

Gilchrist County School District

Board Policy



7/2023

GILCHRIST COUNTY SCHOOL BOARD POLICY MANUAL

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Policy number = Model NEFEC policy (i.e., 9.02)

Policy number with /D = District added wording, sentence or paragraph (i.e., 9.04/D)

Policy number with D = District policy (i.e., 6.51D)

Italics indicate district addition or information

2.01

- 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. 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 operates in accordance with state law and regulations and is responsible for organization, operation, supervision, and control of public schools.
- III. For the purpose of transacting business and exercising School Board powers, the Board meets regularly and in duly called special meetings. Regular Board meetings will be held in accordance with the schedule adopted by the Board at its annual organization meeting, unless otherwise provided by the Board. All regular and special meetings will be open to the public.
- IV. The Board, desiring to operate under the highest ethical standards and recognizing that the public interest and the respect of the people in their government must be of foremost concern, adopts the following code of ethics in addition to standards of conduct set forth in state law.

Board members shall:

- A. Observe the regulations and policies of the school system and all laws, rules and regulations governing education;
- B. Act responsibly in all Board-related matters with proper decorum and respect for others;
- C. Recognize that the Board functions only as a Board through duly adopted policies and actions approved at public sessions; that individual Board members have no authority to act on behalf of the District or the Board;

- D. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- E. Carry out the duties of any elected or appointed position within the Board in a fair and impartial manner;
- F. Maintain confidentiality of privileged information;
- G. Respect the decisions of the Board;
- H. Seek to examine issues with objectivity, basing personal positions on the evidence and voting independently;
- I. Represent the entire community without fear or favor.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted:

Revision Date(s): 2.06; 1.08

Formerly:

ORGANIZATION, MEMBERSHIP AND OFFICERS OF THE BOARD

2.2 /D

- I. The Board shall be comprised of members elected to four-year terms and meeting such other requirements as stipulated by law. One member shall be elected from each of the five School Board member residence areas. Each member shall be elected for a term of four years and meeting such other requirements as stipulated by law. Two members shall be elected at the time of the presidential election and three members shall be elected at the time of the gubernatorial election. The office of any School Board member shall be vacant when a School Board member moves to another residence area.
- II. A chairman and a vice-chairman, 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; in an election year, the organizational meeting shall be held on the second Tuesday following the general election; provided, however, if a vacancy occurs in the chairperson position the School Board shall elect a chairperson at the next regular or special meeting.
- III. 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.
- IV. 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.

LAW(S) IMPLEMENTED:

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

HISTORY:

*Adopted:
Revision Date(s): 02.13
Formerly:*

SPECIAL COMMITTEES OF THE SCHOOL BOARD

2.03

- 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.

LAW(S) IMPLEMENTED:

1001.41, 1001.43, F.S.

HISTORY:

*ADOPTED:
REVISION DATE(S): 4.22
FORMERLY:*

SCHOOL ADVISORY COUNCILS

2.04

The School Board authorizes the establishment of a school advisory council, e.g., school improvement team 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.
 - 4. A parent(s) shall be elected by parents, as defined by Florida Statutes.

 - 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. 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 assist in the preparation of the school budget.
 - I. Inquire about school matters, identify problems, propose solutions to problems, suggest changes, and inform the community about the school.
 - J. Act as a liaison between the school and the community.
 - K. Assist in the preparation of the feedback report to the Florida Commission on Education Reform and Accountability as required by and pursuant to Florida Statutes.
 - L. Identify other duties and functions of the school advisory council.
- V. Operation of Council - Operational bylaws shall be established and mutually agreed upon by members of the school advisory council.

- A. The bylaws shall contain procedures required by Florida Statutes and shall include but not be limited to:
 - 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 to come 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. 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: 1000.21, 1001.43, 1001.452, 1008.345, 1012.01, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S): 2.06, 1.08, 4.22
FORMERLY:

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 are generally held twice during each calendar month. The meeting time shall be established at the organizational meeting which is held on the third Tuesday after the first Monday in November. 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 chairman'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.
 1. The Superintendent shall prepare and distribute an agenda prior to the emergency meeting.
 2. The agenda, the need for the emergency meeting, and the results of the emergency meeting shall be available to the public within 24 hours of said meeting.
 3. 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 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.

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- III. All School Board meetings shall be conducted in accordance with Robert's Rules of Order, except that no member shall be required to stand to make a motion.
- 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 p.m., eight 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 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 48 hours prior to such meeting.
 - A. All agenda items on which action is deferred shall be listed on the next agenda under "Unfinished Business" unless a time certain is specified.
 - B. 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. There is no meeting for a minority to adjourn. 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.

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2.5 , Page 3

- 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. Members of the public shall have an opportunity to address the School Board at a public meeting regarding any proposition before the Board. Speakers shall adhere to the rules established by the Board in accordance with Florida Statutes.
- IX. 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.
- X. 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:

HISTORY:

Revision Date(s): 2.06; 1.14

Formerly:

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCHOOL BOARD RULES

2.06

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 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 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

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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 90 days from the adoption or effective date.
- IV. Any School Board employee, citizen, or agency may obtain information relating to the method for proposing a rule or may submit a rule proposal to the Superintendent's office.
- V. A copy of the compiled rules shall be available for inspection in the Superintendent's office, the principal's office, and in the library of any school.
- VI. Copies of the School Board rules shall be assigned to various positions within the District as determined by the Superintendent.
 - A. A copy of any rule change shall be made available by the Superintendent to each holder of the compilation who shall be responsible for entering all changes immediately upon receipt.
 - B. A copy of the School Board rules manual shall be available to all staff members either in the principal's office or the 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.

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- VIII. Any citizen may appeal to the Board for a variation or waiver with regard to any policy. The appeal process shall be in form of a written request to the Superintendent.

In cases where an appeal process has been developed for a specific policy, the appeal shall be made in accordance with that procedure.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.
LAW(S) IMPLEMENTED: 120.52-72, 1001.43, F.S.
HISTORY: Adopted: 1/00, 11/02
Revision Date(s): 11/01, 2.06
Formerly:

STAFF REVIEW OF RULES

2.061D

All administrative, instructional and non-instructional employees shall become familiar with the School Board Rules and such other policies, regulations, memoranda, bulletins, and handbooks pertaining to their specific duties in the District.

- A. Any person employed by the School Board who willfully violates any School Board Rule shall be subject to dismissal or such lesser penalty as the School Board may prescribe.
- B. The Superintendent shall make a decision on the basis of the most nearly related provisions when cases are not clearly covered by these rules.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

STATE BOARD OF EDUCATION RULE:

6A-19.001 et. seq.

HISTORY:

Adopted:

Revision

Date(s):

Formerly:

SCHEDULE FOR LEGAL ADVERTISEMENTS

2.07

- 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 28 days prior to the date of intended School Board action.

<i>STATUTORY AUTHORITY:</i>	<i>1001.41, 1001.42, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>120.54, 1001.43, F.S.</i>
<i>HISTORY:</i>	<i>Adopted: Revision Date(s): 2.06 Formerly:</i>

COLLECTIVE BARGAINING AGREEMENTS

2.8 /D

- I. 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.

- II. If any provision of the collective bargaining agreement between the Gilchrist Employees United and the Gilchrist County School Board is declared illegal by a court of competent jurisdiction, such provision shall be replaced by a provision mutually agreed upon by the School Board and the Gilchrist Employees United. The provision shall be made a part of the collective bargaining agreement as an appropriate amendment and shall remain in full force and effect for the duration of the collective bargaining agreement.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 447.309(3), 1001.43, F.S.

HISTORY: Adopted:

SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY

2.09

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, budgeting, and reporting 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. 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. 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 Department of Education.
- 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 Department of Education to identify any school that has completed a three-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. Reporting Procedures
 - A. To provide the Department of Education with annual feedback on the progress of implementing and maintaining a system of school improvement and education accountability. Items in section 1001.42, Florida Statutes shall be included in all feedback reports.
 - B. To provide parents with the school financial report including the average amount of money spent per student in the school.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

24.121(5)©, 1001.01, 1001.10, 1001.42, 1001.43, 1001.452, 1003.413, 1008.345, 1008.385, 1011.01, F.S.

STATE BOARD OF EDUCATION RULE(S):

61-1.09981

HISTORY:

Adopted:

Revision Date(s): 2.06, 1.08, 12.16, 11.17

Formerly:

- I. The School District and each school principal are encouraged to strengthen family involvement and family empowerment in the school. The District will coordinate and integrate parental involvement strategies with school improvement, Title I, Title II, Title IV, Title VI, Community Involvement Programs, Business Partnerships, and other community involvement activities.
- II. The District will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs, based on the National Standards for Parent/Family Involvement Programs, which include:
 - A. Communication between home and school is regular, two-way and meaningful.
 - B. Responsible parenting is promoted and supported.
 - C. Parents play an integral role in assisting student learning.
 - D. Parents are welcome in school and their support and assistance are sought.
 - E. Parents are full partners in the decisions that affect children and families.
 - F. Community resources are utilized to strengthen school programs, family practices and student learning.
- III. The District will communicate parental choices and responsibilities to parents and develop procedures for a parent to learn about parental involvement, rights and responsibilities, including:
 - A. Opting the minor child from any portion of the school district's comprehensive health education required under section 1003.42, F.S.;
 - B. Sharing information about school choice options, including controlled open enrollment;
 - C. Exemptions for immunization requirements;
 - D. Reviewing statewide, standardized assessment results;
 - E. Enrollment in gifted or special education programs;

- F. Inspecting instructional materials and how to object to instructional materials based on their religious or moral beliefs that the material is harmful;
 - G. Accessing information about the district's student progression plan, including policies for promotion, retention and graduation;
 - H. Receiving a school report card and being informed of attendance requirements;
 - I. Accessing information about the state education system, report card requirements, state standards, attendance requirements and instructional materials requirements;
 - J. Participating in parent-teacher associations and organizations;
 - K. Opting out of any district-level data collection effort not required by law
to learn about the nature and purpose of clubs and activities offered at the minor child's school
- IV. The District recognizes the fundamental right of parents, as defined by law, to direct the upbringing, education, and care of their minor children. Important information relating to a minor child should not be withheld, either inadvertently or purposefully, from the parent, including information relating to the minor child's health, well-being, and education, while the minor child is in the custody of the school district. Parents have the right to access and review all school records related to the minor child including but not limited to the right to access school safety and discipline incidents as reported pursuant to section 1006.07(7) and (9), F.S.
- V. Upon a parent's direct written request to the Superintendent for any of the information required under section 1014.05, the Superintendent has ten (10) days to provide the information. The parent has the right to appeal directly to the school board if the Superintendent fails to respond or provide the information within ten (10) days. The School Board must hear the appeal at its next public meeting, in accordance with meeting notice requirements.
- VI. 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 by improving parent and teacher cooperation in such areas as homework, school attendance and discipline.

- VII. The District will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the District professional development plan.
- VIII. The District, to the extent practicable, shall provide full opportunities for parents with disabilities, parents with limited English proficiency and parents of migratory children to participate in school and parental involvement activities and programs.
- IX. The District will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy
 - A. To determine the effectiveness in increasing parent participation;
 - B. To identify barriers to greater parent participation; and
 - C. To report the findings to the State Board of Education.
- X. The District will use the findings of the evaluations in designing strategies for school improvement and revising, if necessary, the parent involvement policies.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.42, 1001.51, 1001.54, 1002.20, 1002.23, 1003.33, 1006.07, 1008.25, 1012.98, 1014 et. Seq, F.S. Every Student Succeeds Act, Title I, Part A, Subpart 1, Section 1116

HISTORY:

REVISION DATE(S):

*ADOPTED: 12.03
2.06, 1.08, 7.20, 4.22
FORMERLY: NEW*

DISTRICT-WIDE PARENTAL INVOLVEMENT

2.0911D

- I. The school district will put into operation programs, activities and procedures for the involvement of parents in all of its schools with Title I, Part A programs, consistent with Section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.
- II. Consistent with Section 1118, the school district will work with its schools to ensure that the required school-level parental involvement policies meet the requirements of Section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with Section 1118(d) of the ESEA.
- III. The school district will incorporate this district-wide parental involvement policy into its LEA plan developed under Section 1112 of the ESEA.
- IV. In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, the school district and its schools will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under Section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- V. If the LEA plan for Title I, Part A, developed under Section 1112 of the ESEA, is not satisfactory to the parents of participating children, the school district will submit any parent comments with the plan when the school district submits the plan to the State Department of Education.
- VI. The school district will involve the parents of children served in Title I, Part A schools in decisions about how the one percent of Title I, Part A funds reserved for parent involvement is spent, and will ensure that not less than 95% of the one percent reserved goes directly to the schools.
- VII. The school district will implement effective and successful programs that reflect scientifically-based research.
- VIII. The school district will be governed by the following statutory definition of parental involvement, and expects that its Title I schools will carry out programs, activities and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring -

- A. That parents play an integral role in assisting their child's learning;
- B. That parents are encouraged to be actively involved in their child's education at school;
- C. That parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;
- D. The carrying out of other activities, such as those described in Section 1118 of the ESEA.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1002.23, 1001.42, 1001.51, 1001.54, 1002.20, 1003.33, 1006.07, 1008.25, 1012.72, 1012.98 F.S.

HISTORY: Adopted: 7.07
Revision
Date(s):
Formerly:

PROGRAM OF AWARDS

2.10

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.

LAW(S) IMPLEMENTED: 1004.43, 1012.22, F.S.

HISTORY:

Adopted:

Revision Date(s):

Formerly:

PARTICIPATION IN ACTIVITIES

2.11

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.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

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

HISTORY: Adopted:
Revision Date(s):
Formerly:

LEGAL COUNSEL - BOARD

2.12

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.

LAW(S) IMPLEMENTED: 1001.41, 1001.43, 1012.26, F.S.

HISTORY:
Adopted:
Revision Date(s):
Formerly:

LEGAL COUNSEL - SUPERINTENDENT

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.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.26, F.S.

HISTORY:

<i>Adopted:</i>	
<i>Revision</i>	<i>Date(s):</i>
<i>Formerly:</i>	

LEGAL SERVICES FOR EMPLOYEES

The School Board shall provide legal services for any School Board member or employee who is charged in civil or criminal proceedings for any action arising out of or in the course of employment by the District.

- I. Legal services for School Board employees shall be provided only upon 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.

LAW(S) IMPLEMENTED:

1001.43, 1012.26, F.S.

HISTORY:

Adopted:

Revision

Date(s):

Formerly:

SCHOOL BOARD ADOPTED PLANS

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 provisions contained in Board policy, Florida Statutes, or other controlling rules.

These include, but are not limited to:

AIDS/HIV (6.90; 6.91)

Approved List of Fees for use of facilities, equipment, District services, and materials (9.04)

Bloodborne Pathogens (6.91)

Collective Bargaining Agreements (2.08/D)

Dropout Prevention Program (4.04)

Employee Job Descriptions

Exceptional Student Education (4.03)

Facilities Handbook (9.04/D)

Program of Awards (2.10)

Program of Studies (4.02)

Qualifications for Employment of Non-

Degreed Full-time and Part-time

Vocational and Part-time Adult

Instructional Personnel Manual (6.17)

School Attendance Zones Guidelines (5.03)

School Board Transportation Employee Drug and Alcohol Testing Manual (6.111)

School Food Services Handbook (8.25)

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School Improvement Plans (2.09)

Special Programs and Procedures for Exceptional Student Education Manual
(4.03, 5.12)

Student Assignment Guidelines (5.03)

Student Code of Conduct (5.10)

Student Education Records Manual (5.19)

Student Progression Plan (4.01)

Student Services Plan

Testing Handbook for District Schools (4.15)

Transportation Handbook (8.18)

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.41, 1001.43, F.S.

HISTORY:

Adopted:

Revision Date(s):

Formerly:

PROHIBITING DISCRIMINATION, INCLUDING SEXUAL AND OTHER FORMS OF HARASSMENT	2.16
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I. Policy Against Discrimination

- A. The School Board of Gilchrist 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:
 - a. For Employee - Office of Civil Rights and Equity Compliance at (Contact information*)
 - b. For Students – Student Support Services at (Contact information*)

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

- a. Has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment;
- b. Has the purpose or effect of interfering with an individual's work or academic performance; or
- c. Otherwise, adversely affects an individual's employment or academic performance.

B. Examples of prohibited actions, which may constitute harassment include, but are not limited to, the following:

- a. Epithets, slurs or negative stereotyping; or
- b. Threatening, intimidating or hostile acts, such as physical acts of aggression against a person or his property; stalking; or
- c. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the school or District office premises or circulated in the workplace or academic environment.

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

A. 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, ~~or~~ 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.
- B. 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.

- I. 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.

- C. 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.

- D. 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.

VI. 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 investigated. 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 mean 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 measures 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 or 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 within 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 that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.
- 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.

VII. 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.

VIII. 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.

IX. 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.

X. 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:

REVISION DATE(S): 1.10.02, 9.02, 11.02, 2.06, 10.06, 2.07, 02.13, 03.16, 12.22

FORMERLY: 2.29, 2.291, 2.71, 2.72, 2.81, 6.43, 6.431/D, 6.92D, 2.16/D

POLICY RELATED TO GENDER ISSUES

2.161D

- I.* The Gilchrist County School District (GCSD) recognizes the right of all students, faculty and staff to a reasonable expectation of privacy in their use of restrooms, changing rooms, showers, locker rooms and other place where a student, faculty or staff may disrobe or change clothes, further, the GCSD recognizes the right of all students to participate and compete in sports that are appropriate for their gender.
- II.* All restrooms, locker rooms, showers, changing facilities and any other location where students, faculty or staff may disrobe or change clothes shall be designated for the student, faculty or staff's gender as indicated on their birth certificate. No student, faculty or staff shall be allowed to use a restroom, locker room, shower, changing facility or other location where students, faculty or staff may disrobe or change clothes that does not correspond to their gender as indicated on their birth certificate.
- III.* No student shall be required to participate in a sporting event where participants from the opposite gender are competing unless the sporting event is a co-gender sporting event. Coaches may choose to participate in such a sporting event at their discretion on a case by case basis. Students who do not wish to participate in such a sporting event shall not be required to do so and shall not be penalized for not participating.
- IV.* During any GCSD sponsored activity which requires overnight travel, all students, faculty and staff shall be assigned to rooms or other sleeping arrangements which correspond to their gender as indicated on their birth certificate.
- V.* No accommodation will be made for any student, faculty or staff to use any facility referenced herein based on their identification with a gender which is different from the gender indicated on their birth certificate.
- VI.* Any faculty or staff, including but not limited to athletic directors or coaches who knowingly violate this policy through their own use of the facilities referenced herein or by allowing violations of this policy shall be subject to discipline up to and including termination as referenced in GCSD policy and the collective bargaining agreement.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

HISTORY:

Adopted: 12.06

Revision(s)

Dates:

Formerly:

REPORTING CHILD ABUSE

2.17

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. 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.

III. Notification of Responsibility

- A. A notice providing the following information shall be posted in a prominent place in a clearly visible location in a public area of each school:

1. 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.
2. Statewide toll-free telephone number for the central abuse hotline.
3. Instructions for calling 911 for emergencies.
4. Directions for accessing the Department of Children and Families website for additional information on reporting abuse, neglect, and exploitation.

IV. Requirements for Reporting Child Abuse, Abandonment or Neglect

- A. Florida Statute requires that any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Department of Children and Family Services.
- B. Each report of known or suspected child abuse, abandonment, or neglect shall be made immediately to the Department of Children and Family Service's abuse hotline, on the single statewide toll-free telephone number. The teacher or staff member may also contact the principal, a school designee, district office or support person to let them know the case has been reported, and for their own documentation and protection file a District County Schools Child Abuse Incident Referral Report.
- C. Reporters in the categories specified 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.
 1. Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons;
 2. Health or mental health professional other than one listed in (1);
 3. Practitioner who relies solely on spiritual means for healing;
 4. School teacher or other school official or personnel;
 5. Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker;
 6. Law enforcement officer; or
 7. Judge

- 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
 - 1. 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 shall be suspended 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.
 - 2. Each school shall post in a prominent place at the school site and on each school's website the policies and procedures for reporting alleged misconduct by an instructional employee or school administrator which affects the health, safety or welfare of a student. The notice shall include the person to whom the misconduct should be reported and the penalties that will be imposed on instructional or school administrative staff who fail to report alleged or actual child abuse or misconduct.
- 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 themselves 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): 2.06, 03.16 Formerly:

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

RESPECT AND CIVILITY IN SCHOOLS AND DISTRICT OFFICES 2.18

- I. The School Board is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/District grounds. Staff will take the necessary actions to protect students' and other employees' personal safety and positive work environment.

The School Board believes that a staff member should be able to work in an environment free of threatening speech or actions. This policy promotes mutual respect, civility and orderly conduct among district employees, parents, and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for staff members.

Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff, willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on School District property, will be directed to leave school or School District property promptly by the site administrator or designee, or shall be escorted from the property with the assistance of other staff or a law enforcement officer.

Pursuant to this policy, when an individual is directed to leave, the site administrator or designee shall inform the person that he/she may be subject to prosecution under Florida law. If an individual refuses to leave upon request or returns before the applicable period of time, the site administrator or designee may notify law enforcement officials. An incident report should be completed for the situations and submitted to the Superintendent.

When violence is directed against an employee, or theft against property, employees shall promptly report the incident to their principal or supervisor and complete an incident report. Employees and supervisors should complete an incident report and report to law enforcement, any attack, assault, or threat made against them on school/District premises or at school/District sponsored activities.

II. Expected Level of Behavior

- A. Board employees will treat parents and other members of the public with courtesy and respect.
- B. Parents and other visitors to schools and District facilities will treat teachers, school administrators, other school staff, and Board employees with courtesy and respect.
- C. Board employees will treat each other with courtesy and respect.

III. Unacceptable/Disruptive behavior includes, but is not necessarily limited to:

- A. Exhibiting behavior which interferes with or threatens to interfere with the operation of a classroom or school related on-campus or off-campus activity, an employee's office or office area, and all areas of a school or facility.
- B. Using loud and/or offensive or demeaning language, swearing, cursing, profanity, or disruptive display of temper.
- C. Threatening to do bodily or physical harm to a parent/guardian, or members of the general public, or to a teacher, school administrator, school employee, or student regardless of whether or not the behavior constitutes or may constitute a criminal violation.
- D. Damaging or destroying school or Board property.
- E. Any other behavior which disrupts the orderly operation of school, school classroom, or any other Board facility.
- F. Abusive, threatening, demeaning, or obscene mail, e-mail, or voice mail messages.

IV. Parent Recourse

Any parent who believes s/he was subject to unacceptable/disruptive behavior on the part of a staff member should bring such behavior to the attention of their immediate supervisor, appropriate executive director, and/or the District's Professional Standards Investigator.

V. Authority of School Personnel

- A. School personnel have the authority to direct persons to leave school or Board premises if the individual:
 - 1. disrupts or threatens to disrupt school or District operations;
 - 2. threatens to or attempts to do or does physical harm to Board personnel, students, or others lawfully on a school or Board premises;
 - 3. threatens the health or safety of students, Board personnel, or others lawfully on a school or Board premises;
 - 4. intentionally causes damage to school, Board property, or property of others lawfully on a school campus or Board premises;
 - 5. uses loud or offensive language; and/or

6. is without authorization to come on a school or other Board facility may be directed to leave the school or Board premises by a school's principal or assistant principal, or in their absence a person who is lawfully in charge of the school; any District level administrator including the Superintendent, an executive director, a director; the District's Safety Specialist, a facility security officer, or the District staff person in charge of a meeting or function where uncivil behavior occurs.

If the person refuses to leave the premises as directed, the administrator or other authorized personnel shall seek the assistance of law enforcement and request that law enforcement take such action deemed necessary. If the offender threatens personal harm the employee may contact law enforcement.

B. Authority to Deal with Persons who are Verbally Abusive

1. If any member of the public uses obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the employee to whom the remarks are directed shall calmly and politely request the speaker to communicate civilly.
2. If the verbal abuse continues, the employee to whom the remarks are directed may, after giving appropriate notice to the speaker, terminate the meeting, conference, or telephone conversation. If the meeting or conference is in a school or on School Board premises, any employee may request an administrator or other authorized personnel to direct the speaker to promptly leave the premises.
3. If the person refuses to leave the premises as directed, the administrator or other authorized personnel shall seek the assistance of law enforcement and request that law enforcement take such action as is deemed necessary. If the employee is threatened with personal harm, the employee may contact law enforcement.

C. Abusive, Threatening, or Obscene Mail, E-Mail, or Voice Mail Messages

1. If any District employee receives mail, e-mail, or a voice message which is abusive, threatening, or obscene, the employee is not obligated to respond to the mail, e-mail, or return the telephone call. The employee may save the message and contact their supervisor or the District Safety Specialist.
2. If the message threatens the employee with personal harm, the employee may contact law enforcement.

STATUTORY AUTHORITY:

1001.41, 1001.43 F.S.

LAW(S) IMPLEMENTED:

Fla. Const. Art. IX, Section 4; 1006.145 F.S.
20 U.S.C. 1681 et seq., 29 U.S.C. 621 et seq.,
29 U.S.C. 749 et seq., 42 U.S.C. 12101 et seq.,
42 U.S.C. 2000e et seq. Civil Rights Act, 41 U.S.C. 1983

HISTORY:

ADOPTED: 12.22
REVISION DATE(S):

WELLNESS POLICY

2.20D

The Gilchrist County School Board recognizes that good nutrition and regular physical activity affect the health and well-being of all students. Furthermore, research suggests that there is a positive correlation between a student's health and well-being and his/her ability to learn. Moreover, schools can play an important role in the developmental process by which students establish their health and nutrition habits by providing nutritious meals and snacks through the schools' meal programs, supporting the development of good eating habits and promoting increased physical activity both in and out of school.

The Gilchrist County School Board is committed to creating school environments that promote and protect the overall well-being of all students and staff. The guidelines listed below encourage a comprehensive wellness approach that is sensitive to both individual and community needs.

I. Local School Wellness Policy Leadership

- A. District Level- The Gilchrist County School Board will assemble a representative wellness committee that will meet bi-annually (twice per year) to monitor and set goals for the development and implementation of its local school wellness policy. As required by K-20 Education Code 1003.453 the policy shall be reviewed annually and an updated copy shall be sent to the Florida Department of Agriculture and Consumer Services when a change or revision is made.
 - 1. The Assistant Superintendent and Director of Food Service shall ensure overall compliance with the local school wellness policy.
 - 2. Representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, parents, students and the general public shall be permitted to participate in the development, implementation, and periodic review and update of the local school wellness policy.
- B. School Level- Each school within Gilchrist County School District will establish an ongoing Healthy School Team that will meet bi-annually (twice per year) to ensure compliance and to facilitate the implementation of Gilchrist County School Board's wellness policy.
 - 1. The school principal/designee and local school staff shall have the responsibility to comply with federal and state regulations as they relate to Gilchrist County School Board's wellness policy.
 - 2. In each school, the principal/designee will be responsible for establishing the Healthy School Team that will ensure compliance with the policy.

3. The Healthy School Team should include, but not be limited to, the following stakeholders: parents, students, school food service program representatives, school administrators, school health professionals, physical education teachers and the general public.
 4. The Healthy School Team is responsible for:
 - a. Ensuring compliance with federal and state regulations for competitive food and beverage items sold on the school campus (7 CFR 210.11 and FAC 5P-1.003);
 - b. Maintaining a school calendar identifying the dates when exempted competitive food fundraisers will occur accordance with the frequency specified in paragraph (c) of FAC 5P-1003;
 - c. And reporting its school's compliance of the aforementioned regulations to the
 - d. principal/designee, the person responsible to ensuring overall compliance with Gilchrist County School Board's wellness policy.
- II. The Gilchrist County School Board will review and consider evidence-based strategies and techniques in establishing goals for nutrition promotion and education, physical activity and other school-based activities that promote student wellness to include, at a minimum, a review of Smarter Lunchroom tools and techniques.
- A. Nutrition Promotion- Nutrition promotion can positively influence lifelong eating behaviors by creating food environments that encourage healthy choices and encourage participation in the school meals program.
 1. The school environment, including the cafeteria and classroom, shall provide clear and consistent messages that promote and reinforce healthy eating.
 2. Students will have access to useful nutrition information. Posters, recipes, the menus, the District's nutritional list for all food and beverage items and nutrition promotions throughout each school cafeteria.
 - B. Nutrition Education- Academic performance and quality of life issues are affected by the choice and availability of nutritious foods in our schools. Healthy foods support student physical growth, brain development, resistance to disease, emotional stability and ability to learn.

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1. Provide nutrition education to students through a planned, sequential curriculum and a variety of classroom and food service activities that is consistent with the Florida Sunshine State Standards.
2. Incorporate nutrition education in other subject areas such as physical education classes and will be integrated in other subject areas when appropriate.
3. Provide staff development by hosting an annual health fair to all employees of Gilchrist County School District. This will include a variety of sources which promote health and wellness through lifestyle changes and education.
4. Provide nutrition education to families through newsletters, parent meetings and other family activities.
5. The UF/IFAS Family Nutrition Program provides evidence-based nutrition programming at all Gilchrist County Schools. In conjunction with this curriculum the Family Nutrition Program supports school garden programs at all locations.

C. Physical Activity- Gilchrist County School Board shall ensure that physical activity is an essential element of each school's instructional program. The program shall provide the opportunity for all students to develop the skills, knowledge and attitudes necessary to participate in a lifetime of physical activity.

1. All students in grades K-5 shall receive 150 minutes per week of instructionally relevant physical education.
2. For middle school physical education in grades 6-8, all students shall receive a minimum of one semester of physical education in each of the three years.
3. For grades 9-12, students receive a minimum of one credit of physical education in senior high school as required (Florida Department of Education Standards).
4. All elementary school students will have at least 20 minutes of daily recess. Each school will provide space, equipment and an environment conducive to safe and enjoyable play.

D. Other School-Based Activities- Gilchrist County School District will integrate wellness activities across the entire school setting. These initiatives will include nutrition, physical activity and other wellness components so that all efforts work together towards the same set of goals and objectives used to promote student well-being, optimal development and strong educational outcomes.

1. General Guidelines:

- a. The goals outline by the wellness policy will be considered in planning all school-based activities (such as school events, field trips, dances and assemblies).
- b. After school programs will encourage healthy snacking and physical activity.
- c. Gilchrist County School Board shall actively develop and support the engagement of students, families and staff in community health-enhancing activities and events at the school or throughout the community.

2. Eating Environment:

- a. Students will be provided an adequate amount of time to consume their meal with a minimum of 20 minutes after receiving their food from the line.
- b. Each school will provide nutritious, well-balanced meals that meet USDA mandated nutrition guidelines for each grade level for breakfast and lunch.

3. Employee Wellness – all employees have access to health and wellness information through the Gilchrist County School Board Wellness Committee and Employee Benefits Department.

III. Guidelines for All Foods and Beverages Available During the School Day-

Gilchrist County School Board shall operate and provide food service in accordance with USDA's National School Lunch Program (NSLP) standards and applicable laws and regulations of the state of Florida. The guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by USDA.

A. General Guidelines

- 1. All reimbursable meals will meet nutrition standards mandated by USDA, as well as any additional state nutrition standards that go beyond USDA requirements.
- 2. School meals will include a variety of nutrient-dense foods, including whole grains and fiber-rich fruits and vegetables.
- 3. To the maximum extent possible, all schools in Gilchrist County School District will participate in available federal school meals programs.
- 4. Free, potable water will be made available to all children during each meal service.

B. Competitive Foods

1. All foods and beverages sold on the school campus to students outside of reimbursable school meals are considered “competitive foods,” and must comply with the nutrition standards for competitive food as defined and required in 7 CFR 210.11.
 - a. School campus means, for the purpose of competitive food standards implementation, all areas of the property under the jurisdiction of the school that are accessible to students during the school day.
 - b. School day means, for the purpose of competitive food standards implementation, the period from midnight before, to 30 minutes after the end of the official school day.
2. Competitive foods include items sold a la carte in the cafeteria, school stores, and for in-school fundraisers.
3. Unless being sold by Gilchrist County School food service program, it is impermissible for any competitive food item sold to students during the school day to consist of ready-to-eat combination foods of meat or meat alternate and grain products, as defined in 7 CFR 210.10 and 210.11. (FAC 5P-1.003).
4. To be allowable, all competitive food items sold to students must meet general nutrition requirements and nutrient standards.

C. General Nutrition Requirements for Competitive Foods

1. Be a grain product that contains 50 percent or more whole grains by weight or have a whole grain as the first ingredient; or
2. Have as the first ingredient one of the non-grain major food groups: fruits, vegetables, dairy or protein foods (meats, beans, poultry, seafood, eggs, nuts, seeds, etc.); or
3. Be a combination food that contains ¼ cup of fruit and/or vegetable.
4. If water is the first ingredient, the second ingredient must be one of the above.

