managing students who may pose a threat. The goal of the threat assessment process is to take appropriate preventative or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed. The threat assessment process is centered upon an analysis of the facts and evidence of

behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

- B. The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each team shall be headed by the principal and shall include a person with expertise in counseling (school/psychological), instructional personnel, and law enforcement (school resource officer) and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self.
1. The threat assessment team will be responsible for the assessment of individuals whose behavior may pose a threat to the safety of school staff and/or students and coordinating resources and interventions for the individual.
 2. Upon a preliminary determination that a student poses a threat of violence or physical harm to him/herself or others, the threat assessment team may obtain criminal history record information. The team must immediately report its determination to the Superintendent who must immediately attempt to notify the student's parent or legal guardian. The team will coordinate resources and interventions to engage behavioral and or mental health crisis resources when mental health or substance abuse crisis is suspected.
 3. The threat assessment team must plan for the implementation and monitoring of appropriate interventions to manage or mitigate the student's risk for engaging in violence and increasing the likelihood of positive outcomes.
 4. Upon the student's transfer to a different school, the threat assessment team must verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services.

VI. Safety – Procedures

- A. School alarms shall be monitored on a weekly basis and malfunctions shall be reported for immediate repair.

- B. A safety program shall be established consistent with the provisions of this Policy.
- C. Emergency evacuation drills (fire, hurricane, tornado, active shooter/hostage situation, other natural disaster, and school bus) shall be held in compliance with state requirements and formulated in consultation with the appropriate public safety agencies. Each principal, site administrator or transportation official is responsible for
 - 1. Developing and posting emergency evacuation routes and procedures;
 - 2. Assigning and training all staff members in specified responsibilities to ensure prompt, safe and orderly evacuation;
 - 3. Identifying and reporting hazardous areas requiring corrective measures; and
 - 4. Preparing and submitting a written report of each emergency evacuation drill to the District office.
- D. In the event of an emergency, the Superintendent is authorized to dismiss early or close any or all schools. 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 actions shall be reported immediately to the Superintendent or designee along with a statement describing the reasons for the action. Such report shall be submitted to the School Board at the next regular meeting unless a special meeting is held relating to the emergency.

VII. Safety – Violence Prevention

- A. The Superintendent shall develop a violence prevention plan for use by each school that establishes policies and procedures for the prevention of violence on school grounds; including assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community.
- B. Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to personnel of the schools.

VIII. Security

- A. The Superintendent shall establish and implement a Domestic Security Plan consistent with the requirements of the National Incident Management System (NIMS).
- B. The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions.
- C. Designate an administrator as the school safety specialist for the District.
- D. A review of each school's security provisions shall be conducted annually by the principal with a written report submitted to the Superintendent or designee for submission to the Board for review.
- E. Each school's emergency plan shall include security provisions including emergency lockdown procedures. In the event of an emergency necessitating a lockdown, any employee is authorized to activate a code red lockdown.
- F. Establishing policies and procedures for the prevention of violence on school grounds; including assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community, adhering to background screening procedures for all staff, volunteers and mentors.
- G. Security trailers may be located on school property.
- H. All perimeter gates and classroom doors must be locked/secured during the school day when students are present on campus.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**316.614, 1001.43, 1001.51,
1006.062, 1006.07, 1006.145,
1006.1493, 1006.21, 1013.13, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-1.0403, 6A-3.0171

HISTORY:

**ADOPTED: 10/22/19
REVISION DATE(S): 12/15/20, 7/27/21
FORMERLY:**

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PAEC

Adopted: 10/22/2019

Revised: 12/15/2020

Revised: 7/27/2021

Gadsden 3.40+

CHAPTER 3.00 - SCHOOL ADMINISTRATION

DOMESTIC SECURITY

3.41+

- 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 by
 - A. Incorporating NIMS protocols and Incident Command System (ICS) procedures into the emergency plans;
 - B. Ensuring that emergency plans are consistent with NIMS terminology and applicable state and county emergency management protocols;
 - C. Coordinating the initial plan and plan modifications with appropriate county emergency management officials;
 - D. Assigning appropriate staff as members of the District incident command element;
 - E. Ensuring that staff receive appropriate initial training and follow up training.
- 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 including, but not limited to,

 1. Establishing single points of entry;
 2. Integrating fencing in to the design of school campuses;
 3. Providing uniformed school resource officers (SROs) and/or security officers;
 4. Establishing visitor control;

5. Establishing policies and procedures for the prevention of violence on school grounds; including assessment of and intervention with individuals whose behavior poses a threat to the safety of the school community
6. Adhering to background screening procedures for staff, volunteers and mentors;
7. Controlling bus embarkation and debarkation; and
8. Establishing safe mail handling procedures.

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.

1. Primary and back up communication systems shall be maintained and routinely tested to ensure functionality and coverage capacity and determine if adequate signal strength is available in all areas of the school's campus;
2. Personal protective equipment shall be available to school personnel;
3. Emergency equipment shall be monitored and/or tested to ensure operability;
4. Supplies shall be monitored to ensure current shelf life;
5. Emergency supplies and equipment shall be appropriate for specific school campuses or facilities.

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. Training shall include, but not be limited to,

1. Conducting a standard Weapons of Mass Destruction course for first responders in the District;
2. Conducting table-top exercises for school/District administrators;

3. Conducting training at schools specific to the age of students, number of students and the school needs.
4. Conducting domestic security drills;
5. Training personnel to recognize hazards and to respond appropriately;
6. Providing security training to bus drivers, bus assistants, and school personnel; and
7. Providing safe mail handling training for appropriate personnel.

D. Communication and Notification Procedures

The District shall ensure that external and internal communication and notification procedures are developed and implemented. Communication and notification procedures shall include, but not be limited to,

1. Providing proper ThreatCom access for appropriate school/District staff;
2. Establishing communication procedures to notify parents of possible or actual emergency;
3. Informing parents and students of the plan and the notification procedures;
4. Reviewing school and District websites to ensure that sensitive information is not included with general public information; and
5. Establishing procedures to communicate with the media during an emergency.

E. Coordination with Partners

The District shall ensure coordination with state and local partners by

1. Establishing and maintaining a close working relationship with local law enforcement agencies, first responders and the county emergency operations center;
2. Notifying state and local partners of changes in the District plan; and
3. Participating on the Regional Domestic Security Task Force (RDSTF).

F. Vulnerability Assessment

The District shall assess vulnerability and establish standards by

1. Working with RDSTF for vulnerability assessment tools and standards;
 2. Tailoring assessment to each school or facility;
 3. Assisting school and District staff to assess vulnerability;
 4. Establishing core recommendations for critical areas; and
 5. Establishing standards based on best practices.
- 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 personal 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-1.0403, 6A-3.0171**

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

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.

- I. All principals are hereby directed to advise an individual who has an alcoholic beverage in his/her possession to leave the school premises immediately.
- II. 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.
- III. 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.
- IV. 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**

CHAPTER 3.00: SCHOOL ADMINISTRATION

SERVICE ANIMALS

3.48+

- I. The purpose of this policy is to implement standards related to service animals as set forth in federal and state law including
 - A. Individuals with Disabilities Education Act (IDEA);
 - B. Rehabilitation Act of 1973, as amended;
 - C. Americans with Disabilities Act (ADA);
 - D. Section 413.08, F.S.

- II. A *service animal* is any dog that is trained to do work or perform tasks for the benefit of an individual with a disability. The animal must be trained to perform tasks directly related to the person's disability.
 - A. Other species of animals are not considered service animals.
 - B. Miniature horses may be used as an alternative to dogs, with certain limitations. However, they are not included in the definition of service animal.
 - C. An animal whose sole function is to provide comfort, therapy, or companionship is not considered a service animal.
 - D. A service animal is not a pet.

- III. A *task* is a minor job or piece of work that the animal performs. Tasks include
 - A. Guiding a person who is visually impaired or blind;
 - B. Alerting a person who is deaf or hard of hearing;
 - C. Retrieving objects;
 - D. Assisting with mobility or balance;
 - E. Pulling a wheelchair;
 - F. Alerting an individual to the presence of allergens;

- G. Helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors;
 - H. Reminding an individual with mental illness to take prescribed medications;
 - I. Calming an individual with posttraumatic stress disorder (PTSD) during an anxiety attack;
 - J. Alerting and protecting a person having a seizure; and
 - K. Doing other work or performing other specific tasks.
- IV. A service animal is personal property and may not be brought on campus without the knowledge and permission of the school or District administration. A student's need for and use of a service animal must be documented in the student's Individual Education Plan (IEP) or Section 504 Plan. To determine if an animal qualifies as a service animal the District may not ask about the nature or extent of the individual's disability but may ask the following:
- A. If the animal is required because of a disability and
 - B. What work or task the animal is trained to perform.
- V. A service animal may not interfere with the educational process of any student or pose a health or safety threat to any student, school personnel or other persons. The service animal must meet health requirements and established standards of behavior.
- VI. The service animal must be under the control of its handler.
- VII. The Superintendent shall develop guidelines for service animals on campus. Guidelines shall include but not be limited to
- A. The process for requesting approval for the use of a service animal in the school or District setting;
 - B. Standards of behavior for the service animal;
 - C. Required accommodation documentation;
 - D. Required health certification for the animal;
 - E. Transportation of the service animal;

- F. Emergency procedures; and
 - G. Orientation for school personnel and students.
- VIII. The District shall not assume responsibility for training, health care or daily care of any service animal.

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

LAW(S) IMPLEMENTED: **413.08, 1001.32, 1001.43, 1006.07, 1006.08, F.S.**
28 CFR 35.104, 28 CFR 35.136,
28 CFR 36.104, 34 CFR 104

HISTORY: **ADOPTED: 10/22/2019**
REVISION DATE(S): 03/23/2021
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.

- I. 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 3.51 - Photocopying of Public Records.
- II. 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. A complaint of misconduct filed with the District against a District employee and information obtained in the investigation until the investigation is concluded with a finding to proceed or not to proceed with disciplinary action or charges and the subject of the complaint has been notified of the finding;
 - G. 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;
 - H. Sealed responses to request for bids or proposals, until such time as they are publicly opened pursuant to Florida Statutes;

- I. Personally identifiable records of dependent children of former or current employees who are insured by a District group insurance plan; and
- J. Employee and student health and medical records as prescribed by Florida Statutes and P.L. 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA).

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**119.07, 119.071, 447.605, 1001.43, 1002.22,
1002.221, 1008.24, 1012.31, 1013.14, F.S.,
34 CFR 99, P.L. 103-382, 104-191**

HISTORY:

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

CHAPER 3.00 - SCHOOL ADMINISTRATION

PHOTOCOPYING OF PUBLIC RECORDS

3.51

- I. 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.
- II. Audio, video, and other materials shall be charged at rates as established by the Superintendent/designee.

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:**

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 a school or 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 and provide evidence of compliance with Florida Statute Section 448.095 (evidence may consist of, but is not limited to, providing notice of Contractor's E-Verify number).
- II. An employee or contractor of an employer who offers a high school student internship(s) must meet level 2 background screening requirements if he/she has direct, unsupervised access to the student intern(s).
- III. The District shall issue a state identification badge that is valid for five (5) years to a contractor who meets level 2 screening requirements. The recipient of the badge shall be responsible for paying a fee established by the Department of Education. The badge shall bear the picture of the contractor and must be visible at all times the contractor is on school grounds.
- IV. The District shall recognize the uniform statewide identification badge that has been issued by another school district.
- V. A noninstructional contractor who has been convicted of any disqualifying offense, as defined in Florida Statutes, shall not have access to school grounds when students are present.
- VI. 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.
- VII. Each person under contract as described in sections I. and II. 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. The individual shall also be responsible

for returning the badge within forty-eight (48) hours to the district that issued the badge. 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. A person who is working with an intern will not be allowed to continue in an unsupervised situation.

- VIII. The following noninstructional contractors shall be exempt from level 2 screening:
- A. A contractor who is under direct, line of sight supervision of a District employee or contractor who has met level 2 screening requirements;
 - B. A contractor who is required by law to undergo level 2 screening for licensure, certification, employment, or other purpose and provides appropriate documentation;
 - C. A law enforcement officer who is assigned or dispatched to school grounds;
 - D. An employee or medical director of a licensed ambulance provider who is providing services;
 - E. A contractor at a site where students are not permitted and a six (6) foot chain link fence separates the work site from the remainder of the school grounds; or
 - F. A contractor who provides pickup or delivery services that involve brief visits to school grounds when students are present.
- IX. A noninstructional contractor, as described in section VIII., who is exempt from level 2 screening shall be subject to a search of the registry of sexual offenders and sexual predators maintained by the Florida Department of Law Enforcement and the National Sex Offender Public Registry maintained by the U.S. Department of Justice. The District shall conduct the registry search without charge to the contractor. If a contractor is identified as a sexual predator or offender and not allowed on school grounds, the District shall notify the vendor, individual or entity under contract within three (3) business days.
- X. The Superintendent shall develop procedures to implement this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**288.061, 448.095, 1001.43, 1003.496, 1012.32,
1012.465, 1012.467, 1012.468, F.S.**

HISTORY:

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FORMERLY: NEW**

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 nonpaid 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.

- I. 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.
- II. School volunteers shall meet level two (2) screening requirements, when required. A person who has been convicted of a crime that would disqualify him/her for employment in the District, shall not be accepted as a volunteer.
- III. The Office of School Volunteers shall maintain a current list of school volunteers approved by the superintendent or his/her designee.
- IV. The Superintendent shall issue directives concerning school volunteers as may be deemed necessary.
- V. A school volunteer shall be accorded the same protection of Florida Statutes as accorded to certificated instructional personnel provided the school volunteer has officially recorded his/her attendance in the school where he/she is rendering services under an administrative or instructional staff member.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**110.504(4), 110.504(5), 440.02(15)(d)6, 435.04,
768.28, 943.04351, 1001.43, 1012.01, F.S.**

HISTORY:

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

CHAPTER 3.00 - SCHOOL ADMINISTRATION

CHARTER SCHOOLS

3.90

The purpose of this policy is to ensure the highest quality of instruction and safety for all Charter School participating students and to maintain accountability for the appropriate use of all allocated resources.

I. Eligibility to Apply

- A. A proposal for a new charter school may be made by an individual, teachers, parents, group of individuals, a municipality, or any legal entity organized under the laws of the state of Florida. The school shall organize as a nonprofit organization prior to receiving approval as a charter school with the School Board.
- B. The principal, teachers, parents and/or the school advisory council at an existing public school that has been in operation for at least two (2) years may submit a proposal for converting the school to a charter school, provided that they demonstrate the support of at least fifty percent (50%) of the teachers then currently employed at the school and fifty percent (50%) of the parents voting whose children are then currently enrolled in the school. A majority of the parents eligible to vote must participate in the ballot process. The ballot process must be conducted in accordance with State Board of Education rule.
- C. A charter school may operate a virtual charter school to provide full time online instruction to eligible students. An existing charter school may become a virtual charter school by amending its charter or submitting a new application.
- D. Private schools, parochial schools and home education schools are not eligible for charter status. A charter school may not be affiliated with a nonpublic sectarian school or religious institution and shall be nonsectarian in programs, admission policies, employment practices and operations.

II. Timelines for Approving Charter Schools

The School Board shall annually accept applications on or before February 1, and staff may provide technical assistance to organizations and individuals submitting proposals. Before approving or denying any application, the district shall allow the applicant, upon receipt of written notification, at least seven (7) calendar days to make technical or non-substantive corrections and clarifications. A charter school application shall be approved or denied no later than ninety (90) calendar days after receipt of the application unless the

sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date. An approved charter school will open 18 months later (at the beginning of the district's school year) or to be opened at a time determined by the applicant. However, a charter school may defer the opening of the school for up to three (3) years to provide time for adequate facility planning.

III. Application

- A. Proposals for charter schools shall be submitted on the application form prepared by the Department of Education. The application does not constitute the charter which will be considered the legal contract between the School Board and the school organizational body.
- B. Before final approval or denial of an application, the District shall notify the applicant in writing if technical or nonsubstantive corrections need to be made or signatures need to be added if the errors may cause denial of the application. The applicant will be allowed at least seven (7) calendar days to make the corrections.
- C. The application shall include
 - 1. All items required by Florida Statutes.
 - 2. Proof of insurability from an adequate rated insurer with a policy of no less than one million dollars (\$1,000,000) for errors and omissions and general liability coverage to include but not limited to prior acts, sexual harassment, civil rights and employment discrimination, breach of contract, insured vs. insured, consultants and independent contractors.
 - 3. Coverages for property and casualty equal to replacement costs for school structures and contents, automobile and workers' compensation.
 - 4. An indemnification or hold harmless agreement releasing the School Board of all liability for actions by the charter school governing body or its employees.
- E. The applicants and members of the governing body of the proposed charter school shall submit with the application a complete set of fingerprints taken by an employee of the School District who is trained to take fingerprints. These fingerprints shall be submitted to the appropriate state and federal law enforcement agencies for processing with the cost borne by the applicant and charter school governing body members.

- F. The applicants, members of the governing body, and all proposed service providers shall disclose the name and sponsor of any charter school operated by an applicant, governing board member, or service provider that has closed, the reason for the closure, and the academic and financial history of those charter schools.

IV. Charter

- A. Within thirty (30) 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 forty (40) days to negotiate the charter and provide notice for final approval of the charter contract.
- C. The following elements shall be included in the school's charter agreement with the School Board:
 - 1. School vision and mission
 - 2. Students to be served (ages, grades, current school or zone and projected FEFP categories)
 - 3. Student criteria for admissions, selection process and dismissal procedures
 - 4. Marketing/recruitment plan
 - 5. Method for achieving racial and ethnic balance of student population
 - 6. FTE enrollment verification process
 - 7. Focus of the curriculum with emphasis on reading
 - 8. Instructional methods to be used, including service to ESE, ADA and ESOL students and students who are reading below grade level
 - 9. Current baseline standard of student achievement, outcomes to be achieved and method(s) of measurement
 - 10. Methods used to identify the educational strengths and needs of students and how well goals are met by the students
 - 11. Participation in the statewide assessment program

12. Method for determining that a student has met graduation or promotion requirements
13. *Code of Student Conduct* consistent with District policies and discipline code
14. Method of identification and acquisition of appropriate technologies needed to improve educational and administrative performance
15. Means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards
16. Nature of parent involvement
17. Conflict resolution strategies for students, parents and staff
18. Methods for resolving conflict between School Board and governing body of the charter school
19. Program evaluation and reporting plan
20. Annual progress reports to include state required information
21. Status as a private or public employer
22. Staff status related to certification or subcontracting
23. Strategies that will be used to recruit, hire, train, and retain qualified staff to achieve best value
24. Staff selection process, including fingerprinting and criminal background check
25. Disclosure of employees of the charter school who are related to the owner, board of directors, president, superintendent, school administrator or other person with decision making authority at the charter school
26. Qualifications of teachers which must be disclosed to parents
27. Professional development plan

28. Alternative arrangements for students and teachers at a converting public school who choose not to participate
 29. Charter School Board members and background checks including fingerprinting for governing body
 30. Articles of incorporation and governance structure, including names, addresses, financial disclosure to include the same requirements as in Florida Statutes
 31. Financial and administrative management of school
 32. Internal financial controls and audit process
 33. Proposed budget including salary and benefits of staff and letter of credit or other funds to cover start-up costs
 34. Procedure for notification by auditor if school is in a state of financial emergency or deficit financial position
 35. Insurance coverage at specified limits no less than one million dollars (\$1,000,000) for errors and omissions and general liability and property equal to replacement costs of all structures and contents
 36. Indemnification or hold harmless agreement
 37. Transportation, food service or other plans and agreements with the District or other contractors
 38. Facilities to be used and their location and evidence of all codes having been met
 39. Length of agreement
 40. Renewal and modification of the agreement
 41. Provision for cancellation of the agreement for insufficient progress
 42. Implementation timetable
- D. The District shall provide academic student performance data to charter schools for each of their students coming from the District, as well as rates of academic progress of comparable student populations in the District school system.

- E. The governing body shall exercise continuing oversight over charter school operations.
- F. The governing body shall participate in governance training approved by the Department of Education.
- G. After a public hearing to ensure community input, the governing body of the charter school and the District shall sign the charter.

V. Approval

- A. The School Board shall review all completed applications for a charter school received on or before February of each calendar year for charter schools to be opened ~~at~~ 18 months later (at the beginning of the district's next school year) or to be opened at a time determined by the applicant. The School Board shall by a majority vote of the full Board approve or deny a formal application no later than ~~sixty (60)~~ ninety (90) days after receiving the completed application during the submission period, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date.
- B. 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, based on good cause, and must provide documentation supporting those reasons. The notification shall also be submitted to the Department of Education.

VI. Selection Criteria

Utilizing the Department of Education evaluation instrument, the School Board shall consider but is not limited to using the following criteria to evaluate applications for charter school approval:

- A. Mission, guiding principles, and purpose
- B. Target population and student body
- C. Educational program design
- D. Curriculum plan
- E. Student performance, assessment, and evaluation

- F. Exceptional students
- G. English language learners
- H. School culture and discipline
- I. Supplemental programming
- J. Governance
- K. Management and staffing
- L. Human resources and employment
- M. Professional development
- N. Student recruitment and enrollment
- O. Parent and community involvement
- P. Facilities
- Q. Transportation
- R. Food service
- S. School safety and security
- T. Budget
- U. Financial management and oversight
- V. Start-up plan

VII. Nonrenewal or Termination of Charter

- A. At the end of the term of a charter, the School Board may choose not to renew the charter for any of the following grounds:
 - 1. Failure to participate in the state’s education accountability system or failure to meet the requirements for student performance stated in the charter.

2. Failure to meet generally accepted standards of financial management.
 3. Material violation of law, or
 4. Other good cause shown.
- B. During the term of a charter, the School Board may terminate the charter for any of the grounds listed in paragraph VII.A. If the health, safety, or welfare of the student(s) is threatened, the charter may be terminated immediately.
- C. At least ninety (90) days prior to renewing or terminating a charter, unless a state of emergency exists, the School Board shall notify the governing body of the school of the proposed action in writing, detailing the grounds for the action and stipulating that the school's governing board may within fourteen (14) calendar days of receipt of the notice request a hearing. The hearing shall be conducted by an administrative law judge assigned by the Division of Administrative Hearings.
1. The administrative law judge's final order shall be submitted to the sponsor and shall award to the prevailing party attorney fees and costs incurred during the administrative proceeding and any appeals.
 2. Within thirty (30) calendar days after receiving the final order, the charter school governing board may appeal the decision as allowed by law.
- D. After all school grade appeals are final, a charter school's charter contract is automatically terminated if the school earns two (2) consecutive grades of "F" unless the school meets certain criteria.
- E. A charter may be terminated by a charter school's governing board through voluntary closure.
- F. In the event a charter is not renewed or is terminated, the School District may assume the operation of the school, or the school shall be dissolved and students assigned to other public schools. All unencumbered funds, as well as property and improvements, furnishings and equipment purchased with public funds shall automatically revert to full ownership of the School Board.
- G. If a charter is not renewed or is terminated, the governing body of the school is responsible for all debts of the charter school. The District shall not assume the debt from any contract for services made between the governing body of the school and a third party, except for a debt that is previously detailed and agreed upon in writing by both the governing body of the school and the School Board and that may not reasonably be assumed to have been satisfied by the District.

- H. 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.

VIII. Tuition Prohibition

A charter school shall not charge tuition or fees, except those fees normally charged by other public schools.

IX. Rule Exemptions

A charter school shall be exempt from all School Board policies except those pertaining to health, safety, civil rights, financial records, accountability related to student enrollment reports, financial audits, and collective bargaining agreements if the staff chooses to remain part of the District bargaining unit(s).

X. Personnel Options

- A. Charter school employees may bargain collectively as a separate unit or as part of the existing applicable District collective bargaining unit(s).
- B. If teachers at a charter school choose to be part of a professional group that subcontracts with the charter school to operate the instructional program under the auspices of a partnership or cooperative that they collectively own, they shall not be considered public employees.
- C. Employees of the School District may take leave to accept employment in a charter school upon the approval of the district school board. While employed by the charter school and on approved leave, the employee may retain seniority accrued in the district and may continue to be covered by the benefit program of the School District only if the charter school and the School Board agree to the arrangement and its financing.
- D. Teachers employed or under contract to a charter school shall be certified as required by Florida Statutes or if not certified, contracted with according to the provisions defined in Florida Statutes.
- E. The charter school shall conduct screenings and employment history checks, as required by law, on candidates for instructional and administrative positions that require direct contact with students.

- F. All governing board members and employees of a charter school shall be fingerprinted and shall undergo a background screening as provided for in Florida Statutes.
- G. The governing body of a charter school may elect to participate in the Florida Retirement System after proper application and approval under Florida Statutes.

XI. Funding

Students enrolled in a charter school shall be funded the same as students enrolled in a basic or special program in any other public school in the District.

- A. Each charter school shall report its student enrollment to the District School Board as required by Florida Statutes and School Board policy and procedures. The School Board shall include each charter school's enrollment in the District's report of students.
- B. Charter schools whose students or programs meet the eligibility criteria in law shall be entitled to their proportionate share of all Florida Education Finance Program and General Appropriations Act funds, gross state and local funds, discretionary funds, categorical program funds and federal funds. Total funding for each charter school will be recalculated during the year to adjust for the actual weighted full-time equivalent and eligible students reported by the school and the revised calculations under the Florida Education Finance Program, following the October and February Full Time Equivalent (FTE) counts.
- C. Any administrative fee charged by the School District to the charter school shall be no more than five percent (5%) of the available funds defined in XI.B. The District may only withhold an administrative fee for enrollment up to and including two hundred fifty (250) students. The District may only withhold an administrative fee for enrollment up to and including five hundred (500) students within a system of charter schools that meets designated criteria. Administering the contract includes providing technical assistance, monitoring policy compliance and processing financial, student and other records or required reports. This does not include contract(s) for other specific services to staff or student participation in the benefit packages or other special programs. The fees for these services will be negotiated and will be determined on an actual cost basis.
- D. The School District shall make every effort to ensure that charter schools receive timely and efficient reimbursement with payment issued no later than ten (10) working days after receipt of funding or pay a penalty of one percent (1%) interest per month. Under no circumstances will the School District advance funds before

a charter school is open, but the School Board may approve a charter before the applicant has secured space, equipment or personnel if the applicant indicates approval is necessary for it to raise working capital.

XII. Facilities Requirement

A charter school shall utilize facilities which comply with the Florida Building Code adopted pursuant to Florida Statutes, the Florida Fire Prevention Code pursuant to Florida Statutes and the comprehensive land use plan as adopted by the authority in whose jurisdiction the facility is located. A certificate or temporary certificate of occupancy may be required by the School District within fifteen (15) days of the opening of school.

XIII. Length of the School Year

A charter school shall provide instruction for at least one hundred eighty (180) days and may provide instruction for additional days. Reimbursement for additional days of instruction will be subject to the limits of the Florida Education Finance Program, General Appropriations Act and other rule or programs that restrict funding to the School District. Upon approval of a charter application, the initial startup must be consistent with the beginning of the school year calendar(s) adopted by School Board.

XIV. Monitoring and Review

- A. The Superintendent, or designee, and the District internal auditor shall have ongoing responsibility for monitoring the health, safety and well being of students and the fiscal responsibility of all approved charter schools. The Superintendent, the Superintendent's designee, the District internal auditor and all School Board members shall have free and open access to the charter school at all times.
- B. The charter school shall submit a monthly financial report to the School District.
- C. Annually, no later than forty-five (45) calendar days following the end of the regular school term, the governing body of the charter school shall submit the following for School Board review:
 - 1. The charter school's progress towards achieving the goals outlined in its charter;
 - 2. The charter school's annual report to parents pursuant to Florida Statutes;
 - 3. An annual financial audit report obtained by the school reflecting generally accepted financial accounting standards;

4. Salary and benefit levels of school employees;
 5. Certification status of instructional personnel; and
 6. Any other information provided by the school, the Superintendent or the internal auditor.
- D. Upon receipt of the required annual report, the School Board shall forward the report to the Commissioner of Education at the same time as other annual school accountability reports.
 - E. If a deteriorating financial condition is identified, the School District shall notify the governing board of the charter school and the Commissioner of Education within seven (7) business days. The governing board and District shall develop a corrective action plan and submit the plan to the Commissioner of Education within thirty (30) business days after notifying the charter school.
 - F. If a certified public accountant or an auditor finds that a charter school is in a state of financial emergency, the charter school shall file a detailed financial recovery plan with the District and Commissioner of Education no later than thirty (30) days after receipt of the audit. The Superintendent or designee shall monitor implementation of the recovery plan.
 - G. A charter school that receives a school grade of D shall report to the District regarding areas of deficiency. The charter school shall submit a school improvement plan for approval by the School Board. The Superintendent or designee shall monitor implementation of the plan in accordance with Florida Statutes.

XV. Appeal Process

- A. An applicant may appeal any denial of an application for a charter school to the State Board of Education no later than thirty (30) days after the School Board's final decision or failure to act on an application. The State Board of Education must accept or reject the decision of the School Board no later than ninety (90) days after an appeal is filed, and remand the application with its written recommendation to the School Board.
- B. The School Board shall act upon the recommendation of the State Board of Education no later than thirty (30) days after it is received.
- C. The decision of the State Board of Education is a final action subject to judicial review.

- D. A governing body may appeal the School Board's decision not to renew or to terminate a charter as outlined in VII.C.

XVI. Immunity

For the purposes of tort liability, the governing body and employees of a charter school shall be governed by Florida Statutes. The School Board shall assume no liability for actions of the governing body of the charter schools or its employees.

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

LAW(S) IMPLEMENTED: **120.68, 1001.02, 1001.43, 1002.33, 1002.331, 1002.345, 1002.45, 1002.455, 1013.62, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-6.0781, 6A-6.0787**

HISTORY: **ADOPTED: 10/22/2019**
REVISION DATE(S): 00/00/0000
FORMERLY:

CHAPTER 3.00 - SCHOOL ADMINISTRATION

SUPERINTENDENT'S SALARY

3.201

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

- I. 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.
- II. Other than paragraph (3) below, the Superintendent's salary will be determined in a manner that is independent of salary amounts of other personnel.
- III. The Superintendent's salary will normally exceed the current annual salary approved by the board for the next senior person.
- IV. 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.
- V. 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.
- VI. 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

SUPERINTENDENT OF SCHOOLS

3.202

The Superintendent, as secretary and executive officer of the School Board, shall have the responsibility for the administration and management of the District's schools and for the supervision of instruction in the District.

The Superintendent shall provide educational direction for the instructional staff and supervision for the support staff.