Nutrient standards for competitive foods:

Nutrient Standards	Snack Items and Side Dishes	Entrée Items
Calories	200 calories or less	350 calories or less
Sodium Limits	200 mg or less	480 mg or less
Total Fat Limits	35% or less of total calories	35% or less of total calories
Saturated Fat	Less than 10% of total calories	Less than 10% of total calories
Trans fat	0 g of trans fat as served	0 g of trans fat as served
Sugar	35% of weight from total sugar as served or less	35% of weight from total sugar as served or less

Exemptions	<ul style="list-style-type: none"> • Any entrée item offered as part of the breakfast or lunch program if it is served as a competitive food on the day of service or the day after service in the breakfast or lunch program. • Fresh or frozen fruits and vegetables with no added ingredients, except water. • Canned fruits with no added ingredients except water, which are packed in 100 percent juice, extra light or light syrup. • Low sodium, not salt added canned vegetables with no added fats. • Reduced fat cheese, nuts, seeds and nut/seed butters, as well as seafood and whole eggs with no added fat are exempt from the total fat and saturated fat standards.
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Nutrient standards for beverages:
Portion sizes listed are the maximum that can be offered.

Beverages	Elementary	Middle	High
Plain water	Unlimited	Unlimited	Unlimited
Unflavored low-fat milk	8 fl. oz.	12 fl. oz.	12 fl. oz.
Unflavored or flavored fat-free milk	8 fl. oz.	12 fl. oz.	12 fl. oz.
100% fruit or vegetable juice	8 fl. oz.	12 fl. oz.	12 fl. oz.
100% fruit or vegetable diluted with water but no added sweeteners	8 fl. oz.	12 fl. oz.	12 fl. oz.
Other flavored and/or carbonated beverages that are labeled to contain 5 calories or less per 8 fl. oz., or 10 calories or less per 20 fl. oz.	Not allowed	Not allowed	20 fl. oz.
Other flavored and/or carbonated beverages that are labeled to contain 40 calories or less per 8 fl. oz. or 60 calories or less per 12 fl. oz.	Not allowed	Not allowed	12 fl. oz.

For elementary and middle school students: foods and beverages must be caffeine-free with the exception of trace amounts of naturally occurring caffeine substances. Food and beverages for high school students may contain caffeine.

D. Standards for food and beverages available during the school day that are not sold to students:

1. Schools will limit celebrations that involve food during the school day to no more than one party per class per month.

Each party should include no more than one food or beverage that does not meet nutrition standards for food and beverages sold individually.

2. School-Sponsored Events (such as, but not limited to, athletic events, dances, or performances)

Foods or beverages offered or sold at school-sponsored events outside the school day will include items that meet the nutrition standards for meals or for foods and beverages sold individually.

E. Fundraising

1. Fundraising efforts will still be supportive of healthy eating by complying with all applicable regulations and nutrition standards for competitive foods while also emphasizing the sale of nonfood items.

2. No fundraisers that include the sale of food items will occur until 30 minutes after the conclusion of the last designated meal service period.

3. The school board is permitted to grant a special exemption from the standards for competitive foods as specified above for the purpose of conducting infrequent school-sponsored fundraisers, not to exceed the following maximum number of school days per school campus each school year:

School Type	Maximum Number of School Days to Conduct Exempted Fund Raisers
Elementary	5 Days
Middle/High	10 Days
Each school's Healthy School Team will maintain a school calendar identifying the dates when exempted competitive food fundraisers will occur (FAC 5P-1.003)	

F. Food and Beverage Marketing- School-based marketing will be consistent with policies for nutrition education and health promotion. As such, the following guidelines apply:

1. Schools will only be allowed to market and advertise those foods and beverages that meet or exceed USDA's Smart Snacks in School nutrition standards.

2. Marketing activities that promote healthful behaviors are encouraged.

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

IV. Evaluation and Measurement of the Implementation of the Wellness Policy

The wellness committee will update and make modifications to the wellness policy based on the results of the annual review and triennial assessments and/or as local priorities change, community needs change, wellness goals are met, new health information and technology emerges and new federal or state guidance or standards are issued. The wellness policy will be assessed as indicated at least every three years following the triennial assessment.

A. Triennial Progress Assessments-

The wellness committee will conduct an assessment of the local school wellness policy to measure wellness policy compliance at least once every three years. This assessment will measure the implementation of the local school wellness policy, and include:

1. The extent to which the district is in compliance with the local school wellness policy;
2. The extent to which the local school wellness policy compares to model local school wellness policies; and
3. A description of the progress made in attaining the goals of the local school wellness policy.

B. Informing the Public-

The wellness committee will ensure that the wellness policy and most recent triennial assessment are available to the public at all times. The committee will also actively notify households on an annual basis about any updates made to the wellness policy and the availability of the triennial assessment results, as well as provide information to the community about the school nutrition environment.

The committee will ensure that the most updated version of the wellness policy and triennial assessments are always available on the school website for the public to review.

C. Community Involvement-

The wellness committee is committed to being responsive to community input, which begins with awareness of the wellness policy. The committee will actively communicate ways in which parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators and the general public can participate in the development, implementation and annual review of the local school wellness policy through a variety of means, including:

1. The committee will consider student needs in planning for a healthy nutrition environment.
2. The committee will use electronic mechanisms, such as the district app and/or district website, etc. to ensure that all families are actively notified of updates to the wellness policy.

D. Record Keeping

Records to document compliance with the requirements of the local school wellness policy will include, but is not limited to the following:

1. The written local school wellness policy;
2. Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public as consistent with the section on informing and updating the public; and
3. Documentation of the triennial assessment of the local school wellness police.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1003.42, 1003.453,
1003.455, 1003.46, 1006.06, 1006.0606, F.S.
P.L. 108-265, Section 204
Richard B. Russell National School Lunch Act (42 USC 1751 et seq.)
Child Nutrition Act of 1966 (42 USC 1771 et seq.)

STATE BOARD OF EDUCATION RULE(S): 6A-7.040, 6A-7.041, 6A-7.0411

HISTORY: Adopted: 6.20.06
Revision Date(s): 05.15.18
Formerly:

RESPONSIBILITIES OF SUPERINTENDENT

3.01

- I. The Superintendent shall be responsible for the administration of the entire school system as provided by law, state board of education regulations and rules and policies of the School Board. The Superintendent shall keep the School Board informed regarding all phases of the District school system.
- II. The Superintendent serves as secretary to the School Board and executive officer of the District. (S)He shall keep such minutes and records as may be necessary to set forth clearly all actions and proceedings of the School Board. When possible, any matter coming before the School Board shall first be presented to the Superintendent to be included on the agenda. The Superintendent shall inform the employees of the School Board and the schools and departments of any Board action relating to them.
- III. All members of the instructional and non-instructional staff shall be under the general supervision of and subject to the direction of the Superintendent.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.32, 1001.33, 1001.42, 1001.43, 1001.464, 1001.48, 1001.49, 1001.51, 1006.08, F.S.

HISTORY:

Adopted:

Revision Date(s):2.06

Formerly:

PERFORMANCE GRADE SCHOOLS

3.011

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.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1008.34, F.S.

HISTORY:

Adopted: 11.02

Revision Date(s): 3.00, 2.06

Formerly: 3.014

SUPERINTENDENT'S COMPENSATION

3.0111D

The Superintendent's compensation shall be adjusted at the beginning of each fiscal year in the manner prescribed by law. The total compensation shall include:

- a. The amount prescribed in Section 1001.47, Florida Statutes; and,
- b. A supplement as authorized by law equal to 1.5% of the amount determined in Subsection (1) for each year of experience as Superintendent of Gilchrist County. As of July 1, 2011, credit for each additional year of experience will be determined on a year by year basis by the School Board.

<i>AUTHORITY:</i>	<i>STATUTORY</i>	<i>1001.41, F.S.</i>
	<i>LAW(S)</i>	<i>1001.47, F.S.</i>
<i>IMPLEMENTED:</i>	<i>STATE BOARD OF EDUCATION</i>	<i>6A-1.0551</i>
<i>RULE:</i>	<i>HISTORY:</i>	<i>Adopted: 1.00</i> <i>Revision Date(s): 11.02, 11.10</i> <i>Formerly: 3.11, 3.011D</i>

TEMPORARY APPOINTMENT OF A SUPERINTENDENT

3.12 D

The School Board shall adopt a resolution when a school official is appointed to assume the Superintendent's duties because of an extended illness, disability, resignation, or death of the current Superintendent. This action shall occur at a regular or special meeting of the School Board. The appointee shall serve in this capacity until the Superintendent is able to perform the duties of the office or until the vacancy is filled.

- I. The School Board may consult with the Superintendent, if available, to obtain a recommendation on the appointment.
- II. A certified copy of the resolution and School Board minutes reflecting the School Board's official action shall be filed with the Commissioner of Education, the Legislative Auditor, and the Secretary of State.
- III. All actions taken by the appointee shall be reviewed, approved, and ratified when the current Superintendent returns to the office or the Superintendent vacancy is filled unless the appointee's action was improper or illegal in the Superintendent's opinion.

STATUTORY AUTHORITY: 1001.41, F.S.

LAW(S) IMPLEMENTED: 1001.49, 1001.50, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.0421

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06 Formerly:

DELEGATION OF AUTHORITY

3.13 D

The Superintendent may delegate authority when it becomes expedient; (s)he shall assume full responsibility for the execution and satisfactory completion of any activity resulting from such delegated authority. The Superintendent may not delegate authority which requires the exercise of independent judgment or which is his/her direct responsibility pursuant to Florida Statutes or School Board resolution. As a general rule, all reports and recommendations to the School Board from any employee under the direction and supervision of the Superintendent shall be made through the Superintendent's Office or, at the discretion of the School Board, in conjunction with the Superintendent.

STATUTORY AUTHORITY:

1001.41, F.S.

LAW(S) IMPLEMENTED:

1001.32, 1001.33, 1001.49, 1001.51, 1006.08, 1006.21, 1006.28, 1012.27, F.S.

STATE BOARD OF EDUCATION RULE:

6A-1.0421

HISTORY:

Adopted: 1.00

Revision Date(s): 11.02, 2.06 Formerly:

RESPONSIBILITIES OF PRINCIPALS AND ADMINISTRATIVE STAFF

3.02/D

The District Administrative Staff shall be responsible for the planning, administration and supervision of the total instructional program, and for all supporting services such as maintenance, transportation, school food service, personnel, purchasing, federal programs, payrolls, and all other assignments directed by the Superintendent or designee. The District-wide Instructional Administrators - Those personnel responsible for the overall development, supervision, and improvement of the instructional program of the District. These responsibilities include inservice education programs, evaluation of the teaching process, development of curriculum guides, educational specifications for instructional programs, federal programs, the comprehensive educational plan for the District, and other programs directed by the Superintendent.

- I. Instructional Supervisors - Those personnel responsible for working with teachers and other instructional staff members in the improvement of instruction. Each instructional coordinator shall hold a valid Florida Educator's Certificate at the master's degree or higher level of training.

- II. Principals - 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.

LAW(S) IMPLEMENTED:

*1001.32, 1001.43, 1001.54, 1003.31, 1006.09,
1006.28, 1012.28, F.S.*

HISTORY:

Adopted:

Revision Date(s): 2.06

Formerly:

EMERGENCIES

3.03

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

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.33, 1001.43, F.S.

HISTORY:

Adopted:

Revision Date(s): 2.06

Formerly:

DIRECTIVES, PROCEDURES, AND ADMINISTRATIVE MANUALS

3.04

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.*

LAW(S) IMPLEMENTED: *1001.43, 1001.51, F.S.*

HISTORY: *Adopted:*
Revision *Date(s):*
Formerly:

ADMINISTRATIVE ORGANIZATION

3.05 /D

The District will develop a description of the District's Administrative Organization and have this description (or chart) board approved as a separate document not to be included in board policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted:

Revision Date(s): 7.05, 7.13, 7.15, 7.23

Formerly:

SAFE AND SECURE SCHOOLS

3.06

I. Introduction

The Gilchrist 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 9.07 (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	Type of Emergency
Gilchrist County Emergency Management	Weather emergencies, natural disasters
Gilchrist County Sheriff's Department	Weapon-use and hostage situations
	Hazardous materials or toxic chemic spills
	Exposure as a result of manmade emergency
Trenton City Police	Weapon-use and hostage situations
	Hazardous materials or toxic chemic spills
	Exposure as a result of manmade emergency
Gilchrist County Fire Department	Fire related emergencies
Trenton Fire Department	Fire related emergencies

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 Gilchrist 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 active assailant/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 assailant 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 to 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. All members of the threat assessment team must be involved in the threat assessment process and final decision making.
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. If a student with a disability is reported to have made a threat to harm others and the student's intent is not clear, a referral will be made to the threat assessment team for evaluation.
 3. 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. A parent or guardian has the right to inspect and review the threat assessment. 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.
 4. 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.

5. 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. Threat assessment teams must meet as often as needed to fulfill their duties of assessing and intervening with persons whose behavior may pose a threat to school staff or students, but no less than monthly. The teams must maintain documentation of all meetings, including meeting dates and times, team members in attendance, cases discussed and actions taken.

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 Policy 8.01. The emergency preparedness procedures will identify the individuals responsible for contacting the primary emergency response agency and the emergency response agency that is responsible for notifying the school district for each type of emergency.
- C Emergency evacuation drills (fire, hurricane, tornado, active assailant/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.
- E. Parents, as defined by law, have a right to timely notification of threats, unlawful acts, and significant emergencies that occur on school grounds, during school transportation or during school-sponsored activities pursuant to sections 1006.07(4) and (7), F.S.
 - 1. Parents have a right to access school safety and discipline incidents as reported pursuant to section 1006.07(9), F.S.

VII. Safety – Violence Prevention

- A. The Superintendent shall develop a violence prevention plan for use by each school.
- 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. The Superintendent shall designate an administrator or a law enforcement officer employed by the Gilchrist County Sheriff's Office as the school safety specialist for the District. The School Safety Specialist is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the District. The School Safety Specialist's responsibilities include, but are not limited to the following:

1. On an annual basis the school safety specialist will review district and charter school policies and procedures for compliance with state law and rules and ensure the timely and accurate submission of the school environmental safety incident report (FSSAT) to the Department.
 2. The School Safety Specialist must provide recommendations to the superintendent and school board at a publicly noticed board meeting identifying strategies and activities that the Board should implement in order to address the findings to improve school safety and security.
 3. No later than November 1, the School Safety Specialist shall submit a district best-practice assessment in the FSSAT that includes the school board's action(s) to the school security risk assessment findings and recommendations provided to them.
 4. Provide training and resources to students and staff in matters relating to mental health awareness and assistance; emergency procedures (including active assailant training), and school safety and security.
 5. The School Safety Specialist will develop a process related to safety used to identify and correct instances of noncompliance at the school.
 - a. Deficiencies relating to safe-school officer coverage must be resolved by the next school day.
 - b. Within 24 hours, the School Safety Specialist must notify the Office of Safe Schools of the deficiencies related to safe-school officer coverage and any instance of noncompliance that is determined to be an imminent threat to the health, safety and welfare of students or staff. The Office of Safe Schools shall be notified within three (3) days of any instance of noncompliance that is not corrected within 60 days.
 6. The School Safety Specialist shall notify the district's superintendent if there is a suspected deficiency of the district's and/or a school's noncompliance.
- 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.
- 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.
- G. Adhering to background screening procedures for all staff, volunteers and mentors.
- H. Security trailers may be located on school property.

IX. Mental Health

- A. The School Board shall identify a mental health coordinator for the District. The mental health coordinator shall serve as the primary contact for the district's coordination, communication, and implementation of student mental health policies, procedures, responsibilities, and reporting.
- B. The mental health coordinator shall be responsible for:
 - 1. working with the Office of Safe Schools;
 - 2. maintaining records and reports regarding student mental health as it relates to school safety and the mental health assistance allocation;
 - 3. facilitating the implementation of school district mental health policies relating to the respective duties and responsibilities of the school district, the superintendent, and school principals;
 - 4. coordinating the staffing and training of threat assessment teams with the school safety specialist, and facilitating referrals, to mental health services, as appropriate for students and their families;
 - 5. coordinating with the school safety specialist, the training and resources for students and school district staff relating to youth mental health awareness and assistance; and
 - 6. annually review of the district's policies and procedures related to student mental health for compliance with state law and alignment with current best practices and making recommendations, as needed, for amending said policies and procedures to the superintendent and the district school board.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:

1001.41, 1001.42, F.S.
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):
HISTORY:

6A-1.0403, 6A-3.0171, 6A-1.0018
ADOPTED:
REVISION DATE(S): 2.06, 1.08, 1.14, 11.18, 4.22, 12.22
FORMERLY:

CHAPTER 3.00 SCHOOL ADMINISTRATION

DOMESTIC SECURITY

3.061

- 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.

<i>STATUTORY AUTHORITY</i>	<i>1001.41, 1001.42, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>1001.43, 1001.51, 1001.54, 1006.07, 1006.08, 1006.09, 1006.21, 1013.13, F.S.</i>
<i>STATE BOARD OF EDUCATION RULE(S):</i>	<i>6A-1.0403, 6A-3.0171</i>
<i>HISTORY:</i>	<i>ADOPTED: 02.19 REVISION DATE(S): FORMERLY: NEW</i>

CHAPTER 3.00 - SCHOOL ADMINISTRATION

COPYING OF PUBLIC RECORDS

3.07

- 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 15 cents for each one-sided copy OR 20 cents for each two-sided copy, unless a different fee is otherwise prescribed by Florida Statutes. A one-dollar fee shall be assessed for a certified copy of a public record. Copies shall be made by the appropriate staff members and reproduced at a time which does not interfere with the normal work duty.
- II. Charges for copies of audio, video, and other materials shall be at rates established by the Superintendent/designee.
- III. The Board authorizes the Superintendent to establish uniform charges for documents not covered in Section I above.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

119.07, 1001.43, 1001.52, F.S.

HISTORY:

Adopted:

Revision Date(s):

2.06 Formerly:

COPYRIGHTED MATERIALS

3.08

The District shall abide by all provisions of the copyright laws including as they apply to software and media.

- I. Commercial materials, whether printed or non-printed, 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:

119.07, 1001.43, F.S.

HISTORY:

Adopted:

Revision Date(s): 2.06, 2.07

Formerly

A MOMENT OF SILENCE

3.09

Each school day, first period teachers, in all grades, shall set aside up to two (2) minutes for a moment of silence, during which students may not interfere with other students' participation.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1003.45, F.S.

HISTORY:

ADOPTED:
REVISION DATE(S): 4.22
FORMERLY:

FLAG DISPLAY AND PLEDGE

3.10

- 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. The Student Handbook that is distributed to all students shall contain written notification that the student has the right to not participate in reciting the pledge of allegiance. A student may be excused from instruction and/or reciting the pledge of allegiance, including standing and placing the right hand over his/her heart, when his/her parent(s) 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): 2.06, 10.06, 12.16

Formerly:

AGENTS, SOLICITORS AND SALESPERSONS

3.11

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.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted:

Revision Date(s):

Formerly:

VISITOR IDENTIFICATION MEASURE

3.111

The Superintendent/designee shall develop a plan for visible identification of visitors or other persons who are not students or employees of the school and shall periodically provide the School Board with the details of this plan. In developing and implementing the plan, consideration shall be given to the organization and grade level of the school and to receive input from the principals as to the feasibility of implementing such safety measures.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, F.S.

HISTORY:

Adopted: 1.00

Revision Date(s): 7.01, 11.02

Formerly:

PUBLIC INFORMATION AND INSPECTION OF RECORDS

3.12

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 3.07, Copying 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. 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; and
 - G. Sealed responses to request for bids or proposals, until such time as they are publicly opened pursuant to Florida Statutes; and
 - H. 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.*

HISTORY:

Adopted:

Revision Date(s): 2.06, 1.14

Formerly:

SCHOOL VOLUNTEERS

3.13

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

- 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. The Superintendent shall issue directives concerning school volunteers as may be deemed necessary.
- III. School volunteers shall be subject to background checks including fingerprinting with the costs paid as determined by the School Board. School volunteers shall meet level two screening requirements.
- IV. A school volunteer shall be accorded the same protection of Florida Statutes as accorded to certificated instructional personnel provided the school volunteer has been duly approved by the school principal as a school volunteer and has officially recorded his/her attendance in the school where (s)he is rendering services under an administrative or instructional staff member.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

110.504(4), (5), 440.01(11)(d)3, 768.28, 1001.21, 1001.43, F.S.

HISTORY:

Adopted:

Revision Date(s): 2.06

Formerly:

- 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 or designee 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 CSSRS or SAFE-T suicide risk assessment prior to determining whether the student requires an involuntary examination (Baker Act).

A. Annually the District and local mobile response teams coordinate with each other on the suicide screening assessment tool to be used to ensure they are using the same screening instrument.

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: 7.20
REVISION DATE(S): 4.22, 12.22

FORMERLY: NEW

DISRUPTIONS AT SCHOOL BOARD FUNCTIONS

3.14D

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 (s)he 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.

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.

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, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1006.145, F.S.

HISTORY:

Adopted: 1.00

Revision Date(s): 7.01, 11.02

Formerly: 3.14

CHAPTER 3.00 – SCHOOL ADMINISTRATION

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

3.15

No person shall be in possession of (except as provided through the culinary arts program), or be under the influence of, an intoxicating beverage or an illegal mood or behavior- modifying substance 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 returned to school or home and/or other appropriate action taken.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43; 1012.22; 1012.27, F.S.

HISTORY:

Adopted:

Revision Date(s):

Formerly:

CHARTER SCHOOLS

3.16

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 at least two years may submit a proposal for converting the school to a charter school, provided that they demonstrate the support of at least 50% of the teachers then currently employed at the school and 50% of the parents whose children are then currently enrolled in the school.
- 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 a standard application format approved by the School Board for this purpose. 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 (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 \$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.

D. 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.

E. 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-five (45) 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 of 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
8. Instructional methods to be used, including service to ESE, ADA and ESOL students
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 education and administration 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. The 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. Qualifications of teachers which must be disclosed to parents
26. Professional development plan
27. Alternative arrangements for students and teachers at a converting public school who choose not to participate
28. Charter School Board members and background checks including Fingerprinting for governing body
29. Articles of incorporation and governance structure, including names, addresses, financial disclosure to include the same requirements as in Florida Statutes
30. Financial and administrative management of school
31. Internal financial controls and audit process
32. Proposed budget including salary and benefits of staff, and letter of credit or other funds to cover start-up costs

33. Procedure for notification by auditor if school is in a state of financial emergency or deficit financial position
 34. Insurance coverage at specified limits no less than \$1,000,000 for errors and omissions and general liability and property equal to replacement costs of all structures and contents
 35. Indemnification or hold harmless agreement
 36. Transportation, food service or other plans and agreements with the District or other contractors
 37. Facilities to be used and their location and evidence of all codes having been met
 38. Length of agreement, not to exceed three years
 39. Renewal and modification of the agreement
 40. Provision for cancellation of the agreement for insufficient progress
 41. Implementation of 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 1 of each calendar year for charter schools to be opened 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 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. Education 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. 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 body may within 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) 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 of the available funds defined in XI.B. The District may only withhold an administrative fee for enrollment up to and including 500 students. 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 10 working days after receipt of funding, or pay 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, Fire Prevention Codes 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 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 no later than 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 30 days after the School Board's final Decision or failure to act on an application. The State Board must accept or reject the decision of the School Board no later than 30 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 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 to not renew or 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, 1002.4155, 1013.62 F.S.*

STATE BOARD OF EDUCATION RULE:

6A-6.0781, 6A-6.0787

HISTORY:

Adopted:

Revision Date(s):2.06,1.08,11.17, 8.19

Formerly:

Option 1 of the NEFEC model)

CHARTER SCHOOLS

3.17

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.

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

HISTORY: Adopted:
Revision Date(s):
Formerly:

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 it to the Superintendent for approval and recommendation to the Board.
- III. New school calendars shall adhere to the provisions of Florida Statute.
- 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 accord with provisions of the *Code of Student Conduct* and other Board rules related to student attendance.

Statutory Authority:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.42, 1001.43, 1001.51, 1003.21, F.S

STATE BOARD OF EDUCATION RULE(S):

6A-1.09514, 6A-10.019

HISTORY

Adopted:

*Revision Date(s):*2.06, 10.06

Formerly:

SCHOOL SITE DECISION MAKING

3.19

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

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

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

HISTORY: Adopted: 2.06
Revision Date(s):
Formerly:

GUIDELINES AND PROCEDURES CONCERNING HIV OR OTHER COMMUNICABLE DISEASES (STUDENTS AND EMPLOYEES)

3.20

- 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 and employees.
- II. It is recognized that HIV positive employees who are not debilitated or exhibiting symptoms that would facilitate transmission of the virus will remain in their current jobs if conditions permit.
- III. Reasonable accommodations are available to HIV positive employees.
- IV. It is recognized that students with any illness, including HIV infected persons, may continue to attend school as long as academic, behavioral, and medical evidence indicates that their condition is not a threat to themselves or to others. If it becomes necessary, reasonable accommodations within the school setting shall be made, or an alternative educational services delivery shall be implemented.
- V. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need to know.
- VI. School Board employees shall receive and review procedures governing Hepatitis B infection, HIV, AIDS, bloodborne pathogens, other communicable disease, and environmental hazards.
- VII. Staff members shall cooperate with public health authorities by practicing and promoting standard precautions, as deemed by the Centers for Disease Control and Prevention (CDC). Procedures for dealing with students who pose a threat of transmitting a bloodborne health condition are contained in the *Health Services Manual*.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 381.0098, 1001.42, 1001.43, 1002.22, 1010.305, 1011.62, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.03020, 6A-6.0331

STATE DEPARTMENT OF HEALTH RULE(S): 64E-16
HISTORY: Adopted: 11.02
Revision Date(s): 11.02, 2.06, 9.07
Formerly: 5.14

RECORDING OF PARENT - STAFF MEETINGS

3.21

- I. For purposes of this policy, a recording is defined as the capture of a person's individual voice or images (i.e. pictures/video) through audio tape, digital, personal communication devices (i.e. smart phones) or other electronic means.
- II. The requirements of this policy shall not be interpreted to be in conflict with the requirements of Policy 5.25 – Student Use of Cellular Telephones and Other Communication Devices. Nor shall the requirements of this policy be interpreted to extend to school-sponsored public events, where there can be no expectation of privacy. A school-sponsored public event is any school-related activity, whether free or at which an admission fee is charged, that members of the public may attend. These include but are not limited to athletic competition, plays, musical performances, awards ceremonies, and graduation.
- III. In general, the recording of parent-staff meetings is prohibited. Video recording of parent-staff meetings is strictly prohibited. Audio recording of parent-staff meetings is prohibited except as provided below.
- IV. The principal or a District administrator may permit an exception to this general prohibition for audio recording of parent-staff meetings related to Exceptional Student Education services (including child find, evaluation, eligibility determination, or provision of ESE services) where a parent has documented that such audio recording is necessary for that parent to meaningfully participate in the meeting; to understand the IEP process and/or his/her child's IEP; or is otherwise necessary to implement other parental rights under the IDEA, Section 504 of the Rehabilitation Act of 1973, as amended, and/or the Americans with Disabilities Act, as amended. Authorized exceptions to the general prohibition against the audio recording of a parent-staff meeting will typically involve situations when a parent has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or meaningfully participate in the IEP process or the relevant planning of the student's education.
 - A. If a parent believes that recording a parent-staff meeting related to Exceptional Student Education services is necessary, s/he should notify the principal in writing, preferably at least two (2) school days before the meeting, of his/her desire to record the meeting and the reason the recording is required. The principal, Director of Exceptional Student Support Services or designee may ask for documentation of the existence of any such disability or language barrier. The principal, Director of Exceptional

Student Support Services or designee will notify the parent at least one (1) school day before the meeting if s/he intends to grant or deny the parent's request to record the meeting.

- B. If the principal, Director of Exceptional Student Support Services or designee denies the request, s/he will state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the recording of IEP Team meetings involve situations when a parent, or authorized representative of a parent, or other IEP Team member, is unable to understand or meaningfully participate in the IEP process or the planning of the relevant student's education due to a disability, language barrier, or some other impairment. If a parent is permitted to record the meeting, s/he must use his/her own audio recording device and the District will similarly record the meeting.
- C. For purposes of the recording of IEP Team meetings, a recording is defined as the capture of voices, and other ambient sound electronically, digitally, or by any other means for the purpose of retrieval and review. Recording, moving visual images at an IEP meeting is strictly prohibited.
- D. If the District records an IEP Team meeting, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.

STATUTORY AUTHORITY:

1001.32, 1003.02, 1002.20 F.S.

LAW(S) IMPLEMENTED:

*34 C.F.R. 300.322 and 300.501;
316.305, 847.0141, 1003.57 F.S.*

STATE BOARD OF EDUCATION RULE(S):

6A-6.03311

HISTORY:

*ADOPTED:12.22
REVISION DATE(S):*

BACKGROUND SCREENING FOR CONTRACTORS

3.25

- 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 the background screening requirements and process as set forth in section 1012.32 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, shall be immediately suspended from having access to school grounds and shall remain suspended unless and until the conviction is set aside in any post-conviction proceeding. A non-instructional contractor shall not have access to school grounds unless the contractor has received a full pardon or has had his or her civil rights restored. A non-instructional contractor who is present on school grounds in violation of this subsection commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.
- 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:

*ADOPTED: 08.08
REVISION DATE(S): 11.20, 12.25*

AUTOMATIC EXTERNAL DEFIBRILLATORS

3.30

- 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: 1.08
Revision Date(s): 11.20
Formerly:*

- 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;
 - B. Rehabilitation Act of 1973, as amended;
 - C. Americans with Disabilities Act;
 - D. Section 413.08, F.S.
- II. 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.
- III. 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 to be 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.
- IV. 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.
- 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: 9.11
REVISION DATE(S): 3.16, 4.22
Formerly:*

STUDENT PROGRESSION PLAN

4.01

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

STATUTORY AUTHORITY: 1001.41, 1001.45, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1002.3105, 1002.321, 1003.4156, 1003.4281, 1003.4295, 1003.43, 1003.437, 1003.49, 1008.25, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.0941

HISTORY: Adopted: 1.00
Revision Date(s): 7.01, 11.02, 9.07, 01.15, 03.16
Formerly:

ACADEMIC ACCELERATION

4.013

The School Board of Gilchrist 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 indicators and benchmarks 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. Mid-year promotion;
 - C. Virtual instruction;
 - D. Subject matter acceleration;
 - E. Advanced academic courses;
 - F. Credit Acceleration Program;
 - G. Enrichment programs; and
 - H. 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 Acceleration Evaluation Committee shall be established at each school. The committee shall conduct a fair and thorough evaluation of each student who is referred for academic acceleration.
 - A. The committee shall include:
 - 1. The principal or an assistant principal from the student's current school;
 - 2. A current teacher;
 - 3. A teacher at the grade level or subject area to which the student may be accelerated;
 - 4. A guidance counselor for the student's current school;
 - 5. A parent of the referred student; and 6. Other school or district staff as may be advisable.
 - B. After careful evaluation based on appropriate data sources, the committee shall issue a written recommendation to the principal of the student's current school and to the parent.
 - C. The committee shall develop a written acceleration plan for each student who will be whole grade accelerated or accelerated in one (1) or more individual subject areas.
 - D. If the student is recommended for academic acceleration, the committee shall designate a school staff member to ensure successful implementation of the acceleration plan and to monitor the adjustment of the student to the accelerated setting.
- VI. A parent may appeal the decision of the Acceleration Evaluation Committee in writing if the committee does not recommend 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.

STATUTORY AUTHORITY:

1002.3105, FS

LAW(S) IMPLEMENTED:

HISTORY:

*Adopted: 2.13
Revision Date(s):
Formerly:*

EARLY HIGH SCHOOL GRADUATION

4.017

- I. A student who completes a minimum of twenty-four (24) credits and meets the graduation requirements stated in Florida Statutes may elect early graduation. The District shall notify the parent and student who qualify for early graduation.
- II. Procedures for implementation of this policy and relevant law shall be established.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 103.4281, F.S.

HISTORY:

*Adopted: 2.13
Revision Date(s): 01.15
Formerly:*

GRADE FORGIVENESS

4.019

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: 6A-1.0955

HISTORY: ADOPTED: 10.16
REVISION DATE(S):
FORMERLY: NEW

THE CURRICULUM

4.02

- I. The District curriculum shall be determined by
 - A. Student performance standards, curriculum frameworks, and assessment tests;
 - B. Students' needs as determined by studies, assessments and surveys;
 - C. Continuous evaluation of curriculum effectiveness in meeting students' needs in the District; and,
 - D. Florida Statutes, State Board of Education rules and the School Board.
- 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 character 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 library 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 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 Superintendent or designee shall make an annual report to the School Board each year, giving the status of the instructional program in meeting the District's educational goals and objectives and recommendations for improving the curriculum.
- VI. 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 issue without bias or prejudice and shall permit each student to arrive at his/her own conclusions.
- VII. 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.
- VIII. 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 sex education is an incidental part of the course.
- IX. 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.

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4.02, page 4

- X. 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.
- XI. 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.
- XII. 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 Statute files a written request with the school principal.
- XIII. In compliance with Florida Statutes, throughout instruction in Acquired Immune Deficiency Syndrome, sexually transmitted diseases, or health education, when such instruction and course material contains instruction in human sexuality, a school shall:
 - A. Teach abstinence from sexual activity outside of marriage as the expected standard for all school-age children while teaching the benefits of monogamous heterosexual marriage.
 - B. Emphasize that abstinence from sexual activity is a certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), and other associated health problems.
 - C. Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.
 - D. Provide instruction and material that is appropriate for the grade and age of the student.
- XIV. The Superintendent or designee shall develop a physical education program to implement the requirements of Florida Statutes.

- XVI. 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.

- XVII. All course materials and verbal or visual instruction shall conform to the requisites and intent of all Florida law and the state constitution. All instructional materials, including teachers' manuals, films, tapes, or other supplementary instructional material, shall be available for inspection by parents or guardians of the children engaged in such classes.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.21, 1001.43, 1003.413, 1003.42, 1003.4203, 1003.45, 1003.455, 1003.46, 1006.28, 1006.29, 1008.25, 1010.305, F.S.

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

HISTORY: Adopted: 1.00
Revision Date(s): 11.01, 11.02, 2.06, 1.08, 01.15, 11.17
Formerly:

PHYSICAL EDUCATION

4.021

The School District of Gilchrist 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 pre-kindergarten through grade 12. Activities shall be appropriate for the grade level and capabilities of the students and shall be of sufficient intensity and duration to provide a health benefit.
- III. Goals of the physical education program shall include:
 - A. competency in motor skills and movement patterns;
 - B. understanding of human movement as it relates to physical activities;
 - C. understanding of the benefits of regular participation in physical activity;
 - D. regular participation in physical activity;
 - E. achievement of a health-enhancing level of physical fitness;
 - F. knowledge of safety in physical activities;
 - G. knowledge of first aid and cardiopulmonary resuscitation (CPR);
 - H. demonstration of responsible personal and social behavior in physical activity;
 - I. recognition and acceptance of the differing abilities of people;
 - J. recognition of the values of physical activity for health, enjoyment, challenge, self-expression, and social interaction; and
 - K. increase in health and wellness.
- IV. The District shall develop a comprehensive physical education plan with input from teachers, parents, students, and representatives from the medical and sports fields. The plan shall be reviewed annually by the Wellness Committee and modified as appropriate. The plan shall adhere to the requirements of Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

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

HISTORY:

*Adopted: 1.08
Revision Date(s): 01.15
Formerly:*

CHAPTER 4 - CURRICULUM AND INSTRUCTION

ACADEMIC AND CAREER PLANNING

4.025

I. Middle grade students shall participate in a career and education planning course during the seventh or eighth grade. Career exploration shall be included in the curriculum. The purpose of this course shall be to enable students and parents to develop realistic academic achievement and career goals for postsecondary experience. By the end of the course, each student shall have completed a four to five year academic and career plan (*e*Personal Education Planner based on postsecondary and career goals).

II. 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. III.

Destinations shall include:

- A. four-year college or university, community college plus university, or military academy degree;
- B. two-year postsecondary degree;
- C. Postsecondary career certificate;
- D. Immediate employment or entry level military; or
- E. A combination of any of these destinations.

IV. 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.

V. Completion of the academic and career plan shall be required for promotion to grade nine.

VI. Secondary schools shall ensure that students and parents are aware of the destinations and the process of developing and revising academic plans.

VII. The District shall encourage the business community to support career preparation by providing internships and apprenticeships.

VIII. 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 mathematic 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: 1.08

Revision Date(s):

Formerly:

CHAPTER 4 - CURRICULUM AND INSTRUCTION

EXCEPTIONAL STUDENT EDUCATION

4.03

- 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 policy.
- 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: 1001.21, 1001.42, 1001.43, 1003.01, 1003.57, 1006.07, F.S. 6A-

STATE BOARD OF EDUCATION RULE(S): 6.0131, 6A-6.0331, 6A-6.03411

HISTORY: *Adopted:*
Revision Date(s): 2.06, 10.06, 9.07 Formerly:

DROPOUT PREVENTION PROGRAM

4.04

The Superintendent or designee shall develop, for the School Board's approval, a Dropout Prevention Program pursuant to Florida Statutes. The Dropout Prevention Program shall be incorporated through the *Student Progression Plan*.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1003.53, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-6.0523

HISTORY:
Adopted:
Revision Date(s): 2.06
Formerly:

EXTRACURRICULAR PROGRAMS

4.05

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

- I. The principal shall be responsible for determining each participant's eligibility in interscholastic extracurricular activities pursuant to the Bylaws of the Florida High School Athletic Association, Inc. (FHSAA). Any school which allows an ineligible student to participate shall be subject to the penalties set forth by the Bylaws of the FHSAA.
- II. All extracurricular activities shall be self-supporting, when possible. Students shall not be excluded from participating in activities for lack of money for dues, materials, or uniforms. Provided, however, this does not apply to charging admission for students who are spectators of extracurricular activities.
- III. Funds derived from extracurricular activities shall be processed according to the District's accounting procedures.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted:

Revision Date(s): 2.06, 10.06

Formerly:

STUDENT CLUBS AND ORGANIZATIONS

4.06

- I. All student clubs and organizations shall be approved by the principal before they can operate within a school center.
 - A. The Director and staff shall be authorized to establish and utilize a student council composed of students representing each career and technical education program. The objective for establishing a student council is to promote a better understanding of the role of career and technical education in the Center's service area and to facilitate students' input regarding the operation of the Center based upon their needs.
 - B. Career and technical student organizations may be organized to provide an extension of training and may include clubs such as Vocational Industrial Clubs of American (VICA), Health Occupation Students of America (HOSA), and Phi Beta Lambda for Business Education Students (PBL).
- II. All student clubs and organizations shall comply with the following:
 - A. The decision of a 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 Policies, or the local school rules.
- 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.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.07, 1006.09, 1006.135, 1006.14, F.S.

HISTORY:

Adopted:

Revision Date(s): 10.06 Formerly:

STUDENT PUBLICATIONS

4.7 /D

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

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

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.21, 1001.43, 1006.28, F.S.

HISTORY: *Adopted:*
Revision Date(s): 10.06
Formerly:

PUBLIC APPEARANCE OF SCHOOL GROUPS

4.8 /D

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

- I. Requests for the school band or any school organization to make a trip or a personal appearance shall be directed to the principal for approval.
- II. School groups may participate in or perform for a political function by parading or playing instruments provided it is a community rally.
- III. School groups may be used for school activities, civic programs, and community benefit programs.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.07, F.S.

HISTORY:
Adopted:
Revision Date(s):
Formerly:

ATHLETICS

4.9 /D

- I. Athletic programs shall be under the control of the school principal.
- II. All District high schools shall be members of the Florida High School Athletic Association, Inc. (FHSAA) and shall be governed by the rules and regulations adopted by the FHSAA. Students who participate in athletics shall meet eligibility requirements established by FHSAA and the School Board.
- 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 Statute, 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) being on file.
- V. No student shall be a candidate for an athletic team or a participant in athletic competition without filing an informed consent signed by his/her parent(s). The consent must explain the nature and risk of concussion and head injury as required by law. The consent must be filed annually prior to participating in any physical activity related to athletic competition or candidacy for an athletic team.
- VI. A student athlete who is suspected of sustaining a concussion or head injury in a practice or competition shall be removed from play immediately. The athlete may not return to play without a clearance from appropriate medical personnel.
- VII. 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.
- VIII. All students shall be subject to all School Board rules and to the Code of Student Conduct while attending athletic events and practices.
- IX. An automatic defibrillator (AED) will be available for use, if needed, at every preseason and regular season interscholastic contest and at every FHSAA state championship series contest. Staff will be trained to use such equipment.

LAW(S) IMPLEMENTED:

768.135, 1001.21, 1001.43, 1002.20, 1002.31, 1006.07, 1006.15, 1006.16, 1006.20, F.S.

HISTORY:

Adopted:

Revision Date(s): 2.06, 8.08, 9.11, 2.13, 12.16

Formerly:

ADULT EDUCATION

4.10/D

The School Board shall 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 *Supervisor of Adult Education*. 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 *Student 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 the area technical center may withdraw from courses to enter active military duty without penalty. Students may re-enroll in accordance with Florida Statutes.
- VI. Individuals who are 16 or 17 years of age who are incarcerated in state Department of Corrections facilities or Department of Juvenile Justice facilities that are operated within the school district are allowed to take the high school equivalency examination (GED) when deemed ready by the state Department of Corrections staff or by the juvenile justice provider. The Department of Corrections shall administer the exam to eligible inmates.

*STATUTORY AUTHORITY: 1001.41, 1001.42, F.S LAW(S) IMPLEMENTED:
1000.01, 1001.42, 1001.43, F.S.*

STATE BOARD OF EDUCATION RULE(S):

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

HISTORY: Adopted: 1.00

*Revision Date(s): 11.02, 2.06, 11.14
Formerly:*

ALLOCATION OF INSTRUCTIONAL MATERIAL

4.11

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.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.28, 1006.40, F.S.

HISTORY:

*Adopted:
Revision Date(s): 01.15
Formerly:*

INSTRUCTIONAL MATERIALS SELECTION

4.12

All classroom instructional materials, used in the Gilchrist County Schools including State-adopted single source textbooks, instructional aids, and other supplementary materials, for the first time shall undergo an evaluation. This evaluation shall determine the suitability of the materials for information being taught in the classroom in relationship to State standards, curriculum frameworks, and district programs, as well as with state and district performance standards.

- I. Evaluation of Instructional Materials. The Superintendent shall establish a District Review Committee and develop procedures for the review and evaluation of instructional materials. The District Review Committee will include content area teachers, one or more parents of children at content grade level and district personnel. Meetings of the District review committee convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the School Board must be noticed and open to the public in accordance with s. 286.011 F.S. The staff involved in this process shall recommend to the Superintendent the instructional materials that address the goals and objectives for adopted courses of study and the course descriptions established by State Board Rule as well as the state and district performance standards for submission to the Board for adoption. The instructional materials shall be from the State-adopted instructional materials list if there has been a State adoption or from publishers and other resources if there has not been a State adoption.
- II. Adoption of Instructional Materials. The following procedures for the adoption of instructional materials apply only to those instructional materials that serve as the major content tool and basis for instruction for each student in the core subject areas of mathematics, language arts, social studies, science, reading, and literature:
 - A. Prior to final adoption, student editions of the recommended instructional materials will be made accessible for review online for at least twenty (20) calendar days before consideration by the School Board.
 - B. Public notice of the materials being considered for adoption shall specifically list the materials and how they can be accessed.
 - C. The School Board shall conduct an open noticed public hearing to receive comment on recommended materials prior to adoption.
 - D. The School Board shall conduct an open, noticed public meeting to approve an annual instructional materials plan to identify any instructional materials that will be purchased. The public meeting will take place on a different date after the public hearing.
 - E. The School Board shall receive comment at the public hearing and meeting as prescribed by policy.

4.12

- F. The School Board must select, approve, adopt, or purchase all materials as a separate line item on the action agenda.
- G. The following procedures shall apply to all objections to instructional materials adopted by the School Board.
 - 1. The parent or a resident of the County, as defined by Florida Statutes, may contest the district school board's adoption of a specific instructional material by filing a written objection using the form that is available in each school office, the Superintendent's office, or on the District website.
 - 2. The form must be signed by the parent or resident of the county, include the required contact information, and state the objection to the instructional material based on the criteria stated in Florida Statutes s. 1006.31(2) or 1006.40(3)(d).
 - 3. 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:
 - a. Author, compiler, or editor;
 - b. Publisher;
 - c. Title;
 - d. Reason for objection;
 - e. Page number of each item challenged; and
 - f. Signature, address and telephone number of person making the complaint.
 - 4. Within thirty (30) days after the initial thirty-day period has expired, the School Board shall conduct at least one public hearing before an unbiased and qualified hearing officer on all petitions timely 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. The hearing must provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer.
 - 5. The contested material shall be made available to the public online at least seven (7) days before the hearing.
 - 6. The decision of the School Board, after convening a hearing, shall be final and not subject to further review or petition.
- H. The Superintendent shall annually submit to the Commissioner of Education a report identifying each material the District received an objection to pursuant to s. 1006.40(3)(d) and the specific objections raised;
- I.

the material that was removed or discontinued as a result of an objection; and the grade level and course for which the removed or discontinued material was used.

- III. Evaluation and Adoption of Other Classroom Instructional Aids and Materials. The following procedures will be followed in the evaluation, selection, and use of additional instructional aids for classroom use that have not been adopted by the State Board of Education, and approved for use:
- A. When teachers, groups of teachers, or academic departments determine that the need exists for new or additional classroom instructional aids, they shall review available items and seek input and assistance, when appropriate, from parents, students, and other lay members of the community, and determine which instructional aid or aids best meet instructional needs.
 - B. After making this determination, they shall prepare a written rationale for each instructional aid, which includes, but is not limited to, the following:
 - 1. The class(es) or age group(s) that the instructional aid is appropriate.
 - 2. How the use of the instructional aid will meet the curriculum objective(s).
 - 3. The way(s) in which the instructional aid will be used to meet the curriculum objective(s).
 - 4. Problems, if any, of style, tone, content or theme inherent in the instructional aid, and the way(s) in which these problems will be addressed during the instructional process.
 - 5. Other appropriate instructional aids available for individual students to use in place of the one selected.
 - 6. Where applicable, supporting professional materials which were used in selecting the instructional aid.
 - C. The rationale shall be submitted to the principal. The principal shall review the rationale to determine whether it demonstrates that the instructional aid is consistent with the district goals and with the school and course objectives. Within ten (10) working days, the principal shall recommend, in writing, the approval or the rejection of the instructional aid, or shall return the rationale to the teacher for revision. If the instructional aid is recommended for rejection or returned for revision, the principal shall state the reasons in writing. Upon resubmission of a revised rationale by the teacher, the principal shall make a decision for recommendation or rejection within ten working days. The principal shall submit the recommendation to the Director of Curriculum and the Superintendent. If the instructional aid is rejected by the Director of Curriculum and the Superintendent, the teacher shall have ten (10) working days from the date of rejection to file a written request for review by the School Board.
 - D. The Superintendent shall submit a written list of any instructional aids that have been submitted by teachers and rejected by a principal, the Director of Curriculum or by the

Superintendent, and not appealed by the teacher. The list shall state the reasons for the rejection of each instructional aid.

- E. The rejection at any level, of the use of an instructional aid shall be for that academic year only. Any instructional aid previously rejected, at any level may be resubmitted in any subsequent year.
- F. Materials approved shall be deemed appropriate for use at the grade level requested and may be used at higher levels throughout the district providing that the curriculum sequence is maintained.
- G. 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.
- H. 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.
- I. 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.
- J. Within ten (10) working days of such filing, parents of other students in the class(es) involved or potentially affected in that school shall be notified in writing by the principal that a challenge has been initiated.
- K. School-level Instructional Appeals Committee. The Appeals Committee shall consist of two teachers selected by the Superintendent from that particular school, two teachers selected by the principal from that particular school and three (3) citizens selected by the School Board who reside in the particular school zone 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.
- L. 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. The committee recommendations shall address whether the challenged material is consistent with the selection criteria outlined herein. The Committee shall have no authority to determine curriculum. Within ten (10) working days of receiving the recommendations of the Committee, the principal shall make a decision whether to retain the material or remove the material. The principal shall take into account the Committee's recommendations when making his/her decision.
- M. The complainant shall be informed in writing concerning the principal's decision.

1. If the principal determines the challenged material be retained, the complainant shall be notified in writing within five (5) working days. The Complainant shall be given a copy of the decision of the Committee's decision and a copy of the procedures for filing an appeal.
 2. If the principal determines that the challenged material be removed, then the complainant, the teacher(s), the students in the class, and the parents of the students in the class where the complaint was initiated, shall be notified in writing within five (5) working days of the decision at the same time the decision will be referred to the District's Instructional Material Review Committee.
- N. District-Level Appeals. An appeal of a principal's determination to retain challenged materials must be filed with the principal within five (5) working days of notification of that determination and shall include a specific statement of the complainant's grounds for disagreement with the principal's determination. Copies of the appeal shall be furnished to the teacher(s) and the parents of the students in the class where the complaint was initiated within five working days of the filing of the appeal.
- O. A committee shall be appointed by the Superintendent to review the appeal. The Superintendent shall designate the Curriculum Director 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. The district level committee will include:
1. District Level Staff Member. One staff member from the level or special area where the material has been challenged.
 2. Three Principals. One principal shall be appointed from each level (elementary, middle, and high school). However, only the principal from the same level as the school at which the challenge originates shall serve on the review panel for the particular material.
 3. Grade Level Instructional Staff Member. One instructional staff member who is a department head, grade level chair or team leader from the same level (elementary, middle, or high school) at which the challenge originates.
 4. Three Teachers. Three teachers from the same level at which the challenge originates shall be appointed by name.
 5. Four Parents. One shall be a parent of an elementary school student, one shall be a parent of a middle school student and two shall be the parents of high school students.
- P. 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.

- Q. The complainant shall be informed, in writing, in fifteen (15) working days after the committee's recommendation is received by the Superintendent.
- R. 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.
- S. The decision to remove challenged material from use shall, unless otherwise determined by the School Board, be effective at the grade level at which the material is in use and all lower grades.
- T. Classroom Libraries. Materials in this category presently in the classroom which have been approved for classroom use shall remain available for continuing use by students. Materials acquired to replace or duplicate books or other materials which have already been approved may be made available for student use without resubmission of their titles to the school's media center. When new materials are added to the classroom library, a list of said new materials shall be submitted to the school's media center. Teachers shall apply the selection criteria set forth in Policy #4.13 - Education Media Materials Selection.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

*1001.43, 1006.28, 1006.29(5),
1006.31, 1006.32, 1006.40 F.S.*

HISTORY:

ADOPTED:

*REVISION DATES: 3.00, 11.02, 02.06, 10.06,
07.15, 01.18, 12.22*

- 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 interests, abilities, and maturity levels of the students served.
 - B. Materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
 - C. A background of information enabling students to make intelligent judgments in their daily life.
 - D. Materials representative of the many religious, ethnic, and cultural groups and their contributions to the American heritage.
 - E. A comprehensive collection appropriate for the users of the media center which places principle above personal opinion and reason above prejudice in the selection of materials of the highest quality.
- II. Legal Responsibility for Selection. The School Board is legally responsible for all matters relating to the operation of the Gilchrist County Schools. The responsibility for the selection of educational materials, regardless of whether the book is purchased, donated, or otherwise made available to students is delegated to a school district employee who holds a valid educational media specialist certificate. School principals are responsible for overseeing compliance with school district procedures for selecting school library media center materials.
- III. Parental Responsibility. Parents shall have the right to review materials in the media center and request that it be noted in the Student's library record that the student not be allowed to check out certain material.
- IV. Criteria for Selection of Media Materials
 - A. The standards to determine the propriety of the educational materials shall be pursuant to Florida Statutes.
 - B. First consideration shall be given to the needs of the individual school based on knowledge of the curriculum, of the existing collection, and of the needs of children and youth. Requests from users of the collection, (*i.e.*, administrators, faculty, parents, and students) shall be given high priority.
 - C. Materials shall be considered on the basis of accuracy of content, overall purpose, timeliness, importance of the subject matter, quality of the writing/production, readability and popular appeal, authoritativeness, comprehensiveness of material, reputation of the publisher/producer, reputation and significance of the author/artist/composer/producer, format and price.

D. In determining the suitability and value of the material included in the collection, consideration of the following elements must be given:

1. Religion. Factual, unbiased material which represents all major religions
2. Ideologies. Factual information on any ideology or philosophy that exerts a strong force in society
3. Sex Education. Factual information, appropriate for the age group or related to the school curriculum
4. Sex. Pornographic, sensational, or titillating materials shall not be included
5. Profanity. The fact that limited profanity appears in material shall not automatically disqualify a selection. However, care shall be taken to exclude materials using profanity in a lewd or detrimental manner and not in context with the material
6. Science. Factual information about medical and scientific knowledge, without any biased selection of facts.

E. 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.

V. Procedures for Selection

- A. In selecting materials made available to students through the district library media center, the school media specialist shall:
1. Consult with reputable, unbiased, professionally recognized reviewing periodicals and school community stakeholders (including, media staff, curriculum consultants, faculty, parents and community members).
 2. Require that book selections meet the criteria set forth in s. 1006.40(3)(d). F.S.
 3. Library media center collections will:
 - a. be based on reader interest,
 - b. support state academic standards and aligned curriculum
 - c. support the academic needs of students and faculty

4. When considering materials to be purchased, the media specialist shall follow these procedures:
 - a. Purchase materials which are outstanding and frequently used;
 - b. Periodically replace periodically worn or missing basic items;
 - c. Withdraw out-of-date or unnecessary items from the collection or items required to be removed pursuant to subparagraph 2; and replaced by new and age appropriate materials,
 - d. Purchase materials in many types of format: digital, e-books, electronically, soft or hard bound.
 - e. Examine sets of materials and materials acquired by subscription and purchase only material to fill a definite need.

- B. District elementary schools must publish on their school website, a list of all materials maintained in the school library media center or required as a part of a school or grade-level reading list.

VI. Challenged Materials. Library materials deemed by some persons to be objectionable may be considered by others to have sound educational value. Any concerned parent, Gilchrist County resident or employee of the district may request reconsideration of school library media; however, the challenged material shall not be removed from circulation during the reconsideration process. When a complaint is made, the following procedure shall be followed:

- A. The library media specialist shall discuss the matter informally with the complainant explaining the selection procedures for library media materials. If the complainant accepts the explanation given by the media specialist, the reconsideration process concludes.
- B. If the explanation fails to resolve the objection, the principal will ask the complainant initiating the challenge to file, within two weeks, a formal written objection by completing a "Request for Reconsideration of Library Media" form which must reflect that the complainant has read the material in full. Failure to do so results in the conclusion of the reconsideration process.
- C. Upon receipt of the completed form "Request for Reconsideration of Library Media," the principal shall forward copies to the appropriate personnel on the School-level Review Committee (a committee of teachers, educational media specialists and parents of the school).
- D. Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
- E. The 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.

- F. The Complainant shall be informed in writing concerning the school-level committee's decision.
- G. District Review Committee. If the Complainant disagrees with the decision rendered by the school-level committee, an Appeal may be filed with the District.
- H. The Superintendent shall appoint a District Review Committee with the following composition:
 - 1. One representative of the Public Library Board;
 - 2. One representative of the general public at large; and
 - 3. One representative of a school parent organization.
 - 4. One principal from the level at which the complaint originated (K-5, 6-8, or 9-12).
 - 5. Three school-level instructional staff members including the following:
 - a. One media specialist from the level at which the complaint originated;
 - b. One media specialist from another level; and
 - c. One classroom teacher from the level at which the complaint originated.
 - 6. Two district-level instructional staff members including the following:
 - a. One district-level instructional staff member from the level where the material is in question; and
 - b. The Supervisor of Technology and Instructional Media Services.
- I. The Review Committee, in carrying out its assigned function, shall:
 - 1. Read, view or listen to the material in its entirety;
 - 2. Check general acceptance of the material by reading reviews and consulting recommended lists;
 - 3. Determine the extent to which the material supports the curriculum;
 - 4. Complete the "Checklist for Reconsideration of Library Media," judging the material for its strength and value as a whole and not in part; and
 - 5. Forward, within fifteen (15) working days, a written recommendation to the Superintendent.
- J. The Superintendent's designee will inform the complainant and the school's media specialist of the committee's decision to retain or withdraw the challenged material as recommended by the District Review Committee.
- K. If the complainant or the media specialist is dissatisfied with the District Review Committee's decision, a written appeal may be filed with the Superintendent. Failure of the complainant to file a written appeal within 30 days of the District Review Committee's decision will result in a conclusion of the reconsideration process and the decision of the District Review Committee shall be final.
- L. The Superintendent shall, within 30 days of receipt of the appeal, send the complainant and the school media specialist a written decision. An appeal to the School Board of the Superintendent's decision must be filed within 10 days after the Superintendent's decision.

- M. The School Board shall consider the decision of the District Review Committee and the Superintendent and any other appropriate documentation (i.e. meeting summaries, material reviews, etc.). The decision of the School Board regarding appropriateness of a particular Library Media material item will be considered final.
- N. Library Media materials in question, can only be removed from circulation and/or used in the school district through the procedures of this policy.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.28, 1006.34(2)(b), 1006.40 F.S.

HISTORY:

ADOPTED:

Revision Date(s): 10.06, 12.22, 7.23

Formerly:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

NON-SCHOOL RELATED AND EXTRACURRICULAR TRAVEL

4.13/D

- I. 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.
 - A. Trips shall be organized between the individual participants and any sponsoring agency and that relationship shall be expressed in descriptive literature.
 - B. The School Board shall not be involved in the curriculum, itinerary, or selection of advisors for the trip.
 - C. Promotional activities and literature shall not include the name of the individual school or School Board nor be distributed through the school.
 - D. District facilities may not be used for planning or advertising such trips.
 - E. Participation in such travel by employees and students shall be subject to the District's leave and attendance policies.

- II. Extra-curricular Travel
 - A. Field trips shall be permitted for individual classes or other school organizations to fulfill specific educational objectives. Each field trip shall have the prior approval of the principal. All trips outside the District shall have the Superintendent or designee's approval.
 - B. Parents shall have prior notification of each field trip. The notice shall state the place to be visited, the date, the time of departure, and the estimated time of return to the school. A permission slip for each student signed by his/her parent(s) or legal guardian shall be required.
 - C. Trips which cannot be completed within the school day may be scheduled for Saturday. Overnight trips may be permitted only for extenuating circumstances.
 - D. Vehicles used for field trips, other than buses, shall be required to carry adequate insurance, driver's license and proof of registration.
 - E. No field trips during the last two weeks of school without the prior approval of the Superintendent.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

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

HISTORY: Adopted:
Revision Date(s):
Formerly:

DISTRICT AND STATEWIDE ASSESSMENT PROGRAM

4.15

- I. Provisions of the District and state-wide testing program for students shall be set forth in the *Testing Handbook for District Schools*. The handbook shall be approved by the School Board and is hereby incorporated by reference and made a part of these rules. 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, gender, national or ethnic origin, political or religious beliefs, marital status, sexual orientation, pregnancy, disability, genetic information, or religion. Test modifications shall be made for students with disabilities and limited English proficiency (LEP) consistent with state and federal requirements.
- II. Measurement of student performance shall be the responsibility of the District for subjects and grade levels that are not measured under the state wide standardized 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, IP, or AICE assessment earns the minimum score necessary to earn college credit, does not have to take the EOC assessment for the corresponding course.
- III. 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.
- IV. 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.
- V. The parent, as defined by Florida Statutes, of each student must be notified regarding the progress of the student towards achieving state and District's expectations for proficiency in reading, science, writing and mathematics. A student's state assessment results of district-required local assessments must be reported to the parent or guardian.
- VI. The District shall provide student performance results on statewide assessment 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:

1001.11(5), 1001.21, 1001.43, 1008.22, 1008.34, F.S.

HISTORY:

Adopted:

Revision Date(s): 2.06, 10.06, 01.15, 03.16, 8.19

Formerly:

All mandatory tests administered by or through the State Board of Education, District administered national norm-referenced achievement tests, and local assessments adopted under the provision of 1008.22, F.S. shall be secured pursuant to Florida Statutes and State Board of Education rules.

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

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.11 (5), 1001.43, 1008.22, 1008.23, 1008.24, 1008.34, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-10.042

HISTORY:

*Adopted:
Revision Date(s): 2.06, 01.15
Formerly:*

EXERTIONAL HEAT ILLNESS

4.18

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 Gilchrist 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 (40.5C), 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. School 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.-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: 1.08
Revision Date(s): 11.20
Formerly: New

HOME EDUCATION PROGRAM

4.21

- I. Home education programs shall adhere to the provisions of Florida Statutes.
- II. The following provisions shall govern home education programs:
 - A. The parent(s), as defined by Florida Statutes, shall:
 1. Notify the Superintendent or designee in writing within 30 days of the establishment of a home education program. The notice shall be signed by the parent(s) and include the names, addresses, and birth dates of all children who shall be enrolled in the program. The Superintendent shall accept the notice and immediately register the home education program upon receipt of the notice. Copies of applicable Florida Statutes and the home education policy will be given to the parent(s) and a conference to discuss the requirements will be held with the parent(s).
 2. Maintain a portfolio of records and materials for a period of two years. Contents of the portfolio shall include:
 - a. A log made contemporaneously with the instruction, which designates by title the reading material being used; and
 - b. Samples of any writings, worksheets, workbooks, and creative materials used or developed by the student.
 3. Provide an annual educational evaluation of each student in the home education program. The annual educational evaluation shall document the student's demonstration of educational progress at the level commensurate with his/her ability. A copy of the evaluation shall be filed annually with the School Board. The annual educational evaluation shall be conducted in accordance with Florida Statutes.
 4. 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.
 - B. Portfolios may be inspected by a District employee upon 15 days written notice to the parent.

- C. Parents shall provide an annual educational evaluation of each student(s) in the home education program. The annual educational evaluation shall document the student's demonstration of educational progress at a level commensurate with his/her ability. A copy of the evaluation shall be filed annually with the School Board. The annual educational evaluation shall be conducted in accordance with Florida Statutes.
1. The Superintendent shall receive and accept the results of the annual educational evaluation of the student in the home education program. If the student has not demonstrated educational progress commensurate with his/her ability, the parent(s) shall be notified in writing and have one year from the receipt of written notification to provide remedial instruction. Continuation in the home education program shall depend upon the student's educational progress at the end of the one year probationary period.
 2. Home education families are to provide written notice to the Superintendent's office of an address change or of their intention to terminate the home education program.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.41, 1001.43, 1002.01, 1002.41, F.S.

HISTORY:

Adopted: 1.00

Revision Date(s): 11.01, 11.02, 2.06, 8.19

Formerly:

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

4.22

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

- II. A private school student is eligible to participate in an interscholastic or intrascholastic sport at a public high school, a public middle school or a six (6) through twelve (12) public school that is zoned for the physical address at which the student resides provided the student meets all Florida Statutes, requirements and rules established by the School Board, and FHSAA bylaws.

- III. A full-time Florida Virtual School student is eligible to participate in extracurricular activities at the school to which he/she would be assigned or could choose to attend under District enrollment policies. The student must meet all Florida Statutes and academic and conduct requirements of the District.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.15, F.S.

HISTORY: Adopted:
Revision Date(s): 2.06, 1.13
Formerly:

VIRTUAL INSTRUCTION

4.25

- 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. 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 MyDistrict Virtual School;
 - f. Enrollment in Florida Virtual School; and
 - g. 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. To participate in virtual instruction, a student must meet the eligibility requirements set forth in state law.
 - A. Industry certification examinations, national assessments, and statewide assessments offered by the school district shall be available to all Florida Virtual School students.

B. All industry certification examinations, national assessments, and statewide assessments must be taken at the school to which the student would be assigned according to district school board attendance areas, unless an alternative testing site is mutually agreed to by Florida Virtual School and the District.

V. 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 and MyDistrict 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, 1003.428, 1003.498, 1006.29, 1007.27, 1011.62, F.S.

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

HISTORY: *ADOPTED:* 12.16
REVISION DATE(S): 11.18
FORMERLY:

HOMELESS STUDENTS

- I. Homeless children and youth living within Gilchrist County or for whom a Gilchrist County school is their "school of origin" shall be admitted to school in the District, enrolled immediately, and shall have access to free and appropriate public education, including a public preschool education, as provided to other children and youths. Homeless children and youth shall have access to the education and services needed to ensure that such students have an opportunity to meet the same challenging state academic standards to which all students are held and to participate fully in the district's academic and extracurricular activities, for which they meet relevant eligibility criteria. Homeless children and youth shall not be stigmatized, segregated, separated, or isolated from other children or educational programs on the basis of their status as homeless.

The District will ensure that barriers for identification, enrollment and retention of homeless children and youth are addressed appropriately. Barriers may include issues such as transportation, school records, immunizations, guardianship, residency, birth certificates, or other documentation; uniform or dress code requirements; or outstanding fees, fines, or absences.