The Florida statutes vest in the Superintendent the following powers:

- I. exercise general oversight over the District in order to determine problems and needs, and recommend improvements
- II. advise and counsel with the Board on all educational matters and make recommendations to the Board for action regarding such matters as should be acted upon
- III. recommend to the Board such policies as the Superintendent may consider necessary for the District's more efficient operation
- IV. prepare and submit to the Board for adoption such policies to supplement those rules adopted by the State Board of Education that, in the Superintendent's judgment, will contribute to the efficient operation of the District, and, upon adoption by the Board, require compliance with these policies
- V. from time-to-time prepare, organize, and submit to the Board for adoption such minimum standards relating to the operation of any phase of the District program as are needed, in the Superintendent's judgment, to supplement standards of the State Board of Education and as will contribute to the efficient operation of the District's program, and, upon adoption by the Board, require that said standards are observed
- VI. perform such duties and exercise such responsibilities as are assigned to the Superintendent by law and by rules of the State Board of Education

The Superintendent shall perform the duties and responsibilities set forth in the Florida statutes, including, but not limited to, the following:

- I. require the participation of all instructional staff members and school administrators in training on the District's standards of ethical conduct and the related policies and procedures upon employment and annually thereafter
- II. make recommendations, nominations, proposals, and reports required by law to be acted upon by the Board
- III. keep the Board informed of school operation by preparing Board agendas, providing oral and written communication, scheduling management meetings, and requesting special Board meetings that become necessary to keep the Board properly informed
- IV. require that all aspects of District operation comply with State laws and regulations as well as Board contracts and policies
- V. require that all laws, rules of the State Board of Education, and the policies of the Board are properly observed
- VI. prepare and submit the annual budget to the Board for adoption and to direct all expenditures within the appropriations adopted by the Board
- VII. direct the work of all personnel in accordance with the Florida statutes, Federal law, and the policies of the Board
- VIII. recommend measures to the Board so that adequate educational facilities are available throughout the District
- IX. prepare reports to the Board on the conditions and needs of the schools and to acquaint the public with the said activities and needs
- X. assign staff to their respective teaching duties
- XI. work cooperatively with parents and community groups concerned with programs in the schools
- XII. participate in such conferences and courses of continuing professional education so that s/he may function more efficiently and effectively
- XIII. authorize administrators to enter into agreements with consultants
- XIV. delegate authority to staff in any matters, when it becomes expedient to do so, and assume full responsibility for the execution and satisfactory completion of the delegated activities

XV. recommend to the Board an annual plan for instructional plans

The Superintendent may authorize changes or exceptions as necessary for implementing the instructional program.

Pursuant to the Florida statutes, the Superintendent shall not knowingly sign and transmit to any State official a report that the Superintendent knows to be false or incorrect. Furthermore, the Superintendent shall investigate any allegation of misconduct by instructional staff members or school administrators, as defined in F.S. 1012.01, which affects the health, safety, or welfare of a student, and shall report the alleged misconduct to the Department of Education as required by the Florida statutes.

F.S. 1001.49, 1001.51

LAW(S) IMPLEMENTED:

1001.48, 1001.49, 1001.464, 1001.51

HISTORY:

ADOPTED: _____

REVISION DATE(S): _____

FORMERLY:

CHAPTER 3.00 – SCHOOL ADMINISTRATION

ACTIVE SHOOTER EMERGENCY RESPONSE

3.401

It is the policy of Gadsden County School Board to provide an active shooter emergency response plan to alert employees that an active shooter appears to be engaged in killing, attempting to kill or causing bodily harm to people at a school site. The active shooter emergency response plan is designed to give employees authority to make crucial decisions that will save lives.

DEFINITION:

ACTIVE SHOOTER is defined as a person (s) in the possession of a firearm and/or explosive device who appears to be actively engaged in killing, attempting to kill or cause bodily harm to individuals on Gadsden County School District grounds.

In most cases active shooters use firearm(s) and display no pattern or method for selection of their victims. In some cases, active shooters use other weapons and/or improvised explosive devices to cause additional victims and act as an impediment to police and emergency responders. These devices may detonate immediately, have delayed detonation fuses, or detonate on contact.

The superintendent shall develop procedures for the implementation of this policy.

STATUTORY AUTHORITY

1001.41, F.S.

LAWS IMPLEMENTED 1001.43, 1001.51, 1006.062, 1006.07, 1006.145, 1006.21, 1013.13, F.S.

STATE BOARD RULE

**6A-1.0403, 6A-3.017
ADOPTED: MM/DD/YYYY**

HISTORY

REVISION DATES (S): 00/00/0000

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 shall include, but not be limited to
 - A. Elementary Level Curriculum - reading, language arts, social studies, science, health, physical education, music, art, mathematics, character education, and such other disciplines that may be considered necessary to a comprehensive elementary school program. The curriculum shall include instruction in study and work habits, critical thinking skills, health and hygiene, citizenship, career orientation, the establishment of purposes, and the development of and morality;
 - B. Middle Level Curriculum - Mathematics, language arts, reading, science, social studies, music, art, health, physical education, exploratory career education, character education, computer literacy if resources are available, and critical thinking skills. Activities which offer desirable experiences such as consumer education, band, drama, creative writing, athletics, and student government shall be promoted. Instruction in the use of the library and counseling services shall be provided;

- C. Senior Level Curriculum - Will consist of courses which meet the needs of all students. Both college preparatory and terminal courses shall be offered at levels which will challenge each student to perform in accordance with his/her ability.
 - 1. Library instruction and counseling services shall be provided.
 - 2. Character education shall include instruction on the development of leadership, interpersonal, organization, and research skills; workplace ethics and law; conflict resolution; skills that enable students to become resilient and self-motivated; and skills which assist students to become employed.
 - 3. A program of student government, student publications, drama, music, social activities, and athletics shall be provided for the development of well-rounded citizens.
- D. 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 education as provided in state-adopted textbooks, or information relating to sex education as required in other courses using duly-adopted textbooks and materials where the teaching of 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(s), 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 contain 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 an absolute way to avoid 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. 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.
- XV. 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 of the children engaged in such classes.
- XVI. 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, 1003.42,
1003.4203, 1003.45, 1003.455, 1006.28,
1006.29, 1008.25, 1010.305, F.S.**

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

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

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT PROGRESSION PLAN

4.11*+

The School Board shall approve the *Student Progression Plan* and copies shall be maintained at the central office, on the District website, 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, career and technical education, job entry, vocational education and alternative compensatory education. The plan shall include options for virtual instruction, academic acceleration and early high school graduation. After School Board approval, the District's *Student Progression Plan* shall be made a part of this rule.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1002.3105, 1002.321,
1003.4156, 1003.4281, 1003.4295,
1003.437, 1003.49, 1008.25, F.S.**

HISTORY:

**ADOPTED: 10/22/2019
REVISION DATE(S): 01/28/2020
FORMERLY:**

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.

The Gadsden School District is responsible for providing services to students who are eligible for the following exceptional student education (ESE) programs.

- Autism Spectrum Disorder (ASD)
- Deaf or Hard-of-Hearing (DHH)
- Ages Birth-5 Years
 - Birth Through Two Years
 - Established Conditions (EC): Ages Birth Through 2 Years Old
 - Developmentally Delayed (DD): Ages Birth Through 2 Years Old
 - Ages Three through Five Years
 - Developmentally Delayed (DD): Ages 3-5 Years
- Dual-Sensory Impairment (DSI): Deaf-Blind
- Emotional/Behavioral Disability (E/BD)
- Gifted
- Homebound or Hospitalized (HH)
- Intellectual Disability (InD)
- Language Impairment (LI)
- Other Health Impairment (OHI)
- Orthopedic Impairment (OI)
- Specific Learning Disability (SLD)
- Speech Impairment (SI)
- Traumatic Brain Injury (TBI)
- Visual Impairment (VI): Blind and Partially Sighted

- 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:

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.

- I. 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.
- II. 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.
- III. 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.
- IV. 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.
- V. Any student enrolled in Gadsden Technical Institute 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

ACADEMIC AND CAREER PLANNING

4.18

Middle grade students shall participate in a career and education planning course during the sixth, seventh or eighth grade. The course must be internet-based, customizable to each student, and include research-based assessments to assist with determining educational and career options and goals. Career exploration shall be included in the curriculum. The purpose of this course shall be to enable students and parents to develop a personalized academic achievement and career goals for postsecondary experience.

- I. The academic and career plan shall include
 - A. A destination;
 - B. A major area of interest;
 - C. A list of courses to meet the requirements of the destination and major area of interest.
 - D. A detailed explanation of the requirements for earning a high school diploma designation.
 - E. The requirements for each scholarship in the Florida Bright Futures Scholarships Program
 - F. The requirements for state university and Florida College System institution admission.
 - G. Opportunities available to earn college credit in high school, including Advanced Placement courses; the International Baccalaureate Program; the Advanced International Certificate of Education Program; dual enrollment, including career dual enrollment; and career education courses.
- II. Destinations shall include
 - A. Four (4) year college or university, community college plus university, or military academy degree;
 - B. Two (2) year postsecondary degree;
 - C. Postsecondary career certificate;

- D. Immediate employment or entry level military; or
 - E. A combination of any of these destinations.
- III. The destinations shall accommodate the needs of exceptional education students to the extent appropriate for individual students. These students may follow the courses outlined in the *Student Progression Plan*.
- IV. Completion of the academic and career plan shall be required for promotion to grade nine (9).
- V. Secondary schools shall ensure that students and parents are aware of the destinations and the process of developing and revising academic plans.
- VI. The District shall encourage the business community to support career preparation by providing internships and apprenticeships.
- VII. Each high school principal shall
- A. Designate an instructional or administrative staff member to serve as a specialist who will
 - 1. Coordinate the use of student achievement strategies;
 - 2. Assist teachers in integrating academic and career curricula, using technology, providing feedback about student achievement and implementing career and technical preparation programs;
 - 3. Coordinate the review of academic plans; and
 - 4. Coordinate the collection and retention of signed academic plans.
 - B. Implement strategies to improve reading, writing and mathematics skills and eliminate deficiencies in these areas.
 - C. Ensure that each student shall have an academic advisor if parental involvement is not evident.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.4156, 1003.491, F.S.

HISTORY:

ADOPTED: 10/22/2019
REVISION DATE(S): 01/28/2020
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

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 Next Generation 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.

- V. The District shall notify parents annually that counseling concerning the benefits of physical education is available at each school. The District shall also inform parents, prior to scheduling a student for physical education, that the requirement for participation in physical education may be waived under certain circumstances as specified in law.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1003.41, 1003.42,
1003.453, 1003.455, F.S.**

HISTORY:

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

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ALLOCATION OF INSTRUCTIONAL MATERIAL

4.20*

- I. 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.
- II. Student fees may be charged only for materials and/or activities not eligible for funding by the school or school district when recommended by the principal and approved by the Superintendent.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.28, 1006.40, F.S.

HISTORY:

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

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

INSTRUCTIONAL MATERIALS SELECTION

4.21

It is the constitutional duty and responsibility of the Gadsden County School Board to adopt and provide adequate instructional materials to all students of the District, whether the materials are selected from the Florida Department of Education (FDOE) approved materials list or through a local selection program.

The selection and adoption of instructional materials shall be conducted as specified in the District's *"Instructional Materials Procedures Manual."*

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

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

HISTORY:

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

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EDUCATIONAL MEDIA MATERIALS SELECTION

4.22

- I. 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. Material that will stimulate growth in factual knowledge, literacy 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.
 - F. Criteria for Selection of Educational Materials -

The standards to determine the propriety of the educational materials shall be pursuant to Florida Statutes.

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.

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.

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.

(1) Procedures for Selection of Print Educational Media Materials-

(a) In selecting print materials for purchase, the school media specialist shall evaluate the existing collection and shall consult with:

- 1) 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.
- 2) Media staff, curriculum consultants, faculty, students, and community representative.
- 3) 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:

- 1) Purchase materials which are outstanding and frequently used;
- 2) Replace periodically worn or missing basic items;
- 3) Withdraw out-of-date or unnecessary items from the collection; and,
- 4) Examine sets of materials and materials acquired by subscription and purchase only material to fill a definite need.

G. All technology software and equipment should be vetted through the media and technology department prior to purchase to ensure compatibility with system standards and infrastructure.

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**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EXERTIONAL HEAT ILLNESS

4.23*+

I. Purpose of policy:

This policy describes the best practice procedures for the prevention, monitoring, and when necessary, the treatment of exertional heat illnesses for students/athletes, faculty, and staff of The Gadsden County School District. This policy applies to all staff members, including but not limited to athletic trainers, physicians, athletic administrators, coaches, strength and conditioning staff, and school administrators who are associated with activities where heat illness poses a risk, including but not limited to, outdoor and indoor activities where high temperature and specifically, high humidity environmental risks are present (e.g., athletics, intramurals, course instruction, marching band). Exertional heat illness includes exercise-associated muscle cramps, heat syncope, heat exhaustion, and exertional heat stroke (EHS)). Current best practice guidelines suggest that the risk of exertional heat injuries can be minimized with heat acclimatization and diligent attention to monitoring individuals participating in activities that place them at a higher risk for these types of injuries. In the event an athlete sustains a heat illness, immediate and proper treatment is necessary.

II. Definitions:

- A. *Acclimatization* – The process of gradually increasing the intensity of activity in a progressive manner that improves the body’s ability to adapt to and tolerate exercise in the heat. The acclimatization period is defined as the first 14 calendar days of a student-athletes’ participation, beginning with the first allowable date of practice in the sport of the first day an athlete begins official practice, whichever is later.
- B. *Wet Bulb Globe Temperature* – The WBGT is a measurement tool that uses ambient temperature, relative humidity, wind, and solar radiation from the sun to get a comprehensive measure that can be used to monitor environmental conditions during exercise. WBGT is different than heat index, as it is a more comprehensive measurement of environmental heat stress on the body.
- C. *Non-Practice Activities* – Activities that include meetings, injury treatment, and film study.
- D. *Practice* – The period of time that a student-athlete engages in coach-supervised, school approved sport or conditioning related-activity. Practice time includes from the time the players report to the field until they leave.

- E. *Walk Through* – A period of time where players are reviewing positional strategy and rehearsing plays. Players do not experience contact and thus they do not wear equipment and the intensity of the activity is minimal often involving walking. This period of time shall last no more than one hour. It is not considered part of the practice time regulation. It may not involve conditioning or weight room activities. Players may not wear protective equipment during the walk through.
 - F. *Recovery Time* – This period of time is defined as non-activity time outside of practices or games. NO ACTIVITY, including non-practice activity, can occur during this time. When it is possible, proper recovery should occur in an air-conditioned facility for a minimum of 3 hours in duration.
 - G. *Rest Breaks* – This period of time occurs during practice and is a non-activity time that is in a ‘cool zone’ out of direct sunlight.
 - H. *Exertional Heat Stroke (EHS)*– Defined as having a rectal temperature over 104°F-105°F (40.5°C), and central nervous system dysfunction (e.g. irrational behavior, confusion, irritability, emotional instability, altered consciousness, collapse, coma, dizzy, etc.).
 - I. *Cooling Zone*- An area out of direct sunlight with adequate air flow to assist in cooling. A cold-water or ice tub and ice towels should be available to immerse or soak a patient with suspected heat illness This may be outdoors or indoors depending on proximity to field.
 - J. *Qualified Health Care Professional (QHP)* - As defined by the American Medical Association (AMA), “is an individual who is qualified by education, training, licensure/regulation (when applicable), and facility privileging (when applicable) who performs a professional service within his/her scope of practice and independently reports that professional service.”
 - K. *Hypohydration*- (reduced hydration status) is a deficit of body water that is caused by acute or chronic dehydration.
 - L. *Central Nervous System dysfunction*- includes any sign or symptom that the central nervous system is not working properly, including: dizziness, drowsiness, irrational behavior, confusion, irritability, emotional instability, hysteria, apathy, aggressiveness, delirium, disorientation, staggering, seizures, loss of consciousness, coma, etc.
- III. **Monitoring Heat Stress** - Schools must monitor heat stress. Heat stress is determined by measuring the ambient temperature, humidity, wind speed, sun angle and cloud cover at

the site of the athletic activity. Schools are required to follow and adhere to the guidelines set forth by the FHSAA for heat stress readings.

- A. A pre-participation history and physical exam is required. Individuals with risk factors will be identified and counseled on heat illness.
 - B. The athletic trainer or persons responsible will be notified of individuals with pre-existing conditions that place the individual at risk of exertional illness.
 - C. Coaches will be notified of individuals at higher risk as needed.
- IV. Each athletic coach involving outdoor practices or events shall annually complete training in exertional heat illness identification, prevention, and response, including the effective administration of cooling zones.
- V. Environmental Monitoring and Activity modification/Cancellation
- A. Environmental monitoring will occur utilizing a WBGT device (insert school device here)
 - B. Environmental monitoring will occur any time it is warm outside (i.e. over 70°F)
 - C. Environmental monitoring and activity modifications may be necessary for certain types of indoor facilities.
 - D. Monitoring of WBGT will occur every 30 minutes beginning at the scheduled practice time.
 - E. All environmental monitoring will be recorded and stored either hard copy or electronically.
 - F. Modifications will be made in accordance with the best practice guidelines for our region. (School District) is in the southern region and will follow the guidelines based on the Florida High School Athletic Association policy.
- VI. Acclimatization protocols apply to all sports. Days 1 through 5 of the heat acclimatization period consists of the first 5 days of formal practice. During this time, athletes may not participate in more than one (1) practice per day. If a practice is interrupted by inclement weather or heat restrictions, the practice will recommence once conditions are deemed safe. Total practice time will not exceed 3 hours in a single day. A 1-hour maximum walk-through is permitted during days 1-5 of the heat acclimatization

period. A 1-hour recovery period will take place between the practice and walk-through (or vice versa).

- VII. Student-athletes who participate in activities that last for an extended amount of time or multiple activities in a day should be provided electrolytes to assist in rehydration. Rest breaks must involve unlimited hydration intake and rest without any activity involved.
- VIII. Coaches are required to adopt a heat injury prevention philosophy by promoting unrestricted access to water at all times. A student-athlete should never be denied access to water.
- IX. The school's emergency action plan must include a procedure for onsite cooling using cold-water immersion or equivalent means before a student-athlete is transported to a hospital for exertional heatstroke.
- X. Cooling zones must be available for each outdoor athletic contest, practice, workout, or conditioning session. Cooling zones must include the immediate availability of cold-water immersion tubs or equivalent and may also include ice sponges and towels or tarps that can be filled with ice and wrapped around individuals to rapidly cool internal body temperature. An employee or volunteer trained to administer cold-water immersion must be present.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1006.165, F.S.

HISTORY:

ADOPTED: 12/15/20
REVISION DATE(S): _____
FORMALLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CHALLENGED MATERIALS

4.30*+

- I. The following procedures shall be followed when the appropriateness of District-adopted books or materials is questioned:
 - A. School-community citizens may register their concerns with the Superintendent or principal of the school where material is being challenged.
 - B. All concerns shall be presented in writing on a printed form that is available in each school office, the Superintendent's office, or on the District website. The written objection must be filed within thirty (30) calendar days of the adoption of the material. A complainant who does not complete and return the form within the required time shall receive no consideration. The statement shall include the following information:
 1. Author, compiler, or editor;
 2. Publisher;
 3. Title;
 4. Reason for objection;
 5. Page number of each item challenged; and
 6. Signature, address and telephone number of person(s) making the complaint.
 - C. Within thirty (30) days after the initial thirty-day period has expired, the School Board shall conduct at least one public hearing on all petitions received during the thirty-day time period. The petitioner(s) shall be notified in writing of the date and time of the hearing at least seven (7) days prior to the hearing.
 - D. The contested material shall be made available to the public online at least seven (7) days before the hearing.
 - E. The decision of the School Board, after convening a hearing, shall be final and not subject to further review or petition.

- II. The following procedures shall be followed for other objections to instructional materials:
- A. A parent, as defined by Florida Statutes, may object to his/her child's use of a specific instructional material or an adult student may object to the use of a specific material in his/her instructional program. The parent or adult student may request a conference with the principal or principal's designee to discuss the use of the material.
 - B. The complainant will be provided with the District's policies and procedures for the selection of instructional materials. The principal or designee will explain the use of the material in the instructional program and answer questions from the individual.
 - C. If the issue is not resolved at the conference, the complainant will be provided with the form to file a written objection and an explanation of the process that will be followed.
 - D. These procedures shall be followed for school-level appeals:
 - 1. 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.
 - 2. Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
 - 3. 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.
 - 4. The complainant shall be informed in writing concerning the committee's recommendations.
 - E. 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.
 - 1. 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 a 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) A chairperson of a 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.

2. The committee's review shall be treated objectively, unemotionally, and in a 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.

3. The complainant shall be informed, in writing, in fifteen (15) working days after the committee's recommendation is received by the Superintendent.
- F. 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, 1006.28, F.S.

HISTORY:

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

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

EXTRACURRICULAR PROGRAM

4.40

The School Board recognizes the value to the students of the District and to the community of a program of interscholastic athletics for students as an integral part of the total school experience.

The program should foster the growth of school loyalty within the student body as a whole and stimulate community interest in athletics.

The game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

The program of interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by a school or the School District alone. It should also offer an opportunity for career and educational development.

Interscholastic extracurricular activities shall be defined as a planned secondary school-sponsored competitive activity that exists or is performed between students representing school, 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 direction and supervision of the principal. 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/employee.

All extracurricular activities shall be self-supporting, when possible. Students shall 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. Funds derived from extracurricular activities shall be processed according to the district's accounting procedures.

All high schools shall be members of the Florida High School Athletic Association and shall be governed by rules and regulations of said organization.

The Board shall determine the standards of eligibility to be met by all students participating in the interscholastic program. Such standards shall require that each student be in good physical condition, be free of injury, and have fully recovered from illness before participating in any interscholastic athletic event. Students shall comply with the eligibility requirements established by the Florida High School Athletic Association.

Since the primary purpose of the athletic program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition, rather than on winning, particularly at sub-varsity levels.

Athletic teams made up of seventh- and eighth-year students should consist of at least two (2) separate units playing alternate quarters. Furthermore, all seventh- and eighth-year students in uniform must play in each game.

No student shall be excused from a class or supervised study for an extended period of time to participate in interscholastic athletics.

The Board further directs that only those students may participate in the program of interscholastic athletics who have maintained a satisfactory academic record; attended school regularly; demonstrated good citizenship and responsibility; and/or returned all school and athletic equipment.

In order to support the Florida High School Athletic Association's program to strengthen sportsmanship, ethics, and integrity, the Board commits itself to:

- A. Adopt policies upon recommendation of the Superintendent that reflect the District's educational objectives and promote the ideals of good sportsmanship ethics, and integrity;
- B. Reinforce the concept that participation in athletic activities are a privilege, not a right;
- C. Attend and enjoy school athletic activities, serving as a positive role model and expecting the same from parents, fans, participants, coaches, and other school personnel;
- D. Support and recognize participants, coaches, school administrators, and fans who display good sportsmanship;
- E. Recognize the value of school athletic activities as a vital part of education.

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**

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.

- I. Trips shall be organized between the individual participants and any sponsoring agency.
- II. The School Board shall not be involved in the curriculum, itinerary, or selection of advisors for the trip.
- III. 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.
- IV. Class time may not be used for planning, collecting funds, distributing information, or in any manner concerning such trips.
- V. 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:**

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.

- I. 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).
- II. 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:**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

FIELD AND OTHER DISTRICT-SPONSORED TRIPS

4.43+

- I. The School Board recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Properly planned and executed field trips should:
 - A. supplement and enrich classroom procedures by providing learning experiences in an environment outside the schools;
 - B. arouse new interests among students;
 - C. help students relate school experiences to the reality of the world outside of school;
 - D. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience;
 - E. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from District premises, which is an integral part of a course of study and is under the direct supervision and control of an instructional staff member or any advisor as designated by the Superintendent.

Other District-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the District's total educational program and is under the direct supervision and control of an instructional staff member or any advisor as designated by the Superintendent.

School personnel shall not accept any form of compensation from vendors that might influence their recommendation on the eventual selection of a location for, or a vendor that will provide transportation to, a field or other District-sponsored trip. Furthermore, school personnel shall not accept any compensation from a vendor after a decision has been made regarding the location for, or a vendor that will provide transportation to, a field or other District-sponsored trip. In addition, school personnel who recommended the location for, or a vendor that will provide transportation to, a field or other District-sponsored trip shall not enter into a contractual arrangement whereby an individual staff member receives compensation in any form from the vendor that operates the venue for, or provides the transportation to, a field or other District-sponsored trip for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a school staff member receives such compensation, albeit unsolicited, from a vendor, the staff member shall notify the Fiscal Officer, in writing, that s/he received such compensation and shall thereafter promptly transmit said compensation to the Fiscal Officer at his/her earliest opportunity.

The Superintendent shall approve all field trips within the State of Florida. The Board shall approve all field trips out of State or out of the country.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the District who takes students on trips not approved by the Superintendent. No staff member may solicit students of this District for such trips within the facilities or on the school grounds of the District without permission from the Superintendent. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the District's administrative procedures for Extended Trips.

The Superintendent shall prepare administrative procedures for the operation of both field and other District-sponsored trips.

- A. the safety and well-being of students;
- B. parental permission is sought and obtained before any student leaves the District on a trip;
- C. each trip is properly planned, and if a field trip, is integrated with the curriculum, evaluated, and followed up by appropriate activities which enhance its usefulness;
- D. the effectiveness of field trip activities is judged in terms of demonstrated learning outcomes;
- E. each trip is properly monitored;
- F. student behavior while on all field trips complies with the Student Code of Conduct and on all other trips complies with an approved code of conduct for the trip;
- G. a copy of each student's Emergency Medical Authorization Form is in the possession of the staff member in charge;
- H. provisions have been made for the administration of medication to those students for whom medications are administered routinely while at school;
- I. provisions have been made at the trip destination and in transportation, if and when required to accommodate students and/or chaperones with disabilities.

An instructional staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled.

In any instance in which the itinerary of a trip is altered, the instructional staff member in charge shall notify the school administrator immediately.

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.

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 SOCIAL EVENTS

4.44

The Board will make school facilities available and provide appropriate staff for the conduct of those social events within the school facilities that have been approved by the Superintendent, and for those social events that take place outside school facilities that have been approved by the Board upon the recommendation of the Superintendent.

As voluntary participants in school social events, students shall be held responsible for compliance with rules set forth in the *Code of Student Conduct*, and infractions of those rules will be subject to the same disciplinary measures as are applied during the regular school program.

Participation in school events is not a right and may be denied to any student who has demonstrated disregard for the rules of the school.

- 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 should 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:

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:

- I. Saturday and Sunday performances shall be limited to those approved by the principal.
- II. There shall not be more than one (1) band appearance on a night preceding a school day during any one (1) week.
- III. Band appearances shall cease on the closing day of school for any school year except by special permission of the School Board.
- IV. A school band may not play where alcoholic beverages are being served.
- V. Adequate insurance shall be carried on all school-owned instruments.
- VI. 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:**

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT CLUBS AND ORGANIZATIONS

4.50

- I. All student clubs and organizations shall be approved by the principal before they can operate within a school center.
- II. 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.

III. 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.

IV. Secret societies, sororities and fraternities 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

SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS

4.51

The School Board sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, "school-sponsored student media" shall include both student publications and productions. "Student publications" shall include any written materials, (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other school-sponsored clothing), as well as material in electronic or on-line form (including, but not limited to, websites, web logs ("blogs"), video or audio clips, and newsletters or announcements transmitted by e-mail, wireless broadcast or other similar distribution/dissemination). "Student productions" shall include vocal and theatrical performances, impromptu dramatic presentations, or any electronic media (including, but not limited to, radio and television programs, podcasts, and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). Further, the term "publication" shall include distribution and dissemination of a student publication; and the term "performance" shall include presentation and broadcast of a student production.

The following speech is unprotected and prohibited in all school-sponsored student publications and productions: speech that is defamatory, libelous, obscene or harmful to juveniles; speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates school policy and/or State or Federal law. The Board authorized the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

All school-sponsored student publications and productions are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the style and/or content of all school-sponsored student publications and productions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues, but include the teaching by example of the shared values of a civilized social order, which

consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. School officials may **further** prohibit speech that is ungrammatical, poorly written, inadequately researched, biased or prejudice, vulgar or profane, or unsuitable for immature audiences.

The Board expressly authorizes the publication/performance of student media outside the school community (i.e. to the general public).

Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post-publication/performance discipline related to a student engaging in the impermissible publication and/or performance of unprotected speech.

Advertising is permitted in school-sponsored student publications/productions, if approved by the Principal.

The Principal shall review advertisements that are submitted to determine if they are appropriate for juveniles. The Superintendent retains the final authority to determine whether an advertisement is appropriate and will be included in a publication/production. Advertisements may be rejected for legitimate pedagogical school-related reasons unrelated to the viewpoint of the advertiser (e.g., the advertisement encourages action that would endanger the health and safety of students).

General Prohibitions

Regardless of their status as non-public or limited-purpose public *forums*, the Board prohibits publications, productions and advertisements that:

- A. promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or question submitted at any election;
- B. fail to identify the student or organization responsible for the publication/performance;
- C. solicit funds for nonschool organizations or institutions when such solicitations have not been approved by the Board.

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:

CHAPTER 4.00 – CURRICULUM AND INSTRUCTION

DISTRICT AND STATE-WIDE ASSESSMENT PROGRAM

4.60+

- I. Provisions of the District and statewide 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, gender, age, national or ethnic origin, political or religious beliefs, marital status, sexual orientation, pregnancy, disability if otherwise qualified, genetic information, or social and family background.
- III. Measurement of student performance shall be the responsibility of the District for subjects and grade levels that are not measured under the statewide standardized assessment program.
- IV. The statewide standardized end of course assessment shall be used as the final cumulative examination for the relevant course. A local assessment may be required as the final cumulative examination for a course that is not assessed under the statewide assessment program. A student enrolled in an Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) course who takes the respective AP, IB, or AICE assessment and earns the minimum score necessary to earn college credit, does not have to take the EOC assessment for the corresponding course.
- V. The uniform calendar of assessment and reporting schedules, provided by the Department of Education, shall be published on the District website. The District assessment schedule and required information shall be incorporated into the uniform calendar.
- VI. 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.
- VII. The parent, as defined by Florida Statutes, of each student must be notified regarding 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 and the results of district-required local assessments must be reported to the parent.
- VIII. The District shall provide student performance results on statewide standardized assessments and district-required local assessments to instructional personnel for the purpose of improving instruction.

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: 10/22/2019
REVISION DATE(S): 01/28/2020
FORMERLY:

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 district assessment coordinator shall instruct school assessment coordinators on test security measures.
 - B. The school assessment coordinator shall instruct the principal, school test administrators, and proctors on test security measures.
 - C. Principals and/or school assessment coordinators 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 district assessment 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 district assessment 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:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

HOME EDUCATION PROGRAM

4.70

The School Board encourages the enrollment of all resident school-age children in this District in public schools or in registered private schools so that they may enjoy the benefits of a well-planned educational program and the socialization possible in a group environment.

The Board recognizes its responsibility for assuring that every resident school-age child is enrolled in an approved school or is offered an equivalent education elsewhere and designates the Superintendent to act in its behalf.

All requests to educate a child in an equivalent education (home-education) program are to be submitted to the Superintendent.

Responsibilities

A parent or guardian who registers a child in a home education program shall meet the following requirements of Florida statute:

- A. notify the Superintendent of his/her intent to establish a home education program;
- B. maintain a portfolio of records and materials;
- C. provide for an annual educational evaluation.

If the parent or guardian of a child who has been identified as exhibiting a pattern of non-attendance enrolls a child in a home education program pursuant to Florida statute, the Superintendent shall provide the parent a copy of F.S. 1002.41 and the accountability requirements of F.S. 1003.26.