- II. *Homeless children and youth* are defined as individuals who:
- A. lack 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;
 - 4. are abandoned in hospitals;
 - 5.
 - 6. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings or are living in cars, substandard housing, parks, bus or train stations of similar settings, public spaces, or abandoned buildings.
 - B. are migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless because the children are living in circumstances described in II.A.
- III. *Unaccompanied youth* means a homeless child or youth who is not in the physical custody of a parent or legal guardian)

- IV. *School of origin* shall be defined as the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including a preschool.
- V. *Enroll and enrollment* include attending classes and participating fully in school activities.
- VI. *Designated receiving school* includes the next level school, from elementary, high from middle, that a homeless child or youth, whose homelessness continues into the next school year, may attend when that next level school is the district designated school for those students in the homeless student's school of origin (s. 722(g){3}(I)(ii)).
- VII. *Eligible school* means the school of origin, the school zoned for the address where the student is temporarily residing, or another school which student residing in that attendance zone are eligible to attend.
- VIII. A homeless child or youth shall be given a 30-school day exemption to provide proof of age, certification of a school-entry health examination, and proof of immunization. The District shall assist homeless children and youth to provide all necessary documentation to meet state and local requirements for school entry during this time period.
- IX. Homeless children and youth shall be afforded the same free, appropriate public education as well as other comparable services for which they meet eligibility requirements, as provided to non-homeless children and youth, such as transportation, career and technical education programs, gifted programs, Title I programs, school nutrition programs, before or after school programs, preschool programs administered by the LEA, programs for English Language Learners, special education programs, and related services.
- X. Homeless children and youth shall be provided appropriate credit for full or partial coursework satisfactorily completed while attending a prior school.
- XI. Unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education.
- XII. Homeless children and youth may continue their education in the school of origin for the duration of homelessness or in any case in which a family becomes homeless between academic years or during an academic year. Homeless children and youth who become permanently

housed during the academic year, may remain at their school of origin for the remainder of the academic year and continue to receive all McKinney-Vento Act benefits.

Keeping children or youth in the school of origin is presumed to be in their best interest, except when doing so is contrary to the request of their parent or guardian, or in the case of an unaccompanied youth, the youth. When considering placement in a school other than the school of origin, the district will consider student-centered factors to determine a placement that is in

5.02, Page 3

the student's best interest. The eligible school selected shall enroll immediately the child or youth, even if he or she missed an application or enrollment deadline during any period of homelessness.

XIII. When the District determines that a placement other than the school of origin is in the homeless child's or youth's best interest, the District will provide the parent, guardian, or unaccompanied youth with a written explanation, in a manner and form understandable to them, and information on their rights to dispute the school selection, if other than school of origin. During the dispute, the child or youth will either remain in the school of origin or immediately enrolled in the eligible school in which enrollment is sought, pending final resolution of the dispute, including all available appeals. The District will ensure that the parent, guardian, or youth is referred to the homeless liaison to carry of the dispute resolution process as expeditiously as possible. In the case of an unaccompanied homeless youth, the liaison shall ensure that the youth is immediately enrolled in the eligible school in which the youth seeks enrollment, pending resolution of such dispute.

XIV. Transportation for homeless children and youth shall be provided in alignment with district transportation policy and procedures for all other students, and:

- A. at the request of the parent or guardian, or in the case of an unaccompanied homeless youth, the homeless liaison;
- B. to and from the school the child is enrolled in within the district or the school of origin in a neighboring district;
- C. in collaboration with other Local Educational Agencies through inter-LEA transportation agreements as appropriate and as needed.

XV. The District will coordinate district programs and collaborate with other school districts, community service providers and organizations, including local social services and other community agencies to provide support to homeless students and their families; other school districts regarding homeless student-related transportation, transfer of school records, and other inter-district activities, as needed; housing authorities; and ESE programs.

XVI. The District will assure that homeless students' records (including immunization or other required health records; birth certificates academic records; guardianship records; and evaluations for special services), are treated as student education records and shall not be deemed to be directory information and held confidential in a manner consistent with section 444 of the General Education Provisions Act (GEPA), and such records are maintained for each homeless student and made available, in a timely fashion, when such student enters a new school.

XVII. The District will appoint a Homeless Liaison to ensure compliance with the McKinney• Vento Act as it relates to homeless children and youth.

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

LAW(S) IMPLEMENTED: 000.21, 1001.43, 1003.01, 1003.21, 1003.22, 1003.25, F.S.

McKinney-Vento Homeless Assistance Act, P.L.100-77

Elementary and Secondary Education Act of 1965, P.L. 89- 10

Family Educational Rights and Privacy Act, 20 USC 1232g

Every Student Succeeds Act of 2015 P.L. 114-95 20 USC 6311(g)(1)(F)

HISTORY:

ADOPTED: 02.06

REVISION DATES: 11.14, 07.20, 12.22

FORMERLY

EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE

5.025

- 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.

5.025, Page 2

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.

LAW(S) 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 Family Educational Rights and Privacy Act, 20 USC
1232g Fostering Connection Act of 2008, P.L.

110-351

Every Student Succeeds Act of 2015, P.L.
114-95 20 USC 6311(g)(1)(F)

HISTORY:

ADOPTED: 11.17
REVISION DATES: 07.20

STUDENT ASSIGNMENT

5.03/D

The School Board shall establish residential attendance zones for each school based upon the Superintendent's recommendation. All students, unless otherwise provided by School Board rule or authorized by the School Board's order, shall attend the school serving the student's residential attendance zone. Each residential attendance zone shall be established to achieve maximum utilization of all School Board facilities and to consider the time and distance of travel for students. The instructional capacity for each school will be set yearly by the School Board after the recommendation by the Superintendent or his/her designee ("instructional capacity"). For the purposes of this policy, Enrollment Capacity is defined as ten percent less than the Instructional Capacity. A student's residence is the residence of his/her parent(s), legal guardian, legal custodian, or other such person as defined by any order issued by a court of competent jurisdiction of the state of Florida and by Florida Statutes. Any student residing in the School District shall be assigned to a school for attendance by the Superintendent or designee.

- I. No student shall be permitted to transfer, enroll, or be admitted to a school when (s)he has been expelled or suspended from another school district. This prohibition shall be effective for the period of time in which the student was expelled or suspended from another district. Such students shall be accorded the same appeals procedure which is available to District students. However, under §1006.07, F.S., the Superintendent may recommend to the School Board that the other school district's final order of expulsion be waived and the student be admitted. The School Board shall make the final decision.
- II. A student may be permitted to attend a school in another residential attendance zone pursuant to the following procedures of the School Controlled Open Enrollment Plan adopted by the School Board listed below:
 - A. Parents must request reassignment following published timelines if they desire reassignment to any school other than assigned school.
 - B. An Appeals committee will be appointed by the Superintendent. It will hear protests and requests for reassignment.
 - C. Once a child attends an out-of-zone school, preference for continued attendance will be given to that student and their younger brothers and sisters.
 - D. Parents participating in the controlled school choice program will provide their own transportation. The District will provide parents with information on transportation options available within the community. Parents will be provided with information on transportation options available for students attending their school of choice pursuant to 1002.38, 1002.39 or 1002.394 and including within the community, as well as the funds available for transportation pursuant to ss. 1002.394, 1002.395 and 1011.68.
 - E. Out of county transfers may apply for their school of choice and will be placed in their

school of choice in accordance with the procedures set forth in Policy 5.031 Student Out of Zone Transfers / CHOICE following the placement of the Gilchrist County Residents who have priority.

F. In implementing the school choice initiative, no school will be out of compliance with federal desegregation orders.

G. Students in the Exceptional Education Program will be placed in the best interest educationally for the child and where the programming for that specific disability is being housed.

III. Any student whose legal residence is outside the boundaries of the county may be enrolled in a District school under the provisions of Florida Statutes and the Controlled Open Enrollment Plan (Policy 5.033). The assigned school for an out-of-district student shall be designated on the basis of space available. Such transfers shall be on a nondiscriminatory basis and shall not result in reducing desegregation in either school district or in reinforcing the dual school system.

IV. A student who has been attending, in the year prior to the designation, a public school that has been classified as performance grade category “F” or has earned three (3) consecutive grades of “D” or a student who is assigned to a public school that has been designed as performance grade category “F” or has earned three (3) consecutive grades of “D” may attend a higher performing public school in the District or a school in another district as allowed by law.

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, 1002.39, 1002.394, 1002.395, 1006.07, 1011.68 F.S.

HISTORY:

*Adopted; 2.06
Revision Date(s): 2.06, 11.06, 7.07, 08.15, 11.17, 7.23
Formerly:*

STUDENT OUT OF ZONE TRANSFERS/CHOICE 5.031

- I. The School Board strives to accommodate family choice to the maximum extent possible. Students may attend a school other than their zoned school if they have been granted a choice assignment in accordance with this policy. Disciplinary and/or attendance issues may result in immediate return to the home zoned school the following school year and/or may result in immediate return to the home zoned school. School choice is available for the following:
 - A. Magnet Programs
 - B. Controlled Open Enrollment
 - C. Charter Schools
 - D. McKay, Family Empowerment, or Opportunity Scholarships
 - E. Home School
 - F. Virtual School
 - G. Dual Enrollment
 - H. Career and Technical Education (CTE) High School Programs

- II. The following provisions apply to all choice assignments:
 - A. The student must remain in the zoned school until a choice assignment is granted.
 - B. Applications for certain choice assignments must be submitted within the designated time frame. Time frames are published on the Board website for applications for the following school year.
 - C. With the exception of children of full-time Board employees who are non-residents of the District, students whose primary legal residence is in the District shall be given preference over non-resident students with respect to the granting of choice assignments.
 - D. The Board does not provide transportation to students with choice assignments except as otherwise provided for in this policy or by law.

- III. Magnet Programs
Gilchrist County does not currently have any magnet programs.

- IV. Controlled Open Enrollment
Students may be granted choice assignments to schools that are not crowded and would not become crowded as a result of such assignments through the Controlled Open Enrollment Plan/Policy #5.033.

- V. Charter Schools
Gilchrist County does not currently have any charter schools.

- VI. McKay, Opportunity, and Empowerment Scholarships
Students with disabilities may be granted choice assignments to schools other than the school to which they are zoned under the provisions of the McKay Scholarship Program (F.S. 1002.39).

Students assigned to attend school that has earned a grade of “F” or three consecutive grades of “D” may request and receive an Opportunity Scholarship for the student to enroll in and attend a public school that has been designated by the state as a school performing higher than that in which the student is currently enrolled. (F.S. 1002.38).

Students of families that have limited financial resources may request and receive a Family Empowerment Scholarship to attend a school different from the school to which the student was assigned. (F.S. 1002.394).

- VII. Home School
Parents may elect to home school students in accordance with State law. See Policy #4.21 – Home Education Programs.
- VIII. Virtual School Parents may select to register their students in a virtual education program. See Policy #4.25 – Virtual Instruction.
- IX. Dual Enrollment See Policy #5.08 – Post Secondary Career and Technical Education Programs.
- X. Students may be granted choice assignments to enroll in a CTE program at a high school outside of their school zone.
- XI. Revocation of Choice Assignment
Is a student is granted a choice assignment and displays issues with attendance, grades, or disciplinary actions the principal may make the decision to have the student returned to their zoned school. Prior to revoking a school choice variance the school will document a minimum of three (3) good faith efforts to provide interventions and enlist parent/guardian support for the identified areas of concern. If a student is being returned to their zoned school due to revocation, communication should occur between the schools to establish supports for the student. Revocation of a choice assignment within ten (10) school days of the end of a nine (9) weeks or semester grading period will be effective the first day of the following grading period. No requests for revocation will be considered during the final twenty (20) days of the school year.
- XII. Zoning Exceptions Students may attend a school other than their zoned school if they have been granted a zoning exception in accordance with this policy. Zoning exceptions are not to be used as a substitute for school choice. Zoning exemptions may be granted for the following reasons:
 - A. Parents employed by the Board: Students are allowed to attend the school of parents choice if the parent is a full time employee with Gilchrist County Schools who resides in Gilchrist County. A choice form must be completed and approved prior to the transfer. Students may ride the bus from the nearest existing stop servicing the requested school.

- B. Exceptional Student Education (ESE) Transfers: Students who transfer into the district from another district must have an IEP meeting to review their current IEP after obtaining approval or upon verification as a new resident. Some ESE programs do not allow for choice because they serve the specific needs of a student with a disability at a cluster site. Siblings of ESE students being served in a cluster site program may attend school with ESE siblings. Parents must complete a request form prior to sibling transfer. Transportation may not be provided for the non-ESE siblings. Time Frame: ESE service requirements.
- C. Hardship Placement:
1. medical/psychological need
 2. police/DCF request
 3. victim of a violent crime
- D. Transfers are allowed for a student whose parents have begun actual construction on a home in the receiving school zone, if the student shall permanently move into the home by the end of the semester in which the transfer is to take place. Time Frame: One Semester.
- E. Students who move to another school zone within Gilchrist County before the end of the first semester of the school year are to enroll in their zoned school or may request choice. Students who move following the end of the first semester are permitted to complete the academic year at the school in which the students were legally enrolled prior to the change of address.
- F. Out of district transfers, including students of Gilchrist County School employees will be approved on a case-by-case basis if space is available. An application must be submitted to both the home school district and to Gilchrist County Schools. The parent must show verification of release from the home school district prior to being approved and enrolling in Gilchrist County Schools.

STATUTORY AUTHORITY:

LAWS IMPLEMENTED:

1001.41, 1001.42 F.S.

1002.21, 1001.41, 1001.42, 1001.53, 1001.51, 1002.20,

1002.31, 1002.38, 1002.39, 1002.39,

1002.394, 1011.68, 1013.35, F.S.

HISTORY:

Adopted: 3.01

Revision Date(s): 11.02; 7.07; 7.23

Formerly:

CONTROLLED OPEN ENROLLMENT

5.033

- I. The School District shall develop a *Controlled Open Enrollment Plan* that will be approved by the School Board and considered part of this policy. This plan will enable the District to consider student assignment based on parental preference when requested by the parent as defined by Florida Statutes. Schools must accept students throughout the school year as capacity becomes available by grade level.
- II. The plan 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; by grade level updated every 12 weeks;
 - 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 options required by law or available through the district or in the community;
 - L. The availability of funds for transportation under ss. 1002.394, 1002.395, and 1011.68; and
 - M. Maintain a wait list of students who are denied access due to capacity and notify parents when space becomes available throughout the year.
- III. The plan and process for implementing the plan 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 Plan* 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 Plan* and the process for implementing the plan shall be reviewed annually. The Superintendent shall present the plan and any recommended changes to the School Board for consideration.

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, 1002.39 1002.394, 1002.395, 1011.68 1013.35, F.S.

HISTORY:

*ADOPTED: 12.16
REVISION DATE(S): 7.23
FORMERLY: NEW*

CLASSROOM TRANSFER

5.035

- 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 in the *Student Handbook* and 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: 12.16 REVISION

DATE(S):

FORMERLY: NEW

STUDENT ATTENDANCE

5.04

- 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 Rule.
 - 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. A person designated by the Superintendent or his/her designee shall investigate truancy problems.

STATUTORY AUTHORITY: 1 001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 985.03, 1000.21, 1001.43, 1003.21, 1003.23, 1003.24, 1003.26, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.044, 6A-1.09514

HISTORY: *Adopted:*
Revision Date(s): 10.06, 01.18
Formerly:

REQUIREMENTS FOR ORIGINAL ENTRY

5.05

- I. Any student who initially enrolls in the District shall be required to present a certification of immunization for those communicable diseases as required by Florida Statutes.
 - A. Students who are under 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 30 days to provide documentation of school entry health and certificate 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 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 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 non-public 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 shall honor the final order of

expulsion of a student from another school district, and the student will not be received by the Gilchrist County School District.

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: 1.00

*Revision Date(s): 7.01,
11.02, 2.06, 11.11, 11.18*

Formerly:

FOREIGN EXCHANGE STUDENTS

5.052D

- I. The purpose of foreign exchange programs is to improve the foreign student's knowledge of American culture and community life. A second purpose is to foster American students' knowledge of a foreign culture by allowing Gilchrist County students and their communities to experience international understanding on a personal basis.
 - A. Short-term (six to eight weeks) Eligibility Requirements - The student must meet the following eligibility requirements:
 1. Must not have received a terminal degree from a high school.
 2. Be in the 11th or 12th grade on the date of the enrollment.
 3. Be placed on visitation status but with the same responsibilities as enrolled students to Gilchrist County School Board policies.
 4. Have sufficient knowledge of the English language to participate in high school classes.
 5. The student shall be subject to the Code of Student Conduct.
 6. Obtain written approval of the principal subject to the following restriction: The principal may grant approval for entrance of foreign exchange students up to a maximum of five students per year.
 - B. Long-term (no longer than one year) Eligibility Requirements - The student must meet the following eligibility requirements:
 1. Must have not received a terminal degree from a high school.
 2. Be in the 11th or 12th grade on the date of the enrollment.
 3. Will be living with an American host family that resides in the county and has been approved by the sponsoring program.
 4. Shall gain legal entry into the United States with a J-1 Exchange Visa.
 5. Be enrolled at the school prior to October 1st of the school year.
 6. Have sufficient knowledge of the English language to participate in high school classes.
 - a. The student's English proficiency must be measured by an English oral/aural test and a nationally normed achievement test

b. If the student's English skills are in question, the foreign exchange student may be required to pass the English Proficiency tests, as approved by the district's English for Speakers of Other Languages Plan.

7. The student shall be subject to the Code of Student Conduct.
8. Eligibility for participation in athletics shall be consistent with Florida High School Athletic Association and School Board rules.
9. Obtain written approval of the principal.
10. The Superintendent or designee shall approve the admission of each foreign exchange student.

C. Procedure for Admission

1. The sponsoring organization must apply for admission of the student at least four weeks prior to the student's enrollment date.
2. The application shall include the student's school transcript (in English):
 - a. Evidence of English competency,
 - b. Pertinent information about the student,
 - c. The student's health record indicating the student meets immunization requirements in accordance with Florida Statutes,
 - d. Provide an assurance of appropriate medical insurance coverage (health, accident, and liability insurance coverage that is valid in the United States),
 - e. Written approval or denial will be given to the sponsoring organization by the principal.

D. The Superintendent shall develop procedures for implementing the foreign exchange student program.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

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

HISTORY: Adopted: 1.00
Revision Date(s): 2.02,
11.02, 2.06, 2.13
Formerly:

ADMISSION TO KINDERGARTEN

5.06

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

- A. The child's date of birth in the manner provided by Florida Statutes;
- B. An up-to-date immunization record; and,
- C. A school-entry health examination conducted within one year prior to enrollment in school in accordance with State Board of Education Rule.

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

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

STATE BOARD OF EDUCATION RULE: 6A-6.024

HISTORY: Adopted: 1.00
Revision Date(s): 11.02
Formerly:

ADMISSION TO FIRST GRADE

5.07

- I. For admission to first grade, a student shall be six years old on or before September 1st of the school year and shall satisfy one of the following requirements:
 - A. Previous enrollment and attendance in a Florida public school.
 - B. Satisfactory completion of kindergarten requirements in a non-public school; or,
 - C. Previous attendance in an out-of-state school in which (s)he was admitted on the basis of age requirement established by the state of residency.
- II. First grade students shall progress according to the District's Pupil Progression Plan.

<i>STATUTORY AUTHORITY:</i>	<i>1001.41, 1001.42, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>1001.43, 1003.21, 1003.22, F.S.</i>
<i>STATE BOARD OF EDUCATION RULE:</i>	<i>6A-6.024</i>
<i>HISTORY:</i>	<i>Adopted: 1.00 Revision Date(s): 11.02 Formerly:</i>

POST-SECONDARY CAREER AND TECHNICAL EDUCATION PROGRAMS

5.08

- I. The Superintendent or designee shall develop written procedures to implement Florida Statutes and State Board of Education rules which pertain to impaired or learning disabled students who enter postsecondary 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 postsecondary programs offered at a career and technical education 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.
- II. A high school or adult student who has a documented disability and is completing a postsecondary career and technical education program may be exempted from meeting the career basic skills levels required for completion of the program. The District shall establish exit criteria for disabled students who have not achieved the basic skills levels on the posttest.
- III. A student who attends the area vocational-technical center shall be classified as either a high school student or an adult student.
 - A. A high school student is a 10th, 11th, or 12th grade student who is age 16 or older and is concurrently enrolled in a regular high school and the career and technical education center for one to six hours daily. Ninth graders are admitted into vocational-technical home economics programs designed for exceptional education students.
 - B. An adult student is a person who is 16 years or older and has withdrawn from a regular school program.

- IV. 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.

- V. 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.

LAW(S) IMPLEMENTED: 1001.43, 1004.91, 1007.264, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-10.040, 6A-10.041

HISTORY: Adopted:
Revision Date(s): 2.06, 1.08
Formerly:

GRANTING PERMISSION FOR STUDENTS TO LEAVE THE SCHOOL CAMPUS

5.09

- 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 sub-section shall not apply to a law enforcement officer, court official, other authorized agency officials or proper school employee; provided, that the person's identity and authority are clearly established.
- IV. If a student is 18 years old or otherwise identified by statutes as being treated as having achieved majority status, and having verified this with school officials, (s)he 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 parent(s) 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: 1.00

Revision Date(s): 11.02, 10.06

Formerly:

STUDENT CONTROL

5.10

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

- I. The principal or the principal's designated representative shall see that students are properly supervised while at school and during any school-sponsored activity.
- II. The teacher, other members of the instructional staff or bus driver shall assume such authority for the control and supervision of students as may be assigned by the principal or the principal's designated representative and shall keep good order in the classroom or other places where in charge of students.
 - A. No student may be suspended from school, from school bus transportation or from class, nor may corporal punishment be administered except as provided by law and the policies of the Board.
 - B. No student shall be suspended for unexcused absence, tardiness, or truancy unless otherwise provided in the *Code of Student Conduct*.
- III. This policy shall not apply to students while they are being transported to or from school by private citizens.
- IV. The *Code of Student Conduct* for elementary, middle, high school and postsecondary schools is hereby incorporated by reference and made a part of this rule. The *Code of Student Conduct* and any revisions shall be approved and adopted by the School Board. The *Code of Student Conduct* shall:
 - A. Be developed by School Board members, appropriate grade level teachers, school personnel, school administrators, students, and parent organizations.
 - B. State grounds for disciplinary action procedures and the rights of students.

- C. Be distributed to all teachers, school personnel, students, and students' parent(s), as defined by Florida Statutes, at the beginning of each school year.
- D. Be filed in the Superintendent's office.
- V. The *Code of Student Conduct* shall be discussed with students, school advisory committees, and parent/teacher associations at the beginning of each year.
- VI. Any School Board decision which conflicts with provisions in the *Code of Student Conduct* shall prevail until revisions are adopted.
- VII. The principal shall use the *Code of Student Conduct* to familiarize students with School Board rules relating to students' rights, responsibilities, and conduct at the beginning of each school year and whenever (s)he deems it necessary.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 120.57 (1), 1000.21, 1001.43, 1003.04, 1003.21, 1003.31, 1003.32, 1006.08, 1006.09, 1006.10, 1006.13, F.S.

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

HISTORY: Adopted:
Revision Date(s): 2.06, 10.06
Formerly:

CORPORAL PUNISHMENT

5.1001D

Corporal punishment is the moderate use of physical force or physical contact by a teacher or principal that may be necessary to maintain discipline or to enforce school rules. Each principal shall prepare and disseminate guidelines for corporal punishment in his/her school as directed by the Superintendent. The guidelines shall identify the types of punishable offenses, conditions under which the punishment shall be administered, and the specific school personnel authorized to administer the punishment. Guidelines shall also include the following requirements.

- I. Corporal punishment shall be administered only by the principal or an administrative or instructional staff member in the presence of another adult who has been informed prior to the administration of the reason(s) for the punishment.
- II. Students shall be informed of the reason(s) for the administration of corporal punishment.
- III. The student's parent(s) or legal guardian shall be notified by the school with a written explanation of the reason for the punishment and the name of the other adult who was present.
- IV. The instrument used to administer corporal punishment shall be no more than two feet long and one-half inch thick, and shall be smooth with no sharp edges or holes. The punishment shall be administered posteriorly with efforts made not to strike above the waist or below the buttocks.
- V. The punishment shall be reasonable and administered under conditions not calculated to hold the student up to ridicule or shame. Corporal punishment shall not be administered in the presence of other students.
- VI. Corporal punishment for young students in the primary and intermediate grades shall be limited to a maximum of five strokes per day using one hand. At the middle and senior high level not more than seven strokes administered using one hand are permitted. The type of punishment, the severity of punishment, and the number of strokes administered when paddling a student shall be individually determined in each case.

- VII. Corporal punishment shall not be administered to a student known by school personnel to be under psychological or medical treatment unless there has been a pre-conference with the school psychologist or the student's physician. It shall be the parent's responsibility to inform the school in writing of psychological or medical conditions which preclude the administration of corporal punishment.
- VIII. Each principal shall maintain a record of all instances where corporal punishment has been administered. This record shall contain the name of the student, the date, the time, the number of strokes administered, the infraction of rules which caused the punishment, who administered the punishment, and the name of the adult witnesses.

STATUTORY AUTHORITY: *1001.41, F.S.*

LAW(S) IMPLEMENTED: *1002.20, 1003.01, 1003.32, F.S.*

HISTORY: *Adopted:*
Revision Date(s):
Formerly: 5.101

BULLYING AND HARASSMENT

5.101

I. Statement Prohibiting Bullying and Harassment

- A. It is the policy of the Gilchrist 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:
 - a. Incitement or coercion
 - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system.
 - c. Acting in a manner that has an effect of bullying or harassment.

III. Behavior Standards

- A. The Gilchrist 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. Gilchrist 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, 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 in 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:
 - a. Counseling and support to address the needs of the victims of bullying; and
 - b. 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

- a. 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.
- b. 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
 - a. Alcohol
 - b. Arson
 - c. Battery
 - d. Breaking and Entering
 - e. Disruption on Campus
 - f. Drug Sale/Distribution Excluding Alcohol
 - g. Drug Sale/Possession Excluding Alcohol
 - h. Fighting
 - i. Homicide
 - j. Kidnapping
 - k. Larceny/Theft
 - l. Robbery
 - m. Sexual Battery
 - n. Sexual Harassment
 - o. Sexual Offenses
 - p. Threat/Intimidation

- q. Trespassing
 - r. Tobacco
 - s. Vandalism
 - t. Weapons Possession
 - u. 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: 11.08
REVISION DATE(S): 1.14, 12.16, 11.17, 07.20, 12.22
FORMERLY: 5.101D

It is the policy of the Gilchrist 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:
REVISION DATE(S): 12.10, 12.22
FORMERLY: NEW*

STUDENT DETENTION, SEARCH, and SEIZURE

5.11/D

- I. Any instructional or administrative staff member shall be authorized to temporarily detain and question a student under circumstances which reasonably indicate that such student has committed, is committing, or is about to commit a violation of Florida Statutes or School Board rules. No student shall be temporarily detained longer than is reasonably necessary. Such temporary detention shall not extend beyond the place where it was first affected, the immediate vicinity thereof, or on any school board mode of transportation.
- II. If, at any time after the onset of the temporary detention, a reasonable suspicion arises that the detained student is concealing or has concealed stolen or illegal property or contraband on his/her person, or within his/her locker or other student storage space, an administrative staff member may search the personal property of a temporarily detained student or his/her locker or other storage space for the purpose of disclosing the presence of suspected stolen or illegal property.
- III. Stolen or illegal property which is seized during a search of the personal property of the student or his/her locker or other student storage space shall be given to law enforcement authorities, when appropriate.
- IV. 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 a prohibited or illegally possessed substance or object is contained within the area pursuant to Florida Statute.
- V. The following provisions shall apply to canine searches/screening for illegal substances:
 - A. Canine sniffers shall be used primarily for school purposes to bring disciplinary action against students who are found in possession of illegal substances.

- B. Parents, students, School Board employees, and the public shall be informed that public school campuses, including, but not limited to, buildings, parking areas, athletic and recreational areas, and lockers are School Board property and no one using said property, whether as a student or in any other capacity, has the expectation of privacy in or around said property.
- C. Students shall be informed that automobiles, trucks, vans, or other transportation means located or operated on School Board property is a privilege granted by the School Board and students whose vehicles are so located shall not have any expectation of privacy in or around said vehicles.
- D. The Superintendent or designee shall determine in which schools the canine sniffers shall be utilized.
 - 1. The canine sniffers shall be controlled and directed at all times by qualified handlers.
 - 2. Searches shall be conducted at the qualified handler's direction in cooperation with the School Board's administrative personnel.
 - 3. School Board administrative personnel shall be responsible for necessary parental notification, student disciplinary action, student due process, and public relations related to such searches.
 - 4. Custody, analysis, and disposal of the illegal substance shall be the responsibility of law enforcement.
- E. Delinquent acts and crimes occurring wherever and whenever students are under the Jurisdiction of the School Board shall be reported to law enforcement.
- VI. Any activity involving student detention, search, and seizure shall be in accordance with procedures set forth in the Code of Student Conduct.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted:

Revision Dates: 2.06 Formerly:

EXPULSION OF STUDENTS

5.12

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; and, any Level III and / or IV violation of the Code of Student Conduct. 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: 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; conviction of a felony; and, any second offense of possessing or under the influence of intoxicating beverages, controlled substances, drugs, or counterfeit drugs on school grounds or at any school- sponsored activity.

- 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), as defined by Florida Statutes, 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 the adult student has been notified in person.
 - B. A preliminary investigation shall be conducted in accordance with the following.
 1. The Superintendent shall direct an investigation based on the school's recommendation within five school days of receipt of a recommendation for expulsion. The student's parent(s) or adult student shall be informed that the investigation is being conducted in a manner reasonably 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 adult student by certified mail of the suspension or extended suspension. If requested, the student's parent(s) 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 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 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 adult student shall be considered sufficient notice.
3. The student's parent(s) 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 Chapter 120.57(1), 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 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 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, an administrative staff member, or the School Board attorney 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 or adult student shall be prohibited from presenting reasonable matters to the School Board because of unsubstantiated procedural irregularities.
4. No parent 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 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 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 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 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), 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 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 the adult student of his/her right to appeal the School Board's final order to the District Court of Appeal.
- H. Other provisions for dismissal proceedings shall include the following:
1. The School Board may establish a set hearing time for routine consideration of matters of expulsion.
 2. No student shall be allowed to make up work missed for credit while under suspension except for nine weeks and semester examinations. These examinations shall be made up within five days at a time designated by the principal.

3. Any student who commits an act on school grounds or on a school bus which results in suspension during the last week of school shall be suspended for the remaining number of days of the suspension period when school opens the following year.
 4. Any student who is suspended for the fourth time in a school year may be referred to the Superintendent for possible expulsion. After a student receives the third suspension, the principal shall notify the parent(s) by telephone, conference, or by certified letter and explain the next suspension may result in a recommendation for dismissal. In all cases, telephone conferences shall be documented in writing.
- I. 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) 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 chapter 893, Florida Statutes, shall be entitled to a waiver of the discipline or expulsion if (s)he 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 Rule 6A-6.0331(2) 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 III.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 Rule 6A-6.0331(3) and in conjunction with the disciplinary review committee meeting. The decision of the disciplinary committee shall be recorded on the IEP and shall be used in determining the adequacy of the current special program and related services. The student's IEP may be revised to reflect:
 - a. A modification of the current special program or an alternative placement;
 - b. An indication that the exceptionality is not a precipitating factor and the student is expected to behave in accordance with the rules established in the District's Code of Student Conduct.
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) 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.

LAW(S) IMPLEMENTED: 1000.21, 1001.43, 1001.54, 1003.31, 1006.07, 1006.08, 1006.09, 1012.2 F.S.120.57(1)

STATE BOARD OF EDUCATION RULE: 6A-6.0331

HISTORY: Adopted: 1.00
Revision Date: 11.02, 10.06

(Option 2 of the NEFEC Model)

USE OF TIME OUT, SECLUSION, AND PHYSICAL RESTRAINT

5.121

I. The District shall implement behavioral management interventions for disruptive students to prevent and reduce significant disruptive behavior and to provide for the physical safety and security of students and staff when students pose a threat to themselves and/or others. The focus shall be on the use of the least restrictive but effective intervention(s) for each student.

II. Time Out

Time out is a procedure in which access to reinforcement is removed or reduced for a designated time.

- A. *Non-exclusion time out* is the least restrictive form of time out. The student is allowed to observe the classroom activity but not participate.
- B. *Exclusion time out* excludes the student from participation in and observation of classroom activities. The student remains in the classroom but cannot observe or participate in ongoing activities.

III. Seclusion

Seclusion or *isolation* removes the student from the classroom for a predetermined period of time. The student is placed in a non-stimulating room away from the classroom. The student must be observed continuously by trained personnel.

IV. Physical Restraint

- A. School personnel may not use mechanical restraint. School resource officers, school safety officers, school guardians or school security guard may use mechanical restraints in the exercise of their powers and duties to restrict students in grades 6 through- 12.
- B. *Manual physical restraint* is the use of physical restraint techniques that involve physical force to restrict free movement of all or part of a student's body. It is a method to prevent a student from harming himself/herself or others.
- C. Physical restraint should only be used in an emergency situation when an immediate and significant threat to the student or others exists and must be discontinued as soon as the threat posed by the dangerous behavior has dissipated.
- D. Trained, qualified school personnel may use physical restraint only when all positive behavior interventions and supports have been exhausted.

V. Documentation and Reporting

All instances of time out, seclusion, and restraint shall be documented and reported as required.

VI. Notice, Monitoring and Analysis

- A. At the beginning of each school year, the district shall post its policies and procedures on positive behavior interventions and supports as adopted by the school district.
- B. The use of manual physical restraint or seclusion shall be monitored at the classroom, school, and District levels.
- C. The use of the behavior interventions, the appropriateness of use, and the effectiveness of the interventions shall be analyzed.

VII. Prohibitions

School personnel shall not

- A. Use a mechanical restraint or a manual physical restraint that restricts a student's breathing;
or
- B. Close, lock, or physical block a student in a room that is unlit or that does not meet the rules of the State Fire Marshall for a seclusion time out room.

VIII. Training

- A. The District shall provide initial training for designated personnel in the use of time out, seclusion, and physical restraint.
- B. Refresher training shall be conducted annually.
- C. Personnel who have been trained in manual restraint techniques in positions outside of the School District shall receive training in District methods.

IX. Procedures

The Superintendent shall develop procedures to implement this policy and related statutes. Procedures shall include but not be limited to the following:

- A. Parent notification;
- B. Incident reporting;

- C. Data collection;
- D. Monitoring and reporting;
- E. Plan for reducing the use of restraint and seclusion;
- F. Identification of staff to be trained; and
- G. Training components

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

*1001.43, 1003.32, 1003.573, 1006.07,
1006.11, 1012.75, F.S*

STATE BOARD OF EDUCATION RULE:

6A-6.03312

HISTORY:

*Adopted: 4.11
Revision Date(s): 12.22
Formerly: NEW*

CHAPTER 5.00 - STUDENTS

ZERO TOLERANCE FOR SCHOOL RELATED CRIMES

5.13/D

- I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. This policy implements the State Board of Education's Zero Tolerance Policy as outlined in Florida Statutes, including
 - A. Victimization of students.
 - B. Felony or misdemeanor as defined by Florida Statutes.
 - C. Substance abuse which is defined in Florida Statutes, as "using, without medical reason, any psychoactive or mood-altering drug, including alcohol, in such manner as to induce impairment resulting in dysfunctional social behavior."

- 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 device;
 - 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.
- 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. 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 full year and be referred to the criminal justice or juvenile justice system:
 - A. Bringing a firearm, *zip gun, potato gun, or any other paraphernalia that may be used as a weapon or explosive device* or weapon as defined in 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 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 Florida Statutes.
 - D. Hazing as defined in Florida Statutes.
- VIII. When a student is formally charged with a felony or a delinquent act that would be a felony if committed as 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.
- IX. The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.
- X. 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.

- XI. 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.
- XII. 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.
- XIII. 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, 1012.28, F.S.

STATE BOARD OF EDUCATION

6A-6.03311

RULE(S): HISTORY:

Adopted: 1.00
Revision Date(s): 7.01, 11.02, 2.06, 11.18
Formerly

CHAPTER 5.00: STUDENTS

ANABOLIC STEROID TESTING FOR STUDENT ATHLETES

5.141

- I. As a condition of being a member of the Florida High School Athletic Association (FHSAA), each school with students in grades nine through 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 meeting 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: 1.08

Revision

Date(s):

Formerly:

ADMINISTRATION OF MEDICATION

5.15/D

- I. Administration of Prescription Medication
 - A. Each school principal shall designate a staff member(s) to administer medications. The staff member(s) shall be trained annually by the registered nurse at each school.
 - B. Administration of prescription medications during school hours is discouraged unless a physician determines that a student's health needs require medication during school hours. 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 on the pharmacy label:
 1. Student's Name;
 2. Name of medication;
 3. Specific instructions on the administration of the medication;
 4. Approximate duration of medication.
 - E. A note signed by the student's parent(s), as defined by Florida Statutes, to grant permission for administering the prescription medication;
 - F. Prescription medication which is kept at school shall be counted (by 2 people and documented) and shall be stored in its original container, in a secure place under lock and key as designated by the school principal. Only authorized staff who administer said medication and have received training shall have access with the exception of certain emergency medications (i.e.: epinephrine).
 - 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 C. 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. *The types of medications are considered life-saving and need to be available for the student's immediate use when necessary.*

- 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 authorized staff.
- I. 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.

II. Administration of Emergency Medication

- A. Schools may purchase and maintain a supply of epinephrine autoinjectors 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

autoinjector under the authorization of an authorized health care provider shall not be liable for any injury resulting from the administration of an autoinjector 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.

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, 1014.06 F.S.*

STATE BOARD OF EDUCATION RULE(S):

6A-6.0251, 6A-6.0252, 6A-6.0253

HISTORY:

ADOPTED:

REVISION DATE(S): 04.03.17, 12.22

FORMERLY:

PSYCHOTROPIC MEDICATION

5.151

- I. Psychotropic medication is a prescription medication used for the treatment of mental disorders and includes, without limitation, anti-hypnotics, antipsychotics, antidepressants, anxiety agents, sedatives, psychomotor stimulants, and mood stabilizers.
- II. The School Board of Gilchrist 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: 1.08
Revision Date(s):
Formerly:

MEDICAL MARIJUANA

5.152

A. 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 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 Gilchrist 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.

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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 use 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.
- D. 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.
- E. 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.
- F. 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.

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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 their 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: 11.18 REVISION DATE(S): FORMERLY: NEW

EYE PROTECTION

5.16

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.

LAW(S) IMPLEMENTED:

1001.43, 1006.063, 1006.07, F.S.

HISTORY

Adopted:

Revision Date(s):2.06

Formerly:

STUDENT INJURIES

5.17/D

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

1. First aid shall be administered by the nearest person with first-aid training.
2. The student's parent(s) shall be notified immediate.
3. 911 will be summoned in the event a life-threatening situation occurs.
4. 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.
5. An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.
6. An insurance report shall be prepared *by the district* if an injury is covered by district insurance.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.07, 1006.08, F.S.

HISTORY:

Adopted: 1.00

Revision Date(s): 11.02, 10.06, 11.20

Formerly:

CHAPTER 5.00 - STUDENTS

LEGAL NAME OF STUDENT

5.18

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

STATUTORY AUTHORITY:
1001.42, F.S.

1001.41,

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1003.21, F.S.

HISTORY:

Adopted:

Revision Date(s): 10.06, 11.20

Formerly:

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

- I. Procedures on student records shall be approved by the School Board and contained in the *Student Educational Records Manual*. Included shall be provisions of the No Child Left Behind Act requirements relating to the surveying of students, the collecting of information from students for marketing purposes, and certain nonemergency medical examinations.
- II. Definitions
 - A. Education records means records that are directly related to a student and that are maintained by the District or a party acting on behalf of the District, as defined in 20 USC Section 1232g(a)(4)
 - B. Eligible Student means a student who has reached 18 years of age or is attending a postsecondary institution, at any age.
 - C. Online educational service means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function.
 - D. Student means an individual who is or has been in attendance in a district school and regarding whom the District maintains education records.
 - E. Parent or Parents, includes parents or guardians of students who are or have been in attendance at a school or institution.
 - F. Personally identifiable information or “PII” means information that can be used to distinguish or trace a student’s identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to, direct identifiers (such as a student’s or other family member’s name), indirect identifiers (such as a student’s date of birth, place of birth, or mother’s maiden name), and other personal identifiers (such as a student’s social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

- G. Therapeutic treatment plan means a plan that identifies the mental health diagnosis, or condition, the therapy or intervention goal(s), the type of school-based mental health intervention, and the school-based mental health services provider responsible for providing the mental health intervention or therapy.
 - H. Therapy progress notes means notes maintained by a school-based mental health services provider that summarize the focus and progress toward treatment goal(s) of each therapy or intervention session.
 - I. Third-party vendor or Third-party service provider means any entity, whether public or private, that provides service to the Board through a contract or agreement. The term does not include the Florida Department of Education or the Department's contractors and subcontractors.
- III. Parents, as defined by law, and students shall be notified annually of their rights regarding education records.
 - IV. The District shall not collect or retain information including biometric information restricted by §1002.222, F.S.
 - V. The District acknowledges important information relating to a minor child should not be withheld inadvertently or purposefully, from the parent, including information relating to the minor child's health, well-being, and education, while the minor child is in the custody of the school district.
 - VI. Parents or eligible students have the right to access and review all school records related to the minor child including but not limited to, the right to access school safety and discipline incidents as reported pursuant to section 1006.07 (7) and (9), F.S.
 - VII. 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.
 - VIII. 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.
 - IX. Directory information. The District shall make available, upon request, certain information known as directory information without prior permission of the parents or eligible student. The District shall charge fees for copies of designated directory information as provided by State law. Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. The Board designates as student directory information: a student's name; photograph; address; telephone number, if it is a listed number; e-mail address; date and place of birth; participation in officially recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; grade level; enrollment status; date of graduation or program completion; awards

received; and most recent educational agency or institution attended.

- A. An annual written notice shall be given to inform parents and eligible students of their rights of access, waiver of access, challenge and hearing, privacy, categories of personally identifiable student information designated as directory information designated as directory information data, and the location and availability of the District's policy on education records of students. Parents or eligible students may, by providing a written statement to the principal within two (2) weeks of the first day of the school year or entry into the school system request that all specific portions of directory information for that specific student not be released.
 - B. Directory information shall ne be provided to any organization for profit-making purposes, unless the request is approved, in a nondiscriminatory manner, by the Superintendent.
 - C. In accordance with Federal law, the District shall release the names, addresses, district-assigned e-mail addresses (if available), and telephone listings of students in grade ten through 12 (10-12) to a recruiting officer for any branch of the United States Armed Forces or and institution of higher education who requests such information. Such data shall not be released if the eligible student or student's parents submit a written request not to release such information. The recruiting officer is to sign a for indicating that any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting services of the Armed Forces. The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer. A secondary school student or parent of student may request that the student's name, address, District assigned e-mail address (if available), and telephone listing not be released without parent consent.
- X. Information contained in education records must be classified and retained in accordance with F.A.C. 6A-1.0955 and as follows:
- A. Category A: Information for each student which must be kept current while the student is enrolled and retained permanently in the manner prescribed by Section 1001.52(2), F.S.
 - B. Category B: Information which is subject to periodic review and elimination when the information is no longer useful in the manner prescribed by Section 1001.52(3), F.S.
- XI. Where records are opened to parents or eligible students, schools shall make available a member of the professional staff to interpret the record and shall provide copies upon request and payment of the current District copy rate, which shall not exceed the maximum rate for copies of public records set forth

in F.S. Chapter 119. The copy rate will include the actual reproduction costs and will not include labor costs for retrieval. The copy rate may be waived by the District.

- XII. School officials shall provide requesting parents or eligible students an opportunity for a hearing to challenge the content of their child's or eligible student's school records, to ensure that the records are not inaccurate, misleading, or otherwise inappropriate data contained therein.
- A. Parent or eligible student may request in writing an informal meeting with the custodian of the record for the purpose of requesting the correction, deletion, or expunction of any inaccurate, misleading, or otherwise inappropriate data or material contained in the student record.
 - B. If the parties at the informal meeting agree to make deletions, to expunge material, or to add a statement of explanation or rebuttal to the file, such agreement shall be reduced to writing and signed by the parties, and the appropriate school officials shall take the necessary actions to implement the agreement. If an agreement is not reached, notification of the denial and of the right to a formal hearing shall be made in writing to the parent or eligible student with a copy to the Superintendent or designee.
 - C. Upon the request of a parent or eligible student, a formal hearing shall be held. The hearing shall be requested in writing, within ten (10) days of the written notice of denial at the informal meeting, to the Superintendent or designee, who shall appoint a hearing officer. The hearing officer may be any official of the school system with no direct interest in the outcome of the hearing. The hearing officer shall convene and conduct the hearing and shall render a decision in writing to all concerned parties within ten (10) days of the conclusion of the hearing. Such hearing shall be held within a reasonable period of time but in no case shall be held more than thirty (30) days from the written request.
 - D. The parents or eligible student, and officials of the school shall be afforded a full and fair opportunity to present evidence relevant to the issue(s) raised. The hearing shall be recorded and available to all parties. However, the record of such hearings are exempt from disclosure under F.S. Chapter 119.
 - E. If the decision of the hearing officer is that the records are not accurate, misleading, or otherwise in violation of privacy rights, the parent or eligible student shall be allowed to comment in writing on the on the information in the education record and set forth any reasons for disagreeing with the decision. This written response shall be filed in the education records of the student.

XIII. Student information that is confidential and exempt shall not be released except when authorized by §1002.221, F.S.

XIV. Disclosure of Personally Identifiable Information (PII)

A. Prior Written Consent

1. Prior written consent of the parent or eligible student shall be obtained prior to disclosing PII of the student other than directory information. The written consent shall include: signature of the parent or eligible student; date; specification of records or information to be disclosed; purpose of the disclosure; and party or class of parties to whom a disclosure is to be made.
2. Disclosures of PII of the student will be made only on the condition that the party or parties to whom the information is disclosed shall not disclose the information to any other party without prior written consent of the parent or eligible student, as appropriate. PII of a student disclosed to an institution, agency, or organization may be used by its officers, employees, and agents, but only for the purpose for which the disclosure was made. The District presumes the parent or eligible student has the authority to grant permission for disclosure of PII of a student unless the District has been provided with evidence that there is a legally binding instrument or State law or court order governing such matters as divorce, separation, or custody which provides to the contrary.

B. Without Prior Written Consent

1. PII or records of a student may be released to the following persons or organizations without the prior written consent of the eligible student or the student's parent:
 - a. Officials of schools, school systems, career centers, or public postsecondary educational institutions in which the student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent or student upon request.
 - b. Other school officials, including teachers within the educational institution or agency, who have a legitimate educational interest in the information contained in the records.
2. The United States Secretary of Education, The Director of the National Institute of Education, The Assistant Secretary for Education, the Comptroller General of the United States, or State or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable Federal statutes and regulations of the United States Department of Education, or in applicable State statutes or rules of the State Board of Education.

3. While the disclosure of PII without consent is allowed under the audit of exception, it is recommended that whenever possible the administration either release de-identified information or remove the student's names and social security identification numbers to reduce the risk of unauthorized disclosure of PII.
 4. Any entity receiving PII pursuant to a study, audit, evaluation or enforcement/compliance activity must comply with all FERPA regulations. Further, the entity must enter into a written agreement with the Board delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the PII will not be re0disclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board.
- XV. Student records may be disclosed to a court of competent jurisdiction in compliance with an order from that court or the attorney of record in accordance with a lawfully issued subpoena, upon the condition that the student and the student's parents are notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.
- XVI. If the district initiates legal action (a lawsuit) against a parent, or if the parent initiates legal action against the District. In such circumstances, the District may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the District to proceed with legal action as the plaintiff or to defend itself.
- XVII. Record od Disclosures. A record of any requests or disclosures of PII of a student shall be maintained except for disclosures to the parent or eligible student; disclosure of directory information; or to any other school officials with a legitimate educational interest. The record of requests for disclosure shall include the following: the parties who have requested or obtained personally identifiable student information, the legitimate interests of the persons requesting or obtaining the information, and date parent/eligible student consent was obtained.
- XVIII. Disclosures for Health or Safety Emergencies. In the event of a health or safety emergency, disclosure of PII of a student may be made by school officials. Such emergency situations shall be declared in writing to the Superintendent by a recognized legal official with authority to declare such emergency. The declaration of a health or safety emergency shall include the need for specific personally identifiable student information, the time requirements for the information, and the parties to whom the information is

disclosed who are responsible for utilizing the information to deal with the emergency.

XIX. Transfer of Student Records. District, upon receiving a written request for another school, public or private, within or out of State, shall transfer within three (3) school days the records of the student.

A. The records to be transferred shall include:

1. Category A and B (including disciplinary records with respect to suspension and expulsion) records as defined by Rule 6A-1.0955, F.A.C.
2. Verified reports of serious or recurrent behavior patterns, including substantive and transient threat assessment evaluations and intervention services; and
3. Psychological evaluations, including therapeutic treatment plans and therapy or progress notes created or maintained by School District or charter school staff, as appropriate.
4. Non-threats as described in F.A.C. 6A-1.0955 must not be transferred with a student's educational record, unless one of the following conditions have been met:
 - a. The parent of student who was the subject of a non-threat finding requests that the record be retained in the student's file; or
 - b. The threat assessment team has decided that the non-threat finding must be retained in order to ensure the continued safety of the school community or to ensure the well being of the student. Such determination and reasoning for maintaining the record must be documented with the non-threat finding. When this determination is made, the threat assessment team must re-evaluate the decision on an annual basis to determine if the record is no longer useful. The student's age and length of time since the original assessment must be considered in those evaluations.

XX. 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.

- XXI. 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.
- XXII. Required use of online educational services by students and parents. In order to protect a student's PII from potential misuse and in order to protect students from data mining or targeting for marketing or other commercial purposes, the Board requires the review and approval of any online educational service that students or their parents are required to use as a part of a school activity (1) regardless of whether there is a written agreement governing student use, (2) whether or not the online educational service is free, and (3) even if the use of the online educational service is unique to specific classes or courses. The following requirements also apply to online educational services:
- A. The Superintendent is responsible for reviewing the online educational service and privacy for compliance with State and Federal privacy laws, including FERPA and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), 15 U.S.C. 6501-6506, and F.S. 1002.22
 - B. The Superintendent is responsible for the review and approval of online educational services that will be required for student use;
 - C. Parents and eligible students will be notified via [] email [] anytime they are required to use an online educational service that collects student PII;
 - D. If student PII will be collect by the online educational service, parents and eligible students will be provided notification regarding the information that will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure.
- XXIII. The Board will not utilize any online educational service that will share or sell a student's PII for commercial purposes without providing parents a means to either consent or disapprove.
- XXIV. If a student is required to use an online educational service, the Board will include on its website a description of the student PII that may be collected, how it will be used, when it will be destroyed and the terms of re-disclosure. The website will also include a link to the online educational service's terms

of service and privacy policy, if publicly available.

- XXV. Contracts or agreements with third-party vendors. All contracts or agreements executed by or on behalf of the Board with a third-party vendor or a third-party service provider must protect the privacy of education records and student PII contained therein. Any agreement that provides for the disclosure or use of student PII must:
- A. Require compliance with FERPA, its implementing regulations, and F.S.1002.22;
 - B. Where applicable, require compliance with COPPA, 15 U.S.C 6501-6506 and its implementing regulations; ensure that only student PII necessary for the service being provided will be disclosed to the third party;
 - C. Prohibit disclosure or re-disclosure of student PII unless one of the conditions set forth in F.A.C 6A 1.0955(11)(b) has been met:
 - 1. The disclosure is authorized by FERPA and 34 CFR §99.31;
 - 2. The disclosure is authorized by the Board's directory information provisions set forth in this policy and implemented in accordance with FERPA and 34 CFR §99.37; or
 - 3. The disclosure is authorized by written consent of an eligible student or parent. Consent must include, at a minimum, an explanation of who the student PII would be disclosed to, how it would be used, and whether re-disclosure is permitted. Any re-disclosure must meet the requirements of F.A.C. Rule 6A-1.0955(11)(b) and this policy.

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, 1014, et. Seq., F.S., 20 USC §1232g (34 CFR PART 99), P.L. 103-382 (34 CFR PART 99); 20 USC 1400 et. Seq., Individuals with Disabilities Act; Privacy Rights of Parents and Students – P.L.90-247

STATE BOARD OF EDUCATION RULE(S):

6A-1.0955

HISTORY:

ADOPTED:

REVISION DATE(S): 2.06, 9.07, 1.15, 7.20, 4.22, 7.23

FORMERLY:

DIRECTORY INFORMATION

5.20

Students' parent(s), as defined by Florida Statutes, shall be notified annually in the Code of Student Conduct that the School Board may release "directory information" to the general public.

I. Directory information includes the following data about a student:

- A. Name;
- B. Address;
- C. Telephone number, if listed
- D. Participation in officially recognized activities and sports
- E. Weight and height, if an athletic team member;
- F. Name of the most recent previous school or program attended;
- G. Dates of attendance at schools in the District and degrees and honors received; and,
- H. Date and place of birth.

II. Information described in subsections I.A, D., E., F., and G. herein may be published routinely by the School Board in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.

III. Directory information shall not be published when the student's parent(s) submits written notification to the principal within thirty (30) days of distribution of the Code of Student Conduct. Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information pursuant to Florida Statutes or federal laws.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1002.22, 1002.222, F.S.20 USC 1232G

HISTORY:

ADOPTED

REVISION DATE(S):11.20

FORMERLY:

CHAPTER 5.00 - STUDENTS

STUDENT ILLNESS

5.21/D

- I. The teacher, principal or nurse shall isolate a student who becomes ill while at school until the student can be removed to his/her home. A student with a temperature above normal, diarrhea, or *vomiting* shall be evaluated and sent home, if necessary.
- II. A student who has had a serious communicable disease shall present a statement from a physician licensed by the state of Florida before being readmitted to classes.
- III. No internal medicine of any kind may be given to a student without the written permission of the parent(s), as defined by Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1006.07, F.S.

HISTORY:

*Adopted: 2.06
Revision Date(s): 10.06, 12.22
Formerly:*

TEACHER REMOVAL OF STUDENT FROM CLASSROOM

5.22/D

- 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, disrespect, willful disregard of a teacher's directions, malicious vandalism, possession of weapons of any type, 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), as defined by Florida Statutes, prior to the student being returned to his/her classroom. A disruptive student will not normally be returned to the classroom where (s)he 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 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:

1. Two teachers selected by the instructional staff of the school.
2. One member of the school staff selected by the principal.

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5.22 /D, Page 2

3. One 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:
1. 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).
 2. The number of Placement Review Committees needed at each school.
 3. The terms of office of the members of the Placement Review Committee(s).
 4. The method the instructional staff will use in the selection of the Placement Review Committee(s) members.
 5. 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.
 6. 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.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, 1003.32, F.S.

HISTORY:

Adopted:

Revision Date(s): 10.06

Formerly:

(*EMCS model adds
"continuing use of"-
District chooses not to
use this wording)

(See Student Progression Plan for content and issuance of student report cards for all elementary, middle school, and high school students.)

PARENTAL ACCESS TO INFORMATION

- I. The Board shall incorporate into the Board approved *Student Services Plan*, rules and procedures required by the Every Student Succeeds Act 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. The parents, as defined by Florida Statutes, of each student shall be notified at a minimum, at least annually at the beginning of the year, regarding the rules and procedures relating to this policy. Parents shall be notified within a reasonable period of time of any substantive change made to this policy.
- IV. The District understands a student's physical, behavioral, and emotional well-being are integral components of student achievement. Pursuant to Florida Statute 1014.01 et seq., parents have the right to access and review all school records, including medical records, pertaining to their minor child. Parents shall be notified of any change in student's services or monitoring related to the student's mental, emotional, or physical health or well-being, unless
 - A. prohibited by law; or
 - B. if the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement agency or official requests that the information not be release; or
 - C. a reasonably prudent person would believe that disclosure would result in abuse, abandonment, or neglect.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

*20 USC 1232g, 1000.21, 1001.43,
1002.22, 1014.01, et seq. F.S.
Every Student Succeeds Act, Title I, Part A, Subpart 1, Section 1116
Title IV of Public Law 90-247, [Section 445(20 USC 1232(h)(b))]*

HISTORY:

*Adopted: 1.08
Revision Date(s): 07.20, 12.22
Formerly:*

CHAPTER 5 - STUDENTS

STUDENT USE OF CELLULAR TELEPHONES AND OTHER COMMUNICATION DEVICES

5.25

- I. Students may have a cell phone, but it must be turned off and out of sight. This cell phone policy applies to all functions of the phone, including, but not limited to, texting, videoing, games, internet use, downloading music, etc.
 - A. Students may possess a cell phone at school, but it may only be used after the final dismissal bell.
 - B. The cell phone must be off and out of sight before school.
 - C. To avoid classroom disruptions, students may not display, use, or activate the cell phone prior to the final dismissal bell. The prohibited time shall include lunch breaks, class changes, and any other structured or unstructured activity.
 - D. Students are responsible to ensure that the cell phone is turned off and out of sight until the final dismissal bell.
 - E. After the dismissal bell, students may use their cell phones except on school buses.
 - F. At school-sponsored activities, including extended day and other after-school programs, students may use their cell phones, provided the use does not interfere with the activity and follows the directives of the school administration.
 - G. On regular school bus runs, students may carry their cell phones, but the devices must be concealed in a backpack, pocket, pocketbook, or other container. Students may not use, activate, or display cell phones on a bus.

- II. The following are procedures for handling the misuse of cell phones:
- A. 1st Offense: Cell phone will be taken from the student. Parent may pick up the phone from administration
 - B. 2nd Offense: Cell phone will be taken from the student. Parent may pick up the phone from administration. Student will lose the privilege of bringing a cell phone to school until the end of the 2nd or 4th 9 weeks, depending on when the offense occurred.
 - C. 3rd Offense: Cell phone will be taken from the student. Parent may pick up the phone from administration. Student will lose the privilege of a phone on campus for the remainder of the school year.
 - D. 4th Offense: If student violates the cell phone policy again, it will be handled as insubordination and could result in suspension/expulsion.
- III. The school/staff/administration is not responsible for lost, stolen, or stolen confiscated electronic devices to include cell phones.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1001.43, 1003.04, 1003.31, 1006.07, 1006.08, 1006.09, 1006.145 F.S..

HISTORY: Adopted: 2.06, 10.06
Revision Date(s): 4.22 Formerly:

SCHOOL HEALTH SERVICES

5.28

- 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, of each healthcare service offered at their student's school and that the parent has the option to withhold consent or decline any specific service as provided in the health services plan. A health care practitioner may not solicit or arrange to provide health care services or prescribe medicinal drugs to a minor child without first obtaining written parental consent. 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.
- IV. Prior to the District administering a student well-being questionnaire of health screening form to a student in grades K-3, the District will provide the questionnaire or health screening form to the parent and obtain the parent(s) permission

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: 03.16

Revision Date(s): 12.22

Formerly: NEW

NOTIFICATION OF INVOLUNTARY EXAMINATION

5.29

- I. When there is a student crisis situation, school or law enforcement personnel must make a reasonable attempt to contact, either in person or using telehealth, a mental health professional who may initiate an involuntary examination pursuant to section 394.463, unless the child poses an imminent danger to themselves or others.
- II. The principal or designee shall exercise reasonable diligence and care to make contact with the parent, as defined by law, before the student who is removed from school, school transportation, or a school-sponsored activity is to be taken to a receiving facility for an involuntary examination.
 - A. Methods of communication to contact the student's parent or other known emergency contact include but are not limited to, telephone calls, text messages, e-mails, and voicemail messages following the decision to initiate an involuntary examination of the student.
 - B. The method and number of attempts made to contact the student's parent or other known emergency contact and the outcome of each attempt must be documented.
 - C. If an emergency contact is notified, the principal/designee may only share the information necessary to alert such contact that the parent must be contacted.
- III. The principal or designee may delay the required notification to the parent for up to twenty-four (24) hours provided a report has been submitted to the central abuse hotline due to knowledge or suspicion of abuse, abandonment, or neglect and:
 - A. the delay is considered in the student's best interest or
 - B. it is reasonably believed to be necessary to avoid jeopardizing the health and safety of the student.
- IV. 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.

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5.29, page 2

- V. 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*. The Superintendent shall annually report to the Department of Education the number of involuntary examinations, as defined in section 394.455, F.S., initiated at a school, on school transportation, or at a school-sponsored activity.

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: 03.16

Revision

Date(s): 11.20, 4.22

Formerly:

CHILDREN OF MILITARY FAMILIES

5.40

- 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 State.
- 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:

REVISION DATE(S): 11.20

FORMERLY: *New*

CHAPTER 5.00 – STUDENTS

FLORIDA BEST AND BRIGHTEST TEACHER SCHOLARSHIP PROGRAM

6.09

- I. The Florida Best and Brightest Teacher and Principal Allocation is created to provide recruitment, retention and recognition awards to classroom teachers, instructional personnel, and principals based on criteria as defined in s. 1012.01(2), and is to be funded as provided in s. 1011.62(18).

Definitions

For the purpose of this policy, the following definitions shall apply:

- A. Classroom Teacher- defined in Florida Statute 1012.01(2)(a) to include K-12 teachers that are assigned the professional activity of instructing students in courses in classroom situations, including basic instruction, exceptional student education, career education and adult education. By law it does not include teachers exclusively serving students in PreK or post-secondary programs. Teachers will be determined to be “classroom teachers” if they are assigned K-12 students in one or more courses for at least one period during each student day and also provide regular instruction to those assigned students.
- B. Content Expert in Math, Science, Computer Science, Reading or Civics- Defined by Florida State Board of Education Rule 6AER19-01 as a teacher who has earned at least a Master’s Degree in one or more of the associated subject areas, or who has earned a Bachelor’s Degree with at least 5 years of work experience in one or more of the associated subject areas.
- C. Instructional Personnel- Defined in Florida Statute 1012.01(2)(a)- (e) [District to determine who will be included as qualifying instructional personnel] as any K-12 staff member whose function includes the provision of direct instructional services to students whose functions provide direct support in the learning process of students.

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- D. Newly Hired- Initial employment in Gilchrist County as an instructional staff member. This initial employment can be with either a District managed school or charter school; however, a teacher shall only be eligible for one recruitment award with the Gilchrist County School District. Teachers previously employed in an instructional capacity IN ANY Gilchrist County school or department, District managed or charter, prior to July 1, 2019, shall not be eligible for an award from this category.
- E. Performance Criteria and Policies Adopted by the Board- for the purpose of this award, this provision shall be defined as instructional personnel who received an overall summative evaluation rating of “Highly Effective” or “Effective” for the school year immediately preceding the award year.
- F. Principal- defined in Florida Statute 1012.01(3)(c) as K-12 staff members performing the assigned activities as the administrative head of a school and to whom have been delegated responsibility for the coordination and administrative direction of the instructional and non-instructional activities of the school. This does not include principals exclusively serving PreK or post-secondary programs.
- G. Qualifying School- A school that has improved an average of 3 percentage points or more in the percentage of total possible points achieved for determining school grades over the past 3 years. Annually, a list of eligible schools will be identified by the Florida
- H. Department of Education and provided to the District. Schools that receive an improvement rating instead of a school grade have been determined to be ineligible by the Florida Department of Education Rule.
- I. Rated as “Highly Effective” or “Effective” the preceding year- defined as receiving an overall summative evaluation rating of “Highly Effective” or “Effective” for the school year immediately preceding the award year.

CHAPTER 6.00 – HUMAN RESOURCES

6.09, page 3

- J. Recognition Award- must be rated highly effective or effective the preceding year and selected by their principal.
- K. Two Consecutive School Years – the current school year in which the awards are to be paid, and the school year immediately preceding the award year.

II. Award Categories

The following teacher and principal awards are to be provided by the District or applicable charter school governing board utilizing the annual appropriation identified by the State:

- A. Recruitment Award: A one-time award for Section 1012.731(3)(a) provides for a newly hired classroom teacher determined to be a content expert based on criteria established under the Florida State Board of Education Rule 6AER19-01 in the areas of math, science, computer science, reading or civics.
 - 1. Began working for the District on or after July 1, 2019 for the 2019/2020 school year, or began working for the District after the completion of the preceding February FTE survey window for all subsequent years;
 - 2. Was employed continuously in a classroom teacher position through the payment date of the award or the last scheduled workday of the year in which the award is paid, whichever occurs first; and
 - 3. Completed any District required application for the award and provided any supporting documentation requested by the District to verify eligibility for the award.

B.RRetention Award (Classroom Teacher): Available to classroom teacher who:

- 1. Received a summative evaluation rating of “Highly Effective” or “Effective” the preceding school year;
- 2. Was employed as a classroom teacher during 3 of the 4 October and February FTE survey windows at the same eligible school over the two-year eligibility period;

3. Are teaching at a qualifying school;
4. Employed in a classroom teacher position at the same qualifying school for two consecutive years through the payment dated of the award or the last scheduled workday of the year in which the award is paid, whichever occurs first; and
5. Completed any District required application for the award, and provided any supporting documentation identified by the district to verify eligibility for an award.

C. Retention Award (School Principal) – Principal shall be eligible for an annual principal retention award provided he/she:

1. Was employed as a principal during 7 of the 8 October and February FTE survey windows at the same eligible school over the four-year eligibility period;
2. Are currently serving as the school principal at the same qualifying school through the payment date of the award or the last scheduled workday of the year in which the award is paid, whichever occurs first;
3. Served as the school principal at that same school for 4 consecutive school years, including the current school year; and
4. Completed any District required application for the award, and provided any supporting documentation identified by the District to verify eligibility for an award.