Notification

A parent establishing a home education program shall:

- A. provide written notice to the Superintendent of the intent to establish and maintain a home education program within thirty (30) days of the start of the program;

The notice must be signed by the parent/guardian and include the names, addresses, and birth dates of all the children who shall be enrolled as students in the home education program. The Superintendent shall accept the notice and immediately register the home education program upon receipt of the notice.

- B. provide written notice to the Superintendent's office within thirty (30) days of the termination of the home education program.

Records

A parent or guardian of a home school student shall maintain a portfolio or records and materials that includes:

- A. a log of educational activities made contemporaneously with the instruction and which designates by title any reading materials used;
- B. samples of any writing, worksheets, workbooks, or creative materials used or developed by the student;
- C. preserve the portfolio for a minimum of two (2) years and make it available to the Superintendent for inspection upon fifteen (15) days written notice.

Evaluation

The parent or guardian of each child in a home education program shall provide for an annual educational evaluation to document educational progress commensurate with the child's abilities. The parent/guardian shall select the method of evaluation from those provided in statute and shall file a copy annually with the Superintendent. The evaluation shall consist of one (1) of the following:

- A. An evaluation of the child's progress by a Florida certified teacher chosen by the parent (or the parent if certified) based on a review of the portfolio and discussion with the student.
- B. Any nationally-normed student achievement test (such as, ACT, SAT) that is administered by a certified teacher.
- C. A State student assessment test, administered by a certified teacher, at a location and under testing conditions approved by the School District. The School District shall provide the test materials, monitored site and test results when adequate notice is given to the District.
- D. An evaluation by a psychologist holding a valid active license pursuant to Florida statutes.
- E. An evaluation with another other valid measurement tool as mutually agreed upon by the Superintendent and the parent/guardian.

Failing to submit an annual evaluation places the home education program in non-compliance and the Superintendent may, after notice to the parent, terminate the home education program and enroll the student in the public school of residence to meet the compulsory attendance law. If the student has not made educational progress commensurate with his/her abilities, the parent/guardian has one (1) year to provide remedial instruction. At the end of that year, the child shall be re-evaluated. Continuation in the home education program is contingent upon showing educational progress that is commensurate with his/her level of ability. If progress is not demonstrated by the end of the one (1) year probationary period the Superintendent shall assign the student to the appropriate public school.

School District Responsibilities

The School District shall facilitate a parent request to implement and maintain a home education program through the following:

- A. The Superintendent shall identify an office to facilitate the parent notification of the intent to establish a home school program and to assist parents with finding resources and support for the implementation of a program of instruction.
- B. The Superintendent shall review and accept the result of the annual evaluation. If the child does not demonstrate progress, the Superintendent shall notify the parent/guardian in writing that such progress has not been achieved.
- C. Home education students who are gifted or have identified disabilities and who qualify for exceptional student education services shall be allowed to participate in those programs offered in the public schools consistent with an approved Individual Education Plan. Parents/Guardians shall be provided assessment for eligibility for ESE services upon request and shall be involved in the development of the student's Individualized Educational Plan (IEP).
- D. Home education students are not eligible for a regular high school diploma. A home education student may take the General Education Development (GED) test at an approved education center and be awarded a GED diploma by the State of Florida if the student receives a passing score.
- E. A home education student shall be allowed to participate in middle and high school extra-curricular and interscholastic extra-curricular activities in their zoned school and take any associated courses, provided the parent/guardian documents satisfactory attainment of the required 2.0 grade point average (GPA) and demonstrates educational progress in each subject taken in the home education program.
- F. Home education students shall be allowed to enroll in any class offered at a District school for part of the day. A Home education student may enroll in a public school solely for career and technical courses or programs. Industry certifications, national assessments and statewide assessments offered by the district shall be available to the home education program student. Enrollment in other non-ESE classes shall be on a space available basis in the home zone school with prior approval of the school principal.

Parents are responsible for the transportation of students in home education/private schools programs both to and from the public school. The school principal will establish the time and place for the arrival and departure of home education/private school student accepted into the part-time program. All home education/private school students who attend the District on a part-time basis are subject to the same relevant rules and regulations as full-time students.

Placement

Placement in the regular school program from a home education program shall follow the requirements of the District's *Student Progression Plan* as applied to out of county, foreign, and other non-accredited or non-traditional school. The principal's decision, following a review of documentation of performance or examination results and a conference with the parent or guardian, shall be final.

Transfer of High School Credit

Students placed above ninth grade shall have credits required for a diploma pro-rated accordingly. Course credits earned through participation in the Florida On-Line High School or other State or regionally accredited school or program shall be accepted when a transfer request is made from a home school program to a District high school and appropriate documentation is provided. Credit may be also awarded to home school students who transfer into the public school system based on the following:

- A. a special course approved in the State Course Code Directory with prior approval of a high school principal;
- B. demonstrated academic performance in the classroom;
- C. portfolio evaluation by the Superintendent;
- D. written recommendation by a Florida certified teacher selected by the parent and approved by the principal;
- E. demonstrated proficiencies on standardized subject area assessments; or
- F. demonstrated proficiencies on the FCAT or other State-mandated standardized test.

Field Trips and Other Activities

Home school students may not participate in activities or field trips sponsored by a school other than middle and high school extracurricular or interscholastic extra-curricular activities unless they are enrolled in a related program or class at the school. Home school students may participate in District wide community sponsored activities that include non-public school students, such as history, science, spelling, or speech contests or fairs.

STATUTORY AUTHORITY:

1001.01,1001.41 F.S.

LAW(S) IMPLEMENTED:

490.003 (7), (8), 1002.41, 1003.21 F.S.

HISTORY:

ADOPTED: 10/22/2019
REVISION DATE(S): 01/28/2020
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

VIRTUAL INSTRUCTION

4.75

- I. At least one (1) course required for graduation must be earned through online learning. A student shall not be required to take an online course outside the regular school day or in addition to the courses in which a student is registered in a given semester.
- II. All students, including home education and private school students are eligible to participate in the Gadsden County Virtual Instruction Program. The District shall provide various options for eligible students to participate in part-time or full-time virtual instruction. Options may include
 - A. Courses in the traditional school setting taught by certified personnel who provide instruction through virtual instruction;
 - B. Blended learning courses taught by certified personnel that consist of traditional classroom and online instructional techniques;
 - C. Online courses offered by the District;
 - D. Online courses offered by another Florida school district;
 - E. Enrollment in Florida Virtual School; and
 - F. Enrollment with a virtual instruction provider approved by the Florida Department of Education.
- III. Students may also use the following options to meet online course requirements:
 - A. Completion of a course in which a student earns an industry certification in information technology that is identified on the CAPE Industry Certification Funding list;
 - B. Passing the information technology certification exam without enrolling in or completing the course(s); or
 - C. Passing an online content assessment that requires the student to demonstrate skill and competency in locating information and applying technology for instructional purposes without enrollment in or completion of the relevant course(s).

IV. Student eligibility is determined by either reviewing the student’s previous year enrollment history with the district or for those students who have transferred from another district, using the Student Locator function via the Florida Department of Education. A review of transfer orders will satisfy the verification requirement for dependent children of members of the United States Armed Forces.

Siblings are eligible if their brother or sister is currently enrolled in a full-time public virtual school and was also enrolled at the end of the previous school year. The District may use paperwork normally collected at registration/enrollment, such as a birth certificate or adoption papers to determine sibling eligibility.

V. Industry certification examinations, national assessments, and statewide assessments offered by the school district shall be available to all Florida Virtual School students and must be taken at the school to which the student would be assigned according to district school board attendance zones, unless an alternative testing site is mutually agreed to by Florida Virtual School and the District.

VI. At the beginning of each school year, the District shall notify parents and students regarding the right and choice to participate in virtual instruction. Notification shall include eligibility requirements, the options available to the student, and the courses offered by Florida Virtual School.

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

LAW(S) IMPLEMENTED: **1000.04, 1001.20, 1001.42, 1002.20, 1002.321, 1002.37, 1002.45, 1002.455, 1003.02, 1003.4282, 1003.498, 1006.29, 1007.27, 1011.62, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-6.0981, 6A-6.0982**

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

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 Pupil Progression Plan.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1003.33, F. S.

HISTORY:

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

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ACADEMIC ACCELERATION

4.113+

The School Board of Gadsden County believes that all children are entitled to an education that is challenging and is commensurate with their abilities and needs. Therefore, students who can exceed grade level and/or subject area expectations shall be provided opportunities to participate in accelerated learning.

- I. Accelerated learning options shall include but not be limited to:
 - A. Whole grade promotion;
 - B. Midyear promotion;
 - C. Virtual instruction;
 - D. Subject matter acceleration;
 - E. Advanced academic courses;
 - F. Enrichment programs; and
 - G. Early high school graduation.
- II. All parents and students shall be notified of the opportunities for academic acceleration. Notification shall include but not be limited to
 - A. Accelerated learning options including early graduation;
 - B. Eligibility requirements;
 - C. Referral process and relevant deadlines;
 - D. Appeals process; and
 - E. Performance contracts for students who are referred by their parents.
- III. Student eligibility requirements shall be established at the school and District levels. Eligibility considerations shall include those established by law and other considerations as determined by the school or District.

- IV. A student may be referred for academic acceleration by a teacher, administrator, guidance counselor, school psychologist or parent.
- V. An evaluation committee shall be established at each school to consider all referrals for academic acceleration. The committee shall determine a student's eligibility for an acceleration program or accelerated class(es).
- VI. A parent may appeal the decision of the evaluation committee in writing if the committee does not recommend that the child is eligible to participate in academic acceleration.
- VII. A performance contract shall be developed for each student who participates in an acceleration option at the request of his/her parent. The contract shall be signed by the student, parent, and school principal.
- VIII. Provisions for academic acceleration shall be contained in the *Student Progression Plan*.
- IX. The District and schools shall establish procedures for the implementation of academic acceleration. The eligibility requirements, data sources to be used for evaluation, composition of the evaluation committee and methods of monitoring accelerated students shall be included in the procedures.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.43, 1002.3105, 1002.321,
1003.4281, 1003.4295, F.S.**

HISTORY:

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

CHAPTER 5.00 – STUDENTS

GRADE FORGIVENESS

4.115*

The purpose of the forgiveness policy is to assist students in meeting graduation requirements including a minimum grade point average and successful completion of academic and credit requirements.

I. Required Courses

A grade of D or F or an equivalent of a grade of D or F in a required course may be replaced with a grade of C or higher or an equivalent of a grade of C or higher earned subsequently in the same or a comparable course.

II. Elective Courses

A grade of D or F or an equivalent of a grade of D or F in an elective course may be replaced with a grade of C or higher or an equivalent of a grade of C or higher earned subsequently in another course.

III. Middle Grades Students

A student in the middle grades who takes a high school course for high school credit and earns a grade of C, D, or F or an equivalent of a C, D, or F may replace the grade with a grade of C or higher or an equivalent of a grade of C or higher earned subsequently in the same or comparable course.

IV. Grade Point Average

Only the new grade shall be used in calculating the student's grade point average. A course grade that is not replaced according to the forgiveness policy will be used in the calculation of the grade point average.

V. Student Records

All courses and grades must be included on the student's transcript. The forgiveness provision does not give the authority to delete the forgiven course and grade from the student's record.

VI. Notification

Students shall be notified of the grade forgiveness provisions and the procedure for replacing eligible grades.

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

LAW(S) IMPLEMENTED: **1001.43, 1003.4156, 1003.4281, 1003.4282,
1003.437, 1003.49, 1008.25, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.0955**

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

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EARLY HIGH SCHOOL GRADUATION

4.117*+

- I. A student who earns twenty-four (24) credits and meets the graduation requirements stated in Florida Statutes, in less than eight (8) semesters or the equivalent, may elect early graduation. The District shall notify the parent and student who qualifies for early graduation.
- II. Procedures for the implementation of this policy and relevant law shall be established in the “*Student Progression Plan.*”

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1003.4281, F.S.

HISTORY:

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

CHAPTER 5.00 – STUDENTS

REQUIREMENTS FOR ORIGINAL ENTRY

5.10

- I. Any student who initially enrolls in the District shall be required to have on file with the immunization registry a certification of immunization for those communicable diseases as required by Florida Statutes. Any child who is excluded from participation in the immunization registry must present or have on file with the school such certification of non-participation.
 - 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 placement tests, age, and previous school records.

- V. Any student who initially enrolls in the District shall be required to report any previous school expulsions, arrests resulting in a charge and juvenile justice actions the student has had and any prior referrals to mental health services. If the student is admitted, the student may be placed in an appropriate educational program and referred to mental health services identified by the school district, when appropriate, at the direction of the School Board. The District may waive or honor the final order of expulsion or dismissal of a student if an act would have been grounds for expulsion according to the receiving District School Board's *Code of Student Conduct*.

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

LAW(S) IMPLEMENTED: **1001.43, 1003.01, 1003.21, 1006.07, 1003.22, F.S.**

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

HISTORY: **ADOPTED: 10/22/2019**
REVISION DATE(S): 01/28/2020
FORMERLY:

CHAPTER 5.00 – STUDENTS

ADMISSION TO POST-SECONDARY CAREER AND TECHNICAL (CTE) PROGRAMS FOR STUDENTS WITH DISABILITIES

5.13*

- I. 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 career and 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 career and 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 career and Technical Center shall be classified as either a high school student or an adult student.
 1. 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 career and Technical Center for one (1) to six (6) hours daily.
 2. An adult student is a person who is sixteen (16) years or older and has withdrawn from a regular school program.
- II. 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.

III. 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:**

CHAPTER 5.00 – STUDENTS

HOMELESS STUDENTS

5.14*

I. Homeless children who live within the county shall be admitted to school in the District, shall have access to free public education including preschool, shall be given the opportunity to meet local and state academic achievement standards, and shall be included in state and District assessments and accountability systems.

II. Definitions

A. Homeless Child

One who lacks a fixed, regular and adequate nighttime residence and includes children and youth who

1. Are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
2. Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
3. Are living in emergency or transitional shelters, abandoned in hospitals or awaiting foster care placement;
4. Have a primary nighttime residence that is
 - a. A supervised shelter designed to provide temporary living accommodations;
 - b. An institution providing temporary residence for persons who are to be institutionalized; or
 - c. A public or private place not designed or normally used as a regular sleeping accommodation for human beings;
5. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
6. Are migratory children who qualify as homeless because the children are living in circumstances described in II.A.1. through II.A.5.

- B. Unaccompanied Youth – A student who is not in the physical custody of a parent or guardian.
 - C. Certified Homeless Youth – A minor, homeless child or youth, including an unaccompanied youth, who has been certified as homeless or unaccompanied by a school district homeless liaison, the director of an emergency shelter program funded by the U. S. Department of Housing and Urban Development or designee, or the director of a runaway or homeless youth basic center or transitional living program funded by the U. S. Department of Health and Human Services or designee, a licensed clinical social worker, or a circuit court.
 - D. School of Origin – The school that the student attended when permanently housed or the school where the child or youth was last enrolled.
 - E. Enroll and Enrollment – Attending school and participating fully in school activities.
 - F. Immediate – Without delay.
 - G. Parent – Parent or guardian of a student.
 - H. Liaison – The staff person designated by the District as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Homeless Assistance Act.
- III. The District shall identify homeless students as defined by federal and state law. If the District’s liaison for homeless children and youth determines that the minor is an unaccompanied homeless youth, the liaison shall issue to the youth a certificate documenting his/her status as required by law.
- IV. The District shall seek to remove barriers to the enrollment and retention of homeless children and youth.
- V. The District shall ensure the immediate enrollment of homeless students.
- A. The District shall assist homeless children to provide documentation to meet state and local requirements for entry into school.
 - B. A homeless child shall be given a thirty (30) school day exemption to provide proof of age, certification of a school-entry health examination, proof of immunization and other documentation required for enrollment.

- VI. Each homeless student shall be provided the services that are available for all other students including transportation, school nutrition programs, before and after school programs, and education services for which the child meets the eligibility criteria such as exceptional education, gifted education, vocational and technical programs, preschool programs, Title I, and limited English proficiency programs.
- VII. Homeless students shall be given meaningful opportunities to succeed in school.
- VIII. Homeless students shall be allowed to remain in the school of origin to the extent feasible, unless this is contrary to the wishes of the parents.
- IX. Homeless students and/or parents shall have the right to dispute school assignment if placement is other than the school of origin. The District shall ensure that unaccompanied youth and the parents of homeless students are notified of the right to remain in the school of origin and of the dispute process.
- X. If requested by the parent of a homeless child or by the liaison on behalf of an unaccompanied youth, the District shall be responsible for providing transportation to and from the school of origin throughout the duration of homelessness. The District shall share the responsibility for transportation if a homeless student begins living in another district in a homeless status and continues to attend the school of origin.
- XI. Homeless students shall not be stigmatized, segregated, or separated in any educational program on the basis of their homeless status.
- XII. The District shall follow the requirements of the McKinney-Vento Homeless Assistance Act and Florida Statutes.

STATUTORY AUTHORITY: **1001.41, 1001.42, 1003.21, F.S.**

LAW(S) IMPLEMENTED: **382.002, 743.067, 1000.21, 1001.43,
1003.01, 1003.21, 1003.22, F.S.
MCKINNEY-VENTO HOMELESS ASSISTANCE ACT, P.L.100-77
NO CHILD LEFT BEHIND ACT OF 2001, P.L. 107-110**

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

CHAPTER 5.00 – STUDENTS

FOREIGN EXCHANGE STUDENTS

5.15*

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.

- I. **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.

- II. **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.

III. **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:**

CHAPTER 5.00 – STUDENTS

**EDUCATIONAL STABILITY FOR CHILDREN
IN FOSTER CARE**

5.16*+

- I. The District shall collaborate with child welfare agencies to ensure educational stability for children in foster care.
- II. The District shall designate a contact person for students in foster care. The point of contact will be reported to the Florida Department of Education and the local child welfare agency.
- III. The District shall ensure that children in foster care remain in the school of origin when it is in the best interest of the child.
- IV. If it is determined that it is not in the child’s best interest to remain in the school of origin, the District shall expedite transfer and enrollment in the new school.
- V. The District shall provide transportation so that a child in foster care may remain in the school of origin. If additional costs are incurred, the District shall work with the child welfare agency to resolve the issue of transportation expense.
- VI. The District shall ensure that children in foster care receive all appropriate services.
- VII. Relevant personnel shall be trained on the requirements relating to educational stability for students in foster care and the procedures for best interest determination and transportation.
- VIII. The Superintendent shall develop procedures for ensuring educational stability for students in foster care. Procedures shall include but are not limited to
 - A. Identification of students in foster care;
 - B. Role of the point of contact;
 - C. Determination of the child’s retention in the school of origin or placement in another school;
 - D. A dispute resolution process developed with the child welfare agency to be used when all parties do not agree on the proposed placement of the student;

- E. Methods of providing transportation to maintain enrollment in the school of origin or to provide transportation to a different school;
- F. Process for expediting enrollment and attendance in another school if it is determined to be in the best interest of the child;
- G. Process for expediting transfer of student records to the enrolling school if the student does not remain at the school of origin
- H. Training for staff regarding the requirements for maintaining stability for children in foster care and the effects placement in foster care on students.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1003.21, F. S.

LAWS IMPLEMENTED:

**1000.21, 1001.43, 1003.01,
1003.21, 1003.22, 1003.25, F.S.
Elementary and Secondary Education Act of 1965, P.L. 89-10
No Child Left Behind Act of 2001, P.L. 107-110
Family Educational Rights and Privacy Act, 20 USC 1232g
Fostering Connections Act of 2008, P.L. 110-351
Every Student Succeeds Act of 2015, P.L. 114-95**

HISTORY:

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

CHAPTER 5.00 – STUDENTS

CHILDREN OF MILITARY FAMILIES

5.18

- I. The District shall recognize the provisions of the *Interstate Compact on Educational Opportunities for Military Children* and shall address the educational transition issues faced by military families.
- II. Assistance to children of military families, as defined in the *Compact*, shall include but not be limited to
 - A. Enrollment and eligibility;
 - B. Educational records;
 - C. Placement;
 - D. Attendance; and
 - E. Graduation.
- III. A student must be considered a resident for enrollment purposes and provided preferential treatment in the controlled open enrollment process when presented with an official military order advising that the parent is transferred or pending transfer to a military installation within the school district.
- IV. The Superintendent shall develop procedures to assist students who are children of military families and to remove barriers to educational success.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.36, 1001.43, 1003.05, F.S.

HISTORY:

ADOPTED: 01/28/2020
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

CONTROLLED OPEN ENROLLMENT

5.23*+

- I. The Superintendent shall develop a *Controlled Open Enrollment Process* that will be approved by the School Board and considered part of this policy. This process will enable the District to consider student assignment based on parental preference when requested by the parent as defined by Florida Statutes. The process shall be in effect beginning with the 2017-2018 school year.
- II. The process shall include but not be limited to the following:
 - A. Eligibility requirements;
 - B. Application process;
 - C. Forty-five (45) day time period for accepting applications;
 - D. Method of determining capacity of schools;
 - E. Capacity determination for each District school;
 - F. Identification of schools that have not reached capacity;
 - G. Class size standards;
 - H. Lottery procedure for determining student assignment if transfer requests exceed available space;
 - I. Provision for a parent to request placement of siblings within the same school;
 - J. Appeals process for hardship cases;
 - K. Availability of transportation; and
 - L. Method and timeline for notifying a parent of his/her child's placement for the next school year.
- III. The process for implementing must
 - A. Adhere to federal desegregation requirements;

- B. Maintain socioeconomic, demographic, and racial balance;
 - C. Allow a student to remain at the chosen school until he/she completes the highest grade level at the school; and
 - D. Maintain existing academic eligibility criteria for public school choice programs.
- IV. Students residing in the District shall not be displaced by a student from another district who is seeking enrollment through the open enrollment provisions.
- V. Preferential treatment shall be provided for
- A. Dependent children of active duty military personnel whose move resulted from military orders;
 - B. Children who have moved due to foster care placement in a different school zone;
 - C. Children who have moved due to a court-ordered change in custody as a result of separation or divorce;
 - D. Children who have moved due to the serious illness or death of a custodial parent;
 - E. Students at multiple session schools; and
 - F. Students residing in the District.
- VI. The *Controlled Open Enrollment Process* shall be available on the District website.
- VII. The process for participating in controlled open enrollment shall be posted on the District website with a list of schools that have not reached capacity, the application for participation, and the deadline for submitting the request to participate in controlled open enrollment.
- VIII. The District shall report the number of students participating in public school choice by type as required by the Department of Education.
- IX. The *Controlled Open Enrollment Process* and the process for implementing the process shall be reviewed annually. The Superintendent shall present the process and any recommended changes to the School Board for consideration.

- X. Schools having a projected enrollment equal to or greater than ninety percent (90%) capacity will not be available for controlled open enrollment, any applications submitted will be placed on a waiting list. Eligible schools will be posted on the Board's website.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1001.41, 1001.42, 1001.43, 1001.51,
1002.20, 1002.31, 1002.38, 1013.35, F.S.

HISTORY: **ADOPTED: 04/25/2017**
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 – STUDENTS

CLASSROOM TRANSFER

5.25+

- I. A parent as defined by Florida Statutes may request that his/her child be transferred to another classroom teacher in the school.
- II. A parent whose child is assigned to an out-of-field teacher may request that his/her child be assigned to an infield classroom teacher in the same grade within the school.
- III. A request for transfer must be approved or denied within two (2) weeks after receiving the written request. If the request is denied, the school must notify the parent and state the reason(s) for denial.
- IV. The transfer of the student to a different classroom teacher shall not violate the maximum class size regulations.
- V. The Superintendent shall develop procedures for the transfer process which will be published on the District website.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1000.21, 1001.43, 1001.51, 1003.03,
1003.3101, 1012.42, F.S.**

HISTORY:

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

CHAPTER 5.00 – STUDENTS

STUDENT CONDUCT

5.30

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District.

The School Board has zero tolerance for conduct that poses a serious threat to school safety. Zero tolerance policies must apply equally to all students, and are not intended to be rigorously applied to petty acts of misconduct and misdemeanors. This zero-tolerance policy does not require the reporting of petty acts of misconduct and misdemeanors to a law enforcement agency. Petty acts of misconduct, include, but are not limited to, disorderly conduct, disrupting a school function, simple assault or battery, verbal abuse or use of profanity, cheating, theft of less than \$300, trespassing, and vandalism of less than \$1,000, possession or use of tobacco, and other school-based offenses delineated in the *“Code of Student Conduct”*

Florida law requires that students found to have committed one of the following offenses:

- A. bringing a firearm or weapon, as defined in F.S. Chapter 790, to school, to any school function, or onto any school sponsored transportation, or possessing a firearm at school; or
- B. making a threat or false report, as defined by F.S. 790.162 and 790.163, involving school or school personnel's property, school transportation, or 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 that the student shall be referred to the criminal justice or juvenile justice system.

The Superintendent may consider the one (1) year expulsion requirement on a case-by-case basis and request that the Board modify the requirement by assigning a student to a disciplinary program or second chance school. The Superintendent's request for modification must be in writing, and the Board may approve the request if it is determined to be in the best interest of the student and the school system. If a student committing either of the offenses enumerated above is

a student who has a disability, the Board shall comply with applicable State Board of Education rules for discipline of such students.

The District shall enter into agreements with local law enforcement specifying procedures so that acts that pose a serious threat to school safety, whether committed by a student or adult, are reported to a law enforcement agency having jurisdiction.

Those acts that pose a serious threat to school safety include, but are not limited to *possession of firearms or other weapons, placing, discharging, or throwing an explosive item or noxious substance or making threats to do so, arson, felony assault and violations of the rules regarding possession of alcohol and/or illegal drugs in the Board-adopted "Code of Student Conduct"*

Notwithstanding any other provision of Board policy, pursuant to F.S. 1006.13(5), any student found to have committed an act of assault or aggravated assault, or battery or aggravated battery, on any elected official of the School District, teacher, administrator, or other School District personnel, shall be recommended for expulsion or placement in an alternative school setting, as appropriate, for a minimum period of one (1) year. Upon being charged with such offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

The Code of Student Conduct that is adopted annually shall provide for review of a decision to suspend or expel a student pursuant to this policy and the Code, consistent with F.S. 1006.07.

Furthermore, if the Board receives notice from the Department of Juvenile Justice, as required by law, that a student enrolled in the District has been adjudicated guilty of or delinquent for, or is found to have committed, regardless of whether adjudication is withheld, or pleads guilty or *nolo contendere* to, a felony violation as set forth in F.S. 1006.13(6)(a), the Board shall, pursuant to State law and the adopted cooperative agreement with the Department of Juvenile Justice, require that any no contact order entered by a court be enforced and that all of the necessary steps be taken to protect the victim of the offense, or a sibling of the victim.

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 Board rules. Any activity involving student detention, search, and seizure shall be in accordance with procedures set forth in the *Code of Student Conduct*. Students may be subject to discipline for violation of the *Code of Student Conduct* even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.

The principal shall ensure that all school personnel are properly informed as to their responsibilities regarding crime reporting, that appropriate delinquent acts and crimes are

properly reported, and that actions taken in cases with special circumstances are properly taken and documented.

Student conduct shall be governed by the rules and provisions set forth in the *Code of Student Conduct* that is reviewed and adopted annually in accordance with F.S. Chapter 120.

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:

CHAPTER 5.00 – STUDENTS

USE OF REASONABLE FORCE

5.31

- I. 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.

A teacher or other member of the staff shall assume such authority for the control of students who are assigned to him/her by the principal or designee and shall keep good order in the classroom.

II. **Corporal Punishment**

Corporal punishment as used in this policy means paddling or spanking a child on the buttocks. Corporal punishment may be administered according to school board policy and procedures established by the superintendent. At a minimum, the following procedures shall apply:

- A. *The use of corporal punishment shall be approved in principle by the principal before it is used, but approval is not necessary for each specific instance in which it is used.*
- B. *The child's parent must have provided written approval for the use of corporal punishment on an annual basis.*
- C. *The principal shall prepare guidelines for administering such punishment which identify the types of punishable offenses, the conditions under which the punishment shall be administered, and the specific administrative personnel on the school staff authorized to administer the punishment.*
- D. *The principal or other authorized administrator may administer corporal punishment only in the presence of another adult who is informed beforehand, and in the student's presence, of the reason for the punishment.*
- E. *The principal or other authorized administrator who has administered punishment shall, upon request, provide the student's parent with a written explanation of the reason for the punishment and the name of the other adult who was present and witnessed the punishment.*

Reasonable Force and Restraint

Instructional staff as well as support staff, within the scope of their employment, may use and apply reasonable force and restraint to quell a disturbance threatening physical injury

to others, to obtain possession of weapons or other dangerous objects upon or within the control of the student, in self-defense, or for the protection of persons or property.

Furthermore, administrators, instructional staff members, and support staff members shall not be criminally or civilly liable for any action carried out in conformity with State Board rule and/or School Board policies regarding the control, discipline, suspension, and expulsion of students, including, but not limited to, any exercise of authority granted by this policy.

- III. 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.
- IV. Physical force shall be used only when it appears that other alternatives are not feasible.
- V. 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.

- VI. 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.
- VII. 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.
- VIII. 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.
- IX. 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

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. The District shall strive to protect students, staff, visitors and volunteers from harm and to protect victims of crime from further victimization. This policy applies to conduct on School District property, school or District provided transportation and at any school or District sponsored activity. This policy implements the zero tolerance policy as outlined in Florida Statutes.

- II. Acts that pose a serious threat to school safety are those acts that endanger the life or safety of a student, staff member or other person on campus or at a school or District sponsored activity. Such acts include but are not limited to
 - A. Aggravated battery;
 - B. Armed robbery;
 - C. Arson;
 - D. Battery or aggravated battery on a teacher or other school personnel;
 - E. Kidnapping or abduction;
 - F. Murder;
 - G. Manslaughter;
 - H. Possession, use or sale of a controlled substance;
 - I. Possession, use or sale of any explosive devise;
 - J. Possession, use or sale of any firearm or weapon;
 - K. Sexual battery.

- III. Acts that are considered petty misconduct may disrupt the educational process but do not endanger the life or safety of an individual. Such acts include but are not limited to

- A. Cellular telephone violation;
 - B. Defiance of authority;
 - C. Disruption, minor;
 - D. Dress code violation;
 - E. Eating or drinking on the bus;
 - F. Forgery;
 - G. Horseplay;
 - H. Leaving campus without permission;
 - I. Lying or misrepresentation;
 - J. Profanity;
 - K. Vehicle parking violation.
- IV. The District shall establish agreements with the county sheriff's office and local police department(s) that provide for reporting conduct that threatens school safety and obtaining assistance from the appropriate law enforcement agency. Law enforcement consultation is not required for petty acts of misconduct which are not a threat to school safety.
- V. The District shall report to the appropriate law enforcement agency any act that poses a threat to the safety or welfare of students, staff and other persons on school property or at school events or is a serious violation of law. The following acts when committed on School District property or at a District activity shall be reported to the appropriate law enforcement agency:
- A. Alcohol violation;
 - B. Alcohol, sale or distribution;
 - C. Arson;
 - D. Battery;

- E. Bomb or biochemical threat;
- F. Breaking and entering or burglary;
- G. Disruption of school, major;
- H. Drug use, sale or distribution;
- I. Explosives, possession or use;
- J. Extortion;
- K. False alarm;
- L. Firearms violation;
- M. Gang-related activity;
- N. Hate crime;
- O. Illegal organization, membership;
- P. Robbery;
- Q. Sexual battery;
- R. Sexual harassment;
- S. Sexual misconduct;
- T. Sexual offense;
- U. Stalking;
- V. Trespassing;
- W. Weapons violation;
- X. Any felony as defined by Florida Statutes.

- VI. Consultation with law enforcement is required when a student commits more than one misdemeanor, to determine if the act should be reported.
- VII. The school principal shall notify all school personnel of their responsibility to report to the principal or his/her designee crimes or incidents posing a threat to school safety and ensure the incident is properly documented.
- VIII. 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, Florida Statutes.
 - D. Hazing as defined in 1006.135, Florida Statutes.
- IX. When a student is formally charged with a felony or a delinquent act that would be a felony if committed by an adult, the Superintendent shall notify appropriate personnel including the principal, the transportation director, the student's classroom teachers, the student's bus driver and other school personnel who directly supervise the student.
- X. The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.
- XI. 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.

- XII. 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.
- XIII. 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.
- XIV. A student or his/her parent may request a review by the Superintendent of any disciplinary action taken by the District. Such request must be submitted in writing to the Superintendent within ten (10) days of the imposition of disciplinary action.

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

LAW(S) IMPLEMENTED: **120.57(1), 775.08, 784.081, 790.162, 790.163, 985.04, 1001.42, 1001.43, 1001.54, 1003.31, 1006.07, 1006.08, 1006.09, 1006.13, 1006.135, 1006.14, 1012.28, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-6.03311**

HISTORY: **ADOPTED: 10/22/2019**
REVISION DATE(S): 01/28/2020
FORMERLY:

CHAPTER 5.00 – STUDENTS

TEACHER REMOVAL OF STUDENTS FROM CLASSROOM

5.33

- I. 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.

- II. 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.
- III. 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.
- IV. 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:**

CHAPTER 5.00 – STUDENTS

EXPULSION OF STUDENTS

5.34

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.

- I. 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:
 1. 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.

2. 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.
3. 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.
4. 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.
5. The Superintendent may develop routine procedures and forms for gathering data relating to expulsions. Such forms and procedures shall be internal administrative matters.
6. 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:

1. 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.

2. 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.
3. 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.
4. 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:

1. The hearing shall be governed by Florida Statutes relating to administrative procedures.
2. 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.
3. 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.
4. 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.

5. 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:
1. A written copy of the charges against the student;
 2. The offer of a hearing at which the student may call witnesses and present evidence in the student's own behalf;
 3. The right to cross-examine witnesses;
 4. The right to defend the student's actions;
 5. Legal counsel at the student's expense to assist the student in presenting a defense; and,
 6. A written copy of the School Board's findings or action.
- F. The following shall apply to informal proceedings on undisputed facts:
1. 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.
 2. 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.

3. 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.
- II. 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.
 - III. 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:
1. 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.
 2. 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:
 - i. A modification of the current special program or an alternative placement;
 - ii. 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.
 3. The principal is responsible for taking appropriate action consistent with School Board rules and the Special Programs and Procedures for Exceptional Student Education Manual.
 4. 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.

IV. 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**

CHAPTER 5.00 – STUDENTS

**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+

- I. 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.
- II. The Superintendent shall develop guidelines to be used at school to implement this policy.
- III. The Board shall not be responsible for motor vehicles that are lost, stolen, or damaged.

STATUTORY AUTHORITY:

1001.41, 1001.42, F. S.

LAWS IMPLEMENTED:

1001.43, 1006.07, F. S.

HISTORY:

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

CHAPTER 5.00 – STUDENTS

STUDENT ATTENDANCE

5.40*

- I. A student who is absent without the principal’s approval shall have his/her parent(s), as defined by Florida Statutes, 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. Students diagnosed with autism spectrum disorder may be excused from school to attend medical appointments necessary to receive therapy for autism spectrum disorder, including, but not limited to, applied behavioral analysis, speech therapy and occupational therapy.
 - D. No adverse or prejudicial effects shall result to any student who avails himself/herself to the provisions of this rule.
- II. Student absences must be tracked on a daily basis and parents contacted as required by law.
- III. A person designated by the Superintendent or his/her designee shall investigate truancy problems.

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

LAW(S) IMPLEMENTED: **985.03, 1000.21, 1001.43, 1003.21,**

STATE BOARD OF EDUCATION RULE(S): **6A-1.044, 6A-1.09514**

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

CHAPTER 5.00 – STUDENTS

SCHOOL HEALTH SERVICES

5.53+

- I. The School Board shall collaborate with the County Health Department and the District school health advisory committee to develop and implement a health services plan. This plan shall be contained in the *Health Services Manual*.
- II. The plan shall include, but not be limited to, provisions for all aspects required by law.
- III. At the beginning of each school year, the principal shall inform the parent(s) as defined by Florida Statutes, in writing, that students will receive specified health services as provided in the health services plan. A student shall be exempt from any of these services when his/her parent(s) requests an exemption in writing. When invasive screening is one (1) of the specified services, written consent of the student’s parent(s) shall be obtained prior to any such screening.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

381.0056, 394.463, 1001.21, 1002.20, 1006.062, F.S.

HISTORY:

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

CHAPTER 5.00 – STUDENTS

NOTIFICATION OF INVOLUNTARY EXAMINATION

5.55*+

- I. The principal or designee shall immediately notify the parent, as defined by law, of a student who is removed from school, school transportation, or a school-sponsored activity and taken to a receiving facility for an involuntary examination.
- II. The principal or designee may delay the notification to the parent for up to twenty-four (24) hours if the delay is considered in the student's best interest and if a report has been submitted to the central abuse hotline due to knowledge or suspicion of abuse, abandonment, or neglect.
- III. Before contacting a law enforcement officer, a principal or designee must verify that de-escalation strategies have been utilized and outreach to a mobile response team has been initiated unless the principal or designee reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others.
- IV. The Superintendent shall develop procedures for the notification of parents and for reporting, if appropriate, alleged child abuse, abandonment, or neglect to the central abuse hotline when a student is taken to a facility for an involuntary examination. The procedures shall be contained in the *Health Services Manual*.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

381.0056, 394.463, 1001.21, 1002.20, 1006.062, F.S.

HISTORY:

**ADOPTED: 10/22/19
REVISION DATE(S): 12/15/20
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

STUDENT INJURIES

5.60

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

- I. First aid shall be administered by the nearest person with first-aid training.
- II. The student’s parent(s) or legal guardian shall be notified immediately.
- III. 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.
- IV. 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.
- V. 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.
- VI. 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.
- VII. An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.
- VIII. 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:**

CHAPTER 5.00 – STUDENTS

**ADMINISTRATION OF MEDICATION AND/OR
MEDICATION PROCEDURES**

5.62*+

- I. Administration of Prescription Medication
 - A. Each school principal shall designate a staff member(s) to administer medications. The staff member(s) at each school shall be trained annually by a registered nurse.
 - 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. The *Code of Student Conduct* shall set forth provisions for administering prescription medications.
 - 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 with the following information provided:
 - 1. Diagnosis;
 - 2. Reason for giving;
 - 3. Name and purpose of medication;
 - 4. Time 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), as defined by Florida Statutes, to grant permission for administering the prescription medication;

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, pancreatic insufficiency, cystic fibrosis or hypersensitivity may carry prescription medication for emergency situations on self if approved by his/her physician and his/her parent. 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 or at any school related activity. 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 Nonprescription Medication - All nonprescription medication shall be treated like prescription medication.
 - A. Each school principal shall designate a staff member(s) to administer non-prescribed medications pursuant to instructions in the District's *Procedures Manual*. The staff member(s) shall be trained annually by the registered nurse at each school. The staff member(s) at each school shall be trained annually by a registered nurse.
 - B. Administration of nonprescription medications during school hours is discouraged unless necessary for student's illness.
 - C. Instructions on using nonprescription medication shall be provided by the student's parent(s).
 - D. All nonprescription medications shall be delivered to the office/clinic with the following information provided:
 1. Diagnosis;

2. Reason for giving;
 3. Name and purpose of a nonprescription medication;
 4. Time or condition under which the nonprescription medication is to be given;
 5. Approximate duration of the nonprescription medication;
 6. A note signed by the student's parent(s) to grant permission for administering nonprescription medication;
 7. Beginning date - Ending date;
 8. Allergies;
 9. Side effects;
 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. Nonprescription 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. 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 or at any school related activity. 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 nonprescription medication was administered. These records shall be made available daily to the principal and the county health nurse.

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 trained personnel will administer medication away from the school site except for students who have permission to self-administer emergency medications.

IV. Administration of Emergency Medication

- A. Schools may purchase and maintain a supply of epinephrine auto-injectors to use when a student is having an anaphylactic reaction. The medication shall be kept in a secure location accessible only to trained personnel.
- B. The School Board shall adopt a protocol, developed by a licensed physician, for the administration of epinephrine in emergency situations.
- C. Only school personnel who are trained to recognize an anaphylactic reaction and certified to administer an epinephrine auto-injector or a person who is authorized by an authorized health care practitioner shall be permitted to administer this medication; however, the auto-injector may be given to a student who is authorized to self-administer an epinephrine auto-injector.
- D. Under the provisions of Florida Statutes, the District, trained and certified personnel, or an uncertified person who administers an epinephrine auto-injector under the authorization of an authorized health care provider shall not be liable for any injury resulting from the administration of an auto-injector provided that school personnel were trained or authorized as provided by law, followed the established protocol and believed that the student was having an anaphylactic reaction.

- V. 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.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 381.88, 381.885, 768.13, 1000.21, 1001.43,
1002.20, 1002.22, 1006.062, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.0251, 6A-6.0252, 6A-6.0253

STATE DEPARTMENT OF HEALTH RULE(S): 64F-6.004

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

CHAPTER 5.00 – STUDENTS

STUDENT WITH AIDS OR HIV DISEASE

5.63

- I. 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.
- II. It is recognized that students with any illness, including (HIV) infected persons, may continue to attend 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.
- 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. 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.
- 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 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:**

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.

- I. The School Board shall provide protective devices for School Board employees, students, and visitors.
- II. 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.
- III. 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 relating to the surveying of students, the collecting of information from students for marketing purposes, and certain nonemergency medical examinations.
- II. Parents and students shall be notified annually of their rights regarding education records.
- III. The District shall not collect or retain information including biometric information restricted by §1002.222, F.S.
- IV. 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.
- V. A school may release a student's education records to partners to an interagency agreement among the Department of Juvenile Justice, the school, law enforcement authorities and other signatory agencies as allowed by law.
- VI. Student information that is confidential and exempt shall not be released except when authorized by §1002.221, F.S.
- VII. 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.

VIII. Social security numbers may be collected from students

- A. To be used as student identification numbers as allowed by §1008.386, F.S. until the Department of Education has issued a student identification number;
- B. To facilitate the processing of student scholarships, college admission and other applications; and
- C. For other purposes when consent of the parent or adult student is granted.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**119.07(1), 119.071, 1001.43, 1001.52, 1002.22,
1002.221, 1002.222, 1002.72, 1003.25, 1008.386, F.S.,
20 USC §1232g (34 CFR PART 98)
P.L. 103-382 (34 CFR PART 99)**

STATE BOARD OF EDUCATION RULE(S):

6A-1.0955

HISTORY:

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

CHAPTER 5.00 – STUDENTS

LEGAL NAME OF STUDENT

5.72

When a parent or any other person seek 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**

CHAPTER 5.00 – STUDENTS

ATHLETICS

5.80

- 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 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 on school grounds 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 consistent with Florida Statutes 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, 1002.20, 1002.31,
1006.07, 1006.15, 1006.16, 1006.20, F.S.**

HISTORY:

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

CHAPTER 5.00 – STUDENTS

ANABOLIC STEROID TESTING FOR STUDENT ATHLETES

5.82

- I. As a condition of being a member of the Florida High School Athletic Association (FHSAA), each school with students in grades nine (9) through twelve (12) will participate in the state-mandated anabolic steroid testing program. Each school shall adhere to the provisions established by FHSAA.
- II. FHSAA shall designate the sports that will be included in the testing program.
- III. Students participating in designated sports will be subject to random testing. Failure by a student or his/her parent(s), as defined by Florida Statutes, to consent to steroid testing will disqualify a student from participation in a designated sport.
- IV. All records and information related to any test or to any challenge or appeal shall be confidential, shall not be subject to the public records law, and shall not be included in a student’s educational record.
- V. The portion of a meeting at which exempt records are discussed shall be exempt from the open meetings law. Appeals meetings shall be exempt from the open meetings laws and shall be closed to the public.

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

LAW(S) IMPLEMENTED: **1000.21, 1001.41, 1001.43, 1006.20, F.S.**

HISTORY: **ADOPTED: 04/14/08**
REVISION DATES(S):
FORMERLY:

CHAPTER 5.00 – STUDENTS

SURVEYING OF STUDENTS

5.90*

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:

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

1001.43,

HISTORY:

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

CHAPTER 5.00 – STUDENTS

POSTSECONDARY ENROLLMENT PROGRAMS

5.202

- I. The School Board recognizes the value to students and to the District for students to participate in programs offered by accredited colleges and universities. The Superintendent will annually develop/revise articulation agreements jointly with postsecondary institutions to provide a comprehensive articulated acceleration program including, but not limited to, dual enrollment and early admission programs.
- II. The Board will approve participation by students in grades 10, 11, and 12 who meet the State Board of Education's criteria, to enroll in approved postsecondary programs while in attendance in the District. Students will be eligible to receive secondary credit for completing courses contained in any of these programs. Such credit will count toward graduation requirements.
- III. No student may participate without the written consent of parents and the high school principal.
- IV. Annually all secondary school students and their parents shall be informed of the options available to the students for dual enrollment as an educational option and mechanism for acceleration.
- V. The postsecondary education institution will assign a letter grade for the student's work in the course, and the District will be responsible for posting dual enrollment course grades as assigned by the postsecondary institution to the high school transcript. The Superintendent shall also establish the necessary procedures to comply with State law and ensure that it is properly communicated to both students and their parents.
- VI. The District shall deny high school credit for any portion of postsecondary courses which are taken during the period of a student's expulsion. Any District student who is expelled is not eligible for enrollment or continuation in postsecondary courses during the period of expulsion except as determined by mutual agreement between the District and the college or university.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1007.27, 1007.271, F.S.

HISTORY:

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

CHAPTER 5.00 - STUDENTS

STUDENT DETENTION, SEARCH, AND SEIZURE

5.311

- I. 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.
- II. Any activity involving student detention, search, and seizure shall be in accordance with procedures set forth in the Code of Student Conduct.
- III. 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:

CHAPTER 5.00 - STUDENTS

WEAPONS

5.312

The School Board prohibits students from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District-owned vehicle.

An exception to this policy includes weapons under the control of designated security officers, law enforcement personnel, and State of Florida Guardian Program personnel. Another exception to this policy would be weapons possessed and/or used by students enrolled in the District's Junior ROTC Program while under the direct supervision of District staff members.

Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.

This policy shall also encompass actions including, but not limited to, look-alike weapons and/or devices, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

Administrative staff members shall report knowledge of the possession of dangerous weapons and/or threats of violence by students, staff members, or visitors to the Principal. Failure to report such knowledge may subject the staff member to discipline.

The Superintendent shall report any administrative staff member who violates this policy to the law enforcement agency having jurisdiction. The staff member shall also be subject to disciplinary action, up to and including termination, consistent with law, due process, and the terms of the applicable collective bargaining agreement.

STATUTORY AUTHORITY:

790.001, 790.115, 1001.43
18 U.S.C. 922

LAWS IMPLEMENTED:

HISTORY:

ADOPTED:
REVISION DATE(S):
FORMERLY:

CHAPTER 5.00: STUDENTS

BULLYING AND HARASSMENT

5.321*

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 of any kind. The District will not tolerate bullying or harassment of any type against any students, employees, visitors, volunteers or agents who work on school related activities, subject to the control of school officials. 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, visitor, volunteer or agent 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;
 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 within the scope of the School District, meaning regardless of ownership, any computer, computer system, computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or
 5. Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the School District or a school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. School staff is not required to monitor any non-school-related activity, function, or program.

II. Definitions

- A. 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.
- B. Bullying includes cyberbullying and 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 is often characterized by an imbalance of power. Bullying may involve but is not limited to
- i. Unwanted Teasing;
 - ii. Social Exclusion;
 - iii. Threat;
 - iv. Intimidation;
 - v. Stalking;
 - vi. Cyberstalking or Cyberbullying;
 - vii. Physical violence;
 - viii. Theft;
 - ix. Sexual, religious, anti-semitic, cultural, or racial harassment;
 - x. Public or private humiliation; or
 - xi. Destruction of property.

The term *bullying* shall include cyberbullying whether or not specifically stated.

- C. Complainant is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person who formally or informally makes a report of bullying, orally or in writing.
- D. Cyberbullying means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.
- E. Cyberstalking as defined in s. 784.048(1)(d), F.S., 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 a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.
- F. Harassment means any threatening, insulting or dehumanizing gesture, use of data or 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, 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.

G. Bullying, Cyberbullying/Cyberstalking and harassment 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:
 - i. Incitement or coercion
 - ii. 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.
 - iii. Acting in a manner that has an effect of bullying or harassment.

III. Behavior Standards

- A. The Gadsden County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for 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. Gadsden County School District employees are responsible for adhering to the Principles of Professional Conduct of the Education Profession in Florida and district policies governing conduct and behavior.
- 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. Refer to the Code of Conduct for specific behavior expectations.

IV. Consequences

A. Committing an act of bullying or harassment

1. 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 followed by the determination of disciplinary sanctions appropriate to the perpetrators position within the district. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
2. Consequences and appropriate remedial interventions 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*.
3. Consequences and appropriate remedial interventions 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, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate.
4. 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 or district administrator after consideration of the nature and circumstances of the act, including reports to Professional Standards and/or appropriate law enforcement officials.

B. Wrongful and intentional accusation of an act of bullying or harassment

1. Consequences and appropriate remedial interventions 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*.
2. Consequences and appropriate remedial interventions 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.

3. 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 Professional Standards and/or appropriate law enforcement officials.

V. Reporting an Act of Bullying or Harassment

- A. At each school, the principal or the principal's designee shall be responsible for receiving oral or written complaints alleging violations of this policy and will determine the appropriate action.
- 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, parent/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, visitors and other agents, 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 alleged 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 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 oral reporting or an act of bullying or harassment shall be considered an official means of reporting such act(s).
- I. Reporting may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. The principal/designee or District Administrator shall document all complaints in writing and/or through the appropriate data system to ensure that problems are addressed in a timely manner.

VI. 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. While the District does not assume any liability for incidents 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 or harassment against a student and the school will investigate and/or provide assistance and intervention as the principal/designee deems appropriate.
- C. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at school bus stop.
- D. 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.
- E. 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.
- F. The investigator shall collect and evaluate the facts including but not limited to:
 - 1. Description of incident(s) including nature of the behavior;
 - 2. Context in which the alleged incident(s) occurred;
 - 3. How often the conduct occurred;
 - 4. Whether there were past incidents or past continuing patterns of behavior;

5. The relationship between the parties involved;
 6. The characteristics of parties involved, *i.e.*, grade, age, sex, race;
 7. The identity and number of individuals who participated in bullying or harassing behavior;
 8. Where the alleged incident(s) occurred;
 9. Whether the conduct adversely affected the student's education or educational environment or the employees work or workplace environment;
 10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident;
 11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted; and
 12. The date, time and method in which all parties involved, in the case of employees were contacted.
- G. 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
1. Any recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
 2. A written final report to the principal or the appropriate administrator.
- H. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
- I. 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.
- VII. 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.
 - 1. If it is within the scope of the District, a thorough investigation shall be conducted.
 - 2. 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.
 - 3. 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.
- C. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying are investigated.

VIII. 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 and the parents/legal guardians of the perpetrator of an act of bullying or harassment as well as notification to all agencies when criminal charges may be pursued against the perpetrator.
 - 1. 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, or reasonably thereafter. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
 - 2. If the bullying or harassment 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 or harassment incident about the Unsafe School Choice Option (Every Student Succeeds Act, Title VIII, Part F,

Subpart 2, Section 8532) 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 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.

IX. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

When bullying or harassment is suspected or when a bullying or harassment 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 (specialty staff, *e.g.*, school counselor, school psychologist) to determine the severity of concern and appropriate steps to address the concern. The involved student’s parents or legal guardian may be included.
- B. School personnel or the parent/legal guardian may refer a student to the school intervention team or equivalent school-based team with a problem-solving focus 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. If a formal discipline report or formal complaint is made against an employee, the principal/designee or district administrator must refer the employee to the Employee Assistance Program for determination of appropriate counseling support and/or interventions.
- E. A student may be required to obtain counseling and/or attend a recognized treatment program at parental expense and show proof of completion of such counseling or program. Such offenses may include, but are not limited to, substance abuse, threats, intimidation, bullying, harassment, or acts motivated by hate or bias.
- F. An employee component to address intervention and assistance as determined appropriate by the Employee Assistance Program that includes, but are not limited to:
 - 1. Counseling and support to address the needs of the victims of bullying; and
 - 2. Research-based counseling/interventions to address the behavior of the employees who bully others (e.g., empathy training, anger management).
- G. A school-based component to address intervention and assistance shall be utilized by the intervention team. The intervention team may recommend
 - 1. Counseling and support to address the needs of the victims of bullying or harassment;
 - 2. 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
 - 3. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.
- X. 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. Cyberbullying incidents shall be

included within the bullying incidents category. The report shall also include, in a separate section, 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 and harassment as incident codes as well as bullying-related as a related element code.

1. SESIR Definitions

i. Bullying – Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation.

ii. Harassment – Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

2. Bullying and/or harassment incidents shall be reported in SESIR with the bullying (BUL) or harassment (HAR) code. Unsubstantiated incidents of bullying or harassment shall be coded UBL or UHR.

3. If the bullying or harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code and the bullying-related code. Such incidents are

i. Alcohol

ii. Arson

iii. Battery

- iv. Breaking and Entering
- v. Disruption on Campus
- vi. Drug Sale/Distribution Excluding Alcohol
- vii. Drug Sale/Possession Excluding Alcohol
- viii. Fighting
- ix. Homicide
- x. Kidnapping
- xi. Larceny/Theft
- xii. Robbery
- xiii. Sexual Battery
- xiv. Sexual Harassment
- xv. Sexual Offenses
- xvi. Threat/Intimidation
- xvii. Trespassing
- xviii. Tobacco
- xix. Vandalism
- xx. Weapons Possession
- xxi. Other Major (Other major incidents that do not fit within the other definitions)

C. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information Management System.

- D. The District shall provide bullying and harassment incident, discipline, and referral data to the Florida Department of Education in the format requested, through Surveys 2, 3, and 5 from Education Information and Accountability Services, and at designated dates provided by the Department.
- E. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability shall include the incident basis. Victims of these offenses shall also have the incident basis (sex, race, or disability) noted in their student records.

XI. 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 or harassment in schools.
- C. The District shall establish a list of programs that provide instruction to students, parents, teachers, school administrators, counseling staff, and school volunteers on identifying, preventing, and responding to bullying and harassment including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations. The list of authorized programs shall be available at each school, District offices, and on the District website.

XII. Reporting to a Victim’s Parents/Legal Guardians the Legal 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 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 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).

XIII. 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 in a student assembly or other reasonable format.
- 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.

XIV. Review of Policy

The Superintendent and appropriate staff shall review this policy at a minimum every three (3) years. The review shall include input from parents, law enforcement, and other community members. The Superintendent shall present the policy and any recommended changes to the School Board for consideration.

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

STATE BOARD OF EDUCATION RULE(S): 6A-10.081

HISTORY:

**ADOPTED: 10/22/19
REVISION DATE(S): 12/15/20
FORMERLY: NEW**

CHAPTER 5.00 – STUDENTS

DATING VIOLENCE AND ABUSE

5.325*

It is the policy of the Gadsden School District that all of its students and school employees have an educational setting that is safe, secure, and free from dating violence and abuse. The District shall not tolerate dating violence and abuse of any kind. Dating violence or abuse by any student is prohibited on school property, during any school related or school sponsored program or activity, or during school sponsored transportation.

I. Definitions

- A. *Teen dating violence* is a pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past intimate relationship to exert power and control over another when one or both of the partners is a teenager.
- B. *Abuse* is mistreatment which may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner. This may also include abuse, harassment, and stalking via electronic devices such as cell phones and computers, and harassment through a third party, and may be physical, mental, or both.

II. Reporting Teen Dating Violence or Abuse

- A. The principal or 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 designee.
- C. In addition to reporting the incident to the principal or designee, if a district employee or agent has reason to suspect that an alleged violation of this policy might constitute a crime, the district employee or agent shall also immediately report the complaint to law enforcement. Any uncertainty regarding whether an alleged violation might constitute a crime must be resolved in favor of reporting the incident to law enforcement.
- D. All other members of the school community, including students, parents as defined by Florida Statutes, 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 designee.

- E. In cases involving an alleged perpetrator who is of adult age and an alleged teen victim, certain suspicions of abuse must be reported to the Florida Abuse Hotline (1-800-962-2873) or local law enforcement pursuant to Section 39.201, Florida Statutes.
- F. The principal shall establish and prominently publicize to students, staff, volunteers, and parents how a report of dating violence and abuse may be filed either in person or anonymously and how this report will be acted upon.
- G. The victim of teen dating violence or abuse, anyone who witnesses an act of dating violence or abuse, and anyone who has credible information that an act of dating violence and abuse has taken place may file a report of dating violence and abuse.
- H. Submission of a good faith complaint or report of teen dating violence or abuse will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments. Appropriate remedial action will be pursued for persons found to have wrongfully and intentionally accused another of an act of dating violence or abuse.
- I. Any written or oral report of an act of dating violence and abuse shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.
- J. Incidents of teen dating violence and abuse shall be filed within ten (10) school days of the alleged incident or having knowledge of the incident.

III. Investigations

- A. The principal or designee shall select a staff member employed at the school and trained in investigative procedures to initiate the investigation. The staff member may not be the accused perpetrator or victim.
- B. Documented interviews of the victim, alleged perpetrator and witnesses shall be conducted privately and separately. All interviews are 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.

- C. The investigative process shall be completed within ten (10) school days from the time the report is filed.
- D. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of teen dating violence and/or abuse and the investigative procedures that follow. School employees shall refrain from sharing confidential student information with other school employees, students, or community members, unless disclosure is required by law or is necessary to protect the student's safety. Any notification made must be consistent with the student's privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
- E. If it is determined that inappropriate behavior(s) has occurred, the investigator will make recommendations for disciplinary action to the principal or Superintendent.

IV. Discipline

- A. Immediate action shall be taken to eliminate the behavior.
- B. Disciplinary action shall be taken based on the circumstances of the behavior(s).
- C. Discipline shall be consistent with the provisions of the *Code of Student Conduct*.
- D. If a crime has been committed, the appropriate law enforcement agency shall be immediately notified.

V. Restraining Orders

- A. If an order of protection has been issued, the student or his/her parent(s) should inform the school immediately.
- B. The investigator will contact the abuser and his/her parent(s) to initiate a contract to stay away from the victim, consistent with the terms of the order, with penalties for known violations of the contract.
- C. The principal or district administrator will notify law enforcement immediately if he/she has a reasonable belief that a criminal or civil restraining order has been violated.
- D. The school resource officer and/or security officer will respond immediately to a report of a violation of a criminal or a civil restraining order.

VI. Support Services for the Victim

The school shall provide a victim of dating violence and abuse with support services that may include but are not limited to

- A. A contract with the offender to stay away from the victim while on school grounds, on school transportation and during school sponsored programs and events;
- B. Reasonable accommodations, such as class schedule changes;
- C. If needed, the school will assist the student in creating an alternative education plan for the student such as transferring to a different school or the ability to make up school work missed due to dating violence.
- D. Security protection, such as safe egress/regress from school and within the school;
- E. Timely and comprehensive investigation of dating violence and abuse complaints.
- F. Information and assistance in securing intervention which includes assistance and support provided to parents/legal guardians, if deemed necessary and appropriate.
- G. Referrals for outside support and/or counseling.

VII. Methods of Intervention with the Alleged Perpetrator

- A. Allow the alleged perpetrator to respond in writing to the allegations.
- B. Identify and implement interventions that will be taken to prevent further incidents.
- C. Refer the alleged perpetrator and parents/legal guardians to help and support available at the school and within the community.
- D. Address the seriousness of retaliations against the victim for reporting the incident or cooperating with the investigation. Inform the alleged perpetrator that retaliation or threats of retaliations in any form designed to intimidate the victim of dating violence or abuse, those who are witnesses, or those who investigate an incident, shall not be tolerated.
- E. Provide for increased supervision of the alleged perpetrator.
- F. Document the meeting and action plans.

VIII. Curriculum

- A. The health education curriculum for students in grades 7 through 12 shall include dating violence and abuse. The teen dating violence and abuse component shall include, but is not limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.
- B. The curriculum shall have an emphasis on prevention-based education.

IX. Training

- A. Teachers, administrators, counselors, instructional assistants, school nurses and other nonteaching staff such as bus drivers, custodians, and cafeteria workers shall receive training about teen dating violence and abuse.
- B. Students, parents and school volunteers shall also be given instruction related to teen dating violence and abuse.
- C. Training on the District's policy prohibiting dating violence and abuse and related procedures shall be conducted, at a minimum, on an annual basis.
- D. The instruction shall include evidence-based methods of preventing dating violence and abuse and how to effectively identify and respond to incidents of dating violence and abuse within the scope of the school.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1003.42, 1006.07, 1006.148, F.S.

HISTORY:

ADOPTED: 12/15/20
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 5.00 – STUDENTS

HAZING

5.327*+

The Gadsden County School District shall not tolerate hazing of any form. Conduct that constitutes hazing, as defined herein, is prohibited. The District expects students to conduct themselves appropriately for their levels of development, maturity, and demonstrated capabilities with proper regard for the rights and welfare of other students and the educational purpose underlying all school activities.

I. Definition of Hazing

Hazing means any action or situation endangering the mental or physical health or safety of a student at a school with any of grades six (6) through twelve (12) for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a school with any of grades six (6) through twelve (12). Hazing shall include, but is not limited to,

- A. Pressuring, coercing, or forcing a student into violating state or federal law; consuming any food, liquor, drug, or other substance; or participating in physical activity that could adversely affect the health or safety of the student.
- B. Any brutality of a physical nature such as beating, whipping, branding, or exposure to the elements.

II. Reporting an Act of Hazing

- A. At each school with any of grades six (6) through twelve (12), 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 as defined by Florida Statutes, 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 that includes any of grades six (6) through twelve (12) in the District shall establish and prominently publicize to students, staff,

volunteers, and parents, how a report of hazing may be filed either in person or anonymously and how this report will be acted upon.