D. Recognition Award: Available to instructional personnel who:

1. Were employed in an eligible instructional position through the payment date of the award or the last scheduled workday of the year in which the award is paid, whichever occurs first;
2. Received a summative evaluation rating of “Highly Effective” or “Effective” the preceding year;
3. Selected by his/her school principal to receive the award, based on performance criteria and policies adopted by the District or charter school governing board; and
4. Completed any District required application for the award, and provided any supporting documentation identified by the District to verify eligibility for an award.

III. As determined by the District, **Employees may be eligible for awards in more than one category in a single award year [or] Employees may be eligible to receive either a retention or recognition award in a single award year, provided he/she meets all of the eligibility criteria for each award individually.*

A. Eligibility Decisions

As stated above, the District may require an application and/or supporting documentation to be provided by an employee seeking payment of one or more of the awards associated with the Florida Best and Brightest teacher and Principal Allocation. Failure of an employee to provide timely or sufficient applications or supporting documentation, when requested, shall be considered a waiver of eligibility and the employee will not be entitled to an award. The sufficiency of an application and/or supporting documentation for any of the awards associated with the Florida Best and Brightest Teacher and Principal Allocation shall be determined by the Office for Human Resources, such decisions will be considered final.

B. Funding

The Florida Legislature annually establishes the total funding allocation for each school district. The District's allocation is based on its proportional share of statewide FEFP base funding using weighted FTE. Each approved charter school operating within the District shall be provided its proportional share of the District's allocation using the same FEFP base funding and weighted FTE formula employed by the state to determine the District's allocation.

C. Award Amounts

The maximum amount of each award is established by the Florida Legislature through the annual General Appropriations Act. The District and charter school governing boards must pay the full award amounts specified in law for categories 1, 2 and 3 prior to paying any category 4 awards. The amount of individual category 4 awards shall be determined by dividing the number of eligible instructional personnel by the total amount of funding remaining after all category 1, 2 and 3 awards have been paid in full. Should the District's or individual charter school governing board's specific appropriation of funds be insufficient to pay the full award amounts specified in law for categories 1, 2, and 3; each award amount shall be pro-rated to match the District's or charter school governing board's specific appropriation and no category 4 awards will be paid. The award

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amounts identified in law, or, in the case of category 4 awards, by policy are considered to be gross award amounts. All applicable employer and employee withholdings shall be deducted from these gross award amounts prior to payment of any award to an eligible instructional staff member or principal. Final eligibility for all award amounts shall be determined at the end of each academic year, and awards shall be paid prior to the end of the fiscal year.

D. Duration

Should the statutory framework or specific categorical funding appropriation related to the Florida Best and Brightest Teacher of Principal allocation be withdrawn or substantially amended by the Florida Legislature or a court of competent jurisdiction, this policy and the payments of any awards shall be immediately suspended until such time as a successor policy is developed and approved. Should any portion of this policy be determined to be inconsistent with state law or deemed otherwise invalid by a court of competent jurisdiction, this policy and the payment of awards shall be immediately suspended until such time as a successor policy is developed and approved.

STATUTORY AUTHORITY: 1012.01, 1012.34, 1011.62, F.S.

LAWS IMPLEMENTED: 1012.731, F.S.

HISTORY: *ADOPTED: 07.20*
REVISION DATE(S):
FORMERLY: NEW

EMPLOYMENT DEFINED

6.10

- 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: 1001.43, 1012.22, F.S.

HISTORY: Adopted:
Revision Date(s): 11.20
Formerly:

DEFINITION OF PERSONNEL

6.101

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

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

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

HISTORY:
Adopted:
Revision Date(s):
Formerly:

EMPLOYMENT OF PERSONNEL

6.102

- I. All personnel shall be appointed or reappointed as prescribed by Florida Statutes and in conformance with applicable State Board of Education rules and School Board rules.
- II. The Superintendent is directed to develop appropriate employment procedures governing the recruitment, screening, selection, appointment and employment of all personnel consistent with Florida Statutes, State Board of Education rules, federal requirements and School Board rules.

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

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.27, 1012.32, 1012.39, F.S.

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

HISTORY: Adopted: 1.00
Revision Date(s):
11.02, 2.06 Formerly:

CHAPTER 6.00 - PERSONNEL

APPOINTMENT OR EMPLOYMENT REQUIREMENTS

6.103/D

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 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, *have met all qualifications of and is eligible for certification*, 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, a conditional job offer 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 *District Office*. When such certificate is received, it must be filed with the office of the Superintendent. If the Department of Education declines to issue a certificate, the person's employment shall be terminated immediately. Failure to file such certificate, except for good cause as determined by the Superintendent, shall result in the termination of employment.

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

A. Interview teams, including those with community representatives, shall reasonable 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. After a conditional 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 vendor contracted with the District. The fingerprints shall be processed by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI).

- C. When the fingerprint or background check reports are returned, both the application and the report(s) concerning the individual shall be reviewed by the *District*. The *District* will compare the information provided by the new employee with the information received from the FDLE and/or the FBI pursuant to Florida Statute. In addition, the *District* or its designee may document, contact or attempts to contact all prior employers and all private or public educational institutions by which the applicant was previously employed while age 18 or older.
- D. No applicant who has received a conditional job offer shall begin work before their fingerprints are processed, the criminal and pre-employment investigation is completed, and a determination is rendered as to suitability for employment.
- 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.
- F. 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.
- G. Any instructional or non-instructional persons under contract to the School District for student programs, student teacher, persons participating in short-term teacher assistance experiences or field experiences who have district contact with students must meet the requirements of IV.A., B., and D.
- 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.

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 *District*. The *District* 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 as described in law every five (5) years. Personnel whose fingerprints have not been maintained by the Department of Law Enforcement are required to be 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 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 employment, on the basis of their criminal record, drug screening and/or background check, may request reconsideration by the District only if they present new information not previously available to the District.
- B. Applicants who have been denied employment, and probationary employees who have denied employment, because of their criminal record and/or background check, may appeal to the Superintendent. Probationary employees shall receive written notice of the right to appeal the decision by the District to the Superintendent. Their appeal must be in writing, and may

respond to the findings and decision of the District. If new information is to be submitted, the applicant must first request reconsideration by the District. 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: 381.0056, 1001.43, 1012.22, 1012.27, 1012.32, 1012.39,
1012.465, 1012.56, F.S

STATE BOARD OF EDUCATION RULE: 6A-3.0141

HISTORY:

Adopted: 1.00

Revision Date(s): 3.00, 11.01, 11.02, 2.06, 1.08, 11.20, 7.23

Formerly:

PROBATIONARY STATUS FOR NON-INSTRUCTIONAL PERSONNEL

6.104/D

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 as per negotiated by union contract in duration.
- 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 termination (non-renewed) shall not have rights of appeal nor have a written explanation.
- 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.

LAW(S) IMPLEMENTED:

1001.43, 1012.40, F.S.

HISTORY:

Adopted:

Revision Date(s):

Formerly:

CHAPTER 6.00 - PERSONNEL

DUAL EMPLOYMENT

6.105

No person may be employed to work in more than one position in the school system except upon the recommendation of the Superintendent and approval of the School Board.

A person who works full-time in the regular day school program or any outside job may teach up to 10 hours per week in the adult education program.

<i>STATUTORY AUTHORITY:</i>	<i>1001.41, 1012.22, 1012.23, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>1001.43, 1012.22, F.S.</i>
	<i>Adopted:</i>
<i>HISTORY:</i>	<i>Revision Date(s):</i>
	<i>Formerly:</i>

PHYSICAL EXAMINATIONS

6.11

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

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.32, F.S.

HISTORY:

Adopted:

Revision Date(s):

Formerly:

TRANSPORTATION EMPLOYEE DRUG AND ALCOHOL TESTING

6.111

The School Board Omnibus Transportation Employee Testing Act Drug and Alcohol Testing manual is hereby incorporated by reference and made a part of this rule. Any revisions shall be approved and adopted by the School Board.

In 1991, Congress passed the Omnibus Transportation Employee Testing Act (OTETA), known as 49 CFR Part 382. This law applies to anyone who holds a Commercial Driver's License (CDL), and, as a condition of employment, is required to drive a commercial vehicle.

For employees of the School Board, OTETA applies to anyone who holds a commercial driver's license and drives a school bus, a county vehicle weighing over 26,000 pounds, or who is in a "safety sensitive position" in regard to transporting passengers, equipment, or School Board property. This federally mandated OTETA is now incorporated into the Board rules. These include random unannounced alcohol and other drug testing, additional driver and supervisor training, and other items.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

*112.0455, 440.102, 1001.43, 1012.45, F.S.
49 CFR Part 40, DOT, 49 CFR Parts 283 and 391,
FEDERAL HIGHWAY ADMINISTRATION*

HISTORY:

*Adopted:
Revision Date(s): 2.06
Formerly:*

(Option 1 of the NEFEC model)

LICENSE OF SCHOOL BUS OPERATOR

6.112

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

- I. All school bus operators 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 operator while operating the bus.
- III. Any school bus operator who should have known that his/her driver's license has expired or has been suspended or revoked and who drives a bus shall be subject to disciplinary action up to and including dismissal.

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

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

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

HISTORY: Adopted: 11.02
Revision Date(s): 2.06, 2.07
Formerly:

RESPONSIBILITIES OF SCHOOL BUS OPERATORS

6.113

- 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 safe driver plan 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 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.
- 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:

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

HISTORY:

Adopted: 1.08 Revision Date(s):

Formerly: 8.18/D

CHAPTER 6 - PERSONNEL

**YEAR OF SERVICE DEFINED FOR ADMINISTRATIVE
AND INSTRUCTIONAL PERSONNEL**

6.12

- 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 of the number of days or more than one-half 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. The contractual period of service required for the position shall be determined by the number of months an employee works.

- 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.

LAW(S) IMPLEMENTED: 1001.43, 1011.60, 1012.01, F.S.

HISTORY:
Adopted:
Revision Date(s):
Formerly:

THE INSTRUCTIONAL STAFF

6.13

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

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

LAW(S) IMPLEMENTED: 1001.21, 1001.43, 1012.32, 1012.39, 1012.53, 1012.54, 1012.56, 1012.57, F.S.

HISTORY: Adopted:
Revision Date(s): 2.06 Formerly:

TEACHING OUT-OF-FIELD

6.131

- 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 (s)he is appointed in a subsequent school year(s). The deadline for earning the six semester hours of college credit or equivalent in the appropriate field shall be one 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 (s)he 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 Certificate, the out-of-field assignment, and the justification. The School Board minutes shall reflect such approvals.
- III. The District shall report out-of-field teachers on the District website within thirty (30) days before the beginning of each semester.
- IV. 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: 1.00
Revision Date(s): 7.01, 11.02, 2.06, 12.16
Formerly:

(Option 1 of the NEFEC model)

NON-CERTIFIED INSTRUCTIONAL PERSONNEL

6.132

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 nonpaid 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, 1012.23, F.S.

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

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

HISTORY: Adopted:
Revision Date(s): 2.06 Formerly:

The Superintendent shall develop procedures to assist experienced teachers to meet the highly qualified requirements of the *No Child Left Behind Act*.

<i>STATUTORY AUTHORITY:</i>	<i>1001.41, 1012.22, 1012.23, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>1001.43, 1012.22, 1012.27, 1012.42, F.S. NCLB Act of 2001, P.L. 107-110, 20 USC 7801</i>
<i>STATE BOARD OF EDUCATION RULE(S):</i>	<i>6A-1.0503</i>
<i>HISTORY:</i>	<i>Adopted: 2.06 Revision Date(s): Formerly:</i>

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

6.14

Persons who are not full-time employees of the School Board and hold an athletic coaches' 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 Athletic Association (FHSA).
- 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. An individual who is employed only as an athletic coach must hold a valid cardiopulmonary resuscitation (CPR) certificate issued by the American Heart Association or the American Red Cross and must have received training about the dangers of drug use including performance enhancing drugs.
- V. Payment for services shall be according to the approved District schedule of salary supplements for the services rendered.
- VI. 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.

LAW(S) IMPLEMENTED:

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

STATE BOARD OF EDUCATION RULE:

6A-4.0282

HISTORY:

Adopted:

Revision Date(s): 2.06, 1.08 Formerly:

CHAPTER 6.00 - PERSONNEL

EDUCATIONAL PARAPROFESSIONALS AND AIDES

6.15/D

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; or
 2. Two years of study at an institution of higher education (*60 college level credit hours*); or
 3. A rigorous state or local assessment of knowledge of and the ability to assist in instruction in reading, writing, and mathematics or reading readiness, writing readiness, or mathematics readiness.
 - C. Be at least 18 years of age.
 - D. Present a complete set of fingerprints taken by a law enforcement agency or properly trained District personnel and the appropriate processing fee. The fingerprints shall be acceptable for processing by the Florida Department of Law Enforcement and the Federal Bureau of Investigation. The Director of Human Resources or designee shall initiate a records check by the two agencies.
- 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 (s)he 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 educational 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, with the exception of those certified as Voluntary Pre-Kindergarten instructors, 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, 1012.22, 1012.32, 1012.37, F.S. 34 CFR 200,
Title I Part A, Section 1111(g)(2)(J) 6A-1.070, 6B-1.006

STATE BOARD OF EDUCATION RULE(S):

HISTORY: Revision Date(s): 11.02, 2.06, 1.08, 3.16, 07.20
Formerly:

CHAPTER 6.00 - HUMAN RESOURCES

SUBSTITUTE TEACHERS

6.16 /D

- 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 *Superintendent's office*.
- 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;
 - B. Be at least 18 years of age;
 - C. Submission of a complete set of fingerprints taken by a 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.
 - E. Submit to drug free workplace pre-employment policies.
- III. *The School Board* 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.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

*1001.43, 1012.32, 1012.35, 1012.36, 1012.39, 1012.55,
, F.S.*

HISTORY:

Adopted:

Revision Date(s): 2.06, 1.08, 10.16

Formerly:

(District deleted part of II.A and VI from NEFEF model)

CHAPTER 6.00 - HUMAN RESOURCES

EMPLOYMENT OF NON-DEGREED VOCATIONAL AND ADULT INSTRUCTIONAL PERSONNEL

6.17

The Superintendent is authorized to develop a procedural manual for the employment of non- degreed 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 as non-degreed vocational or adult education instructors.

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): 2.06, 9.07 Formerly:

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

- A. Each member of the instructional staff shall receive a contract in accordance with the provisions of law. The contract shall be in accordance with the duly adopted salary schedule of the Board and shall be for a definite term of service.
- B. A probationary contract for one (1) school year shall be awarded upon initial employment in the District regardless of previous employment in the District, in another district or in another state.

II. Contracts with administrative staff

- A. Each member of the administrative staff on initial employment shall be given a written contract for a period not to exceed three 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 97 days of the initial contract shall be a probationary period during which the employee may be dismissed without cause.
- B. When the administrative staff member has rendered three years of satisfactory and acceptable service, the School Board may enter into a contract for a fixed period of time not to exceed three 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 years.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

120.57, 1001.41, 1012.22, 1012.32, 1012.34, 1012.56, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.0502, 6A-1.064

HISTORY:

Adopted: 1.00

Revision Date(s): 8.00, 11.02, 2.06, 07.15

CHAPTER 6.00 - HUMAN RESOURCES

CERTIFICATION OF ADMINISTRATIVE

6.19

No person shall be employed or continued in employment if (s)he 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 non-certificated instructional personnel pursuant to School Board rule. The staff member shall be responsible for maintaining a valid certificate. The staff member shall register his/her certificate and each certificate reissuance or renewal in the District office as soon as the Department of Education issues the new validity period on the certificate.

- I. The Superintendent shall designate a certification contact person to work directly with the Bureau of Educator Certification, Florida Department of Education, to assist personnel with certification issues.

- II. An individual nominated for an instructional position shall be properly certificated, be eligible for certification, meet conditions prescribed in State Board of Education rules or qualify for employment or re-employment as a non-degreed vocational education or adult education teacher based on School Board rule.

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,
, F.S.

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

HISTORY: Adopted: 1.00
Revision Date(s): 8.00, 11.02, 2.06 Formerly:

CHAPTER 6.00 - PERSONNEL

DISTRICT CERTIFICATES

6.191

- I. The School Board authorizes issuance of School District Certificates to substitute teachers and full time non-degreed vocational education teachers. Non-degreed vocational instructional personnel are those whose qualifications are established on the basis of occupational expertise in areas of agriculture, business, health occupations, home economics, industrial, marketing and public service education; and who are assigned to teach only vocational courses when the course code directory specifies non-degreed vocational instructors are appropriate. Each certificate shall bear an effective date of July 1st of the school fiscal year for which it is issued and shall expire on June 30th.
- II. The following types of Full Time Certificates shall be issued at the non-degreed vocational level:
 - A. Non-degreed instructional personnel will be issued a three year Temporary Certificate upon receipt of fingerprint clearance from the Florida Department Law Enforcement and Federal Bureau of Investigation.
 - B. A five-year Professional Certificate will be issued when all requirements have been completed as specified for a Professional Services Contract.
 - C. To re-issue a valid Professional Certificate, official transcripts must be filed with the appropriate renewal form showing six semester hours of college credit which includes three semester hours specific to each area on the certificate. One hundred twenty inservice points shall be considered equivalent.

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

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

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

HISTORY: Adopted:
Revision Date(s): 2.06; 1.08 Formerly:

LEAVE OF ABSENCE

6.20 /D

- 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. No leave, except military leave, will be granted for a period in excess of one year. 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 annual employment period.

- II. Upon recommendation of the Superintendent and approval by the School Board, a leave of absence may be granted for administrative, instructional and non-instructional personnel based on the following criteria:
 - Educational (granted for reasons that would benefit the employee’s work status)
 - Health (granted for health-related problems of the employee and/or immediate family which includes children, parents or spouse and requires the employee to serve as care-giver)

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

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.61, 1012.63, 1012.64, 1012.66, F.S.

6A-1.079, 6A-1.080

STATE BOARD OF EDUCATION RULE:

Adopted: 1.00
Revision Date(s): 11.02, 2.11
Formerly:

HISTORY:

LEAVE APPLICATION

6.21 /D

An application for leave shall be in writing and on the form prescribed by the School Board and shall be directed to the School Board. The principal or supervisor, or other person under the direct supervision of the Superintendent, shall submit any leave application directly to the Superintendent. Leave granted for a school year or for the remaining part thereof will expire at the end of the school year or school fiscal year for which such leave is granted.

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

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

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.079

HISTORY: Adopted:
Revision Date(s):1.08
Formerly:

APPROVALS OF LEAVES

6.211/D

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. Personal Leave in excess of the number of days negotiated by contract
 - B. Illness-or-Injury-in-line-of-Duty Leave
 - C. Leave to seek political office
 - D. Professional Leave in excess of *two* days
 - E. Sabbatical Leave
 - F. Temporary Duty (Out of State)

- II. The Superintendent is authorized to grant the following types of leave:
 - A. Sick Leave including Health Leave, Disability, Maternity
 - B. Family Medical Leave
 - C. Personal Leave not in excess of the number of days negotiated by contract
 - D. Up to 10 days per fiscal year of unpaid personal leave
 - E. Annual Leave
 - F. Professional Leave not to exceed two days
 - G. Jury/Witness Duty assignment/absence
 - H. Military Leave not to exceed 17 days
 - I. Temporary Duty 6.211/D, Page 2

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

STATE BOARD OF EDUCATION RULE(S):

HISTORY:

1001.41, 1012.22, 1012.23, F.S

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

1.080, 6A-1.081, 6A-1.082, 6A-1.083, 6A-1.084

Adopted:

Revision Date(s): 2.06, 8.08

Formerly:

ACCUMULATION OF LEAVE WHILE ON LEAVE

6.2111D

The District will use the following guidelines in determining accumulation of leave while on leave, whether paid or unpaid:

- I. If the employee is in a paid status for at least half the calendar month, the normal leave accumulation will be in effect. When calculating the half month, normal paid holidays will be counted only if the employee is eligible to earn the holiday.
- II. Sick leave bank days will be counted as paid days for purposes of calculating the half month.
- III. If the employee is in an unpaid leave status for less than one half the month, no additional leave will be accumulated.

STATUTORY AUTHORITY: 1001.41, 1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED: 1012.61, 1012.66, F.S.

HISTORY:
Adopted: 11.04
Revision Date(s):
Formerly:

EFFECTIVE DATE FOR LEAVE, SUSPENSION, OR TERMINATION

6.212

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

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

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

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

HISTORY: Adopted: 1.00
Revision Date(s): 7.01, 11.02, 2.06
Formerly:

NOTIFICATION OF ABSENCE

6.213

- I. The Principal shall notify and submit the appropriate leave form to the Superintendent when (s)he plans to be away from school for a half-day or longer. The Principal shall designate a responsible member of the administrative or instructional staff to be in charge during his/her absence. Where possible, the name of the person to be in charge of the school when the Principal is absent shall be submitted to the Superintendent each year prior to the close of the pre-school conference.

- II. An employee who is absent from duty for any reason shall notify the Principal or his/her immediate supervisor as early as possible. Such notification shall be given in advance unless conditions beyond the control of the employee make such advance notification impossible.

- III. In an extreme emergency, the Principal may authorize the absence of an employee without pay for a period not to exceed two days; provided, such authorized absence is immediately reported to the Superintendent.

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

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.66, 1012.67, F.S.

HISTORY:
Adopted:
Revision Date(s):
Formerly:

RESIGNATIONS

6.214/D

- I. Any administrative or instructional staff member who wishes to resign shall submit his/her resignation in writing addressed to the School Board. The letter of resignation shall state the reasons for the resignation and the desired effective date. The resignation of any administrative or instructional staff member shall be sent to and countersigned by the person's administrative supervisor who shall forward the resignation to the Superintendent for presentation to the School Board. No resignation shall become effective until accepted by the School Board.
- A. The resignation of an administrative or instructional staff member may be accepted during the contractual period of service; provided that an acceptable reason is given and a qualified and satisfactory replacement is available.
- B. All resignations shall be processed through the Superintendent's office.
- C. An employee who violates the terms of an employment agreement or written contract by leaving his/her position without first being released from the agreement or contract by the School Board shall be subject to the jurisdiction of the Education Practices Commission. When this occurs, the Superintendent shall be responsible for notifying the Commissioner of Education about the School Board's action of declaring the position as abandoned and vacant.
- II. 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 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.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted:

Revision Date(s): 1.08 Formerly:

RETIREMENT OPTION PROGRAM (DROP)

6.216

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 their 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

33-1/3% 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 not be paid to the employee at the end of their DROP participation.

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;

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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: NEW

ABSENCE WITHOUT LEAVE

6.22

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

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

LAW(S) IMPLEMENTED: 1001.43, 1012.33, 1012.66, 1012.67, F.S.

HISTORY:
Adopted:
Revision Date(s):
Formerly:

I. Definitions

- A. Modified Duty - When an employee's physical requirements are modified by the workers' compensation Authorized Treating Physician resulting from a workplace injury. Modified duty is also known as light duty.
- B. Lost Time - When an employee is taken off of work by the Authorized Treating Physician or when an assessment by the injured employee's supervisor, Risk Manager, and Director of Personnel conclude that the employee's work restrictions cannot currently be accommodated.

II. Reporting and Treatment of In-Line-of-Duty Injuries

- A. When an employee is injured at work, (s)he shall notify his/her supervisor within 24 hours.
- B. If the injured employee refuses treatment, the supervisor will document the injury on the "Accident/Incident Form" This documentation protects the employee in the event that (s)he desires to receive treatment at a later date.
- C. If the injured employee wants medical treatment, the employee's supervisor will ensure treatment is provided, documented, and reported in accordance with the "North East Florida Educational Consortium Claims Manual."

III. Follow-Up

- A. The injured employee shall attend all scheduled medical appointments. If an injured employee cannot attend an appointment, (s)he shall notify his supervisor and the medical provider at least 24 hours before the appointment.
- B. The injured employee should schedule appointments before or after his/her normal working hours. If this is not possible, the employee can attend the medical appointment during work hours utilizing "illness-in-line-of-duty" leave in accordance with the District's policy. Only the actual time for the travel and the appointment will

be allowed. The employee must return to work, if the work day has not ended, otherwise the employee may be subject to progressive discipline that may include termination.

- C. Following any appointment for treatment of a workplace injury, the employee will immediately contact his/her supervisor and provide current work status documentation. The supervisor will send the work status and any medical documentation to the Risk Management Office.

IV. Transitional Duty

- A. Injured employees are often returned to work on modified duty with specific restrictions. If an employee is returned to work, the supervisor will not assign duties that are beyond the employee's restrictions. If an injured employee willfully violates his/her work restrictions, (s)he may be subject to progressive discipline that may include termination.
- B. Transitional duty only relates to employees whose illness or injury was job related.
- C. Supervisors shall evaluate the restrictions placed on the employee and determine the ability of the employee to perform any needed work. If the supervisor feels that the employee's restrictions cannot be reasonably accommodated, they will send the employee home and immediately notify the Risk Management Office. The Risk Management Office will schedule an assessment of the employee's work capabilities.
 - 1. The injured employee's supervisor, the Risk Manager, and Director of Personnel will conduct the assessment.
 - 2. If the assessment concludes that the employee's restrictions cannot be reasonably accommodated, they will place the employee on "lost time" status pending further assessment of restrictions or another position becomes available within his/her restrictions.
- D. The transitional program requires the participation of all injured employees who are released to perform modified duty work by the Worker's Compensation Authorized Treating Physician. If an injured employee refuses to participate in the program, workers' compensation benefits may cease and the employee may be subject to progressive discipline that may include termination.
- E. While on transitional duty, the injured employee will receive his/her normal hourly rate of pay and benefits. Scheduled hours of work may be reduced.

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- F. Transitional duty is temporary and is not considered a permanent accommodation to a workplace injury.
- G. A transitional duty assignment may not extend beyond 120 days. When an employee has been in a modified duty assignment for 120 days, an assessment will be made regarding the employee's progress.
- H. When an employee has reached Maximum Medical Improvement (MMI) as determined by the Authorized Treating Physician; or, when the Authorized Treating Physician determines the employee's restrictions are permanent and the employee can no longer perform the essential job functions of his/her position, an assessment will be made regarding the employee's ability to return to his/her regular job duties.
- I. The injured employee's supervisor, the Risk Manager, and the Director of Personnel will conduct the assessment.
 - 1. If the assessment concludes that the employee cannot perform his/her regular job duties with or without reasonable accommodation, posted jobs will be reviewed to determine the employee's ability to work in other positions. If the employee is qualified and meets the minimum physical requirements for a posted job, (s)he will be considered for that job. If selected for the job, salary will be determined according to transfer guidelines.
 - 2. If an employee refuses to accept an offered job, the employee will be terminated.
 - 3. If a position is not available for the employee, the employee will be terminated.
- V. Lost Time
 - A. The injured employee in lost time status is to contact his/her supervisor a minimum of once per week (not including weekends and holidays), to update the supervisor on his/her condition.
 - B. The injured employee in lost time status is required to return all district owned equipment and vehicles to his/her supervisor.
 - C. Once the employee has been released to return to work, (s)he will notify his/her supervisor immediately. Failing to do so may subject the employee to progressive discipline that may include termination.

- D. Injured employee will not accumulate sick or vacation while on workers' compensation.
- E. FMLA will run concurrent.

STATUTORY AUTHORITY: 1001.32, 1001.41, 1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED: 1012.63, 1012.66, 1012.67, 1012.68, 1012.69, 440 FS

HISTORY: Adopted: 6.21.05
Revision Date(s): 08.17
Formerly: 6.243

PERSONAL LEAVE

6.23 /D

- I. Personal Leave Chargeable to Sick Leave - Employees may be allowed *the number of days per contract* 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 as hereinafter provided:
 - A. Family Leave - Any employee of the Board who fills a regularly established position will be granted family leave without pay provided a written application for leave accompanied by a statement verifying the pregnancy is submitted. Such leave shall not exceed the balance of the school fiscal year in which the child is born.

 - B. Parental Leave - Any employee of the Board who fills a regularly established position may be granted parental leave for a period of one year for the purpose of child-rearing.
 1. 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 and one succeeding year subject to appropriate notice.

 2. 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 the next succeeding year, and provided a written application for such leave is submitted to the employee's immediate supervisor within two calendar weeks after approval for adoption by the recognized agency or source.

 3. In all instances herein where a leave of absence shall extend beyond one school fiscal year, re-application shall be made in accordance with the rules of the Board.

C. Leave Related to Domestic Violence

1. An employee, who has been employed by the District for at least three calendar months, may request and shall be granted up to three days of unpaid personal leave within a 12 month period if (s)he has been a victim of domestic violence or if a family or household member has been a victim of domestic violence.
2. The leave must be used for one or more of the following purposes:
 - a. To seek an injunction for protection against domestic violence or for protection in cases of repeat violence, dating violence or sexual violence;
 - b. To obtain medical care and/or mental health counseling for the employee or a family or household member;
 - c. To obtain services from a victim-services organization;
 - d. To make the employee's home secure from the perpetrator or to seek new housing; and/or
 - e. To see legal assistance related to the violence.
3. All records related to such leave will be considered confidential.
4. This leave shall be noncumulative and shall be requested in advance except in the case of an emergency.
5. If an employee elects to be on paid leave, (s)he may request personal leave chargeable to sick leave provided that the employee is eligible to be on such leave or (s)he may request annual leave provided that the employee accrues annual leave and has an annual leave balance.

D. 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 30 calendar days prior to the election.

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- E. 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.

- F. Any employee desiring personal leave for any other reason shall file a written application setting forth the reasons for and the purpose of the requested leave. The Superintendent may grant up to 10 days per year of unpaid personal leave for extenuating circumstances. If granted by the Superintendent, such authorized absence shall be reported to the School Board at the next regular meeting. Any unpaid personal leave beyond 10 days must be approved by the School Board. The Superintendent or the School Board will consider the best interest of the employee and the general welfare of the school system in making the determination of whether to grant the requested leave.

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

LAW(S) IMPLEMENTED: 741.313, 1001.43, 1012.61, 1012.66, F.S.

HISTORY:
Adopted:
Revision Date(s): 8.00, 12.02, 8.03, 2.06, 1.08
Formerly:

SICK LEAVE

6.24

- I. Personnel employed on a full-time basis shall be entitled to earn one 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 days of sick leave at the end of the first month of employment of each contract year and shall thereafter be credited for one day of sick leave for each month of employment.
 - B. Instructional personnel - Such full-time employees shall be entitled to four days of sick leave as of the first day of employment of each current year, and thereafter is credited for one 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 day of sick leave times the number of months of employment during the year of employment, or four days whichever is greater.
 - 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/her 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 working days or the end of the pay period whichever is sooner upon return of the employee to duty.
 - A. The claim shall be in writing or requested electronically 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 and submitted 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:
1. 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.
 2. 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. An application for sick leave due to extended illness shall have attached to it a statement from a practicing physician certifying that such leave is essential and indicating the probable duration of the illness and the needed leave.
- 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 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. An employee may transfer sick leave earned in a similar capacity with another Florida school district to the District. 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.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted: 1.00

Revision Date(s): 2.02, 11.02, 2.06, 01.18

Formerly: 6.28

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

6.241

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

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

- IV. Leave for any employee, as prescribed by law, shall be authorized for a total not to exceed 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 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 10 working days. If the employee is unable to resume work at the end of a 10-work day period, (s)he may elect to use accrued sick leave and receive salary payments.

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

LAW(S) IMPLEMENTED: 1001.43, 1012.61, 1012.63, 1012.66, 1012.69, F.S.

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06 Formerly:

FAMILY AND MEDICAL LEAVE

6.242/D

- I. In compliance with the Family and Medical Leave Act of 1993, eligible full-time school employees are entitled to take up to 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.

- 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 for the period covered by the Family and Medical Leave Act. 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.

LAW(S) IMPLEMENTED:

*1001.43, 1012.66, F.S.
The Family & 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: 1.00
Revision Date(s): 11.02 Formerly:*

MILITARY LEAVE

6.25

- 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. When an employee enters voluntarily into any branch of the armed forces for temporary or an extended period of service, military leave shall be granted at the School Board's discretion. Provided, however, an employee whose absence will interfere with the orderly operation of the school program shall be denied military leave except in unusual cases.
- 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 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 months, to assign the employee to duty in the same or similar position (s)he left in the District.
- III. Compensation allowed during military leave shall not exceed 17 days except as provided in Florida Statutes.
- IV. An employee who enters active military service shall be governed by the provisions of 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:*
Revision Date(s): 2.06 Formerly:

JURY/WITNESS DUTY

6.26

- 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, (s)he 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, (s)he 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.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted:

Revision Date(s): 9.07

Formerly:

PROFESSIONAL LEAVE

6.27 /D

Professional leave may be granted to an administrative or instructional staff member with or without pay in accordance with the following provisions:

- I. Professional leave is defined as leave granted to an instructional or administrative staff member to engage in activities resulting in professional benefit or advancement including earning of college credits and degrees or contributing to the teaching profession.
Extended professional leave is such leave exceeding more than 30 consecutive days. Professional leave or extended professional leave shall be initiated by the employee. Professional leave may be granted to attend educational meetings, clinics, workshops and similar meetings while school is in session. Professional leave may be with or without pay. If such leave is approved with pay, the employee may receive compensation as authorized under his/her contractual agreement with the School Board.
- II. An application for professional leave shall be made in writing and shall be presented for approval prior to the desired effective date. The application shall be endorsed by the employee's administrative supervisor and approved by the superintendent.
- III. Personnel who are employed annually for 10 months and who are assigned additional work during the summer program shall not be eligible for professional leave during the extra employment period.
- IV. Personnel employed under contract for 12 months may be granted three weeks professional leave with compensation during the school year when school is not in session. Provided, that such leave shall not be accumulated for more than two years or to exceed six weeks or 30 work days.
- V. Professional leave may be granted for work at summer sessions of a college or university; provided, that suitable arrangements are made for the employee's duties.
- VI. Professional leave for a quarter, semester, or school year for professional study may be granted without pay. To be eligible for such leave, the instructional staff member shall have been a District employee for at least three years and shall hold a continuing or professional service contract effective for the period of the leave. The contractual status may be waived at the School Board's option for a program of staff development.

<i>STATUTORY AUTHORITY:</i>	<i>1001.41, 1012.22, 1012.23, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>1001.43, 1012.66, F.S.</i>
<i>STATE BOARD OF EDUCATION RULE(S):</i>	<i>6A-1.081</i>
<i>HISTORY:</i>	<i>Adopted: Revision Date(s): 2.06 Formerly:</i>

ANNUAL LEAVE

6.28 /D

The following schedule shall be used in determining the accrual of annual leave:

- I. Employees who are employed on 12-month contracts shall accrue annual leave, exclusive of holidays, with compensation as follows:
 - A. One day per month cumulative to 12 days per year for less than five years of continuous service in the District.
 - B. One and one-fourth days per month cumulative to 15 days per year for five years or more of continuous service in the District.
 - C. One and one-half days per month cumulative to 18 days per year for 10 years or more of continuous service in the District.

The term "continuous" shall mean an employee who has rendered uninterrupted service to the School Board in a 12-month position or job. Provided, however, individuals who previously rendered full-time continuous service in a 10-month contractual position shall be considered as having continuous service when determining creditable service for annual leave.

- II. Annual leave may be accrued from year to year not to exceed 30 days at the beginning of any fiscal year. Any accrued annual leave in excess of 30 days shall be taken before June 30th of each year, or the employee will be compensated for any overage as of that date beginning June 30, 1986. Employees shall be encouraged to use accrued annual leave on an annual basis.
- III. Annual leave may be granted by the Superintendent upon the written application of the employee and with the prior approval of the employee's immediate supervisor. Annual leave shall be scheduled for minimum disruption of the school program.
- IV. Only full-time employees shall be eligible to accrue annual leave.
- V. Accrued annual leave may be used in lieu of other types of leave with the Superintendent's approval.
- VI. Unless the employee is on duty, the Christmas vacation period, other than legal holidays running consecutively with the vacation period, shall constitute a part of the allowable annual leave. Days determined to be legal holidays as stated on the school calendar each year by the School Board shall not be charged as annual leave against the employee.

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

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.62, 1012.66, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.082

HISTORY: Adopted: 1.00
Revision Date(s): 8.00, 11.02, 2.06, 9.07
Formerly:

TEMPORARY DUTY

6.29

- 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.

LAW(S) IMPLEMENTED: 1001.32, 1001.43, 1012.27, 1012.66, F.S.

HISTORY: *Adopted:*
Revision Date(s): 9.07 Formerly:

SALARY SCHEDULES

6.30

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

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

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

STATE BOARD OF EDUCATION RULE: 6A-1.052

HISTORY: Adopted:
Revision Date(s): 1.08
Formerly:

TERMINAL PAY

6.31D

- I. Terminal pay benefits for instructional and non-instructional bargaining unit personnel shall be paid according to the latest negotiated contract.
- II. Any member of the administrative and any full-time member of the non-instructional, non-bargaining unit staff shall be entitled to terminal pay at the time of retirement, or payment will be made to the beneficiary if service is terminated by death, at the following rate:
 - A. Retirement during the first three years of service in the district, daily rate of pay multiplied by 35 percent times the number of accumulated sick leave days;
 - B. Retirement during the fourth through sixth year of service in the district, daily rate of pay multiplied by 40 percent times the number of accumulated sick leave days;
 - C. Retirement during the seventh through the ninth year of service in the district, daily rate of pay multiplied by 45 percent times the number of accumulated sick leave days;
 - D. Retirement during the 10th through 12th year of service in the district, daily rate of pay multiplied by 50 percent times the number of accumulated sick leave days;
 - E. Retirement during the 13th year of service in the district or thereafter, daily rate of pay multiplied by 100 percent times the number of accumulative sick leave days.
 - F. “Service in the District” shall mean service in the Gilchrist County School District.
 - G. Any 12-month employee shall be entitled to a lump-sum payment of his/her accrued vacation leave upon termination of employment or retirement. In the case of an employee’s death, his/her beneficiary shall be entitled to the lump-sum payment of the accrued vacation leave.
- III. Terminal pay for accrued sick leave for any full-time employee of the District School Board, other than instructional staff or educational support employees shall be determined as follows:

- A. Sick leave accrued after June 30, 2004, shall be compensated at no more than the daily rate of pay applicable at the time the sick leave was earned. Sick leave used shall be deducted from earned leave in the following order of priority:
 - 1. Leave earned after June 30, 2004, shall be used first and in the order, it was accrued.
 - 2. If leave accrued after June 30, 2004, is depleted, then leave earned prior to July 1, 2004, shall be used.
 - B. For unused sick leave accrued before July 1, 2004, terminal payment shall be made at the rate of pay of the employee at the time the payment is made.
- IV. Any person entitled to terminal pay benefits shall have been under contract to render services for the period immediately preceding retirement or death and shall not be under suspension from duty or have any charges pending which could result in dismissal from employment.
- V. Terminal pay benefits for Deferred Retirement Option Program (DROP) participants will be paid in accordance with School Board Policy 6.216.
- VI. Terminal pay will be paid in accordance with Section 403A of the Internal Revenue Code to the current contracted provider.

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

LAW(S) IMPLEMENTED: 1001.43, 1012.65, F.S.

HISTORY: *Adopted:*
Revision Date(s): 11.02, 11.04 Formerly:

HEALTH INSURANCE PREMIUMS

6.321/D

- I. The School Board may pay an employee's normal health insurance contribution as provided herein:
 - A. The health insurance premium may be paid when an employee enters a nonpay leave status involving a workers' compensation claim. The normal contribution shall be paid until the employee is released to return to work or a settlement is reached in the worker's compensation case through regular channels.
 - B. Any employee who is on unpaid sick leave or unpaid approved family leave will receive up to a maximum of 12 weeks of Board portion of health insurance per insurance fiscal year. This rule is in compliance with the Family and Medical Leave Act of 1993. Twelve weeks will equal six cumulative Board portions which will occur when missing six paychecks with Board portions.
- II. A School Board member or employee who is a Florida resident and a member of the Florida National Guard or a reserve in any branch of the United States military and who is called into active military duty is entitled to health insurance pursuant to the provisions and conditions prescribed in 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.

LAW(S) IMPLEMENTED: 112.0801, 250.341, 1001.43, F.S.

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06 Formerly:

UTILIZATION OF SICK LEAVE

6.33 /D

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 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: 2.06
Revision Date(s):
Formerly:*

SICK LEAVE BANK

6.34 D

Any School Board employee who is a member of the bargaining unit shall be eligible to participate in the Sick Leave Bank after one year of employment provided they have one

accumulated day. To become a member of the Sick Leave Bank, a bargaining unit member shall voluntarily contribute one of their accumulated sick leave days within the first month of eligibility. The Sick Leave Bank shall be declared active when 25 sick leave days have been contributed to the Sick Leave Bank.

- I. The use of sick leave days shall be determined by a committee whose membership shall include the President of the Classroom Teachers Association of Gilchrist County, the principal of the school of the bargaining unit member involved, and the Superintendent or designee. This committee shall investigate any alleged abuse of the Sick Leave Bank and report to the School Board for appropriate action.
- II. In the event of personal illness, accident, or injury to a Sick Leave Bank member, the member may receive paid leave in accordance with the following provisions:
 - A. A member shall exhaust all accrued sick leave before receiving benefits from the Sick Leave Bank.
 - B. A maximum withdrawal from the Sick Leave Bank shall not exceed 190 days per school year for any one illness, accident, or injury or the complication thereof.
 - C. A member withdrawing sick leave days from the Sick Leave Bank shall not be required to replace those days except as a regular contributing member to the Sick Leave Bank.
 - D. All sick leave days contributed by members may not be withdrawn.
- III. All participating members shall contribute one day each time the bank reaches 25 percent of the number of days in the membership bank. Such contribution shall be made on the first day of employment of the fiscal year following the depletion occurrence.
- IV. The Superintendent shall establish procedures for identifying and recording contributions to the Sick Leave Bank for complying with applicable governmental regulations and associated record-keeping.

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

LAW(S) IMPLEMENTED: 1001.43, 1012.61, F.S.

STATE BOARD OF EDUCATION RULE 6A-1.052

HISTORY:
Adopted:
Revision Date(s):
Formerly:

USE OF SICK LEAVE BY FAMILY MEMBERS OR EMPLOYEES

6.35 /D

- I. Any district employee may authorize the use of their accrued sick leave as follows:
 - A. As provided by an existing Sick Leave Bank provision,
 - B. By his/her spouse, child, parent, or sibling who is also a District employee, C. By any other District employee.
- II. Sick leave donated as provided in I.B. or I.C. cannot be used until all of the individual's sick leave has been depleted, excluding sick leave from any existing Sick Leave Bank, if the recipient participates in a Sick Leave Bank.
- III. An employee who donates sick leave to another employee, other than a family member as specified in I.B., must retain a minimum number of days equal to the number of days he/she accrues annually.
- IV. Any recipient of donated sick leave to another employee, other than a family member as specified in I.B., must provide medical documentation from the treating physician of the illness or injury for which the leave of absence is requested.
- V. Any unused sick leave shall be returned to the donor.
- VI. Donated sick leave shall have no terminal pay value.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.61, F.S.

HISTORY: Adopted: 11.02
Revision Date(s): 2.06, 2.13
Formerly:

PROFESSIONAL ETHICS

6.37

- 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. All employees shall be responsible for reporting misconduct by School Board employees that affects the health, safety, or welfare of a student.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.313, 1001.42, 1012.01, 1012.22, 1012.27, 1012.796, F.S.

STATE BOARD OF EDUCATION RULE: 6A-10.081

HISTORY: Adopted: 5.09
Revision Date(s): 12.16
Formerly:

SOCIAL MEDIA, PERSONNEL

6.38

I. Definition

- A. Social media is various forms of electronic communication that enable users to express creativity, share knowledge with those who have common interests, and connect with others.
- B. Examples of social media include, but are not limited to, Facebook, LinkedIn, Twitter, YouTube, Instagram, SnapChat, Pinterest, Google+, Flickr, TikTok, and other emerging sites or applications.

II. District Social Media Sites

- A. Upon adoption of this rule, no District employee, volunteer, intern, contracted vendor, or individual department or school shall have a social media site for conducting District business or communicating with students, parents, or the public unless authorized by the Superintendent or his or her designee. After the adoption of this rule other District departments, or schools, may request in writing for District approval of social media sites.
- B. District social media sites shall be reserved for District business only, to provide information to the public regarding announcements, events, etc.
- C. All content posted to approved District social media sites shall be subject to District rules and guidelines, including but not limited to:
 - 1. Approved District social media sites moderators shall not post personal information, opinions, statements, photographs, etc.
 - 2. All information on approved District social media sites shall be as current and accurate as feasible.
 - 3. All information shall be communicated on approved District social media sites from the District only.
 - 4. Student names or photographs may be published without written permission from student's parent/legal guardian, unless an opt out notice is on file.

5. Confidential or proprietary information shall not be posted. All posts shall be in compliance with appropriate copyright, trademark, and privacy laws.

D. Pursuant to Florida law, all communication created as a part of District business is public record and must be maintained and retained according to state retention guidelines. District social media site account authorization records, including access to rights and account information, shall be maintained according to the appropriate state requirements.

E. Nothing on a District social media account, site, or page shall constitute a binding agreement, representation, or endorsement by the Gilchrist County School Board or District.

III. Employees Use of Social Media Sites

A. The District cannot prohibit the use of personal social media sites. However, employees, volunteers, interns, or contracted vendors are encouraged to block personal sites from students. Employees, volunteers, interns, or contracted vendors, shall not use the District's seal, school logos, or any other District representation or images on any personal sites. Employees, volunteers, interns, or contracted vendors may identify themselves as a District employee, volunteer, intern, or contracted vendor, but must include a disclaimer stating that the views expressed or information posted do not reflect the views of the Gilchrist County School Board or District. Employees, volunteers, interns, or contracted vendors are informed in this rule that conduct on personal social media sites may affect his or her professional reputation and employment or contract with the District and that all are bound by the Code of Ethics and Principles of Professional Conduct for the State of Florida.

B. Employees, volunteers, interns, and/or contracted vendors communication with individual students shall be with parental consent and only through the District supplied e-mail or other District approved software applications or web tools. Employees, volunteers, interns, and/or contracted vendors are encouraged to copy parents on all communication with students.

C. Employees, volunteers, interns, and/or contracted vendors must maintain appropriate relationships with students and parents at all times. Employees, volunteers, interns, and/or contracted vendors are responsible for the content of their communication. Employees, volunteers, interns, and/or contracted vendors must be fair and respectful and maintain professionalism consistent with District policies and state law.

Employees, volunteers, interns, and/or contracted vendors shall not engage in any activity that could reasonably be viewed as inappropriate or that seriously reduces his or her effectiveness as an employee, volunteer, intern, and/or contracted vendor of the District.

- D. Employees, volunteers, interns, and/or contracted vendors are informed in this rule that there is no expectation of privacy when using social media sites and that once the employee posts content; it is under the control of the service provider.
- E. School Board policy/rule 5.101 – Prohibiting Bullying and Harassment shall also apply in regard to employees, volunteers, interns, and/or contracted vendors’ use of social media.
- F. The employee, volunteer, intern, and/or contracted vendor shall report any inappropriate use of social media to his or her supervisor, the school principal, or the District’s Chief Human Resources Officer, and no retaliation shall result from such a report. Good faith reporters shall be protected from retaliation in accordance with Florida law.
- G. The employees, volunteers, interns, and/or contracted vendors failure to adhere to this policy, any conduct that negatively affects the job performance of the employee, volunteer, intern, and/or contracted vendor or others, or any conduct that has a negative impact on the District may result in discipline up to termination, or cancellation of contract, and legal action may apply.
- H. The Superintendent or his or her designee may establish the calendar of training and/or procedures that direct employees, volunteers, interns, and/or contracted vendors in regard to this rule/policy and in the appropriate communication of school-sponsored events or activities; including, but not limited to, field trips.

STATUTORY AUTHORITY

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

*1000.21, 1001.43, 1012.795, F.S.
119, F.S., 20 U.S.C. §, 34 CFR Part 99 (FERPA), Public Law 104-191 (HIPAA)*

STATE BOARD OF EDUCATION RULE(S):

6B-1.001

HISTORY

*Adopted: 4.21
Revision Date(s):
Formerly: New*

REPORT OF MISCONDUCT

6.39

The School District of Gilchrist 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 that would be violation of s. 800.101, or that would be a disqualifying offense under s. 1012.315, or any allegation of sexual misconduct with a student. Failure of an employee to report such misconduct shall result in disciplinary action. Further, an employee who knowingly or willfully fails to do so, or who knowingly or willfully prevents another person from doing so, commits a misdemeanor of the first degree. An employee who knowingly or willfully coerces or threatens another person with the intent to alter his or her testimony or written report regarding a violation of s. 800.101 commits a misdemeanor of the first degree.
- 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, or educational support, instructional personnel or 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, and 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, is 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,
800.101, 1001.10, 1006.061, 1012.01, 1012.22,
1012.27, 1012.315, 1012.795, 1012.796, F.S.*

STATE BOARD OF EDUCATION RULE(S):

6A-10.081

HISTORY:

*ADOPTED: 5.09
REVISION DATE(S): 11.18, 12.22
FORMERLY: NEW*

VIOLATION OF LOCAL, STATE AND/OR FEDERAL LAWS

6.40

- 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 of the Education Profession in Florida, and Florida Statutes, professional employees and non-instructional and contractual personnel who have direct contact with students or who have access to or control of funds is required to self-report within 48 hours to the Superintendent any arrests or 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 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 Florida Statutes.

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

LAW(S) IMPLEMENTED: 887.13, 943.0585, 943.059, 1001.41, 1001.42, 1001.43, 1006.145, 1012.22, 1012.27, 1012.465, F.S.

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

HISTORY: Adopted:
Revision Date(s): 2.06, 5.09 Formerly:

CONFLICT OF INTEREST IN PURCHASIN

6.401/D

- 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 direct or indirect purchase, rent, or lease any realty, goods, or services to the District, subject to Florida Statutes and provisions herein.
- II. This policy is not intended to prohibit the School Board from authorizing purchases or other related activities from or with a business or individual related to an employee who provides an acceptable bid or quote for such services or goods and when all other conditions are equal or comparable. This policy does not prohibit reimbursements to employees for purchases made in connection with their employment.
- III. Any employee who is found to have violated the provisions of this policy shall be subject to the provisions of *Board Policy*.

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: 2.06
Revision Date(s): 12.16
Formerly:

NEPOTISM

6.41

- 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, spouse, and in-laws of the same.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

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

HISTORY:

Adopted:

Revision Date(s):

Formerly:

RECORDS AND REPORTS

6.42

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 and reports shall include:

- A. any determination to withhold from a parent information regarding the provision of any services to support mental, physical, or emotional well-being of the parent's minor child. Any such determination must be based solely on child-specific information personally known to the school personnel and documented and approved by the school principal or designee. The determination must be annually reviewed and re-determined.
- B. student attendance, property inventory, personnel, school funds and other types of information.

Reports shall be submitted on forms prescribed for such purposes at designated intervals or on specified dates. All such reports shall be filed by the designated time. The Superintendent may withhold any salary warrants until the required report is submitted in acceptable form. School Board employees who resign shall receive the final salary warrant when all reports are current and officially checked.

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

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.53, F.S.

HISTORY: Adopted:
Revision Date(s):12.22
Formerly:

CHAPTER 6.00 - PERSONNEL

USE OF SOCIAL MEDIA

6.43

The Board recognizes the importance of incorporating current technology tools, including new methods of electronic communication, into the classroom to enhance student learning. It further recognizes the importance of employees, students, and parents engaging, learning, collaborating, and sharing in digital environments as part of 21st Century learning. The Board strives to ensure that electronic communication tools incorporated into the school curriculum are used responsibly and safely. Federal law mandates that the District provide for the education of students regarding appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and regarding cyberbullying awareness and response. See School Board Policy (8.33) Electronic Systems Responsible Use.

The Superintendent is charged with designating the District-approved social media platforms/sites, which will be listed on the District's website.

The Board understands that employees may engage in the use of social media during their personal time. The District neither encourages nor discourages employees' use of social media for personal purposes. School employees who use social media for personal purposes must be mindful that they are responsible for their public conduct even when not acting in their capacities as school district employees. The District regulates employees' use of social media for purposes related to their District assignment to the same extent as it regulates any other form of employee communication. All school employees must comply with Board Policy when communicating with individual students through electronic means, such as through voice, email, or text-messaging.

The Board is committed to ensuring that all stakeholders who utilize social media technology for professional purposes, including staff and students, do so in a safe and responsible manner.

I. Definitions

- A. **Social Media.** Social media is any form of online publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, Internet websites, Internet forums, and wikis. Examples of social media include, but are not limited to, Snapchat, Instagram, Facebook, Twitter, Instagram, Snapchat, YouTube, Google+, and Flickr.
- B. **Professional Social Media.** Professional social media is a work-related or professional social media activity where the employee identifies their

profession, work responsibilities, and could include the use of district names/logos/brand. This includes platforms such as LinkedIn. As this form of social media is maintained personally, it follows the same rules as Personal Social Media.

- C. Personal Social Media. Personal social media use is a non-work-related social media activity. Personal social media activity is as a private citizen and cannot reference employment with the District in any manner.
- D. District Social Media Platform. District Social Media is any social media page, feed, or entry formally maintained by the District, school, department, or class for official purposes. It includes sites and/or services such as Facebook; Twitter; Snapchat; Instagram; YouTube; and similar applications.

II. **District Social Media Use**

The District uses approved social media platforms/sites as interactive forms of communication and accepts public comments. The District-approved social media platforms/sites are considered limited public forums. As such, the District will monitor posted comments to verify they are on-topic, consistent with the posted rules for use of the forum, and in compliance with the platform/site's applicable terms of service. The District's review of posted comments will be conducted in a viewpoint neutral manner, and consistent with State and Federal law. Employees' personal posts on the public platforms/sites are limited/restricted to matters of general public interest that are not related to the employee's specific employment and wholly unrelated to the employee's job responsibilities (i.e., matters where it is clear the individual is posting not in an official capacity, but simply as a member of the public).

- A. Communication on a district social media space should be handled in the same manner as communication in a classroom and/or workplace. The same standards expected in FCPS professional settings are expected on professional social media sites.
- B. All such communication must be consistent with the educational objectives of the District and cannot be used for personal or non-District purposes.
- C. Employees shall exercise caution, sound judgment, and common sense when using professional social media sites.
- D. No personally identifiable student information may be posted by employees on social media sites (including but not limited to district, professional, and personal social media accounts) without permission from the parent/guardian.
- E. The Board reserves the right to direct the removal of postings and/or disable a page, of professional social media sites that do not adhere to the law or do

not reasonably align with the goals of the District without prior notice to the poster.

- F. The District's social media sites may not be used for commercial, religious, political, or for-profit activities and/or communication. The District's social media entries and communications are prohibited from including links to third-party sites with a commercial, political, and/or religious purpose. Links to sites selling products; advertising goods and/or services; and/or containing language, images and/or materials that are in violation of District policy are strictly prohibited.
- G. A post, or comment, that contains vulgar, profane, or racist words; is discriminatory, harassing, threatening; is a violation of privacy; or is a violation of this Policy will be deleted in its entirety without notice to the poster/commenter.
- H. Each District-approved social media account/site must contain a statement that specifies its purpose(s) and limits those who access the social media account/site to use of the account/site only for that/those purpose(s), and in accordance with any specified procedures and applicable terms of service. Users are personally responsible for the content of their posts.

III. Social Media for Instructional and School-Sponsored Activities

Staff (including District-approved volunteers) may, with prior approval/authorization from the Principal, use social media platforms/sites for classroom instruction or school-sponsored activities. When a staff member uses a District-approved social media platform/site for an educational purpose, it will be considered an educational activity and will not be considered a limited public forum. Students' use of District-approved social media platforms/sites must be consistent with the Student Code of Conduct, Electronic Systems Responsible Use Policy, the instructor's directions/procedures, and the platform/site's applicable terms of service. Students are prohibited from posting or releasing personally identifiable information about students, employees, and volunteers through District-approved social media, without appropriate consent.

In order to maintain a professional and appropriate relationship with students, employees shall not communicate with students who are currently enrolled in schools on personal social media sites. School employees' communication with current students via personal social media is subject to the following exceptions:

- A. communication with relatives or friends and
- B. if an emergency situation requires such communication, in which case the employee should notify his/her supervisor of the contact as soon as possible. Employees shall not knowingly allow students access to their personal social

media sites that discuss or portray sex, nudity, alcohol, or drug use or other behaviors associated with the employees' private lives that would be inappropriate to discuss with a student at school.

IV. Expected Standards of Conduct on District-Approved Social Media

- A. Employees and District-approved volunteers who access District-approved social media platforms are expected to conduct themselves in a respectful, courteous, and professional manner. Students, parents, and members of the general public who access District-approved social media platforms are similarly expected to conduct themselves in a respectful, courteous, and civil manner.
- B. District-approved social media sites shall not contain content that is obscene; is vulgar and lewd such that it undermines the school's basic educational mission; is libelous or defamatory; constitutes hate speech; promotes illegal drug use; is aimed at inciting an individual to engage in unlawful acts or to cause a substantial disruption or material interference with District operations; or interferes with the rights of others. The District may exercise editorial control over the style and content of student speech on District-approved social media, if reasonably related to legitimate pedagogical concerns. Staff or students who post prohibited content shall be subject to appropriate disciplinary action.
- C. The District is committed to protecting the privacy rights of students, parents/guardians, staff, volunteers, Board members, and other individuals on District-approved social media sites. District employees and volunteers are prohibited from posting or releasing confidential information about students, employees, volunteers, or District operations through social media, without appropriate consent (i.e., express written consent from the parent of a student, the affected employee or volunteer, or the Superintendent concerning District operations).
- D. Employees shall not use the district's logo or other copyrighted material of the system on a personal social media site without express, written consent from the District.

V. Retention of Public/Student Records

District communications that occur through the use of District-approved social media platforms/sites – including staff members'/volunteers' use of social media with school-sponsored activities, and comments, replies, and messages received from the general public – may constitute public records or student records, and all such communications will be maintained (i.e., electronically archived) in accordance with the Board's adopted record retention schedule and all applicable State statutes.

Staff members and District-approved volunteers cannot rely on social networking platforms (e.g., Facebook, Twitter, etc.) to sufficiently fulfill potential records retention requirements because these platforms, in general, do not guarantee retention and are unlikely to assist in the production of third-party comments and communications that have been edited, deleted, or are otherwise no longer available. Consequently, District employees and volunteers who use such social media accounts for professional communications must operate them in accordance with the general archiving practices and technology instituted by the District so records remain within the District's control and are appropriately retained.

VI. Any postings, on district, professional or personal social media sites, of the following nature are prohibited:

- A. Create a harassing, demeaning, or hostile working environment for any employee.
- B. Disrupts the smooth and orderly flow of work, or the delivery of services to the staff or students.
- C. Harm the goodwill and reputation of staff, students or the community at large.
- D. Erode the public's confidence in the district.
- E. Involve any kind of criminal activity or harms the rights of others, may result in criminal prosecution or civil liability to those harmed, or both.

VII. Consequences

The District may monitor online activities of employees who access the Internet using school technological resources. Additionally, the Superintendent or designee may periodically conduct public Internet searches to determine if an employee has engaged in conduct that violates this policy. Any employee who has been found by the Superintendent to have violated this policy may be subject to disciplinary action, up to and including dismissal.

VIII. Social Media Use Agreement

The Superintendent will ensure that staff receives a copy of this policy annually and that Use of Social Media is included in the Electronic Systems Responsible Use Agreement.

STATUTORY AUTHORITY:

Chapter 119, 1001.41, 1001.42, 1001.43 F.S.

LAW(S) IMPLEMENTED:

1002.221, F.S.

6A-10.08 F.A.C.

20 U.S.C. 1232g 34 C.F.R. Part 99

Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, Stat. 4096 (Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001))

HISTORY:

ADOPTED: 12.22

REVISION DATE(S): _____

FORMERLY: NEW

TELEPHONE CALLS, ELECTRONIC COMMUNICATIONS AND FACSIMILES

6.44

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 facsimile or other electronic transmission at School Board expense. An employee who violates this rule shall be required to pay for the call or facsimile. Such action shall be reported to the Superintendent at the principal or District department head's discretion.
- II. All long distance telephone calls, facsimiles, or other electronic transmissions that relate to extracurricular activities of the school, including athletics, shall be paid from the school's internal funds collected for the specific activity.
- III. Prior authorization for all long distance calls and facsimiles shall be given by the principal or District department head.
- IV. Employee use of District cell telephones shall be to the extent possible, limited to business use only. The District shall be reimbursed for any personal calls made by the employee. Procedures for implementing this provision shall be developed.
- V. Any long distance telephone call made by a School Board member which is charged to the District office shall be paid by the School Board, provided the purpose of the call was to conduct School Board business.
- VI. The principal or District department head shall review telephone and facsimile bills and shall refer excessive or questionable bills to the Superintendent or designee for consideration.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, F.S.

HISTORY:

Adopted:

Revision Date(s): 2.06 Formerly:

EMPLOYEE USE OF CELLULAR TELEPHONES

6.441/D

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

- I. Personal calls or calls unrelated to school business are prohibited except in emergency situations.
- II. 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: 2.06
Revision Date(s):
Formerly:

ALCOHOL AND DRUG-FREE WORKPLACE

6.45/D

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

2. If the employee fails to participate satisfactorily in such program, the employee may be non-renewed or his/her employment may be suspended or terminated, at the discretion of the School Board; or,
3. Take appropriate personnel action against such an employee, up to and including termination.

STATUTORY AUTHORITY:

893.01, 1001.41, 1012.22, 1012.23, 1012.27 F.S.

LAW(S) IMPLEMENTED:

*1001.41, 1001.43, 1012.795, F.S
DRUG FREE WORKPLACE ACT OF 1988
34 CRF PART 85, SUBPART F*

HISTORY:

*Adopted: 1.00
Revision Date(s): 8.00, 11.02, 2.06, 12.06, 1.08 Formerly:*

CHAPTER 6.00 – HUMAN RESOURCES

POLITICAL ACTIVITIES OF EMPLOYEES

6.46

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

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

LAW(S) IMPLEMENTED: 104.31, 106.15, 1001.43, F.S.

HISTORY:
Adopted:
Revision Date(s):
Formerly:

GRIEVANCE PROCEDURE FOR PERSONNEL

6.50

Whenever an employee or applicant feels that (s)he has a complaint, every effort is to be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, employees not covered by a collective bargaining complaint procedure, can resort to the more formal procedures as provided herein. If the collective bargaining agreement is silent on an issue this procedure may be used by the employee.

I. Definitions

- A. Complaint shall mean any dispute or disagreement involving the interpretation or application of any existing Board rule or practice. It does not include disputes involving the interpretation or application of a collective bargaining agreement, or any provision thereof. Such disputes must be resolved through the grievance procedure in the bargaining agreement.
- B. Complainant shall mean any employee, or group of employees, directly affected by the alleged misinterpretation or violation, filing a complaint.
- C. Employer shall mean the School Board or its representatives.
- D. Day shall mean a working day.

II. Time Limits - The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.

III. Released Time - The complaint procedure will normally be carried out during nonwork time. If, however, the Board elects to carry out provisions during work time, the complainant shall lose no pay.

IV. Complaint Procedure

- A. Informal Discussion - If an employee believes there is a basis for complaint, (s)he shall discuss the complaint with his/her immediate supervisor (except in cases of discrimination or harassment allegations involving the supervisor, in which case they shall report to the Equity Coordinator) within five days of the occurrence of the alleged violation except in cases involving harassment or discrimination in which 60 days will be allowed.

- B. Level One - If the complainant is not satisfied with the informal resolution (s)he may, within 10 days, file a formal complaint on the proper form and deliver it to his/her immediate supervisor or alternate. The Supervisor or alternate shall communicate his/her answer in writing to the complainant within 10 days after receipt of the complaint. Class complaints involving more than one supervisor and complaints involving an administrator above the building level may be filed by the complainant at level two.
 - C. Level Two - If the complainant is not satisfied with the resolution at level one (s)he may, within 10 days of the answer, file a copy of the complaint with the Superintendent. Within 10 days of receipt of the complaint the Superintendent shall indicate his/her disposition in writing to the complainant.
 - D. Board Appeal - If the complainant is not satisfied with the resolution by the Superintendent, (s)he shall have the right to appeal the Superintendent's decision to the School Board; provided request for placement on Board agenda is filed within 10 days.
- V. 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.

LAW(S) IMPLEMENTED:

447.401, 1001.41, 1001.49, 1012.22, 1012.27, F.S.

HISTORY:

Adopted: 1.00

Revision Date(s): 11.01, 9.02, 11.02, 2.06

Formerly:

COMPLAINTS AGAINST EMPLOYEES

6.51 D

- I. Any complaint involving serious charges against a School Board employee shall be referred to and investigated by the Superintendent.
- II. Any formal complaint against an employee which involves serious charges shall be in writing and shall bear the signature of the person filing the complaint. A copy of such complaint shall be provided to the employee who the complaint is against.
- III. The principal shall inform parents that student-teacher problems shall first be submitted to the teacher if the problem does not involve a serious charge as specified in subsections I. and II. herein. Such problems may then be submitted successively to the following: principal, Superintendent and School Board.
- IV. A parent who intends to file a complaint with the School Board shall follow the procedures for being placed on the agenda as specified in the policy entitled "Procedures for School Board Presentations". All complaint shall be filed in writing with the Superintendent. Parents and legal guardians shall be informed of school personnel's rights and laws concerning libel and slander which shall be observed in all cases.
- V. The Superintendent will report to the Department of Education legally sufficient complaints within 30 days after the date on which the complaint comes to the attention of the school District as provided for in Florida Statutes.