- E. The victim of hazing, anyone who witnessed the hazing, and anyone who has credible information that an act of hazing has taken place may file a report of hazing.
- F. A school employee, school volunteer, student, parent or other person who promptly reports in good faith an act of hazing 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 hazing 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 hazing 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.

III. Investigation of a Report of Hazing

- A. The investigation of a reported act of hazing 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 or victim.
- C. Documented interviews of the victim, alleged perpetrator(s), 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
 - 1. Description of incident(s) including nature of the behavior;
 - 2. Context in which the alleged incident(s) occurred;
 - 3. How often the conduct occurred;

4. Whether there were past incidents or past continuing patterns of behavior;
 5. The relationship between the parties involved;
 6. The characteristics of parties involved, *i.e.*, grade, age;
 7. The identity and number of individuals who participated in hazing;
 8. Where the alleged incident(s) occurred;
 9. Whether the conduct adversely affected the student's/students' health or safety;
 10. The date, time, and method in which the parents 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
1. Recommended remedial steps necessary to stop the hazing; and
 2. 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 hazing and the investigative procedures that follow.
- IV. Investigation to Determine Whether a Reported Act of Hazing 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 hazing 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 hazing falls within the scope of the District.

1. If it is within the scope of the District, a thorough investigation shall be conducted.
2. 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.
3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents of all students involved.

V. Notification to Parents of Incidents of Hazing

A. Immediate notification to the parents of a victim of hazing.

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of hazing as defined by this policy to the parent(s) 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).

B. Immediate notification to the parents of the perpetrator of an act of hazing.

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of hazing as defined by this policy to the parents 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(s), all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

VI. Referral of Victims and Perpetrators of Hazing for Counseling

When hazing is suspected or when a hazing incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents.

- A. The teacher or parent 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 are included.

- B. School personnel or the parent may refer a student to the school intervention team for consideration of appropriate services. Parental 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. Parental involvement shall be required.
- D. The intervention team may recommend
 - 1. Counseling and support to address the needs of the victims of hazing;
 - 2. Research-based counseling or interventions to address the behavior of the students who haze others; and/or
 - 3. Research-based counseling or interventions which include assistance and support provided to parents, if deemed necessary or appropriate.

VII. Disciplinary Action

If the incident is determined to be within the scope of the District, disciplinary action will be consistent with the *Code of Student Conduct*.

VIII. Reporting Incidents of Hazing

- A. Incidents of hazing 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 hazing and the resulting consequences, including discipline and referrals. The report shall also include each reported incident of hazing 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 to report hazing incidents.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.41, 1001.42, 1001.43, 1001.51, 1001.54, 1003.04, 1003.31, 1003.32, 1006.07, 1006.08, 1006.09, 1006.10, 1006.135, F.S.

HISTORY:

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

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:

CHAPTER 5.00 – STUDENTS

MEDICAL MARIJUANA

5.622

- I. Administering Medical Marijuana to Qualified Students on District Property
- A. The Board strives to comply with state law to honor families’ private medical decisions while ensuring a learning environment free of disruption. To accomplish these goals, as a general rule, prescription medication, including medical marijuana, should be administered at home. Prescription medications, including medical marijuana, should only be administered on District property during school hours when administration cannot reasonably be accomplished outside of school hours. The primary caregiver should administer the medical marijuana/low Tetrahydrocannabinol (THC) cannabis at home whenever possible to qualified students/patients who require the use of medical marijuana/low THC cannabis for a qualifying medical condition.
 - B. In those limited circumstances when it is medically necessary, administration of medical marijuana to qualified students on District property shall be in accordance with this policy. Administration of all other prescription and nonprescription medications to students on District property during school hours shall be in accordance with applicable law and Board policy concerning the administration of medications to students.
 - C. Medical marijuana/low THC cannabis cannot be administered to a qualifying student/patient while aboard a school bus or at a school-sponsored event.
 - D. This policy conveys no right to any student or to the student’s parents/guardians or other caregiver to demand access to any general or particular location on school or district property, a school bus or at a school-sponsored event to administer medical marijuana/low THC cannabis.
 - E. If the federal government indicates that the district’s federal funds are jeopardized by this policy, or asks the District to cease and desist the implementation of this policy, the Board declares that this policy shall be suspended immediately and that the administration of any form of medical marijuana/low THC cannabis to qualified students on school property shall not be permitted. The District will comply with any federal guidance and/or directives related to this policy. The district shall post notice of such policy suspension and prohibition in a conspicuous place on its website.

F. Definitions - For purposes of this policy, the following definitions shall apply per Florida Statute:

1. “Student” means an individual enrolled in a Gadsden County Public School, Pre-K through 12th grade who are subject to compulsory school attendance, as well as students with disabilities 18 through 21 years of age.
2. “Qualified student/patient” means a student/patient who is a resident of this state who has been added to the medical marijuana/low THC cannabis use registry by a qualified physician to receive marijuana or a marijuana delivery device for a medical use and who has a qualified patient identification card and for whom the administration of medical marijuana cannot reasonably be accomplished outside of school hours.
3. “Primary caregiver” or “caregiver” must be 21 years of age or older and a resident of this state who has agreed to assist with a qualified patient’s medical use of marijuana, has a caregiver identification card and meets the requirements set forth in F.S. 381.986(6).
4. “Designated location” means a location identified by the District in its sole discretion on school grounds, such as the nurse’s office or a building administrator’s office. District or school administration determines, in its sole discretion, the location of administration of a permissible form of medical marijuana/low THC cannabis that do not create risk of disruption to the educational environment or exposure to other students.
5. “Qualified physician” means an individual who holds an active, unrestricted license as an allopathic physician under chapter 458 or as an osteopathic physician under chapter 459 and is in compliance with the physician education requirements set forth in F.S. 381.986(3).
6. “Permissible form of medical marijuana/low THC/cannabinoid products” means non-smokable/non-inhalable products such as oils, tinctures, edible products or lotions that can be administered and fully ingested or absorbed in a short period of time. Due to the potential for misuse, vapors, patches or other forms of administration that continue to deliver medical marijuana to a student while at school are not permitted.

II. Permissible administration of medical marijuana to a qualified student on school district property.

- A. School nurses or health care personnel or school administration staff are not allowed to administer, store/hold or transport the medical marijuana/low THC

cannabis in any form and it will not be stored on any District property, including school grounds, at any time.

- B. A student's parent/guardian or caregiver may administer the permissible form of medical marijuana to the qualified student/patient on District property in the designated location if all of the following criteria are met:
1. A copy of the student's valid registration form for medical marijuana must be provided to the District. The authorization for medical marijuana/low THC cannabis uses for qualified students at school form must be submitted to the principal/designee every school year, and when there are any changes to the medication and the type of preparation (i.e., oils, tablet). The completed form shall include the type, amount, time to be administered, possible side effects and any special instructions regarding the medication.
 2. A written statement signed by the qualified student's parent/guardian must be on file which assumes all responsibility for ensuring the administering individual is qualified to perform the task, assumes all responsibility for the administration, maintenance and use under state and federal law, and releases the District from liability for any injury arising out of the administration of medical marijuana on District property.
 3. The parent/guardian/caregiver shall be responsible for providing the permissible form of medical marijuana to be administered to the qualified student and for removing the medical marijuana from school grounds immediately after the administration is complete.
 4. The District determines, in its sole discretion, that a designated location and method of administration of medical marijuana are available that do not create a risk of disruption to the educational environment or exposure to other students.
 5. In accordance with this policy, district or school administration shall prepare, with input from the qualified student's parent/guardian/caregiver, a written medical marijuana/low THC cannabis implementation plan that identifies the registration number for the medical marijuana registration, permissible form of the medical marijuana/low THC cannabis, designated location(s), and which shall be on file with the school.
 6. The written plan shall be signed by the school nurse, school administrator, and the qualified student's parent/guardian/caregiver.

- C. Any parent/guardian seeking access to District property for purposes of this policy must comply with District policy and/or procedures concerning visitors to schools, including checking in through the District’s Raptor™ Check-in System.
- D. Student possession, use, distribution, sale or being under the influence of medical marijuana inconsistent with this policy may be considered a violation of Board policy concerning drug and alcohol use by students or other Board policy and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with applicable Board policy.
- E. Permission to administer medical marijuana/low THC cannabis to a qualified student/patient may be limited or revoked if the qualified student/patient or the student’s caregiver violate this policy or demonstrate an inability to responsibly follow this policy’s parameters.
- F. At no time shall the qualifying student/patient have the medical marijuana/low THC cannabis in his/her possession except during the administration process, through dispensation by the designated primary caregiver, per the District’s implementation plan.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**381.88, 381.885, 768.13, 1000.21, 1001.43,
1002.20, 1002.22, 1006.062, F.S.**

HISTORY:

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

CHAPTER 5.00 – STUDENTS

PARENTAL ACCESS TO INFORMATION

5.711+

- I. The Board shall incorporate into the Board approved Student Services Plan, rules and procedures required by Every Student Succeed Act (ESSA) relating to student privacy, parental access to information and administration of physical examinations to minors.
- II. The Superintendent shall develop procedures to ensure that this policy is carried out in each of the district schools.
- III. 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:**

CHAPTER 6.00 – HUMAN RESOURCES

PLACEMENT OF INSTRUCTIONAL PERSONNEL

6.10*

The School Board believes that the appropriate placement of qualified and competent staff is essential to the successful functioning of the District.

- I. Pursuant to statutory requirements, the percentage of temporarily certified teachers, teachers in need of improvement, or out-of-field teachers assigned to schools in one (1) of the three (3) lowest-performing categories under State law shall not be greater than the District average of temporarily certified teachers, teachers in need of improvement, or out-of-field teachers. Such assignments shall be consistent with the collective bargaining agreement.
- II. The District shall annually certify to the Commission of Education that this requirement is being met.
- III. When developing recommendations for staff appointments, the Superintendent shall consider nominations for staff appointments submitted by the principals. Further, if the Superintendent intends to recommend placement of a staff member in a school who was not nominated by the principal, the Superintendent will consult with that principal. In accordance with State law, a principal may refuse to accept the Superintendent's proposed assignment of an instructional staff member to his/her school unless that instructional staff member has a performance rating of effective or highly effective under F.S. 1012.34.
- IV. After such required consideration and consultation, the Superintendent shall submit written recommendations with regard to the appointment and assignment of instructional staff for Board action.
- V. The Board shall act not later than June 30th on the Superintendent's nominations of supervisors, principals, and members of the instructional staff.
- VI. In accordance with State law, the Board may reject the Superintendent's recommendation for initial appointment and assignment, or re-appointment and assignment, for good cause.
- VII. Pursuant to State law, the Superintendent's primary consideration in recommending an individual for promotion must be the individual's demonstrated effectiveness pursuant to F.S. 1012.34.
- VIII. Before transferring an instructional staff member from one (1) school to another, the Superintendent shall consult with the principal of the school to which the teacher will be

assigned and allow the principal the opportunity to review the teacher's records, including student performance demonstrated under F.S. 1012.34, and interview the teacher. If, in the judgment of the principal, students would not benefit from the placement, an alternative placement may be sought. A principal may refuse to accept the Superintendent's assignment or transfer of an instructional staff member who holds a professional teaching certificate to his/her school, unless that instructional staff member has a performance rating of effective or highly effective under F.S. 1012.34.

- IX. After the required considerations and consultations, the Superintendent shall submit written recommendations with regard to the promotion or transfer of instructional staff for Board action.
- X. In accordance with State law, the Board may reject the Superintendent's recommendation for the transfer or promotion of an instructional staff member for good cause.
- XI. The Superintendent must annually notify the parent of any student who is assigned to classroom with a teacher having two (2) consecutive annual performance evaluation ratings of unsatisfactory, two (2) annual performance evaluation ratings of unsatisfactory within a three (3) year period, or three (3) consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory.
- XII. The Superintendent shall make known through administrative channels the duties, days, and hours of the various classes of instructional personnel.
- XIII. Instructional staff members shall perform the duties required by Florida statutes, Board policy, and the collective bargaining agreement, as well as other reasonable duties as may be assigned by their immediate supervisor. Failure to perform such duties in an acceptable manner shall constitute a violation of the instructional staff member's contract and just cause for disciplinary action.
- XIV. Instructional staff members are responsible for student control and supervision at any location on campus or during school-sponsored activities.

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:

CHAPTER 6.00 – HUMAN RESOURCES

EMPLOYMENT DEFINED

6.11

- I. Employment Eligibility – The school district shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees.
- II. 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.
- III. 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.
- IV. 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.

LAW(S) IMPLEMENTED:

288.061, 448.095, 1001.43, 1012.22, F.S.

HISTORY:

ADOPTED: 10/22/2019
REVISION DATE(S): 12/15/20
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

NEPOTISM

6.12

- I. An employee may not be recommended for employment or be supervised by a close relative.
- II. Two or more close relatives may not work in the same administrative unit except by special permission of the Superintendent.
- III. 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*

- I. 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.
- II. 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

INSTRUCTIONAL STAFF

6.14*

As defined in Florida Statutes, the instructional staff shall be composed of school-based personnel 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:

**F.S. 1012.01, 1012.22, 1012.24,
1012.27, 1012.32, 1012.315, 1012.33, 1021.42
F.S. 1012.55, 1012.56**

LAWS IMPLEMENTED:

STATE BOARD OF EDUCATION RULES:

**F.A.C. 6A-1.0502, 6A-1.0503
20 U.S.C. 6301
20 U.S.C. 7801**

HISTORY:

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

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 not be ineligible for employment under 1012.315, F.S., if applying for an instructional, administrative or 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

- A. When interviews are conducted by interview teams, including those with community representatives, the team shall reasonably reflect the District's diverse racial, ethnic, and gender composition.
- B. 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 (including verification of work authorization status through the E-Verify system) 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 if he/she is ineligible for employment under 1012.315, F.S.
- I. Any instructional or noninstructional persons 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 persons may not be in direct contact with students if ineligible under 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. Instructional personnel and noninstructional or contractual personnel who have direct contact with students or have access to or control of school funds must meet the screening requirements described in law every five (5) years. Personnel whose fingerprints have not been maintained by the Department of Law Enforcement are required to be re-fingerprinted.
- E. An employee whose criminal record after employment would disqualify him/her from employment shall be subject to disciplinary action up to and including 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 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, drug screening 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.

LAW(S) IMPLEMENTED:

**288.061, 381.0056, 448.095, 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: 10/28/20
REVISION DATE(S): 12/15/20
FORMERLY:**

CHAPTER 6.00 – HUMAN RESOURCES

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.

- III. 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.

Any claim to a year of service for salary purposes shall be the equivalent of the service required for a continuing, instructional 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 provisions of the applicable collective bargaining agreement.

In determining the number of days that must be served to constitute a full year of out-of-state teaching experience, the existing regulations of the State or District in which the contract was executed shall be used as the criteria.

- IV. Full or part-time employees of the Board shall not contract for additional service to the Board as consultants.

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:** 10/22/2019
REVISION DATE(S): 00/00/0000
FORMERLY:

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, or a certificate issued by a Florida School District that has a reciprocal agreement with the School District or holds a professional license. 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.
 - A. If an individual employed by the District does not achieve a passing score on any subtest of the general knowledge examination, the District must provide information regarding the availability of state-level and district level supports and instruction to assist in achieving a passing score.
 - B. Information must include state-level test information guides, school district test preparation resources and preparation courses offered.

- 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 or adult education teacher based on School Board rules.

- III. Pursuant to Sections 1012.39, 1012.55 and 1012.57, employment of temporary instructors, teachers of adult education, non-degreed teachers of career education, adjunct educators, career specialists, and experts in the field, each school district will establish the minimal qualifications for the issuance of a Gadsden County Public School Certificate. Such certificates establish eligibility for employment, but do not confer a right to employment.
 - A. The School Board defines an adjunct educator as a teacher who has expertise in the subject area to be taught. A teacher shall be considered to have expertise in the subject area to be taught if the teacher demonstrates sufficient subject area

mastery through passage of a subject area test. The district is permitted to issue adjunct certificates to qualified applicants.

- B. Adjunct certificate holders should be used primarily to enhance the diversity of course offerings offered to all students.
- C. Adjunct teaching certificates issued for full time teaching positions are valid for no more than three (3) years and are nonrenewable.

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: 10/22/2019**
REVISION DATE(S): 01/28/2020
FORMERLY:

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 Career and Technical Education (CTE) teachers. 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.

- I. A 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 School Board Rule 6.145.
 - 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 District’s Human Resources Department a completed application form and a complete set of fingerprints taken by a law enforcement agency or properly trained District personnel in order to for the district to conduct a background check via the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The fingerprint processing fee shall be paid by the individual.
- II. A two-year Temporary Certificate shall be issued at the non-degreed CTE level to full-time non-degreed instructional personnel upon receipt of fingerprint clearance from the FDLE and FBI.
- III. 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

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:

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 *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 be encouraged to participate in training related to professional ethics.
- III. The Superintendent and School Board members shall complete annual ethics training as required by law.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**112.313, 112.3142, 1001.42, 1012.01,
1012.22, 1012.27, 1012.796, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-10.081

HISTORY:

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

CHAPTER 6.00 – HUMAN RESOURCES

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

- A. 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.
- B. Educational support employees, instructional personnel and school administrators shall report alleged misconduct of other educational support employees, instructional personnel or school administrators who engage in or solicit sexual, romantic, or lewd conduct with a student.
- C. If the prohibited conduct occurs while employed by the district, the School Board and Superintendent must report the employees or personnel and the disqualifying circumstances to the department of education for inclusion on the disqualification list maintained by the department pursuant to section 1001.10(4)(b), F.S.

II. Investigation

The Superintendent shall immediately investigate any allegation of misconduct by an employee that affects the health, safety or welfare of a student regardless of whether the person resigned or was terminated before the conclusion of the investigation. The Superintendent shall notify the department of the result of the investigation and whether the misconduct warranted termination, regardless of whether the person resigned or was terminated before the conclusion of the investigation.

- 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 until the investigation is concluded with a finding to proceed or not to proceed

with disciplinary action or charges and the subject of the complaint has been notified of the finding.

- C. The Superintendent shall report alleged misconduct to the Department of Education as required by Florida Statutes. The Superintendent shall report alleged misconduct of educational support employees, instructional personnel or school administrator who engage in conduct that would be considered disqualifying pursuant to Section 1012.315, Florida Statutes or any allegation of sexual misconduct with a student. Failure to report such conduct to the Department or Law Enforcement forfeits the Superintendent's salary for up to one year.
- D. The School District shall notify the parents of a student affected by an educator's violation of the district's Standards of Ethical Conduct. This notice must be provided to the parent within thirty (30) days of knowledge of the incident and inform the parent of:
 - 1. The nature of the misconduct,
 - 2. If the District reported the misconduct to the department in accordance with Section 1012.796, Florida Statutes,
 - 3. The sanctions imposed against the employee, if any, and
 - 4. The support the school district will make available to the student in response to the employee's misconduct.

III. Legally Sufficient Complaint

The Superintendent shall file any legally sufficient complaint 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 the Superintendent determines that misconduct by an educational support employee, instructional staff member or an administrator who holds a certificate issued by the Florida Department of Education affects the health, safety, or welfare of a student and the misconduct warrants termination, the staff member may resign or be terminated and the Superintendent shall report the misconduct to the Department of Education as required.

V. Employment Reference

The Board, Superintendent, or any other representative of the School District shall not enter into a confidentiality agreement regarding terminated or dismissed educational support employees, instructional personnel or school administrators, based in whole or in part on misconduct that affects the health, safety, or welfare of a student. The Board, Superintendent, or any other representative of the School District shall not enter into a confidentiality agreement with educational support employees, instructional personnel or school administrators who resign in lieu of termination, based in whole or in part on misconduct, that affects the health, safety, or welfare of a student. The Board, Superintendent, or any other representative of the School District may 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. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by educational support, instructional personnel or school administrators which affects the health, safety, or welfare of a student is void and contrary to public policy, and may not be enforced.

VI. 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 on each school's website. The notice shall include the name of the person to whom the report is made and the consequences for 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 shall be 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, shall be 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, 119.071, 768.095, 1001.42, 1006.061,
1012.01, 1012.22, 1012.27, 1012.795, 1012.796, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-10.081

HISTORY: **ADOPTED:** 10/22/21
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

**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 this policy 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 6A-10.081, the *Principles of Professional Conduct for the Education Profession in Florida*, and Florida Statutes, professional employees and noninstructional and contractual personnel who have direct contact with students or who have access to or control of funds are required to self-report within forty-eight (48) hours to Superintendent of Schools 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 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: **877.13, 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): **6A-10.081**

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

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.

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 FAX MACHINES**

6.32

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

- I. An employee shall not make a personal long-distance call or send a personal facsimile or other personal 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 or designee at the discretion of the employee's supervisor.
- II. The principal or District department head may review telephone and/or facsimile bills and records and shall refer excessive or questionable bills and records to the Superintendent or designee for further review and/or action.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F. S.

LAWS IMPLEMENTED:

1001.43, 1012.22, F. S.

HISTORY:

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

CHAPTER 6.00 – HUMAN RESOURCES

ALCOHOL AND DRUG-FREE WORKPLACE

6.33

The School Board believes that quality education is not possible in an environment affected by drugs. It will seek, therefore, to establish and maintain an educational setting that is not tainted by the use or evidence of use of any controlled substance.

The Board prohibits the manufacture, possession, use, distribution, or dispensing of any controlled substance, alcohol, and any drug paraphernalia as the term is defined by law, by any member of the District's instructional staff at any time while on District property or while involved in any District-related activity or event. Further, the misuse of prescription and over-the-counter drugs by instructional staff members is unacceptable and prohibited. The Board shall clearly communicate these prohibitions to its instructional staff. Any staff member who violates this policy shall be subject to disciplinary action in accordance with District procedures and the terms of collective bargaining agreements.

The Superintendent shall establish procedures that require compliance with this policy and that each staff member is given a copy of a statement about unlawful possession, use, or distribution of illicit drugs and alcohol by staff, and the misuse of prescription and over-the-counter drugs by instructional staff members. Staff members shall be informed that compliance with this policy is mandatory. Such procedures shall provide for appropriate disciplinary actions, if and when needed, which comply with the terms of any negotiated agreement.

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

LAW(S) IMPLEMENTED: 440.101, 440.102, 1001.41, 1001.43, 1012.795, F.S.
DRUG FREE WORKPLACE ACT OF 1988,
34 CFR PART 85, SUBPART F, 20 U.S.C. 3224A
20 U.S.C. Omnibus Transportation Testing Act of 1991
20 U.S.C. 701-706 Rehabilitative Act 1973
20 U.S.C. 86-201, 20 U.S.C. 3171 et seq., 29 U.S.C. 705(2), 794, 794a,
34 C.F.R. Parts 85, 86, 104, 34 C.F.R. 34-86.201
41 U.S.C. 701 et seq., Drug-Free Workplace Act of 1988
Vocation Rehabilitation Act of 1973
Drug-Free Schools and Communities Act of 1986

HISTORY:

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

CHAPTER 6.00 – HUMAN RESOURCES

POLITICAL ACTIVITIES OF EMPLOYEES

6.34

Pursuant to State law, instructional staff members who are employed by the School Board shall not participate in any political campaign for an elective office while on duty.

A staff member may not expend any funds or resources under the jurisdiction or control of the District for a political advertisement or electioneering communication concerning an issue, referendum, or amendment, including State questions that are subject to a vote of the electors.

Pursuant to F.S. 106.011, "electioneering communication" shall mean any communication that is publicly distributed by a television station, radio station, cable television station, satellite system, newspaper, magazine, direct mail, or telephone. In order to qualify as an electioneering communication, the communication must also be characterized by the following:

- A. refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate, but is susceptible to no reasonable interpretation other than an appeal or against a specific candidate;
- B. is made within thirty (30) days before a primary or special primary election or sixty (60) days before any other election for the office sought by the candidate; and
- C. is targeted to the relevant electorate in the geographic area the candidate would represent if elected.

Therefore, staff members who engage in political activities or hold public office shall not use time, facilities, or personnel of the school system to engage in such activities. Specifically, the use of copy reproduction equipment or other machinery or supplies, the use of secretarial help, or any other school facilities or personnel is strictly prohibited. Telephone use for such political activities during duty hours shall be confined to an emergency only, and then only in such a manner as shall not conflict with the staff member's duties. Additionally, staff members who engage in political activities or hold public office are expected to discourage constituents, or other persons with whom they are associated in their political capacities, from making telephone calls to them during duty hours.

An employee who declares him/herself as candidates for public office for an elective office shall notify the Superintendent immediately upon filing to run.

All candidates for public office may request personal leave without pay. The staff member's request for leave shall be submitted according to the established procedure.

Such candidates shall adhere strictly to Florida statutes governing political activity on the part of public officials and public employees.

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 Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

School Board employees shall no solicit support of any political candidate, partisan or non-partisan, during regular work hours.

STATUTORY AUTHORITY:

104.31, 110.233, F. S.

LAWS IMPLEMENTED:

60L-36.002

HISTORY:

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

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.

- I. **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.
- II. **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 School Board Rule in question pursuant to Section 1.104.
- III. 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.
 - IV. 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.
 - V. 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.
 - VI. Adjustment of any grievance as described herein shall not be inconsistent with the provisions of these Rules.
 - VII. Any grievance arising under these Rules may be processed through the grievance procedure until resolution provided that the grievance is timely filed.

VIII. 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**

CHAPTER 6.00 – HUMAN RESOURCES

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

DISCIPLINARY SUSPENSION WITHOUT PAY

6.38

For disciplinary action other than termination, the School Board hereby delegates authority of employee suspension 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 Board's agenda. The suspension shall be without pay, and shall not exceed five (5) days.

- I. An employee who is suspended under the authority of this policy shall be granted all due process rights accorded by the Florida statutes and applicable collective bargaining agreements.
- II. The Superintendent shall notify the Board of actions taken.
- III. This policy 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:

1012.27(5), F. S.

LAWS IMPLEMENTED:

HISTORY:

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

CHAPTER 6.00 – HUMAN RESOURCES

ASSESSMENT OF EMPLOYEES

6.40

- I. The Superintendent shall develop or select personnel performance assessment systems for all staff.
- II. Each member of the staff shall receive, at a minimum, an annual evaluation by his/her 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.
- III. A copy of each employee’s evaluation report shall be filed in the District Personnel office.
- IV. 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 reappointment. Evaluation of instructional personnel and school administrators shall include indicators of student learning growth.
- V. The Superintendent shall arrange for the assessment of all principals, supervisors and administrative personnel as required by law.
- VI. The principal and/or administrator supervising personnel shall arrange for the assessment of all employees under his/her supervision as required by law.
- VII. 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.
- VIII. The written report of the assessment shall be reviewed with the employee and discussed with him/her by the person who made the assessment.
- IX. 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.

LAW(S) IMPLEMENTED: 1001.43, 1008.22, 1008.36, 1012.22, 1012.27, 1012.34, F.S.

HISTORY:

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

CHAPTER 6.00 – HUMAN RESOURCES

LEAVE OF ABSENCE

6.50*+

- I. 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.
- II. 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**

RESIGNATIONS

6.52

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.

- I. 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.
- II. All resignations should be initially processed through the employee’s immediate supervisor. The administrator should forward the resignation to HR.
- III. 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.

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: 3.12**

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:**

CHAPTER 6.00 – HUMAN RESOURCES

LEAVE-IN-THE-LINE-OF-DUTY

6.55*

- I. 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.
- II. 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. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need-to-know.
- III. 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.
- IV. 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 minimizing 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, 1001.42, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED: 381.0098, 1001.43, 1012.27, 1013.12, F.S.

STATE DEPARTMENT OF HEALTH RULE(S): 64E-16

HISTORY:

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

CHAPTER 6.00 – HUMAN RESOURCES

PROFESSIONAL LEARNING

6.70

Pursuant to State law, the School District will work collaboratively with the Florida Department of Education (FLDOE), public postsecondary institutions, State education foundations, consortia, and professional organizations in Florida to maintain a coordinated system of professional development. The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.

The District's comprehensive professional development plan will align with the Florida Professional Development System Evaluation Protocol Standards, which support the framework for standards adopted by the National Staff Development Council. Furthermore, the results of the performance evaluations of staff members will be used when identifying the areas for which professional learning is needed.

As required by State law, the District's comprehensive professional development plan will be updated by September 1st annually. Any substantial revisions to the District's plan will be submitted to the FLDOE for its review and continued approval. The Superintendent will annually recommend for the School Board's consideration and adoption the updated comprehensive professional learning plan, so that verification of the adoption can be submitted to the Commissioner of Education not later than October 1st of each year.

The Board will provide funding for professional learning as required by State law and the General Appropriations Act and will authorize expenditures from other sources to continuously strengthen the District's system of professional learning. The plan will also provide for training for each teacher who will use materials that were purchased with funds allocated by the State for instructional materials, provide for in-service credit for the training, and document satisfactory completion of the training by each teacher.

The in-service activities for instructional and administrative personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety. Additionally, in-service activities will be made available for instructional and administrative personnel of nonpublic schools in the District and the State certified teachers who are not employed by the Board on a fee basis not to exceed the cost of the activity per participants.

Each principal shall establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to State law. The individual professional development plan established by the principal shall:

- (1) be related to specific performance data for the students to whom the teacher is assigned;
- (2) define the in-service objectives and specific measurable improvements expected in student performance as a result of the in-service activity;
- (3) include an evaluation component that determines the effectiveness of the professional development plan;
- (4) provide for systematic consultation with regional and State personnel designated to provide technical assistance and evaluation of local professional development programs;
- (5) provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs;
- (6) provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

The Superintendent shall establish and maintain an individual professional learning plan for each administrator assigned to a school as a seamless component to the school improvement plans developed pursuant to State law. The individual professional learning plan established by the Superintendent shall:

- (1) define the in-service objectives and specific measurable improvements expected in student performance as a result of the in-service activity;
- (2) include an evaluation component that determines the effectiveness of the professional learning plan;
- (3) include in-service activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management;
- (4) provide for systematic consultation with regional and State personnel designated to provide technical assistance and evaluation of local professional development programs;
- (5) provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

By October 1 of each year and prior to the release of funds for instructional materials, pursuant to statutory requirements, the Superintendent will certify to the Commissioner of Education that the Board has approved a comprehensive professional Learning plan that requires fidelity of implementation of instructional materials that are in the first two (2) years of the adoption cycle. The report will also include verification that the training was provided.

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 must notify the human resources department in writing 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:

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.

- I. 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.
- II. 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.
- III. 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.
 - D. In cases of separation due to termination or resignation in lieu of termination, the person competent to know the facts or make the judgment on the separation shall execute and maintain an affidavit of separation, on the form adopted by the Department of Education, setting forth in detail the facts and reasons for such separation. The affidavit must expressly disclose when separation is due to a report of sexual misconduct with a student. The affidavit of separation must be executed under oath and constitutes an official statement within the purview of section 837.06. The affidavit of separation must include conspicuous language that intentional false execution of the affidavit constitutes a misdemeanor of the second degree.
- IV. 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 III.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.
 - G. Agency personnel information that is excluded under the provisions of 119.071, F.S.
- V. 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.
- VI. 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.

LAW(S) IMPLEMENTED: 112.08(7), 119.07, 119.071, 441.85(10), 1001.43, 1008.24, 1012.31, F.S. 34 CFR 99 (FERPA), 45 CFR 164 (HIPAA)

HISTORY: ADOPTED: 10/22/2019
REVISION DATE(S): _____
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

HEALTH INSURANCE PREMIUMS

6.92

- I. The School Board may pay a full-time employee’s health insurance contribution as provided herein and in compliance with the ACA
 - 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 the current fiscal year 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 employee is responsible for the employee’s portion 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 the Board’s portion of his/her health insurance premium per insurance fiscal year. This rule is in compliance with the federal Family and Medical Leave Act.
- II. 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.
- III. 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.
- IV. 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:**

CHAPTER 6.00 – HUMAN RESOURCES

STAFFING PLANS

6.101*

- I. 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.

- II. 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:

CHAPTER 6.00 – HUMAN RESOURCES

PREFERENCE FOR VETERANS IN EMPLOYMENT

6.131

Preference in employment, reemployment, promotion, and retention shall be given to an eligible veteran, pursuant to the provisions below, as long as the veteran meets the minimum eligibility requirements and has the knowledge, skills, and abilities required for the particular position.

Appointment or Retention in Positions of Employment

Preference shall be given pursuant to the following:

- I. Those disabled veterans:
 - A. who have served on active duty in any branch of the Armed Forces of the United States, have been separated therefrom under honorable conditions, and have established the present existence of a service-connected disability which is compensable under public laws administered by the U.S. Department of Veterans' Affairs; or
 - B. who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense.
- II. The spouse of any person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of any person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.
- III. To receive benefits as a *wartime veteran*, a veteran must have served in a campaign or expedition for which a campaign badge has been authorized or during one of the following periods of wartime service:
 - A. *Spanish-American War: April 21, 1898, to July 4, 1902, and including the Philippine Insurrection and the Boxer Rebellion.*
 - B. *Mexican Border Period: May 9, 1916, to April 5, 1917, in the case of a veteran who during such period served in Mexico, on the borders of, or in the waters adjacent to Mexico.*
 - C. *World War I: April 6, 1917, to November 11, 1918; extended to April 1, 1920, for those veterans who served in Russia; also extended through July 1, 1921, for those veterans*

who served after November 11, 1918, and before July 2, 1921, provided such veterans had at least 1 day of service between April 5, 1917, and November 12, 1918.

- D. World War II: December 7, 1941, to December 31, 1946.*
- E. Korean War: June 27, 1950, to January 31, 1955.*
- F. Vietnam War: February 28, 1961, to May 7, 1975.*
- G. Persian Gulf War: August 2, 1990, to January 2, 1992.*
- H. Operation Enduring Freedom: October 7, 2001, and ending on the date thereafter prescribed by presidential proclamation or by law.*
- I. Operation Iraqi Freedom: March 19, 2003, and ending on the date thereafter prescribed by presidential proclamation or by law.*

The veteran must have served at least one (1) day during a wartime period to be eligible for veterans' preference. Active duty for training shall not be allowed for eligibility under this paragraph.

- IV. The un-remarried widow or widower of a veteran who died of a service-connected disability.

Preference in employment and retention may be given only to eligible persons who are described above and who are residents of this State.

In all positions in which the appointment or employment of persons is not subject to a written examination, first preference in appointment, employment, and retention processes shall be given to persons included under A and B above, and second preference shall be given to persons included under C and D above, who possess the minimum qualifications necessary to discharge the duties of the position involved.

A disabled veteran employed as the result of being placed at the top of the appropriate employment list shall be appointed for a probationary period of one (1) year. At the end of such period, if the work of the veteran has been satisfactorily performed, the veteran will be subject to the employment policies of the District.

Reinstatement or Reemployment

When a District administrator has served in the Armed Forces of the United States and is discharged or separated therefrom with an honorable discharge, the District shall reemploy or reinstate such person to the same position that s/he held prior to such service in the Armed Forces, or to an equivalent position, provided such person returns to the position within one (1) year of his/her date of separation or, in the case of extended active duty, within one (1) year of the date of discharge or separation subsequent to the extension. Such person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position.

Further, the District shall reemploy or reinstate the person who was a veteran when employed by the District and who was recalled to extended active duty in the Armed Forces of the United States and was discharged or separated therefrom with an honorable discharge to the same position that s/he held prior to service in the Armed Forces, or to an equivalent position, provided the person returns to the position within one (1) year of his/her date of separation or, in the case of extended active duty, within one (1) year of the date of discharge or separation subsequent to the extension. The person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position. For the purposes of this section, "extended active duty" means active duty, other than for training, beyond the date of honorable discharge or separation, due to military requirements.

The provisions in the preceding two (2) paragraphs pertaining to persons who are reemployed or reinstated shall apply only to a veteran's first promotion after reinstatement or reemployment, without exception.

STATUTORY AUTHORITY:

1001.32 F.S.

LAWS IMPLEMENTED:

**110.2135, 295.07, 295.08,
1.01(14), 295.085, 295.09, F. S.**

HISTORY:

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

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:

- I. The principal has determined that qualified full-time employees of the School Board are not available to perform these responsibilities.
- II. The contracted employment conforms to rules and regulations of the State Board of Education and the bylaws of the Florida High School Activities Association.
- III. 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.
- IV. Payment for services shall be according to the approved District schedule of salary supplements for the services rendered.
- V. 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:**

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:

I. 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.

II. 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.

III. Salary

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

IV. 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.

V. 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.

VI. 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.

VII. 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 and paraprofessionals are persons assigned by the School Board to assist an 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 Every Student Succeeds Act.

- I. The conditions of employment of an aide or paraprofessional 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:
 1. Hold an associate's or higher degree;
 2. Two (2) years of study at an institution of higher education; or
 3. A rigorous national, 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 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 Director of Human Resources or designee shall initiate a record check by the two (2) agencies.
 - E. A drug test shall be required of all noninstructional applicants recommended for hire and shall be administered by the Board approved testing laboratory.
- II. The principal shall ensure that the aide or paraprofessional assigned to the school possesses a clear understanding of state and District rules relating to his or her 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.

- III. 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 his/her 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.
- IV. 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.
- V. An education paraprofessional may administer or proctor statewide standardized assessments or assessments associated with Florida Approved Courses in accordance with Florida Statutes and State Board of Education rules. Paraprofessionals must complete required training prior to performing these tasks.
- VI. 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.
- VII. 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.

LAW(S) IMPLEMENTED: 1001.43, 1008.24, 1012.22, 1012.32, 1012.37, F.S.
34 CFR 200

STATE BOARD OF EDUCATION RULE(S): 6A-1.070, 6B-1.006

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

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 Human Resources 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 Human Resources:
 - A. Hold a high school diploma or equivalent and successfully complete substitute teacher training.
 - B. Be at least eighteen (18) years of age;
 - C. Submit a complete set of fingerprints taken by law enforcement agency or properly trained District personnel and the appropriate processing fee to obtain a record check by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI); and
 - D. Complete an initial orientation/training program and other training required by Florida Statutes.
- III. The Superintendent 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. Provided, however, substitutes for postsecondary education programs may be hired on an hourly basis when necessary.
- V. A retired member of a Florida state-administered retirement system may be employed as a substitute teacher as allowed by law.
- VI. A substitute teacher shall hold
 - A. A valid Florida Educator’s Certificate or

- B. A valid substitute certificate/document issued by the District or another Florida school district. The substitute certificate/document shall verify satisfaction of requirements specified in section II. herein.

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

LAW(S) IMPLEMENTED: 121.091, 1001.43, 1012.32, 1012.35, 1012.36,
1012.39, 1012.55, 1012.56, F.S.

STATE BOARD OF EDUCATION RULE(S): 60S-4.012

HISTORY:

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

CHAPTER 6.00 – HUMAN RESOURCES

PHYSICAL EXAMINATIONS

6.171

It is the policy of the School Board that the Superintendent may require, after a conditional offer of employment, that the successful candidate submit to a medical examination in order to determine the candidate's physical and/or mental capacity to perform essential functions of the position, with or without reasonable accommodation, provided that the Board requires other successful candidates for the same position (or job classification) to do so. Such examinations shall be performed by a health provider designated by the District.

Individuals who are required to submit to an appropriate examination will also be required to execute a release that complies with the requirements of the Health Insurance Portability and Accountability Act in order to allow the report of the medical examination to be released to the Board/Superintendent and to allow the Superintendent or his/her designee to speak to the health care provider who conducted the medical examination in order to get clarification. Refusal to submit to an appropriate examination or to execute the HIPAA release will be grounds for withdrawing the conditional offer of employment.

As required by Federal law and regulation and Board Policy, the Superintendent shall direct the successful candidate who is being required to submit to a medical examination, as well as the provider that is designated by the Board to conduct the examination, not to provide any genetic information in the report of the medical examination.

Such report should indicate whether the candidate can perform essential functions of the position, with or without reasonable accommodation.

Employees will be notified of the results of the medical examination upon receipt. Pursuant to State law and in accordance with the Americans with Disabilities Act, as amended, any and all reports of such examination will be confidential and exempt from release, except as provided by law. As required by Federal law, if the District inadvertently receives genetic information about an individual who is required to submit to an appropriate examination from the medical provider it shall be treated as a confidential medical record. In the event of a report indicating that the candidate is not qualified to perform the position's essential functions, with or without reasonable accommodation, the Superintendent will make a recommendation to the Board of non-employment. The Superintendent may discuss the results of the report with the healthcare provider who conducted the medical examination prior to making a recommendation to the Board.

The Board shall pay any fees not covered by insurance for required examinations.

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.
- IV. A driver involved in a preventable school bus accident, or who is issued a citation for a traffic violation, shall be subject to the disciplinary action established in the District’s safe driver plan.
- V. A driver must conform to the provisions of 49 C.F.R., Part 40 and Part 382, relating to controlled substance and alcohol use and testing. A driver testing positive for a controlled substance under the provisions noted above shall be terminated from school bus driving duties.

STATUTORY AUTHORITY: **1001.41, 1012.22, 1012.23, 1012.45 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)**
F.A.C. 6A-3.0141, 6A-3.0151, 6A-3.017
49 C.F.R., Part 40 and Part 382

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

CHAPTER 6.00 – HUMAN RESOURCES

RESPONSIBILITIES OF SCHOOL BUS OPERATORS

6.173*

- I. School bus operators shall be responsible for adhering to the requirements of federal laws and regulations, Florida Statutes, State Board of Education rules, driving regulations, School Board policies, District School Bus Driver Handbook and the adopted District job description.
- II. Responsibilities shall include, but not be limited to, the following:
 - A. To maintain an appropriate Florida driver’s license.
 - B. To refrain from driving with an expired, suspended or revoked license.
 - C. To complete annual school bus operator training.
 - D. To participate in the substance abuse testing and alcohol detection program required by 49 CFR 382 and 49 CFR 391.
 - E. To refrain from using a cellular telephone or other wireless communications device while actively driving a bus.
 - F. To maintain order and discipline on the bus.
 - G. To instruct students, teachers, and chaperones who are being transported on field and activity trips regarding the locations and proper use of school bus emergency exits prior to each trip.
 - H. To perform a complete interior inspection of the bus after each run and trip to ensure that no students remain on the bus.
 - I. To ensure that no one is on the bus while refueling.
 - J. To avoid unnecessary idling of the bus while in the vicinity of students.
 - K. To adhere to the requirements for the reduction of heavy-duty idling.
- III. Failure to fulfill the responsibilities of a school bus operator may result in disciplinary action up to and including dismissal.

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

LAW(S) IMPLEMENTED: 316.305, 322.57, 1001.42, 1001.43, 1012.45, F.S.
49 CFR 382, 49 CFR 391

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

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION RULE(S):** 62-285.420

HISTORY: **ADOPTED:** _____
REVISION DATE(S): _____
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:

- I. The probationary period shall begin the first day of regular employment;
- II. The probationary period shall be sixty (60) working days;
- III. Employment during the probationary period must be continuous for probation to be successfully completed;
- IV. 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;
- V. The Superintendent shall determine whether to continue the employee's employment for the duration of the contract year;
- VI. A probationary employee who is recommended for non-renewal shall not have rights of appeal nor have a written explanation; and
- VII. 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

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 disciplinary action.

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): **6A-10.081**

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

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 should not be made except in emergency situations.
- II. 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.
- III. 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:**

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 employee's immediate supervisor. The principal or supervisor, or other person under the direct supervision of the Superintendent, shall submit any leave application directly to the Superintendent. 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. No leave, except military leave, will be granted for a period in excess of twelve (12) calendar months.

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:

- I. 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

- II. The Superintendent or designee is authorized to grant the following types of leave:
 - A. Sick Leave
 - B. Personal Leave not in excess of six (6) days
 - C. Annual/Vacation 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*

Any district school board employee who is willfully absent from duty without leave shall forfeit compensation for the time of such absence, and his or her employment shall be subject to termination by the district school board.

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

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

6.521*

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 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 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

DEFERRED RETIREMENT OPTION PROGRAM (DROP)

6.531

The Deferred Retirement Option Program (DROP) as defined in Chapter 121, Florida Statutes, is an alternative method of deferred payment of retirement benefits for up to sixty (60) after an eligible member of the Florida Retirement System reaches his/her normal retirement date but wishes to continue employment with a Florida Retirement System employer. In order to participate, the employee must submit a binding letter of resignation, establishing a deferred termination date. DROP will allow the participant to defer all retirement benefits payable during the DROP period. Upon termination of DROP, the participant will receive the DROP benefits and the regular retirement benefits under Chapter 121, Florida Statutes.

- I. Participation in DROP - All members of the Florida Retirement System are eligible for DROP. Members electing to participate in DROP must meet the eligibility and timeline requirements outlined in Florida Statute.
- II. Certain K-12 instructional personnel may be permitted to extend DROP participation for up to an additional 36 months upon authorization from the District and approval by the division.
- III. Benefits Payable
 - A. Sick Leave - Employees will be paid terminal pay for accumulated sick leave at retirement, or, if service is terminated by death, to his/her beneficiary. Upon election to participate in DROP, and based upon the employee established deferred termination date, previously accumulated sick leave shall be paid the employee according to the salary established at the time of entry into the DROP Program in the following prorated installments:
 1. Deferred Termination Date - Payment Schedule
 - a. 0 through 12 months
1 lump payment in the month following the last day worked
 - b. 13 through 24 months
50% at the end of the first 12 months and final payment in the month following the last day worked
 - c. 25 through 36 months

33⅓% at the end of each 12-month period and final payment in the month following the last day worked

d. 37 through 48 months

25% at the end of each 12-month period and final payment in the month following the last day worked

e. 49 through 60 months

20% at the end of each 12-month period and final payment in the month following the last day worked

2. Sick leave will be earned during DROP as prescribed by Florida Statutes. Accumulated sick leave earned during DROP participation will be paid to the employee at the end of their DROP participation or as prescribed in any Board approved alternative retirement plan.

3. It is in the intent of this policy that an individual entering DROP will be allowed to use sick leave which was accrued prior to their retirement and entrance into DROP. The procedures for utilization of such leave shall be as follows:

a. Sick leave earned prior to DROP shall be calculated in accordance with School Board policy.

b. The value of each sick day will be computed according to the salary established at the time of entry into DROP. Should a DROP participant use a sick day(s) accrued prior to entrance into DROP, the monetary value of their remaining sick days shall be reduced by the value of the sick day(s) used.

c. Final adjustments in the total amount of compensation for accrued sick leave will be made prior to the final payment at the end of DROP.

B. Annual Leave - Employees electing to participate in DROP shall be entitled to terminal pay for accrued annual leave as required by state law, Board policy and/or union contract. Upon election to participate in DROP and the employee's election to receive a lump sum payment of accrued annual leave, payment shall be made prior to the effective beginning date of DROP into the tax deferral plan adopted by the school board, and shall then be paid to the employee in accordance with the terms of such plan.

1. Annual leave earned prior to entering DROP which exceeds the maximum lump sum payment allowed by Board policy may be used during DROP; however, the employee shall not be entitled to compensation at the end of DROP for any unused portion of the accumulated leave.

2. Employees will earn annual leave during the DROP period as prescribed by Florida Statute, Board policy and/or union contract. Annual leave accumulated during DROP participation will not be paid to the employee at the end of DROP participation, except to the extent the employee has earned additional annual leave which combined with the original payment does not exceed the maximum lump sum payment allowed by Board policy.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

121.091, 1001.43, F.S.

HISTORY:

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

CHAPTER 6.00 – HUMAN RESOURCES

VACATION LEAVE PAYMENT/DROP

6.541*

- I. All personnel employed full-time on a twelve-months basis (240 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.
- II. 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 employee’s 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.
- III. A participant in the DROP who is in a position authorized to earn vacation leave shall earn vacation 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, 1012.65, 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*

- I. 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.
 - E. Any qualifying exigency (as defined in applicable Federal regulations) arising out of the fact that the staff member’s spouse, son, daughter, or parent is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces (“Qualifying Exigency Leave”). Covered active duty means duty during deployment with the Armed Forces to a foreign country.
- II. 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**

CHAPTER 6.00 – HUMAN RESOURCES

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

6.543

- I. 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.
- II. Any full-time regular employee documented as having been exposed to the COVID-19 virus in the discharge of his/her duties and required to quarantine for a specified number of days as recommended by the Centers for Disease Control (CDC) shall be entitled illness-in-the-line-of-duty leave for that period of time. If the employee is unable to resume work at the end of that period of time, he/she may elect to use accrued sick leave and receive salary payments.
- III. Illness-in-the-line-of-duty leave is intended for use with Worker Compensation claims including having contracted the COVID-19 virus in the line of duty, and 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.
- IV. With exception to Paragraph II and III above, 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*

- I. 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.

- II. 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*

- I. 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.
 - A. 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.
 - B. Request for military leave shall be in writing and countersigned by the principal or immediate administrative supervisor. The request shall include:
 - 1. A copy of the military order; and
 - 2. Written evidence that effort has been made to serve the duty when school was not in session. This shall be required only of personnel who are employed for ten (10) or eleven (11) months.
- II. 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.
- III. Compensation allowed during military leave may not exceed two hundred forty (240) working hours except as provided in Section 115.07, Florida Statutes.
- IV. 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.**

LAW(S) IMPLEMENTED: **115.07, 115.09, 115.14, 121.111, 250.341, 1001.43, 1012.66, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.080**

HISTORY: **ADOPTED: 10/19/2019**
REVISION DATE(S): 03/23/2021
FORMERLY:

CHAPTER 6.00 – HUMAN RESOURCES

PERSONAL LEAVE

6.546*

- I. 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.
- II. 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 personal leave of absence is to extend beyond one (1) school fiscal year, re-application for such leave 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.

- I. 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.
- II. 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.
- III. 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*

- I. 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. If an employee is dismissed or terminates his/her employment after having used the four (4) sick leave days initially provided and has not earned those sick leave days, the district School Board may withhold the average daily amount of pay for each day of sick leave used but unearned by the employee.
 - D. Sick leave shall not be used prior to the time it is earned.
- II. 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.
- III. 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.
- IV. 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.
- V. 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.
- VI. When an employee retires and receives terminal pay benefits based on unused sick leave, all unused sick leave credit shall become immediately invalid.
- VII. 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

TERMINAL PAY

6.912

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:

- I. For the individual himself, upon separation from such service by resignation without retirement, provided that s/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 100% times the number of days of accumulated sick leave.
- II. For the individual himself/herself, upon normal retirement or DROP enrollment, provided that s/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/her number of days of accumulated sick leave, times a percentage figure depending on his/her number of years of such service, as hereinafter indicated:
 1. after the 10th year – fifty percent (50%)
 2. after the 11th year – fifty percent (50%)
 3. after the 12th year – fifty percent (50%)
 4. after the 13th year – sixty-five percent (65%)
 5. after the 14th year – seventy percent (70%)
 6. after the 15th year – seventy-five percent (75%)
 7. after the 16th year – eighty percent (80%)
 8. after the 17th year – eighty-five percent (85%)
 9. after the 18th year – ninety percent (90%)
 10. after the 19th year – ninety-five percent (95%)
 11. after the 20th year – 100%
- III. 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/her number of days of accumulated sick leave, times a percentage figure depending on his/her number of years of such service, as hereinafter indicated:
 1. during the first three (3) years - thirty-five percent (35%)
 2. during the next three (3) years - forty percent (40%)

3. during the next three (3) years - forty-five percent (45%)
4. during the next three (3) years - fifty percent (50%)
5. during the 13th year - sixty percent (60%)
6. during the 14th year - sixty-five percent (65%)
7. during the 15th year - seventy percent (70%)
8. during the 16th year - seventy-five percent (75%)
9. during the 17th year - eighty percent (80%)
10. during the 18th year - eighty-five percent (85%)
11. during the 19th year - ninety percent (90%)
12. during the 20th year - ninety-five percent (95%)
13. during and after the 21st year – 100%

IV. For the individual himself upon resignation, normal retirement or DROP enrollment, who has worked ten (10) years or more with the District, or the beneficiary, upon the death of such administrator, a sum determined by multiplying the individual's then current daily rate of pay by the number of days accumulated annual leave, up to sixty (60) days. For the individual himself upon resignation, normal retirement or DROP enrollment, who has worked less than ten (10) years, or the beneficiary, upon the death of such administrator, a sum determined by multiplying the individual's then current daily rate of pay by the number of days accumulated annual leave, up to twenty (20) days.

Pursuant to the above criteria, such terminal pay shall include payment for unused sick leave and annual leave upon an administrator's separation from the District.

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**

CHAPTER 6.00 – HUMAN RESOURCES

DONATION OF SICK LEAVE TO ANOTHER EMPLOYEE

6.914

An employee may transfer/donate his/her earned sick leave to another district employee to use provided that the recipient has depleted all of his/her sick leave. Donated sick leave shall have no terminal pay value to the recipient.

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

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:**

CHAPTER 6.00 – HUMAN RESOURCES

6.917

MEDICAL MARIJUANA USE BY EMPLOYEES

- I. Use of Medical Marijuana by Qualified Employee on District Property
 - A. The Board strives to comply with state law to honor families' private medical decisions while ensuring a learning environment free of disruption. To accomplish these goals, as a general rule, prescription medication, including medical marijuana, should be administered at home. Prescription medications, including medical marijuana, should only be administered on District property during school hours when administration cannot reasonably be accomplished outside of work hours. The qualified patient should use the medical marijuana/low THC cannabis at home whenever possible for a qualifying medical condition.
 - B. The law allows the Board to deny the use of medical marijuana on its properties and its sponsored events. However, the Board has agreed to allow such use in limited circumstances. When it is medically necessary to use medical marijuana on District property its use shall be in accordance with this policy.
 - C. Under no circumstance can medical marijuana/low THC cannabis be used by a qualifying employee while aboard a school bus or at a school-sponsored event even if the event is after the employee's work hours.
 - D. This policy conveys no right to any qualifying employee, employee acting as caregiver, or other caregiver to demand access to any general or particular location on school or district property, a school bus or at a school-sponsored event to administer medical marijuana/low THC cannabis.
 - E. If the federal government indicates that the district's federal funds are jeopardized by this policy, or asks the District to cease and desist the implementation of this policy, the Board declares that this policy shall be suspended immediately and that the use of any form of medical marijuana/low THC cannabis by qualified patients on school property shall not be permitted. The District will comply with any federal guidance and/or directives related to this policy. The district shall post notice of such policy suspension and prohibition in a conspicuous place on its website.
 - F. Definitions - For purposes of this policy, the following definitions shall apply per Florida Statute:

1. “Qualifying employee” means a full-time, part-time, substitute, or temporary individual employed by the Gadsden County School Board that meets the definition of a qualified patient.
2. “Qualified patients” means a resident of this state who has been added to the medical marijuana use registry by a qualified physician to receive marijuana or a marijuana delivery device for a medical use and who has a qualified patient identification card.
3. “Designated location” means a location identified by the District in its sole discretion on school grounds, such as the nurse’s office or a building administrator’s office. District or school administration determines, in its sole discretion, the location of administration of a permissible form of medical marijuana/low THC cannabis that do not create risk of disruption to the educational environment or exposure to other students.
4. “Qualified physician” means an individual who holds an active, unrestricted license as an allopathic physician under chapter 458 or as an osteopathic physician under chapter 459 and is in compliance with the physician education requirements set forth in F.S. 381.986(3).
5. “Permissible form of medical marijuana/low THC/cannabinoid products” means non-smokeable/non-inhalable products such as oils, tinctures, edible products or lotions that can be administered and fully ingested or absorbed in a short period of time.

II. Permissible use of medical marijuana by a qualified patient on school district property.

- A. School nurses or health care personnel or school administration staff or other school employees are not allowed to administer, store/hold or transport the medical marijuana/low THC cannabis in any form and it will not be stored on any District property, including school grounds, at any time except that it may be stored in the qualified patients’ automobile in the school’s parking lot.
- B. A qualified patient may use the permissible form of medical marijuana on District property in the designated location if all of the following criteria are met:
 1. A copy of the qualified patient’s valid registration form for medical marijuana must be provided to the District. The authorization for medical marijuana/low THC cannabis qualified patients form must be submitted to the principal/designee every school year, and when there are any changes to the medication and the type of preparation (i.e., oils, tablet). The

completed form shall include the type, amount, time to be used, possible side effects and any special instructions regarding the medication.

2. A written statement signed by the qualified patient must be on file in which the qualified patient agrees to assume all responsibility for the maintenance and use under state and federal law, and to indemnify and/or release the District from liability for any injury arising out of the use of medical marijuana on District property.
 3. The District determines, in its sole discretion, that a designated location and method of administration of medical marijuana are available that do not create a risk of disruption to the educational environment or exposure to students or employees.
 4. In accordance with this policy, district or school administration shall prepare, with input from the qualified patient, a written medical marijuana/low THC cannabis implementation plan that identifies the registration number for the medical marijuana registration, permissible form of the medical marijuana/low THC cannabis, designated location(s), and which shall be on file at the employee's work-site.
 5. The written plan shall be signed by the site administrator, and the qualified patient.
- C. Permission to use medical marijuana/low THC cannabis to a qualified patient may be limited or revoked if the employee violates this policy or demonstrates an inability to responsibly follow this policy's parameters.
- D. At no time shall the qualifying employee have the medical marijuana/low THC cannabis in his/her possession except during the administration/use process, per the District's implementation plan.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

381.986,FS.

HISTORY:

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

CHAPTER 7.00 – BUSINESS SERVICES

WORKERS COMPENSATION RETURN-TO-WORK PROGRAM

6.918

In order to provide employees the opportunity to return to work as soon as possible after being injured while at work, and at the same time reducing the District’s liability for workers compensation costs, it is the policy of the Gadsden County School Board to provide a formal Return-To-Work Program.

1. While injured employees may return to work only in accordance with direction from their authorized medical provider, it is the policy of the Gadsden County School Board to accommodate these employees by modifying the work requirements of their position or to temporarily place them in another appropriate position as necessary. In this way, they are provided the opportunity to work at their normal rate of pay during the time of their recovery.
2. These accommodations are temporary and will be limited to a maximum of 60 days.
3. The accommodations must be in accordance with restrictions provided by the authorized medical provider.
4. The employee will not be required to participate in the program; however, in such cases the employee’s benefits will be limited under Workers Compensation Laws.
5. The District shall develop procedures for the implementation of this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, 1012.23, F. S.

LAWS IMPLEMENTED:

1012.22, 1012.23, 1012.27, F. S.

HISTORY:

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

CHAPTER 7.00 - BUSINESS SERVICES

DISTRICT 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** – And 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 expenditures.
- 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 those allowed by the District budget and:
 - A. Shall propose a budget amendment for the School board's consideration when the function and object amount 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 as needed to the Board each month.

- B. May authorize an expenditure temporarily which exceeds the amount budgeted by function and object provided the School Board subsequently approves the expenditure.
- C. 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.

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:**

CHAPTER 7.00 - BUSINESS SERVICES

ACCOUNTING AND CONTROL PROCEDURES

7.20*+

- I. 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.
- II. 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.
- III. 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

**ELECTRNIC RECORDS, ELECTRONIC SIGNATURES AND
ELECTRONIC FUNDS**

7.22+

- I. Electronic Records, Electronic Signatures and Electronic Funds
- A. Unless a provision of law enacted after July 1, 2000, specifically prohibits the use of an electronic record for the specified purpose, the School Board hereby authorizes the acceptance and distribution of electronic records and electronic signatures to and from District staff and other persons, as well as between District staff members. Additionally, the Board further authorizes District staff to create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.
 - B. The Superintendent shall consult with the State of Florida's Agency for State Technology (Agency) regarding the District's authorized acceptance and distribution of electronic records and electronic signatures.
 - C. The issuance or acceptance of an electronic signature by the Board may be permitted in accordance with the provisions of this policy and all applicable State and Federal laws. If permitted, the electronic signatures shall have the full force and effect of a manual signature provided the electronic signature satisfies all of the following requirements:
 - 1. The electronic signature is unique to the individual and identifies the individual signing the document by his/her name and title.
 - 2. The identity of the individual signing with an electronic signature is capable of being verified and authenticated.
 - 3. The integrity of the electronic signature can be assured.
 - 4. The electronic signature and the document to which it is affixed cannot be altered once the electronic signature has been affixed.
 - 5. The electronic signature complies with the School Board procedures for ensuring the security, integrity, and auditability of each signature.
 - 6. The electronic signature conforms to all other provisions of this policy.

II. Electronic Fund Transfers

- A. The Board authorizes electronic fund transfers (EFTs) for any purpose including direct deposit, wire transfer, automatic clearinghouse (ACH), withdrawal, investment, or payment, provided such EFTs are consistent with the provision of Chapter 668, Florida Statutes. Upon the recommendation of the Superintendent, the Board shall approve:
 - 1. The financial institutions that are authorized to receive monetary transactions through electronic or other medium.
 - 2. Written agreements with financial institutions with whom EFTs will be made.
- B. Such agreements shall set forth internal controls required by State law and State Board Rule that will provide adequate integrity, security, confidentiality, and auditability of business transactions conducted by electronic commerce, including, but not limited to, the following:
 - 1. The official title of the bank account(s) subject to the agreement and each type of transaction approved, such as deposits, disbursements or transfers, shall be specified;
 - 2. the manual signatures of the Board Chairman, Superintendent, and the employees authorized to initiate EFTs shall be contained therein;
 - 3. a requirement that the District maintain documentation signed by the initiator and authorizer of the EFTs to confirm the authenticity of the EFTs;
 - 4. a requirement that, when funds are properly delivered to the receiving institution, that institution agrees to become responsible for prompt and diligent processing of the funds;
 - 5. a requirement that written or printed documentation from the financial institution acknowledging such transactions, including but not limited to deposit slips, debit and credit memos, trust receipts, transfer acknowledgements, or canceled warrants, shall be provided so that it may be kept in the official files of the School District, which shall be maintained in a manner which facilitates easy review and validation of transactions.

III. Internal Controls and Delegation of Authority

- A. The oversight of the EFTs resides with the Chief Financial Officer and the Director of Finance. A system of internal controls and operational procedures has

been established to manage the funds transfer process and the reconciliation of bank accounts. Staff will utilize effective internal controls including the separation of duties when performing funds transfers and cash management functions. Independent auditors, as part of the District's financial audits, will review the system of internal controls and compliance with the operational procedures and with this policy.

IV. Scope

- A. Board funds shall be electronically transferred for the following purposes:
 - 1. receipt of revenue from local, State, and Federal sources;
 - 2. settlement on investment transactions (e.g. purchases, sales, or principal and interest distributions);
 - 3. transfers between Board accounts as needed for legitimate funds management activities;
 - 4. payment of obligations, based upon legal or contractual requirements incurred in the course of Board business, including e-payables; and
 - 5. payroll and other payroll related direct deposit payments.

V. Outgoing Electronic Funds Transfers

- A. Wire transfers are established by the accounting personnel, with the District's financial institution, using secure banking software which is password protected. These wire transfers, with the District's financial institutions, require the transfers to be initiated by one staff member and released by another staff member.
- B. Wire transfers from investment accounts can only be transferred to the District Control Bank Account. All transfers will be reviewed by the Director of Finance or designee when made. Wire transfers will be traced from the bank statement to the respective authorizations on a monthly basis as part of the bank reconciliation process.
- C. ACH transactions are allowed for the following transaction types:
 - 1. ACH debit transactions require funds to be paid from a Board bank account by the counterparty's financial institution and are prohibited unless the counterparty to the transaction is another governmental entity or the transaction is required by a Board approved contract, including credit card processing fees.

2. ACH credit transactions require funds to be deposited directly to the Board bank account. ACH credit transactions are acceptable when required based on contractual obligations or when this method of depositing/receipting is advantageous to the Board as determined by the Executive Director of Finance and Budgeting or equivalent position.
3. Direct deposit payments of employees' wages or other direct payments will be initiated by payroll/accounting personnel in compliance with established accounting procedures and in accordance with F.A.C. 6A-1.0012(2).
4. Individuals performing ACH and wire transfers cannot both initiate and approve one of these transactions.
5. Other methods of electronic funds transfers as established by the District's financial institution may be permitted, as long as transfers follow similar procedures as outlined above.

STATUTORY AUTHORITY:

**668.01 et seq., 668.50, 1010.11, 282.0041, F.S.
F.A.C. 6A-1.0012**

HISTORY:

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

CHAPTER 7.00 - BUSINESS SERVICES

GRANT MANAGEMENT

7.25+

- I. The Superintendent shall seek grant funds to expand the financial capabilities of the District and provide additional resources to enhance educational opportunities and to support student learning and performance.
- II. All grant monies awarded to the District shall be used in accordance with applicable federal and state laws and rules, grantor rules, and School Board policies.
- III. For projects utilizing federal funds, the District shall adhere to the requirements of Uniform Grant Guidance (UGG). In the event that state requirements are more stringent than federal requirements, state mandates shall be followed.
- IV. The Superintendent shall develop procedures for grant administration that include but are not limited to
 - A. Application process for grant funds including School Board approval;
 - B. Procurement of materials and equipment;
 - C. Standard of conduct including conflict of interest;
 - D. Property control;
 - E. Cash management;
 - F. Record maintenance;
 - G. Financial reporting;
 - H. Protection of personally identifiable information; and
 - I. Internal evaluation of accomplishments as related to program goals.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1001.51, 1008.385, 1010.01, F.S.
2 CFR 200, 20 USC 7906**

HISTORY:

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

CHAPTER 7.00 - BUSINESS SERVICES

CATEGORICAL FUNDS

7.30*

- I. Categorical 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.

- II. Categorical 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.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

**1001.43, 1011.62, F. S.
ANNUAL STATE APPROPRIATIONS ACT**

HISTORY:

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

CHAPTER 7.00 - BUSINESS SERVICES

SCHOOL FOOD SERVICE PROGRAM

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.

- I. Daily deposits of school food service funds shall be made by authorized personnel in a bank(s) designated by the School Board.
- II. Revenue from the sale of all items handled by the Food Service Department shall be considered school food service revenue. This includes income from sale of cans, bottles, jars, rice bags, swill, and similar items. Such funds shall not be expended as cash.
- III. All payments from school food service funds shall be made by check, wire transfer or Automated Clearing House (ACH).
- IV. School food service funds shall be used only to pay regular operating costs.
- V. 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.
- VI. Funds shall be collected and expended in compliance with United States Department of Agriculture and State Board of Education rules.
- VII. The Board shall annually adopt prices charged to students and adults who participate in the food services program.
- VIII. The Superintendent shall develop written procedures for conducting the District's food service program.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1000.51, 1006.06, 1013.12, F. S.

LAWS IMPLEMENTED: 1001.43
1010.05, 1010.20, F. S.

STATE BOARD OF EDUCATION RULE:

**6A-1.012; 6A-1.087
6A-7.0411, 6A-7.41, 6A-7.42(2),
6A-7.421, 6A-7.45, 6A-7.467
C.F.R. 210, 215, 220, 240 F.A.C**

HISTORY:

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

CHAPTER 7.00 - BUSINESS SERVICES

INTERNAL FUNDS

7.32*+

- I. 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).
- II. 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 published by the Florida Department of Education. Sound business practices shall be observed in all transactions.
- III. Procedures governing school internal funds shall be outlined in the District's Procedures Manual.

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

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 *Financial and Program Cost Accounting and Reporting for Florida Schools*. The Superintendent shall establish procedures for the use of petty cash funds.

STATUTORY AUTHORITY:

1001.42, 1006.21, F. S.

LAWS IMPLEMENTED:

1001.43, 1010.4, F. S.

HISTORY:

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

CHAPTER 7.00 - BUSINESS SERVICES

HOSPITALITY FUNDS

7.34

The Superintendent may authorize expenditures for purposes of promoting the district, 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.

- I. Expenditures may include promotion and public relation activities and hospitality of business guests provided they will directly benefit or are in the best interest of the District. Expenditures may also include, but are not limited to, activities involving graduation, visiting committees, orientation and work conferences, recruitment of employees, official meetings and receptions, guest speakers, accreditation studies, and other developmental activities, awards or other types of recognition for meritorious performance.
- II. Expenditures shall be made from auxiliary enterprises and undesignated donations to the District for promotion and public relations except that federal funds may be used to purchase food when federal program guidelines permit such use.
- III. Expenditures for hospitality of business guests shall be limited to the maximum permitted by state law and rule.

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

LAW(S) IMPLEMENTED: **1001.43, 1010.08, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.0143**

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

CHAPTER 7.00 - BUSINESS SERVICES

INVESTMENT OF FUNDS

7.35

- I. 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. Investment pools managed and directed by an approved agency of the state.
 - B. Bids from qualified depositories
 - C. Certificates of deposits
 - D. Time deposits
 - E. Securities of the United States Government, including obligations of the United States Treasury.
- II. 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.
- III. 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.
- IV. 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 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 deduction of the indebtedness from the employee's paycheck, 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

- I. In accordance with Florida Statutes, the Superintendent and the chairperson of the School Board shall file with the Department of State his/her manual signature certified by him/her under oath and may use or authorize the use of his/her facsimile signature in lieu of his/her manual signature. Included are:
 - A. Any public security as permitted by Florida Statutes
 - B. Any instrument of payment
 - C. Any official order, proclamation, instrument of conveyance, correspondence or document, resolution that has been authorized by the School Board and such authorization reflected in the minutes thereof, and
 - D. Contracts with district
 - E. personnel.

- II. 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.
 - D. *Facsimile signature* means a reproduction by engraving, imprinting, stamping, or other means of the manual signature of an authorized officer.

- III. The vice-chairperson shall have no authority to sign instruments of payment 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 instruments of payment and other legal documents as the chairperson would be empowered to sign.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

116.34, 1001.43, F.S.

HISTORY:

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

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 any program offered by the Superintendent and shall be in accordance with the *Financial and Program Cost Accounting and Reporting for Florida Schools*.

- I. 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.
- II. 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.
- III. 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.
- IV. 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.
- V. 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.

- VI. 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.
- VII. 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 INVOICES

7.50

Expenditures for payment of invoices shall be made by checks 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 checks themselves by the School Board shall not be required.

Payment for purchases and services shall be made within 45 days of receipt of said invoice as set forth in Chapter 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

TRAVEL EXPENSE REIMBURSEMENT

7.52*+

Authorized travel for School Board members, employees and others approved to travel at School Board expense shall be reimbursed as follows:

- I. 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.
- II. 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.
- III. The Superintendent or designee shall develop procedures which detail travel reimbursement claims and restrictions.

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

CHAPTER 7.00 - BUSINESS SERVICES

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 required 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

ANTIFRAUD

7.65+

- I. The School Board of Gadsden County will not tolerate fraud or the concealment of fraud.
- II. This policy applies to any fraud, suspected or observed, involving District employees, outside support organizations, vendors, contractors, volunteers, outside agencies doing business with the School Board and any other persons or parties in a position to commit fraud on the School Board.
- III. Fraud includes, but is not limited to, knowingly misrepresenting the truth or concealment of a material fact in order to personally benefit or to induce another to act to his/her detriment.

Actions constituting fraud include but are not limited to

- A. Falsifying or unauthorized altering of District documents.
 - B. Accepting or offering a bribe, gifts or other favors under circumstances that indicate that the gift or favor was intended to influence an employee's decision-making.
 - C. Disclosing to other persons the purchasing/bidding activities engaged in, or contemplated by the District in order to give any entity, person or business an unfair advantage in the bid process.
 - D. Causing the District to pay excessive prices or fees where justification is not documented.
 - E. Unauthorized destruction, theft, tampering or removal of records, furniture, fixtures or equipment.
 - F. Using District equipment or work time for any outside private business activity.
- IV. Any perceived fraud that is detected or suspected by any staff member or other person shall be reported immediately to Human Resources Services for guidance as to whether pursuit of an investigation is warranted. The obligation to report fraud includes instances where an employee knew or should have known that an incident of fraud occurred. Any investigation required shall be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship. Investigations shall be conducted in a confidential manner.

- V. Violation of this policy may result in disciplinary action, termination of employment, termination of contract or legal action.
- VI. The Superintendent or designee shall develop procedures to implement this policy. Procedures shall include but not be limited to
 - A. Employee notification and education;
 - B. Self-assessment of risk of fraud;
 - C. Reporting suspected or detected fraud;
 - D. Investigation of fraud;
 - E. Consequences and disciplinary action.
- VII. The Superintendent shall present the procedures to the School Board for approval.
- VIII. The process for notifying the District of suspected or detected fraud shall be available to all employees and the public.

STATUTORY AUTHORITY: **1001.32, 1001.41, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **1001.42, 1001.421, 1001.43, F.S.**

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

CHAPTER 7.00 – BUSINESS SERVICES

PURCHASING AND BIDDING

7.70*

All purchases of supplies, materials, equipment and services made from district 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 district funds and no unauthorized expenditure will be approved by the School Board.

This policy shall generally apply to the District's purchase of products and services, except it shall not apply to:

- A. employment contracts;
- B. acquisition of architectural, engineering, landscape architectural, construction management at risk, registered surveying and mapping, or other services pursuant to Policy 7.71 - Selecting Professional Services for Capital Outlay
- C. acquisition of auditing services
- D. acquisition of professional consultant services, including but not limited to services of lawyers, accountants, financial consultants and other business or operational consultants,
- E. contracts which are exempted, in whole or in part, from this policy's requirements.

Definitions

- A. "Competitive solicitation" means purchasing made through the issuance of an invitation to bid, request for proposals and/or invitation to negotiate. Competitive solicitations are not required for purchases made through the pool purchase provisions of F.S. 1006.27.
- B. "Invitation to bid" means a written solicitation for competitive sealed bids. The invitation to bid is used when the Board is capable of specifically defining the scope of work for which a contractual service is required or when the Board is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is publicly posted.
- C. "Invitation to negotiate" means a written solicitation for competitive sealed replies to

select one (1) or more vendors with which to commence negotiations for the procurement of commodities or contractual services. The invitation to negotiate is used when the Board determines that negotiations may be necessary for it to receive the best value. A written solicitation includes a solicitation that is publicly posted.

- D. "Proposer" means those vendors submitting bids or responses to a competitive solicitation.
- E. "Request for proposals" means a written solicitation for competitive sealed proposals. The request for proposals is used when it is not practicable for the Board to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the Board is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A written solicitation includes a solicitation that is publicly posted.
- F. "Request for Quotations" means an informal process to solicit three (3) or more price quotes on items, commodities or services with standard specifications and valued under the threshold requiring formal competitive solicitations. Quotations may be obtained verbally or via facsimile or e-mail.
- G. Purchase Thresholds are defined as follows:
 - (1) Micro-Purchase - Less than \$3,000
 - (2) Small Purchase - \$3,000 to \$25,000
 - (3) Sealed Bids/Competitive Proposals - \$25,000 or More

Standards and Specifications

Before making any purchase of commodities or contractual services the Superintendent shall, insofar as possible, propose standards and specifications. He or she shall ensure that the commodities or contractual services conform to those standards and specifications, and shall take such other steps as necessary to receive maximum value of money expended.

Competitive Solicitation Requirements for Goods and Services Other Than Construction Contracting

Except as authorized by law or policy, competitive solicitations shall be requested from three (3) or more sources for the purchase of any authorized commodities or contractual services in an amount greater than \$15,000.00.

The procurement of commodities or contractual services may not be divided so as to avoid purchase threshold requirements.

Award of a bid by the Board shall only represent an indication by the Board that a bid represents the best and lowest responsive bid from a responsible and responsive bidder meeting the requirements and criteria set forth in the invitation to bid. Award of a bid shall not create a binding obligation on the Board, and no obligation shall be created or imposed on the District until such time as the Board Chair/designee executes a contract.

Most Favored Customer Status

The awarded bidder/contractor shall afford the School Board the most favored customer status for all items in the bid. Accordingly, if during the term of the contract, the contractor offers more favorable promotional or contract pricing to another entity for the same specification with similar quantities and conditions, the price under the contract shall be immediately reduced to the lower price. Additionally, if a current state of Florida contract or other viable piggyback contract contains more favorable pricing for the same specification with similar quantities and conditions, the contractor will be afforded the opportunity to adjust its contract price to match that of the state of Florida contract. Should the contractor decline, the Gadsden County School District reserves the right to purchase the item(s) from the state of Florida or alternate piggyback contract.

Exception to Competitive Bidding Requirements

- A. notwithstanding anything herein to the contrary, there shall be no requirement to solicit bids and any such requirement is expressly waived for the following:
- B. Purchases made at or below the unit prices in contracts awarded by other Federal, State, city or county governmental agencies, other school boards, community colleges, or State university system cooperative bid agreements when the bidder awarded a contract by another entity will permit purchases by the Board at the same terms, conditions, and unit prices awarded in such contract, and such purchases are to the economic advantage of the Board.
- C. Purchases made from prices established by the Department of Management Services; Division of Purchasing through its State negotiated agreement price schedule.
- D. Pool purchases made as provided in F.S. 1006.27.
- E. Purchase by the Board of professional services which shall include, without limitation, artistic services; academic program reviews; lectures by individuals; auditing services not subject to F.S. 218.391; legal services, including attorney, paralegal, expert witness, court reporting, appraisal or mediator services; and health services involving examination, diagnosis, treatment, prevention, medical consultation or administration; provided nothing herein shall be deemed to authorize the superintendent to acquire

professional consultant services without Board approval.

- F. The purchase by the Board of educational services and any type of copyrighted materials including, without limitation, educational tests, textbooks, printed instructional materials, computer software, films, videotapes, DVDs, disc or tape recordings, digital recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where such materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or a recognized educational institution.
- G. The requirements for requesting competitive solicitations for making purchases for commodities and contractual services as set forth in this section are hereby waived as authorized by F.S. 1010.04(4)(a), when the following conditions have been met by the Board:
- (1) Competitive solicitations have been requested in the manner prescribed by this policy.
 - (2) The Board has made a finding that no valid or acceptable firm proposal has been received within the prescribed time. When such a finding has been officially made, the Board may enter into negotiations with suppliers of such commodities and contractual services and may execute contracts with such vendors under whatever terms and conditions as the Board determines to be in its best interests.
 - (3) If fewer than two (2) responsive proposals for commodity or contractual services are received, the Board may negotiate on the best terms and conditions or decide to reject all proposals. The Board shall document the reasons that negotiating terms and conditions with the sole proposer is in the best interest of the District in lieu of re-soliciting proposals.
- H. Acquisition of information technology resources, whether by purchase, lease, lease with option to purchase, rental, or otherwise as defined in F.S. 282.0041(15), may be by direct negotiation and contract with a vendor or supplier, as best fits the needs of the District as determined by the Board.
- I. Purchases of food products, required by the Board's food service program and other ancillary food operations, which are exempt pursuant to F.A.C. 6A-7-0411(2)(i)(2).
- J. Emergency purchase of commodities or contractual services when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the District requires emergency action. After the

Superintendent makes such a written determination, the Board may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without requesting competitive solicitations. However, such an emergency purchase shall be made by obtaining pricing information from at least two (2) prospective vendors, which must be retained in the contract file, unless the Superintendent determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the District.

- K. Commodities or contractual services available only from a single source may be exempted from the competitive solicitation requirements. When the Board believes that commodities or contractual services are available only from a single source, the Board shall electronically post a description of the commodities or contractual services sought for a period of at least seven (7) business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described. If it is determined in writing by the Board, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the Board shall provide notice of its intended decision to enter a single source contract in the manner specified in F.S. 120.57(3), and may negotiate on the best terms and conditions with the single source vendor.
- L. Direct purchases of construction project material by the District, on behalf of the awarded construction contractor/manager, directly from vendors to take advantage of the District's "sales tax" exempt status.
- M. A contract for commodities or contractual services may be awarded without competitive solicitations if State or Federal law, a grant or a State or Federal agency contract prescribes with whom the Board must contract or if the rate of payment is established during the appropriations process.
- N. A contract for regulated utilities or government franchised services may be awarded without competitive solicitations.

Contract Approval

Contracts shall be approved and executed as follows:

The Superintendent/designee is authorized to approve and execute contracts on behalf of the District involving expenditure of public funds in an amount no greater than \$15,000.00 so long as the obligation created does not exceed the applicable appropriation within the District budget and the contract is otherwise in compliance with applicable District procedures,

policies, and law. For purposes of this policy, any group of contracts purchase orders to the same provider that are connected in terms of time, location and services such that a reasonable person would view them as a single contract shall be deemed to be a single contract. The Superintendent shall not divide the procurement of goods or contractual services so as to avoid the monetary cap imposed by this policy. Designations of contracting authority by the Superintendent shall be in writing and shall specify the maximum obligation permitted up to \$15,000.00.

Emergency Purchases

Notwithstanding the general limit on the Superintendent’s authority to enter into contracts involving expenditure of public funds in an amount no greater than \$15,000.00, the Superintendent is authorized to approve and execute contracts on behalf of the District involving expenditure of public funds in an amount greater than \$15,000.00 when the Superintendent determines in writing that there exists an “**exigency**” where there is a need to avoid, prevent or alleviate serious harm or injury, financial or otherwise to the district and the use of competitive procurement proposals would prevent the urgent action required to address the situation. Additionally, if an “**emergency**” exists where there is a threat to life, public health, safety or improved property that requires immediate action to alleviate the threat, the Superintendent is authorized as indicated above.

Except as expressly provided herein, the Board shall approve and execute all contracts on behalf of the District involving expenditure of public funds in an amount greater than \$15,000.00.

Purchase Order Approval

The Superintendent is authorized to issue purchase orders in accordance with this rule without further action of the Board so long as the obligation created is consistent with establish thresholds and does not exceed the applicable appropriation within the District budget. The Superintendent shall inform the Board of the approval of all purchase orders greater than \$10,000, as soon as reasonably possible by a written report issued to the Board at a public meeting. This paragraph shall not be construed to require Board approval of purchase orders.

The School Board establishes the following requirements for purchases in accordance with 60A-1.002 F.A.C.

- A. No written or telephone quotes are required for purchases under \$3,000.
- B. Telephone quotes are required for purchases between \$3,000 and \$9,999.99.
- C. Written quotes are required for purchases between \$10,000 and \$24,999.99.

D. Sealed Bids/Competitive Proposals are required for purchases of \$25,000 or more.

Contracts

The approval of a contract in accordance with this policy authorizes the Superintendent to approve and issue any purchase order required to fulfill the District's obligation under the approved contract without further action of the Board. Further, the Board authorizes payment of an invoice received, pursuant to an approved purchase order, in the amount not to exceed an additional fifteen percent (15%) of the approved purchase order. The Superintendent shall inform the Board of the approval of all purchase orders greater than \$7,500.00, as soon as reasonably possible by a written report issued to the Board at a public meeting. This section shall not be construed to require Board approval of purchase orders.

Debarment

The Superintendent or Director of Purchasing shall have the authority to debar a person/corporation, for cause, from consideration or award of further contracts. The debarment shall be for a period commensurate with the seriousness of the cause, generally not to exceed three (3) years. If suspension precedes a debarment, the suspension period shall not be considered in determining the debarment period. When the offense is willful or blatant, a longer term of debarment may be imposed, up to an indefinite period.

The superintendent shall develop procedures for the implementation of this policy.

STATUTORY AUTHORITY

7.11(5) (a), 1001.42, FS

LAWS IMPLEMENTED

**112.312, 120.57, 212.081, 55.04,
1001.43, 1010.01, 1010.07(2), 1010.48, 1013.47, FS
F.A.C. 6A-1.012, 60A-1.002(3)**

CHAPTER 7.00 - BUSINESS SERVICES

SELECTING PROFESSIONAL SERVICES FOR CAPITAL OUTLAY

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, registered land surveyor, or any other professional services dealing with capital outlay the procedures prescribed herein shall be followed:

- I. 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.
- II. 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 or designee 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.

III. 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.

IV. 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.

V. 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.
- VI. Special assistance - Where the professional service contract will require a fee in excess of twenty-five thousand dollars (\$25,000), 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.
- VII. Contracts - Any contract entered into by the School Board for professional services, as provided herein, shall include a prohibition against contingent fees.
- VIII. The Superintendent or designee may authorize outside consultants to provide professional reviews, assistance or training.
- IX. 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

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.

- I. The lessee shall state in writing how the land will be used for educational purposes.
- II. 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.
- III. 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.

- IV. 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:**

CHAPTER 7.00 - BUSINESS SERVICES

ACQUISITION, REMOVAL, DISPOSAL, SALE, OR EXCHANGE OF MAJOR TANGIBLE PROPERTY

7.75

Acquisition

All property shall be acquired through proper purchasing procedures either through the district or internal funds, or through donations from outside sources. All property, however, including vehicular equipment shall be in the name of the School Board of Gadsden County, Florida and under its full control. All property acquired from sources other than school funds, such as PTA donations, shall be reported promptly, in accordance with procedures established for property accountability.

Removal of Property

- A. Property shall not be taken from any school building or premises for private use. Property may be lent to employees, outside agencies, or organizations only with the prior written approval of the principal or department head.
- B. Major property items shall not be exchanged between schools or departments except upon the written approval of division and/or department heads affected. Final approval of the Superintendent is required.

Disposal, Sale, or Exchange

The Board believes that the efficient administration of the District requires disposition of any major tangible personal-property no longer necessary for the educational programs or the operation of the District.

Property which is not suitable for School District use shall be disposed of in accordance with State statutes.

School Memorials and Gifts

- A. No individual, group, or organization shall be permitted to erect a memorial, or structure of any kind upon school grounds except by approval of the Superintendent and Board. Memorials shall be limited to a plaque and/or appropriately displayed portrait in the media center, office, etc. However, a simple landscape project would be such as planting a tree, or small flower garden, provided there is little or no maintenance and is consistent with the Board's master plan.
- B. Permanent structures shall have utilitarian value in the operation of the school or be erected in memory of a person who has been associated with the school either as a student or employee, or an organization that has made some outstanding contribution to the school or School District.

- C. The Board shall not accept a gift of art unless the cost of installation, operation, and maintenance is consistent with the value of the gift to the school. This gift will require approval of a committee approved by the Superintendent and shall include at least one (1) person trained in the field of art.
- D. Articles of equipment donated to the 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 shall be in the name of the Board.

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

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.

- I. All equipment shall be listed that has a value or cost of One thousand dollars (\$1,000.00) 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.
- II. 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.
- III. 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.
- IV. 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.
- V. The Superintendent shall prescribe the procedures for the accountability of property as defined in Florida Statutes.
- VI. 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.
- VII. The principal shall keep an inventory of all equipment in his/her school on forms provided by the property control officer.

VIII. 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.

IX. 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 7 – BUSINESS SERVICES

CORPORATE CARD PROGRAM

7.361

The Gadsden County School Board through a Corporate Card Program authorizes select employees to purchase goods or services related to business travel within given guidelines while conducting business on behalf of the Board. This policy and related procedures apply to all employees participating in the corporate card program.

- I. Any eligible Board employee may receive a corporate card if the employee is expected to incur school board business related expenses.

- II. Use of the corporate card will be routinely monitored. Any willful misuse of the corporate card or violation of program policies and procedures may result in the cancellation of the card and charge privileges as well as disciplinary action up to and including termination of employment.

STATUTORY AUTHORITY

1001.41 F.S.

LAWS IMPLEMENTED

1010.04 F.S.

HISTORY

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

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.

- I. 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 via either United States Postal Service, electronic or 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 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes."
- II. 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 seventy-two (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.
- III. 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.
- IV. 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 seven (7) days of receipt of the formal written protest.

- A. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there are 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 seven (7) 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.
- V. Construction bids protested shall be in accordance with bid protest document recommended by the American Institute of Architecture (AIA).

STATUTORY AUTHORITY: **1001.42, 1001.43, F.S.**

LAW(S) IMPLEMENTED: **120.53, 120.57, F.S.**

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

CHAPTER 7.00 - BUSINESS SERVICES

ACCOUNTING SYSTEM FOR FIXED ASSETS

7.771

The School Board shall maintain a fixed-asset accounting system. The fixed-asset system shall maintain sufficient information to permit the following:

- A. the preparation of year-end financial statements in accordance with generally-accepted accounting principles;
- B. control and accountability.

Fixed assets are defined as those tangible assets of the District (including leased fixed assets) with a useful life in excess of one (1) year and an initial cost equal to or exceeding the amount defined in F.A.C. 69I-73.002.

Fixed assets shall be recorded at actual, or if not determinable, estimated purchase price or fair market value at the time of acquisition.

The Superintendent shall develop administrative procedures to require proper purchase, transfer, and disposal of fixed assets.

STATUTORY AUTHORITY:

274.02, 1001.43, F. S.

LAWS IMPLEMENTED:

F. S.

STATE BOARD OF EDUCATION RULE:

HISTORY:

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

CHAPTER 8.00 - AUXILIARY SERVICES

SAFETY

8.10*+

- I. 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.
- II. Schools shall cooperate with the police, sheriff's department, fire department and other agencies promoting safety education.
- III. To assist in carrying out the responsibilities for safety, each principal shall appoint a member of the staff as school safety coordinator.
- IV. No person shall bring on any School Board premises or have in his/her possession or in his/her vehicle any School Board property, any firearm, weapon or destructive device unless such weapon is required as part of his/her regular job responsibilities.
- V. School Environmental Safety Incident Reporting. The Superintendent shall develop and implement procedures for timely and accurate reporting of incidents related to school safety and discipline and shall provide training to appropriate personnel in accordance with law and State Board of education rules. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data to report the 26 incidents of crime, violence and disruptive behaviors that occur on school grounds, on school transportation, and at off-campus, school sponsored events to the Department Of Education.
 - A. The Superintendent will annually report to the Department of Education the number of involuntary examinations, as defined in section 394.455, F.S., that were initiated at a school, on school transportation, or at a school-sponsored activity.
 - B. The Superintendent must certify to the Department of Education that the requirements for timely and accurate reporting of SESIR incidents has been met.

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Adopted: 10/22/2019
Revised: 01/28/2020
Revised: 12/15/2020
Revised: 11/16/2021

Gadsden 8.10*+

- C. School principals must ensure that all persons at the school level responsible for documenting SESIR information participate in the on-line training offered by the Department and ensure that SESIR data is accurately and timely reported.
- VI. Nonmedical 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. Nonmedical 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 nonmedical School District personnel shall be allowed to perform any other invasive medical services not listed above.
- VII. A child under the age of sixteen (16) shall wear appropriate headgear as required by law for any equine activity on a public school site. Students shall wear appropriate headgear when participating in an off campus, school sponsored equine activity as required by law.
- VIII. The Superintendent shall develop and present to the Board for approval appropriate emergency management and emergency preparedness plans.
- IX. The District shall annually conduct a self-assessment of safety and security practices. Based upon this self-assessment and other concerns, if applicable, the Superintendent shall present appropriate recommendations to the School Board for increasing safety and security and the School Board shall take such actions as it deems necessary and appropriate to address safety and security in the District or at individual sites.

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

LAW(S) IMPLEMENTED: **316.614, 773.06, 1001.43, 1006.062(3), 1006.07, F.S.**

HISTORY: **ADOPTED: 10/22/19**
REVISION DATE(S): 01/28/20, 12/15/20, 01/28/2020, 12/15/2020
FORMERLY:

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 Adopted: 10/22/2019
 Revised: 01/28/2020
 Revised: 12/15/2020
 Revised: 11/16/2021

Gadsden 8.10*+

CHAPTER 8.00 - AUXILIARY SERVICES

PREPAREDNESS FOR TOXIC HAZARD AND ASBESTOS HAZARD

8.12

The School Board is concerned for the safety of the students and staff members and will attempt to comply with all Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of school officials or from the presence of asbestos materials used in previous construction.

TOXIC HAZARDS

These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Superintendent shall appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will:

- A. design and implement a written communication program which:
 - 1. lists hazardous materials present on District property,
 - 2. details the methods used to inform staff and students of the hazards, and
 - 3. describes the methods used to inform contractors and their employees of any hazardous substances to which they may be exposed and of any corrective measures to be employed;
- B. conduct a training program for all District employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the District's plan for communication, labeling, etc.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazards.

ASBESTOS

Pursuant to the Asbestos Hazard Emergency Response Act (AHERA); 15 U.S.C. 2650; 40 C.F.R. 763.93, the Superintendent shall maintain an Asbestos Management Plan for each school, and maintain and update the Plan to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, re-inspection, and response action activities.

The Superintendent shall publish a notification on Management Plan availability and the status of asbestos activities; educate and train School District employees about asbestos and how to deal with it; notify short-term or temporary workers on the locations of the asbestos containing building materials; post warning labels in routine maintenance areas where asbestos was previously identified or assumed; follow set plans and procedures designed to minimize the disturbance of asbestos containing building materials; and survey the condition of these materials every six (6) months to assure that they remain in good condition.

The Superintendent designates the Director of Facilities as the District's designated Asbestos Program Coordinator. All inquiries regarding the asbestos plan and asbestos-related issues should be directed to the AHERA designated person at 850-627-9888.

The Superintendent shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the District is licensed pursuant to the Florida Department of Health Regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

STATUTORY AUTHORITY:

1001.42, 1013.12, F.S.

LAWS IMPLEMENTED:

**442.101, 1001.43 F.S.40 C.F.R. 763.92
Asbestos Hazard Emergency Response Act of 1986 (AHERA)
15 U.S.C. 2601, 20 U.S.C. 4022, 20 U.S.C. 4014, 20 U.S.C. 4011 et seq.
Asbestos School Hazard Abatement Act of 1984
Asbestos School Hazard Abatement Reauthorization Act of 1990, 20 U.S.C. 4011**

HISTORY:

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

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:

- I. Rubber or latex gloves shall be worn and discarded after one (1) use.
- II. 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.
- III. All soiled articles shall be disinfected and discarded in red bags pursuant to approved guidelines.
- IV. Mops and other cleaning implements shall be thoroughly rinsed in the disinfectant solution.
- V. 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:**

CHAPTER 8.00 - AUXILIARY SERVICES

MAINTENANCE AND INSPECTIONS

8.14

The School Board recognizes that the fixed assets of this District represent a significant investment of this community and their maintenance is of prime concern to the Board.

The Board directs the conduct of a continuous program of inspection, maintenance, and rehabilitation for the preservation of all school buildings and equipment. Wherever possible and feasible, maintenance shall be preventive.

The Superintendent shall develop, for implementation by the custodial (and maintenance) staff, a maintenance program which shall include:

- A. a regular summer program of facilities repair and conditioning;
- B. the maintenance of a critical spare parts inventory;
- C. an equipment replacement program;
- D. a long-range program of building modernization;
- E. repair or replacement of equipment or facilities for energy conservation, safety, or other environmental factors;
- F. a preventive maintenance program for equipment and components;
- G. an in-house technical training program for tradespersons.

The Superintendent shall develop and promulgate to the custodial (and maintenance) staff such procedures as may be necessary for the ongoing maintenance and good order of the physical plant and for the expeditious repair of those conditions which threaten the safety of the occupants or the integrity of the plant.

INSPECTIONS

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

EMERGENCY EVACUATION DRILLS

8.16*

The School Board recognizes that its responsibility for the safety of students extends to possible natural and man-made disasters and that such emergencies are best met by preparedness and planning.

The Board authorizes a system of emergency preparedness that shall ensure:

- The health and safety of students and staff are safeguarded.
- Embraces a collaborative effort with community emergency responders.
- The time necessary for instructional purposes is not unduly diverted.
- Minimum disruption to the educational programs.
- Students are taught self-reliance and trained to respond sensibly to emergency situations.
- The system is supported by ongoing training that includes practical application and appropriate "drills" as required by F.S. 1001.42.
- Evacuation drills represent actual emergencies, including but not limited to, firearm, natural disasters, and bomb threats.
- Floor plans of each school are be provided to all community emergency responders in support of evacuation procedures.

The District shall develop and maintain a comprehensive emergency disaster plan (Crisis Response Manual).

All threats to the safety of District facilities shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

- A. The Principal shall hold emergency evacuation drills, as outlined in the District's Emergency Crisis Response Manual, during each semester with the first drill being held within the first thirty (30) days of the school term. A written report of each emergency evacuation drill shall be sent to the District Office.
- B. 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.
- C. Each school's crisis team shall plan and assign to staff members the responsibility of the prompt and orderly evacuation of school buildings.
- D. 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.
- E. A copy of State Board of Education rules and any amendments adopted by the State Board of Education relating to emergency evacuation drills shall be made available to each Principal.

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

LAW(S) IMPLEMENTED: **404.056, 1001.43, 1006.07, 1013.12, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-2.0010**

HISTORY: **ADOPTED: 10/22/2019**
REVISION DATE(S): _____
FORMERLY:

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.

- I. 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.
- II. 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.
- III. 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.

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**

CHAPTER 8.00 - AUXILIARY SERVICES

SECURITY OF DISTRICT FACILITIES

8.19

Buildings constitute the greatest financial investment of the District. It is in the best interest of the School Board to protect the District's investment adequately. The buildings and equipment owned by the Board shall be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The Superintendent shall develop and supervise a program for the security of the school buildings, school grounds, and school equipment pursuant to statute and rules of the State. Such a program may include but is not limited to, video surveillance equipment, security alarm devices, or monitoring devices in appropriate public areas in and around the schools and other District facilities.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to District property and to require such persons to rectify the damage or pay a fee to cover repairs. A reward may be offered for apprehending such persons.

Appropriate authorities may be contacted in the case of serious offenses.

The Superintendent is authorized to install metal detectors and other security devices that would assist in the detection of guns and dangerous weapons on District property.

The Superintendent shall report to the Board each major case of vandalism and the extent of the damage.

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:

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.

The District shall develop, implement and maintain a written facilities preventive maintenance plan.

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

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*+

- I. 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.
- II. 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.
- III. The District may implement a safe driver toll-free hotline that motorists or other persons may use to report improper driving or operation by a school bus driver. Reports of observed driving violations shall be investigated.
- IV. The District shall provide for reciprocal policies and agreements related to transportation services with adjacent districts.
- V. 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:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1006.21, 1006.22,
1006.23, 1011.68, 1012.45, F.S.**

STATE BOARD OF EDUCATION RULE(S):

6A-3.0171

HISTORY:

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

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 roster 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 from the legal guardian to the transportation supervisor. Such approval may be granted only when the
 - V. 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.
 - VI. 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.
 - VII. 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.
 - VIII. 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.
 - IX. 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.
 - X. 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

- I. 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.
- II. Spur Routes. A spur route shall exist only when an extremely hazardous condition is present, requiring the bus to deviate from the main trunk.

- III. 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.
- IV. Other Provisions. Students who are approved to attend a District school which is not located in their assigned attendance zone 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*

- I. The Director of Transportation shall instruct school bus operators in procedures to be followed in conducting school bus emergency evacuation drills and to confer with each school principal regarding scheduling, conducting and documenting school bus evacuation drills. These procedures shall include a requirement that all operators of school buses transporting students, teachers, or chaperones on field and activity trips instruct all passengers in the locations and proper use of school bus emergency exits prior to each such trip.

- II. 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 conduct the practice emergency drills as determined by the Director of Transportation in consultation with the principals.

 - (d) The record of the drill shall be filed in the appropriate District office.

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

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.

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.

LAWS IMPLEMENTED:

1000.21, 1001.43, 1006.21, 1006.22, F.S.

STATE BOARD OF EDUCATION RULE:

6A-3.017

HISTORY:

**ADOPTED:
REVISION DATE(S):
FORMERLY: 6.315**

CHAPTER 8.00 - AUXILIARY SERVICES

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. A driver who is transporting students under the provisions of this policy shall adhere to Florida laws and regulations related to driving including the Florida Ban on Texting While Driving Law.
 - VI. 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.

- VII. 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 the employee's private vehicle insurance will be primary, except for Workers' Compensation, in accordance with state law; the Board's liability program will be secondary.
- VIII. 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: **316.305, 1000.21, 1006.21, 1006.22, 1006.24, F.S.**

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

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

CHAPTER 8.00 - AUXILIARY SERVICES

SEAT BELTS

8.37

- I. 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 twenty-six thousand (26,000) pounds; and,
 - E. A motorcycle, moped, or bicycle.
- II. 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:

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.

- I. 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.
- II. 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.
- III. All mechanical defects of equipment, where repairs are needed, shall be the Superintendent's 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.
- IV. The transportation supervisor shall determine that all equipment is inspected at regular intervals. The equipment shall be placed in the District's garage(s) for repairs or service if needed.
- V. Under no conditions shall equipment be repaired by a private shop or private individual without approval of the Superintendent or transportation supervisor.
- VI. 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.
- VII. The operator of any vehicle with a gross vehicle weight rating of 8,500 pounds and with a heavy-duty diesel engine shall adhere to the requirements for the reduction of heavy-duty idling.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 316.305, 1001.43, 1006.21, 1006.22, F.S.

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

**DEPARTMENT OF ENVIRONMENTAL
PROTECTION RULE(S):** 62-285.420

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

CHAPTER 8.00 - AUXILIARY SERVICES

VEHICLE MAINTENANCE PROGRAM

8.39

- I. 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.
- II. 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.
- III. Only School Board or government-owned vehicles may be repaired or serviced in the school bus garage.
- IV. 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

FOOD SERVICE PROGRAM

8.40

The School Board shall, upon the recommendation of the Superintendent, employ the staff necessary to a food service program in each school in accordance with Federal and State laws, regulations, Board policies, and District procedures.

The Food Services Program shall participate in the National School Lunch and Breakfast Programs and comply with all Federal and State regulations pertaining to the program.

A. **Food Service Program**

The District recognizes the importance of good nutrition to each student's educational performance.

This program shall be operated primarily as a service to students by providing:

1. attractive and nutritious meals for students;
2. food service facilities designed to achieve the maximum in efficiency and cleanliness;
3. worthwhile learning experiences which will contribute to the emotional, spiritual, aesthetic, and social development of students;
4. the opportunity for developing in the students good eating and social habits.

B. **Staffing**

1. **Administrative Responsibility**
 - a. The Director of Finance shall have direct oversight of the food service program.
 - b. The Food Service Production Coordinator shall provide system-wide coordination and supervision directed toward the most efficient and nutritional operation of the food service program and comply with food holds and recalls in accordance with USDA regulations.
 - c. The School Principal and school level staff shall have the following responsibilities:
 - Comply with Federal and State laws, regulations, and the Board's policies

- Effect ways to increase the students' knowledge of nutrition through classroom instruction and learning experiences outside the classroom
 - Schedule students to bring about the greatest participation in the school food service program
- d. Food Service Manager shall work under the direct supervision of the principal of the assigned school in accordance with Board policy, State law, and other applicable legal requirements.
2. Other Food Service Personnel shall be employed in accordance with established procedures and job classifications.

C. General Provisions

1. **Availability of Meals**
Students, employees of the Board, Board members, and the invited guest of school principals are the only persons who may eat in the school cafeteria.
2. **Commodities**
U.S. Department of Agriculture (USDA) commodities shall be used in accordance with current USDA and applicable State rules and regulations.
3. **Sanitation**
A copy of each school's most recent sanitation inspection report shall be posted in a publicly visible location and on the school website.
4. **Food Safety**
As required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Points (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and food stored therein shall be limited to food service staff and other authorized personnel.

D. Cost of Meals

The food service program shall be operated on a nonprofit basis. The price of meals shall be set by the Board upon the recommendation of the Superintendent. Food service employees are provided complimentary breakfast and lunch and other adults shall pay school board adopted prices

E. Eligibility for Free or Reduced-Price Meals

It is the intent of the Board to participate in the National School Lunch and Breakfast Program and offer Community Eligibility Participation (CEP) or paid, free, or reduced-price meals in accordance with the USDA guidelines.

F. Meals Offering Program

Breakfast, lunch, and after-school snacks shall be available to all students in each elementary, middle, and high school. The Board will do so by participating in the National School Breakfast and Lunch Program and offering CEP or paid, free, and reduced-price breakfast meals in accordance with the USDA Guidelines.

Further, regardless of the percentage of students in a school who qualify for free or reduced-price meals, the Board shall offer breakfast, lunch and after-school snacks free of charge to all students in each of the District's elementary, middle, and high school in accordance with USDA guidelines.

G. Accounting

1. Superintendent

The Superintendent shall be responsible for the accurate accounting of all commodities, equipment, supplies, and cash in accordance with School District requirements and for making such reports as required.

A periodic review of the food-service accounts shall be made and any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment.

Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

2. Food Service Management Team

The Director of Finance appoints key District level staff as the food service management team, who shall be responsible for the accurate accounting of all commodities, equipment, supplies, and cash in accordance with School District requirements, and for making such reports as required.

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

FREE AND REDUCED-PRICE MEALS

8.42

The School Board recognizes the importance of good nutrition to each student's educational performance.

The Board shall provide all students with breakfast, lunch and after-school snacks at no charge.

Children, eligible for free or reduced-price meals and after-school snacks, shall be determined by the criteria established by the Child Nutrition Program and National School Lunch Act. These criteria are issued annually by the Federal government through the State Department of Education.

The schools shall annually notify all families of the availability, eligibility requirements, and application procedure, if applicable, for free and reduced-price meals and after-school snacks.

The Superintendent shall prepare and implement the necessary arrangements and procedures to ensure proper operation of the food service program and shall ensure that the appropriate School Board policies relative to CEP and/or free and reduced-price meals, after-school snacks, or free milk are properly completed and submitted for approval to the School Food Service Division of the State Department of Agriculture by the beginning of each school year.

STATUTORY AUTHORITY: 1001.42, 1001.43, F. S.

LAWS IMPLEMENTED: 1006.06, 1006.0605, F.S.

STATE BOARD OF EDUCATION RULES: 6A-7.0421
42 U.S.C. 1751 et seq., 42 U.S.C. 1771 et seq.

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:

CHAPTER 8.00 - AUXILIARY SERVICES

VENDING MACHINES

8.45

The School Board recognizes that vending machines can produce revenues that are useful to augment programs and services to students and staff. It will, therefore, authorize the use of vending machines in District facilities providing that the following conditions are satisfied.

- A. The installation, servicing, stocking, and maintenance of each machine is contracted for with a reputable supplier of vending machines and their products.
- B. No food or beverages are to be sold or distributed which will compete with the District's food-service program.
- C. Food and beverages sold in vending machines must meet USDA National School Nutrition Standards.

The Superintendent shall develop and implement administrative procedures which will ensure these conditions are adhered to on a continuing basis.

STATUTORY AUTHORITY:

1001.43, F.S.

LAW(S) IMPLEMENTED:

**1001.43, F.S.
42 U.S.C. 1779**

HISTORY:

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

CHAPTER 8.00 - AUXILIARY SERVICES

COMPETITIVE FOOD SALES

8.46

Food services will comply with the provisions set forth in Federal law regarding sale of competitive food and foods of minimal nutritional value.

Food services department shall be the sole provider of food and beverage items sold in all schools two (2) hours preceding and two (2) hours following the lunch period, at which time other school organizations may begin to sell foods and beverage items in accordance with the Board's wellness policy and with principal approval.

STATUTORY AUTHORITY: **1001.41(2), 1001.42(14), 1006.06, F.S.**

LAW(S) IMPLEMENTED: **Title 7 C.F.R. 210.11
F.A.C. 7.0411**

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

CHAPTER 8.00 - AUXILIARY SERVICES

SCHOOL CONSTRUCTION BID PROCESS

8.50*

- I. All applicable laws and School Board policies shall be observed in all construction bid procedures. All construction or capital improvement bids shall be accompanied by evidence that the bidder holds an appropriate certificate or license or that the prime contractor has a current valid license.
 - A. Prequalification of Contractors. The Board shall prequalify contractors on an annual basis or for a specific project. This section is applicable to bids, construction management, design build, and any other construction services application.
 - B. Selection Process. Those contractors desiring to bid on Board projects must be prequalified. The Board may reject any application that contains inaccurate information.
 - C. Application. Each contractor, firm or person requesting pre-qualification shall submit an application. The application shall include the following:
 1. Detailed information setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a Public Entity Crime statement and references.
 2. Audited financial information current within the past 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.
 3. General information about the contractor company, its principals, and its history, including state and date of incorporation, regardless of whether the contractor is resident or non-resident of the geographic area served by the Board.
 4. Every contractor and subcontractor desiring to enter into a contract with the school district shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. Contractors

entering into contracts with a subcontractor, must have an affidavit from the subcontractor stating the subcontractor does not employ, contract with, or subcontract with an unauthorized alien.

- a. Contractor must provide evidence of compliance with Florida Statute Section 448.095. Evidence may consist of, but is not limited to, providing notice of Contractor's E-Verify number.
 - b. Contractors entering into contracts with a subcontractor, must have an affidavit from the subcontractor stating the subcontractor does not employ, contract with, or subcontract with an unauthorized alien.
 - c. Contractor shall provide a copy of sub-contractor affidavit to the School Board upon receipt and shall maintain a copy for the duration of the Agreement.
 - d. Failure to comply with this provision is a material breach of an Agreement, and School Board may choose to terminate the Agreement at its sole discretion. Contractor may be liable for all costs associated with School Board securing the same services, inclusive, but not limited to, higher costs for the same services and rebidding costs (if necessary).
5. Contractor trade categories and information regarding the state and local licenses and license numbers held by the applicant.
 6. A list of projects completed within the last five (5) years, including dates, client approximate dollar value, size, and reference name for each project.
 7. Certificates of insurance confirming current workers' compensation, public liability and property damage insurance as required by law.
 8. 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.

9. 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, and the signature shall be notarized.
- II. **Alternative Construction Methods.** The Facilities Department will consider the following factors when determining which construction method (traditional bid; design-build; construction management or negotiated contract) will be used for each project: scope of work of the project, complexity of the task, the schedule for construction, availability of skilled personnel in the local marketplace and past experience on other projects.
 - III. **Advertising, Bidding and Awarding Contracts.** Construction projects shall be advertised in a local newspaper within general circulation throughout the District for a minimum of once a week for three (3) consecutive weeks. The last notice shall appear at least seven (7) days prior to the date set for bid opening. Projects estimated to cost less than \$300,000 shall be advertised for a minimum of one week. All applicable Florida Statutes, State Board of Education rules, and School Board rules shall be observed in school construction bid procedures.
 - IV. 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. Project name and location;
 - B. Brief statement describing the work
 - C. From whom and when contract documents are available, including deposit or charge;
 - D. Date, time and place relating to submitting of bids;
 - E. Pre-qualifications of bidder;
 - F. Procedures for presenting bids;
 - G. Conditions and terms for receiving bids;
 - H. Procedures to be followed in opening and presenting bids to the School Board; and,
 - I. Conditions for awarding contracts based on bids.
 - V. 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.

- VI. Construction Bids. General conditions are all costs incidental to but are not incorporated into the project after it is completed. General conditions and the project contingency will be negotiated. General conditions include (but are not limited to) the following:
- A. Utilities including water, electric, phone, internet service, restrooms and septic services if required. Contractor is responsible for utilities until the District accepts the project as substantially complete or at the option of the Board, upon Final Completion.
 - B. Office Space which includes all costs related to rental and setup of those spaces.
 - C. Temporary Fencing and site security. The contractor has total control and is responsible for all liabilities on the Construction Site.
 - D. Equipment rental or purchase of equipment such as computers and copy machines.
 - E. Vehicles for mobility at the site such as golf carts. IF the contractor plans to rent company owned equipment to the project documentation shall be provided that the charges will not exceed rental cost. Cost to include fuel, repairs and maintenance. Rental should be consistent with industry standard.
 - F. Waste, trash, debris and disposal costs.
 - G. Erosion and dust control
 - H. Mobilization and demobilization.
 - I. Drinking water
 - J. Salaries of contractor staff working onsite. Contractor staff stationed at the home office and are related to the firms general operations should not be included.
 - K. Mileage reimbursement for travel to and from an employee's home is not reimbursable.
 - L. Safety and first aid cost.
 - M. Tools may be included. (Any tools or equipment paid for by the District will remain the property of the District).

NEFEC

PAEC

Adopted: 10/22/19

Revised: 12/15/2020

Revised: 07/27/21

Gadsden 8.50*

- VII. Bid bonds shall be required on all new construction and any renovations or remodeling exceeding twenty-five thousand (\$25,000) dollars.
- VIII. 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 five percent (5%) 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.
- IX. 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 systems, determines that the specifications of a sole material or system is justifiable, based upon its cost interchangeability.

- X. 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.**

LAW(S) IMPLEMENTED: **218.735, 255.04, 255.078, 287.055, 287.057,
288.061, 448.095, 1001.43, 1013.46 - .48, F.S.**

HISTORY: **ADOPTED: 10/22/19
REVISION DATE(S): 12/15/20
FORMERLY:**

NEFEC
PAEC Gadsden 8.50*
Adopted: 10/22/19
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Revised: 07/27/21

CHAPTER 8.00 - AUXILIARY SERVICES

RENOVATIONS OR REMODELING OF FACILITIES

8.51

- I. 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.
- II. 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.
- III. 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 facility administrator for review and approval using the School Board's "Project Request Form".
 - B. Full funding for the design costs, construction and any other related costs must be identified.
 - C. If the facility administrator is in agreement with the proposed project, 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 Director of Facilities. 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 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 deemed appropriate by the Superintendent.

(ii) After approval by the School Board, plans may require submission to the Department of Education.

(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 be *Fifty Thousand Dollars* (\$50,000) or more 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 Director of Facilities 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, the PTA, booster club, or other school affiliated group will receive written authorization from the Superintendent to proceed.
- H. Depending on the scope of work involved, supplemental, periodic inspections may be made by the Facilities Department as determined by the Director of Facilities.
- I. Upon completion of the work, the Director of Facilities must be contacted for final inspection prior to acceptance by 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.

- I. 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.
- II. 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).
- III. 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.
- IV. 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.
- V. 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.
- VI. 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.

VII. 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.

- I. 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.
- II. 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

- I. 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”.
- II. 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.
- III. 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.
- IV. 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.

V. 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.

- VI. 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.

- VII. 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:

- I. Use of information resources shall be limited to legitimate educational purposes. Programs for personal, commercial, or illegal purposes, including games, are not authorized.
- II. 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.
- III. 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. All user accounts and documentation/information/files attached to those accounts are the property of the Gadsden County School Board.

- IV. Copyright and license agreements will be respected; no unauthorized copies of programs or files will be made.
- V. 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 any District computer network systems.

STATUTORY AUTHORITY:

1001.42, F. S.

LAWS IMPLEMENTED:

386.201 - 386.209, 1001.43, F.S.

HISTORY:

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

CHAPTER 8.00 - AUXILIARY SERVICES

MANAGEMENT INFORMATION SYSTEM

8.70+

The District shall 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:**

CHAPTER 8.00 - AUXILIARY SERVICES

USE OF AUTOMATED EXTERNAL DEFIBRILLATORS

8.101*+

- I. 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.
- II. All persons who use an AED must obtain appropriate training in accordance with 401.2915, F.S.
- III. Exceptions to the training requirements shall be in accordance with 768.1325(3) (c), F.S.
- IV. 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.
- V. 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.
- VI. 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:**

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:**

CHAPTER 8.00 - AUXILIARY SERVICES

**USE OF WIRELESS COMMUNICATION DEVICES (WCD)
BY DISTRICT SCHOOL BUS OPERATORS**

8.361

It shall be the policy of the School Board that WCDs, including WCDs equipped with ear pieces, ear buds, headsets, and/or Bluetooth, shall **not** be used for any purpose, including, but not limited to, placing or receiving phone calls, sending or receiving text messages, or sending or receiving e-mails, anytime the operator is actively driving a District school bus, with or without students on board.

For purposes of this policy, WCDs include, but are not limited to, cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), Blackberries/Smartphones, and other WI-FI-enabled or broadband access devices.

The mobile radio installed on all District school buses will be the primary communication system for District school bus operators. If the mobile bus radio fails, and the school bus operator's responsibility for the safety and health of the students being transported makes it necessary for the school bus driver to use a WCD while performing bus-operating duties, the school bus operator will depart the roadway, stop the bus in a safe area, and then use the WCD.

Furthermore, it shall be the policy of the Board that school bus operators shall adhere to all District policies pertaining to staff use of WCDs and two-way radios.

Safety will always be the priority while driving a school bus. Any deviation to the above policy will result in disciplinary action as set forth in Board policy or the collective bargaining agreement.

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:**

CHAPTER 8.00 - AUXILIARY SERVICES

PREQUALIFICATION OF CONTRACTORS FOR EDUCATIONAL FACILITIES CONSTRUCTION

8.502

The School Board shall prequalify contractors for a one (1) year period or for a specific project in accordance with the following:

- I. Criteria - Contractors shall be prequalified 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 with one or more examples in PK-12 construction. Evidence shall consist of:
 - i A brief description of three similar projects that include location and name of owner,
 - ii Contact name, phone number and e-mail address.
 - iii Original project estimates and final cost.
 - iv Change Orders, if any.
 - v Unique aspects of the project
 - vi Occurrence(s) of unforeseen conditions, if any

- 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.

II. Procedures

- A. The Board shall hold a public hearing to discuss the Board's intent to prequalify 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 I. of this policy whether such contractor is a resident or nonresident 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.
- III. 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. Every contractor and subcontractor desiring to enter into a contract with the school district shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. Contractors entering into contracts with a subcontractor, must have an affidavit from the subcontractor stating the subcontractor does not employ, contract with, or subcontract with an unauthorized alien.
 - i. Contractor must provide evidence of compliance with Florida Statute Section 448.095. Evidence may consist of, but is not limited to, providing notice of Contractor's E-Verify number.

- ii. Contractors entering into contracts with a subcontractor, must have an affidavit from the subcontractor stating the subcontractor does not employ, contract with, or subcontract with an unauthorized alien.
 - iii. Contractor shall provide a copy of sub-contractor affidavit to the School Board upon receipt and shall maintain a copy for the duration of the Agreement.
 - iv. Failure to comply with this provision is a material breach of an Agreement, and School Board may choose to terminate the Agreement at its sole discretion. Contractor may be liable for all costs associated with School Board securing the same services, inclusive, but not limited to, higher costs for the same services and rebidding costs (if necessary).
 - E. Contractor trade categories and information regarding the state and local license and license numbers held by the applicant.
 - F. A list of projects completed within the past five (5) years, including dates, clients, approximate dollar value, and size.
 - G. Certificates of insurance confirming current workers' compensation, public liability and property damage insurance as required by law.
 - H. 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.
 - I. 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.
 - J. Exception: When two (2) or more prequalified contractors wish to combine their assets for a specific project, they may do so by filing an affidavit of joint venture. Such affidavit shall be valid only for that specific project.
- IV. 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.
- V. 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.
- VI. 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 noncompliance.
 - 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 subcontractors 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.
- VII. 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 VI.
 - G. Contractor's license becomes suspended or is revoked.
 - H. No longer meets the uniform prequalification criteria established in this policy.

VIII. 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.

LAW(S) IMPLEMENTED:

288.061, 448.095, 1001.43, 1013.46, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-2.0010

HISTORY:

**ADOPTED: 10/22/19
REVISION DATE(S): 12/15/20
FORMERLY: 4.70**

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS

9.10

- I. 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.

- II. 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.

- III. 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.
- IV. 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.
- V. 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 (FHSAA) Bylaws and Policies of the School Board Gadsden County, Florida.
- VI. 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).
- VII. 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:

- I. 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.
- II. To seek advice and opinion of the people of the School District.
- III. 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 shall be approved in advance 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

SCHOOL REPORTS

9.21+

- I. Each school shall make available annually, to parents and the community, school reports required by federal and state laws and State Board of Education rules.
- II. Reports shall follow a uniform District-wide format that is easy to read and understand.
- III. Schools may include other information in the report about the school's progress and other related school information.
- IV. School reports shall be published on the District website and in the local newspaper.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.11, 1008.25, 1008.345, F.S.

HISTORY:

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

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 programs 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.

- I. 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.
- II. 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. The following conditions shall apply:
 - A. The payment of the fee shall be in accordance with Section III. 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.

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Revised: 2/15/03

Revised: 7/27/21

Revised: 11/16/21

Gadsden 9.30*+

- 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 food service employee(s) or School Board employee.
- III. 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.
- IV. Payment of Required Fees - Fees as specified in Section III 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. Fees shall be paid by cashier's check or money order to Gadsden County School Board, unless otherwise authorized by the Superintendent.
- V. Liability and Insurance Coverage - Each organization utilizing school facilities shall
 - A. Agree to hold the School Board harmless from any liability which the School Board may accrue 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 District at least five (5) days before facility is to be used.
- VI. 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,
 - D. Events where alcoholic beverages are served.

- VII. 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/she feels may be controversial, he/she 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.
- VIII. Appeals to the Superintendent - A person who feels his/her organization was improperly denied use of school facilities or assessed an improper charge or fee may file a written appeal with the Superintendent for resolution.

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

LAW(S) IMPLEMENTED: **106.15, 509.032, 509.232, 1001.33,
1001.43, 1001.51, 1013.10, F.S.**

HISTORY: **ADOPTED: _____
REVISION DATE(S): 2/15/03, 7/27/21
FORMERLY:**

©EMCS
 Revised: 2/15/03
 Revised: 7/27/21
 Revised: 11/16/21

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:

- I. 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.
- II. 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.
- III. The Superintendent may announce or authorize to be announced any lecture or community activity of particular educational merit.
- IV. Demonstrations of educational materials and equipment shall be permitted with the principal's approval.
- V. 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.
- VI. 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: **1001.41, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **847.012, 1001.43, 1006.08, F.S.**

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

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

VISITORS

9.60

Any person entering the premises of a school shall immediately report to the office of the principal or his/her designee, make known the purpose of the visit, sign in and present a valid driver's license or official identification in order to receive security clearance and issuance of an official visitor's badge.

- I. 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.
- II. Parents are invited to visit their child's school. To avoid interrupting the daily program, a parent should request a conference for after school hours or during a teacher's planning or conference period. Parents are encouraged to plan such conferences with teachers.
- III. 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.
- IV. This policy does not apply to persons making routine deliveries or scheduled maintenance.

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:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

RELATIONS WITH GOVERNMENTAL AUTHORITIES

9.70

- I. 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.
- II. The Superintendent may initiate or accept proposals and request for cooperative endeavors; major final action shall be subject to Board review and approval.
- III. 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.
- IV. 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.
- V. 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.
- VI. 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:

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

CHAPTER 9.00: SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

SCHOOL CONCURRENCY

9.80+

The School Board shall adopt and maintain a school concurrency system in conjunction with the county and local municipalities. The role of public school concurrency is to ensure that the capacity of schools is adequate to support growth and development at the adopted levels of service. Concurrency provides coordination of the planning and building of new schools with land development.

I. Interlocal Agreement

The School Board shall enter into an interlocal agreement with the Gadsden County Commission and the municipalities within the county for school facility planning. The interlocal agreement shall establish specific ways in which School Board and local government plans and processes are coordinated. The agreement shall include but not be limited to the following:

- A. Coordinated procedures for implementing school concurrency;
- B. A public school facilities element;
- C. Level of service standards to be applied consistently to all schools of the same type by the School Board and local governments with the exception of interim standards that may be adopted for specific schools;
- D. School concurrency service areas that utilize available school capacity and make efficient use of new and existing public schools consistent with the level of service standards;
- E. A process for the development of siting criteria for the location of public schools;
- F. The requirement that the public school capital facilities program meets the financial feasibility requirements of law and rule.
- G. A process for determining proportionate-share mitigation to offset the impact of proposed development that would cause the level of service standards to be exceeded;
- H. Provision for monitoring and evaluating the school concurrency system; and
- I. Provision for amending the agreement.

II. Application for School Concurrency Determination

- A. The District shall establish procedures for a developer to submit an application for school concurrency determination. The impact of the residential development on the school system shall be evaluated.
- B. The application shall be forwarded to the local government to determine if the proposed project is appropriate in relation to the local government's comprehensive plan and land development regulations.

III. Concurrency Review Fees

- A. The School Board shall establish fees to offset the cost of reviewing the impact of proposed residential developments for school concurrency. The nonrefundable fee shall be paid to the School Board of Gadsden County, Florida.
- B. The School Board shall establish a fee for negotiation and determination of proportionate-share mitigation.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**163.3164, 163.3180, 163.3177, 163.31777,
1001.43, 1013.33, 1013.35, 1013.36, F.S.**

HISTORY:

ADOPTED: _____
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