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

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.796, F.S.

HISTORY: Adopted:
Revision Date(s): 2.06
Formerl

SUSPENSION AND DISMISSAL

6.52 /D

- 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 or in accordance with the provisions of policy 6.53.
- 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 (s)he 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 Procedures 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. The petition shall further notify the employee that in the event of a written request for a hearing is not received by the Superintendent within fifteen (15) days after receipt of said notice if the employee is under annual or professional services contract or thirty (30) days after receipt of said notice if the individual is under continuing contract, 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. Dismissal during the term of a contract of a staff member shall be for cause. Such dismissal shall include:
 - A. For an employee holding a continuing contract or its equivalent:
 1. Immorality;
 2. Misconduct in office;
 3. Incompetency;
 4. Gross insubordination;
 5. Willful neglect of duty;
 6. Drunkenness;

7. Conviction of any crime involving moral turpitude;
 8. *Profane language*; or
 9. Other actions which substantially impair the effectiveness of the employee.
- B. For an instructional employee holding a professional service contract or permanent status:
1. Immorality
 2. Misconduct in office;
 3. Incompetency;
 4. Two (2) consecutive annual performance evaluation ratings of unsatisfactory under 1012.34, F.S.
 5. Two (2) annual performance evaluation ratings of unsatisfactory under 1012.34, F.S. within a three (3) year period;
 6. Three (3) consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement or unsatisfactory under 1012.34, F.S.;
 7. Gross insubordination;
 8. Willful neglect of duty;
 9. Conviction of a crime involving moral turpitude;
 10. *Profane language*; or
 11. Other actions which substantially impair the effectiveness of the employee.
- C. For an administrative or supervisory employee holding an annual or multi-year contract:
1. Immorality;
 2. Misconduct in office;
 3. Incompetency;
 4. Gross insubordination;
 5. Willful neglect of duty;
 6. Drunkenness;
 7. Conviction of a crime involving moral turpitude;
 8. *Profane language*; or
 9. Other actions which substantially impair the effectiveness of the employee.
- D. For an employee holding an annual contract or its equivalent:
1. Immorality
 2. Misconduct in office;
 3. Incompetency;
 4. Gross insubordination;
 5. Willful neglect of duty;

6. Conviction of a crime involving moral turpitude;
 7. *Profane language*; or
 8. Other actions which substantially impair the effectiveness of the employee.
- E. Other actions which substantially impair the effectiveness of any employee include but are not limited to the following:
1. Inappropriate sexual conduct including, but not limited to lewd and lascivious behavior, indecent exposure, solicitation of prostitution, sexual battery, possession or sale of pornography involving minors or sexual relations with a student;
 2. Possession, sale, use or being under the influence of controlled substances;
 3. Committing or conviction* of a criminal act (felony);
 4. Committing or conviction* of a criminal act (misdemeanor);
 5. Possession of guns or weapons on School Board property;
 6. Alcohol related offenses;
 7. Driving under the influence of alcohol;
 8. Misuse of corporal punishment or inappropriate method of discipline;
 9. Falsification or alteration of employment paperwork, district forms or documents or certification;
 10. *Incompetence*;
 11. Using position for personal gain;
 12. Harassment or discrimination of a student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, disability, sexual orientation or social and family background;
 13. Harassment or discrimination which interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive or oppressive environment;
 14. Inappropriate or disparaging remarks to or about students or exposing a student to unnecessary embarrassment or disparagement;
 15. Inappropriate relationship with a student;
 16. Inappropriate interactions with colleagues including, but not limited to physical or verbal altercation;
 17. Misappropriation of funds or theft of personal property;
 18. Excessive absenteeism or tardiness;

19. Absence without leave (AWOL) or abandonment of job;
20. Failure to correct performance deficiencies;
21. Insubordination, which is defined as a continuing or intentional failure to obey a direct order, reasonable in nature, and given by and with proper authority;
22. Misconduct or misconduct in office;
23. Unauthorized use, theft or vandalism of School Board property;
24. Failure to comply with School Board policy, state law, or appropriate contractual agreement;
25. Failure to comply with Safe Driver Plan (Transportation Department only);
26. Smoking on School Board property; or 27. Profane or obscene language.

F. Failure to include a particular act or type of conduct does not preclude the Board from disciplining an employee for such omitted act or conduct if it otherwise constitutes one of the grounds listed in Section 1012.33, F. S., Section 1012.335, F.S. or other Florida Statutes.

- VIII. The Superintendent or designee shall be authorized to investigate and take action on a complaint against a person who has an expired Florida Educator's Certificate and has committed an act during the validity period of this certificate. Pursuant to Florida Statutes, all legally sufficient complaints shall be filed within 30 days of said complaint that is brought to the Superintendent's attention.
- IX. The Superintendent shall notify the Florida Department of Education of instructional personnel who have received two consecutive unsatisfactory annual evaluations and have been given written notice and intent that his/her employment is being terminated or non-renewed.
- X. 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.
- XI. Any provision in the Collective Bargaining Agreement which is contrary shall supersede this policy.

* Conviction is defined as a finding of guilt, a plea of guilty, a plea of *nolo contendere* or entering a pre-trial intervention program, whether or not there is a formal adjudication of guilt.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.>

LAW(S) IMPLEMENTED:

*Chapter 120, 790.115, 1001.43, 1012.22,
1012.27, 1012.33, 1012.335, 1012.795, F.S.*

STATE BOARD OF EDUCATION RULE(S):

6B-4.009 6A-5.056

HISTORY:

Adopted: 1.00

Revision Date(s): 11.02, 2.06, 2.12

Formerly:

CHAPTER 6.00 - HUMAN RESOURCES

SUSPENSION WITH PARTIAL OR NO PAY

6.53

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

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

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

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

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

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06, 2.13
Formerly:

PROFANE OR OBSCENE LANGUAGE

6.56D

Under no conditions shall any School Board employee be permitted to use profane or obscene language in his/her relationship with students. Any employee who uses profane or obscene language while speaking to, communicating with, or in the presence of students shall be deemed guilty of misconduct in office, conduct which seriously reduced his/her effectiveness as an employee, and failure to comply with a School Board policy.

- I. Any employee who violates this provision shall be reported immediately to the Superintendent who shall investigate the case and report his/her findings in writing to the School Board. An administrator who fails to report any known violation of this policy to the Superintendent shall be subject to suspension or dismissal for willful neglect of duty as provided in Florida Statutes.
- II. The Superintendent may suspend employees from duty as provided in Florida Statutes when an investigation clearly indicates a violation has occurred.
- III. Any employee who violates this rule shall be subject to suspension from duty or dismissal from employment or both. Any suspension from duty or dismissal from employment shall be pursuant to Florida Statutes.

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

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

HISTORY: Adopted: 1.00
Revision Date(s): 11.02D
Formerly: 6.57

TRANSFER OF PERSONNEL

6.57D

- I. Any transfer of an administrative staff member from one position or school to another position or school shall be made only on the recommendation of the Superintendent with the School Board's approval. When a person desires to be transferred from one position or school to another, the following procedures shall be followed:
 - A. The administrative staff member shall submit a written request to the Superintendent.
 - B. The Superintendent, after conferring with the parties concerned, shall approve or disapprove the request. If the transfer is approved, the Superintendent shall submit his/her recommendation to the School Board.
- II. Transfers and reassignments of teachers may occur on a voluntary or on an involuntary basis.
 - A. Voluntary Transfer and Reassignment Provisions - Transfers shall be in accordance with the Contract Agreement between the Gilchrist Employees United and the Gilchrist County School Board. Teachers who seek transfers and reassignments shall be considered without reprisals. When voluntary transfer or reassignment requests are acted upon, the administration shall notify the teacher in writing of said action as soon as feasible after action is taken, but not later than seven teacher work days following action.
 - B. Involuntary Transfer and Reassignment Provisions - When a transfer is deemed necessary, properly certified volunteers shall be transferred or reassigned first under the provisions for voluntary transfers. Other transfers of properly certified teachers shall be made in accordance with the Contract Agreement between the Gilchrist Employees United and the Gilchrist County School Board. When involuntary transfers and reassignment action is taken, the administration shall notify the teacher in writing, as soon as feasible after said action, but not later than seven work days following the action.
 - C. When the administrator has exhausted all efforts to secure a qualified person currently employed by the School Board and when such position has been advertised as required by the Contract Agreement between the bargaining unit, the principal may proceed to fill the position with a person outside the District school system.

, F.S.

STATUTORY AUTHORITY:

1001.43, 1012.22, 1012.27, F.S.

LAW(S) IMPLEMENTED:

6B-4.005; 6B-4.006

STATE BOARD OF EDUCATION RULE:

Adopted: 1.00

Revision Date(s): 11.02 D HISTORY:

Formerly: 6.57

STAFF TRAINING

6.60

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

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.22, 1012.27, 1012.38, 1012.583, 1012.98, 1012.985, F.S.

HISTORY:

Adopted: 1.00

Revision Date(s): 11.02, 2.06, 11.18

Formerly:

(Option 1 of NEFEC model)

CHAPTER 6.00 - HUMAN RESOURCES

WHISTLEBLOWER PROTECTION

6.65/D

I. Definitions

- A. Employee - Any person hired by the School Board after completing the personnel procedures required by the School Board.
- B. Independent Contractor - Any person or company other than a School Board employee who provides goods and/or services to the School Board and enters into a contractual agreement with the School Board.
- C. Adverse personnel action - Discharge, suspension, transfer, demotion, reprimand, warning, withholding or reduction of salary or benefits of employee, or any other adverse action taken against an employee within the terms and conditions of employment by the School Board; or debarment, suspension, cancellation of contract of an independent contractor.

II. Prohibited Action

- A. Neither the School Board, Superintendent, department heads nor principals shall take or recommend to the School Board to take adverse personnel actions against an employee for disclosing information pursuant to the provisions of this policy.
- B. Neither the Superintendent nor the School Board shall take any adverse personnel action that affects the rights or interests of an independent contractor in retaliation for the contractor's disclosure of the information under this policy.
- C. The provisions of this policy shall not be applicable when an employee or independent contractor discloses information known to be false.

III. Disclosure of Information

- A. The information disclosed under this section shall include reporting of any violation or suspected violation of federal, state or local laws, School Board policy or administrative directive by a School Board member, employee, or independent contractor which presents a substantial and specific danger to interests of the School Board. Additionally, information disclosed, which indicates acts or suspected acts of malfeasance, misfeasance, gross waste of funds or neglect of duty committed by an agency, shall be included.
- B. The information shall be disclosed to the appropriate entity having the authority to investigate, police, manage, or otherwise remedy the violation or act.

IV. Protection

- A. This policy protects employees and other persons who disclose information on their own motive in a written and signed complaint, or who are requested to participate in an investigation, hearing or other inquiry conducted by the Superintendent, School Board, state agency or federal government.

- B. Any employee who is subject to adverse personnel action has a right to file a grievance pursuant to the applicable collective bargaining agreement or School Board policy. An independent contractor may appeal to the School Board for administrative review.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.3187, 1001.32, 1001.43, F.S.

HISTORY: Adopted: 1.08
Revision Date(s):
Formerly:

(Gilchrist chooses to delete I. of NEFEC model)

CHAPTER 6 - PERSONNEL

NURSING MOTHERS

6.70

- I. Under the provision of the Fair Labor Standards Act, the District shall provide reasonable unpaid breaks for an employee to express breast milk for her child for up to one (1) year after the birth of the child.
- II. A private area, free from intrusion, shall be made available to the employee.
- III. A nursing mother shall be responsible for notifying her supervisor of her intent to exercise her right under the Fair Labor Standards Act.
- IV. The Superintendent shall develop procedures for the notification of employees and for the implementation of this policy.

STATUTORY AUTHORITY:

1001.41, 1012.22, 1012.23, F.S.

LAWS IMPLEMENTED:

383.015, 1001.43, 1012.23, F.S.

Fair Labor Standards Act of 1938 (29 USC 207, Section 7)

HISTORY:

Adopted: 9.11

Revision Date:

Formerly: NEW

NAME AND ADDRESS OF EMPLOYEE

6.75

- I. Any employee who changes his/her name or address shall notify the human resources department within 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: 2.06
Revision Date(s):
Formerly:

PERSONNEL FILES

6.80

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 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 due process rights as outlined in Florida Statutes.

- 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 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.
- 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:

1001.43, 1012.22, 1012.23, F.S.

LAW(S) IMPLEMENTED:

*112.08 (7), 119.07, 119.071, 1001.43, 1008.24,
1012.31, F.S.
34 CFR 99 (FERPA), 45 CFR 164 (HIPAA)*

HISTORY:

*Adopted:
Revision Date(s): 2.06, 01.15
Formerly:*

CHAPTER 6.00 - PERSONNEL

ASSESSMENT OF EMPLOYEES

6.81

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

- I. A copy of each employee's evaluation report shall be filed in the District Personnel office.
- II. The assessment of all employees shall be based on observations of the individual's work by his/her immediate supervisor and shall be made at least once each year prior to re-appointment.
- III. The Superintendent shall arrange for the assessment of all principals, supervisors and administrative personnel as required by law.
- IV. The principal and/or administrator supervising personnel shall arrange for the assessment of all employees under his supervision as required by law.
- V. 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.
- VI. The written report of the assessment shall be reviewed with the employee and discussed with him/her by the person who made the assessment.
- VII. 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, 1012.3401, F.S.

HISTORY:
Adopted:
Revision Date(s): 1.15
Formerly:

INSTRUCTIONAL EMPLOYEE PERFORMANCE CRITERIA

6.811

- I. The Superintendent or designee shall develop and present, for School Board approval, Instructional employee performance criteria and/or measures. Such performance criteria and/or measures shall be consistent with statutory requirements, but may include additional elements as deemed appropriate.
- II. Instructional personnel shall be informed of the criteria for assessment including the use of student performance data and indicators of student learning growth.
- III. The Superintendent shall submit the instructional performance appraisal system to the Department of Education for approval.

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, 1012.3401, F.S.*

STATE BOARD OF EDUCATION RULE(S):

6A-5.030, 6A-5.0411

HISTORY:

Adopted: 1.00

Revision Date(s): 3.00, 11.02, 01.15

Formerly:

SCHOOL BOARD EMPLOYEES WITH HIV, AIDS OR OTHER COMMUNICABLE DISEASES

6.90

- 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 to provide reasonable accommodations to infected School Board employees.
- II. Policy 3.20 contains procedures related to employees and students.
- III. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need-to-know.

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

LAW(S) IMPLEMENTED: 381.0098, 1001.43, 1012.27, 1012.61, 1012.66, F.S.

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

HISTORY:
Adopted: 1.00
Revision Date(s): 11.02, 2.06
Formerly:

AIDS, BLOODBORNE PATHOGENS, AND ENVIRONMENTAL HAZARDS

6.91

The Board shall adopt appropriate procedures and guidelines consistent with federal and state regulations regarding the training and methods of handling and reducing the potential risks of exposure to blood borne 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): 2.06
Formerly:

EDUCATIONAL ENHANCEMENT FUNDS

7.011

- I. Lottery Trust Fund Allocations (enhancement funds) received from state proceeds will be used to provide educational opportunities based on the needs of students, as determined by the School Board and consistent with proviso language included in the annual state appropriations bill or other state requirements.
- II. Enhancement funds may be utilized to:
 - A. Maintain approved programs.
 - B. Develop and implement school improvement plans.
 - C. Supplement school funding through the expansion of existing programs.
 - D. Enhance equipment or facilities as permitted by state law.
 - E. Provide financial awards for School Recognition.
 - F. Provide such other service or programs 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.
- III. Enhancement funds provided directly to schools shall be subject to annual audit to assure compliance with state law and sound business practice.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

*1001.43, 1011.62, F.S.
Annual State Appropriations Acts*

HISTORY:

*Adopted: 1.00
Revision Date(s): 11.02, 2.06 Formerly:*

PROCEDURES FOR ADMINISTERING THE DISTRICT BUDGET

7.02

The Superintendent shall ensure that all District obligations and expenditures are within the appropriation allowed in the District school budget.

- I. The Superintendent shall propose a budget amendment for the School Board's consideration if a budgetary appropriation is insufficient to meet District needs. No obligation in excess of the original appropriation shall be made until the School Board has officially adopted a budget amendment.
- II. The Superintendent is authorized to tentatively approve budget amendments for school budgets. Such amendments shall be consolidated each month and presented for School Board approval.
- III. The School Board authorizes an expenditure which exceeds the amount budgeted by object, provided the amount is within the budgeted amount of the object's function and the School Board subsequently approves the expenditure and amends the budget at its next scheduled meeting.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

1001.41, 1001.42, F.S.

*STATE BOARD OF
EDUCATION RULES: 1001.41,
, F.S.*

*1001.42, 1001.43, 1001.51, 1010.01, 1010.04, 1011.05, 1011.06,
1011.07, 1011.60*

6A-1.006, 6A-1.007

*Adopted:
Revision Date(s)
Formerly:*

FACSIMILE SIGNATURES

7.021

- I. The facsimile signature of the School Board Chairperson and the Superintendent may be affixed to warrants provided an affidavit has been filed in accordance with Florida Statutes.

- II. The Vice-chairperson of the School Board shall have no authority to sign warrants or school documents except when (s)he is required to assume the duties of the chairperson. In which case, (s)he shall be legally empowered to sign such warrants and other legal documents as the chairperson would be empowered to sign but, the Vice-chairperson may not use a facsimile signature.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

*116.34, 1001.43, F.S.
Annual State Appropriations Acts*

STATE BOARD OF EDUCATION RULE(S):

6A-1.0421

HISTORY:

*Adopted:
Revision Date(s): 2.06
Formerly:*

LEASE AND LEASE-PURCHASE OF LAND, FACILITIES AND EQUIPMENT

7.03

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;
 - 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;
- 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.

LAW(S) IMPLEMENTED: 1001.43, 1013.15, 1013.19, F.S.

HISTORY: Adopted:
Revision Date(s): 2.06 Formerly:

CHAPTER 7.00 - BUSINESS SERVICES

BONDED PERSONNEL

7.04

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.

STATUTORY AUTHORITY: 112.08, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.08, 1001.43, 1010.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0692

HISTORY:
Adopted:
Revision Date(s): 2.06
Formerly:

INTERNAL FUNDS

7.05

- I. **Definition.** Internal funds are defined as all monies collected and disbursed by personnel within a school for the benefit of the school or a school-sponsored activity. Internal funds shall be considered as unbudgeted public funds under the control and supervision of the School Board with the principal having responsibility as prescribed by the School Board.
- II. **Governance Provisions.** The collecting and expending of school internal accounts shall be in accordance with Florida Statutes, State Board of Education rules, School Board rules, and the Financial and Program Cost Accounting and Reporting for Florida Schools manual published by the Florida Department of Education. Sound business practices shall be observed in all transactions.
- III. **Accounting Categories.** Separate accounting categories for school internal account funds shall be established to distinguish regular sources of funds from sources of funds derived from groups other than the student body.
 - A. Regular sources of funds shall be a category for money received and expended for school activity programs. This includes, but is not limited to, athletic and music events, concession sales, fund-raising by student body groups, gifts and contributions, paid admissions to entertainment, publications, school stores, summer programs, vending machines, salvage drives, property deposits, instructional aids, and advertisements.
 - B. Other sources of funds shall be a category for money collected from sources other than student activities. These sources generally are derived from cooperative efforts with schools involving non-student organizations such as the faculty, parent-teacher organizations, alumni associations, and educational foundations. The activities of these non-student organizations shall contribute to the general welfare of students.

Other sources of receipts may include, but are not limited to, collections for the School Board, flower and gift funds, and trust accounts for specific groups.
- IV. **Basic Principles.**
 - A. All fund-raising projects and activities of the school, by any group within, connected with, or in the name of the school shall contribute to the educational experiences of students and shall not conflict with the total instructional program of the school system.

- B. School activity funds shall be used to supplement the program supporting the activities provided by the School Board.
 - C. Purchases which are made from internal funds shall conform with requirements for purchasing and securing bids on purchases made by the School Board, except that purchases made from funds handled in trust for individuals are exempt from such requirements.
 - D. Student body business practices shall be conducted in such a manner as to offer a minimum of competition to commercial firms.
 - E. Purchases for any school shall not exceed the cash resources of the school during any school year.
 - F. Funds collected generally shall be expended to benefit those students currently in school for whom the funds were accrued; funds derived from the student body as a whole shall be expended to benefit the student body as a whole.
 - G. Florida Statutes and State Board of Education rules controlling purchases by school organizations shall be observed.
 - H. The Superintendent shall be responsible for initiating such disciplinary action as may be deemed necessary in the event of violations of any of these rules.
 - I. The collection of monies and the performance of other non-instructional duties by teachers shall be kept to a minimum.
- V. Administration. Internal funds shall be categorized in accordance with subsection III. herein. When a bank balance exceeds \$100,000.00 and the excess is not insured, an additional account(s) shall be opened in another bank.
- VI. Responsibilities.
- A. The School Board shall:
 - 1. Require that its written rules relating to internal funds be enforced;
 - 2. Provide fidelity bonds for employees responsible for such funds; and,
 - 3. Provide for an annual audit of internal funds by a qualified auditor.

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- B. The Superintendent shall administer all rules established by the School Board relating to internal funds.
 - C. Each school principal shall:
 - 1. Be held accountable for the handling of all phases of internal funds accounting in his/her school.
 - 2. Use a uniform system of accounting as directed by the Superintendent; and,
 - 3. Make monthly and annual reports for internal funds as directed by the Superintendent.
- VII. Management of School Internal Account Funds (MSIAF). The efficient and accurate accounting of school internal account funds requires that sound procedures be followed in handling school monies received and expended. Common practices which shall be followed to ensure effective management of these funds include:
- A. The principal of each school shall authorize one or more persons, in addition to him/herself, for signing checks to withdraw funds from the bank account. Two signatures shall be required for all withdrawals, one of which shall be that of the principal. Persons signing checks shall provide proper supporting evidence such as sales slips or invoices to substantiate each check.
 - B. School activity accounts shall not be used for any purpose which represents an accommodation, loan, or credit to School Board employees or other persons, including students. Collections received shall not be used to cash individual checks. School Board employees or others shall not make purchases for personal use through the student body in order to take advantage of student body purchasing privileges, such as tax exemptions, school discounts, and the like.
 - C. Methods of preserving and destroying records shall be in accordance with Florida Statutes and State Board of Education rules.
 - D. Revenues which may be credited to classes and club accounts include: dues, assessments, and donations from members; income from entertainment, dances, parties, etc.; and, sale of club or class sweaters, emblems, insignias, cards, announcements, etc. Authorization for expenditures shall require approval of a designated class or club officer, the sponsor, and the principal.
 - 1. No class or club account may be overdrawn at the end of the school year.
 - 2. No off-campus clubs may be permitted to carry accounts on school activity account books.

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3. Any remaining balance in a class account after graduation of that class and after the class has had an opportunity to determine the disposition of the balance, shall be considered as general funds and shall be transferred to the general fund six months after the graduation date. The same procedure shall apply to the fund balance of any club six months after the close of the school year during which said club becomes inactive.
- E. Any gifts identified as coming exclusively from a particular student group(s) shall be financed entirely by those group(s). This shall not prevent a class or club from contributing toward a project undertaken by several classes or clubs or by the student body. All such gifts to the school shall first receive the principal's approval. A student organization, upon the principal's approval, may earmark an amount for a specific future project which may reasonably be expected to materialize within the period that members of the organization are still in attendance at school. Disbursements from these reserves are subject to the standard procedures governing school activity funds. The reserve account, once approved and established, shall not be drawn on for other purposes. If the original purpose for the reserve becomes inoperative, funds in the account shall be transferred to the general fund or returned to the sponsoring organization.
- F. Commissions earned from photography sales and other transactions shall be credited to the general fund or other designated accounts. Contracts and collections of monies from these types of activities shall comply with the provisions established by the principal.
- G. The following procedures shall guide all employees who are responsible for school activity funds:
1. Receipts shall be deposited daily, 100 percent intact.
 2. Receipts shall be written for all money that is received or collected.
 3. No money shall be kept in the school overnight except authorized petty cash.

- 4. Funds collected during late afternoon or evening activities shall be placed in a night depository as arranged by the principal. Sponsors or any other individuals shall not be expected to have the responsibility of protecting funds, but shall place such funds in a night depository. Under no circumstances shall such funds be left on the school premises. Any employee who fails to turn in funds each day shall be held liable for any loss.

VIII. Investment of School Internal Funds. The school principal shall provide for the investment of any school internal funds which are surplus or not needed immediately for expenditure. Such investments may be placed in savings accounts of banks or savings and loan institutions, certificates of deposits issued by banks, United States Government securities, or any other guaranteed in total by United States government securities.

IX. Financial Transactions and Records. Complete and accurate records of all financial transaction, including records of all school and student activity funds, shall be kept by the principal on forms furnished by the School Board. The principal's monthly financial report on internal accounts shall be made promptly for each calendar month. The September report shall include all activity relating to those accounts for the period from July 1 through September 30. The monthly report shall be due by the 10 following month and shall be delinquent after the 15

X. Retention of Financial Records. Records which are maintained as part of school internal funds and public records under Florida Statutes may not be destroyed or otherwise disposed of without specific authorization. All requests for disposition of school internal fund records after completion of an audit shall be referred to the Finance Officer. Records shall not be destroyed without written authorization.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.07, 1011.08, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.001, 6A-1.085, 6A-1.087, 6A-1.091

HISTORY: Adopted:
Revision Date(s):
Formerly:

Option 2 of NEFEC model policy

SCHOOL FOOD SERVICE FUNDS

7.06

School food service funds shall be considered part of the District School Fund and shall be subject to all requirements applicable to the District School Fund such as budgeting, accounting, reporting, and purchasing.

- 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 income. 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 or wire transfer.
- 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 regulations.
- 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 services program.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.6, 1010.05, 1010.20, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.012, 6A-1.087

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.13 Formerly:

ACCOUNTING AND CONTROL PROCEDURES

7.07

- I. The financial records and accounts of the School Board shall be kept by the Superintendent on forms 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.

LAW(S) IMPLEMENTED:

*215.85, CHAPTER 668, 1001.43, 1001.51, 1010.11,
1011.62, F.S.*

STATE BOARD OF EDUCATION RULE(S):

6A-1.001, 6A-1.0011

HISTORY:

Adopted:

Revision Date(s): 2.06 Formerly:

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 tangible property shall be listed that has a value or cost as established by Florida Statutes or State Board of Education rules. 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 new equipment.
- II. Property inventories shall be performed annually. It shall be each principal's 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 section I. 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.

LAW(S) IMPLEMENTED:

CHAPTER 274, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-1.087

HISTORY:

Adopted:

Revision Date(s): 2.06 Formerly:

ACQUISITION, USE AND EXCHANGE OF SCHOOL PROPERTY

7.09

- I. Acquisition
 - A. All property purchased through District funds, internal funds, or donations from outside sources shall be acquired using District purchasing procedures.
 - B. All property, including vehicular equipment, shall be under the full control and name of the School Board.
 - C. All property with a value consistent with the provisions of Policy 7.08 I., acquired through internal accounts or donations, shall be reported immediately by the principal to the property records office on the prescribed forms.
 - D. Principals and District department heads shall be responsible for determining that all property is identified and accounted.
- II. Exchange - Each principal and District department head shall determine the property needs for his/her school or department. The principal or District department head shall declare any property which is not needed, upon the property records office's approval, and may requisition additional property through proper procedures.
 - A. Surplus property shall be reported on proper forms to the property records office which shall be responsible for acquiring and storing the surplus property.
 - B. Property items with a value as established by I.C. above may be exchanged between schools and District departments when approval is granted by the property records office and subsequently by the appropriate District department head. Notification of each approval shall be filed in writing with the property records office to adjust property records of schools and District departments.
 - C. School Board equipment may be used by employees away from School Board property under certain conditions when prior approval is obtained from the principal or District department head. These conditions include familiarization with the equipment for instructional purposes or improvement of job performance.
 - D. School Board equipment shall not be used for gainful outside employment or private use of employees, or by any outside group or organization.

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
HISTORY:

1001.42, F.S.
274.01, 274.02, 1001.43, 1011.06, F.S.
Adopted:
Revision Date(s): 2.06 Formerly:

SALE, TRANSFER OR DISPOSAL OF PROPERTY

7.10

Obsolete, uneconomical or inefficient surplus property which serves no useful purpose may be disposed of in accordance with state law and regulations. Prior to disposal, reasonable attempts should be made to salvage all or part of any item of property for school use.

When it is no longer practical that property be retained, it shall first be offered for sale or transfer to other state agencies. When not disposed of in this manner, the property shall be offered for sale to the public at large and to private businesses.

Any remaining surplus property may be declared unusable and disposed of in a reasonable, environmentally sound manner, including donation to appropriate nonprofit groups.

Disposal of unusable property shall occur only after due consideration of school needs.

<i>STATUTORY AUTHORITY:</i>	<i>1001.42, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>1001.43, 1006.41, 1013.28, F.S.</i>
<i>STATE BOARD OF EDUCATION RULE(S):</i>	<i>6A-1.087</i>
<i>HISTORY:</i>	<i>Adopted: 1.00</i> <i>Revision Date(s): 11.02, 2.06</i> <i>Formerly:</i>

(Option 2 of the NEFEC Model)

AUDITS

7.12

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 contract with an independent auditor to perform audits of the District when the Auditor General advises a financial audit will not be completed within the 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 Florida Statutes.
 - 3. The certified public accountant who coordinates the financial audit shall have completed 24 hours of inservice training in government or governmental auditing as approved by the Board of Accountancy within the last three years.
 - 4. At the conclusion of the audit field work, the preliminary findings shall be discussed with the School Board Chairman or designee and the Superintendent. 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 Funds

- A. The Superintendent shall require an annual audit of internal funds maintained at each school or department. Such audits shall be performed in accordance with generally accepted accounting practices and with approved procedures for maintaining such funds.

- B. Each principal or department head shall respond in writing to the auditor of internal accounts within 30 days of receiving an audit report. The written response shall address the audit report and any discrepancies cited therein.
 - C. The Superintendent may direct an audit of a school's internal funds without prior notification. Such audits may be conducted by a School Board employee or a qualified independent accounting firm.
 - D. Audits shall be presented to the Board for acceptance.
- III. Non-financial audits shall be conducted by persons or entities qualified to conduct audits of the program, functions, or service 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, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.087

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06 Formerly:

The School Board of Gilchrist County will not tolerate fraud or the concealment of fraud.

- I. 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.
- II. 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.
- III. Any perceived fraud that is detected or suspected by any staff member or other person shall be reported immediately to Human Resource 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.
 - IV. Violation of this policy may result in disciplinary action, termination of employment, termination of contract or legal action.

V. 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. 1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED:

HISTORY:

Adopted: 1/08

Revision Date(s): 12.16

Formerly:

CHAPTER 7 - BUSINESS SERVICES

PETTY CASH FUND

7.13

The Superintendent may establish petty cash funds for his/her office, each District department, and each school. Petty cash funds shall be used for operating expenses in accordance with State Board of Education Rules and provisions described herein.

- I. A principal or District department head may establish a petty cash fund by submitting a request to the Finance Division for approval. Approval shall be obtained prior to issuing any checks.
- II. The Superintendent or designee shall reimburse the funds from the budgetary accounts of schools and District departments when petty cash is exhausted.
- III. Petty cash funds shall be accounted for separately from all other funds maintained at each school and District department. The amount of petty cash funds shall not exceed \$300 for the Superintendent's office, each District department and \$200 for each school.
- IV. An itemized receipt for each expenditure shall be kept to receive reimbursement.

STATUTORY AUTHORITY: 1001.42, 1006.21, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.087, 6A-1.057,

HISTORY: Adopted: 1.00
Revision Date(s): 3.00, 11.02, 2.06
Formerly:

PURCHASING POLICIES AND BIDDING

7.14/D

The Superintendent or designee shall be responsible for all purchases of materials, equipment, and services from District school funds. Only persons authorized by the Superintendent or School Board rules may make any purchase involving the use of school funds. Unauthorized expenditures shall not be approved by the School Board. The following provisions shall govern purchasing and bidding procedures:

- I. Authorization to Execute Purchase Orders - The purchasing agent shall be authorized to sign purchase orders.
- II. Development of and Adherence to Specifications - Purchases through bids and quotations procedures shall be based upon justification and specifications which are clear, definite, and certain as to character and quality and shall conform to standard specifications for the various classes of supplies, materials, parts, services, or equipment desired. Such specifications shall be conducive to securing the most economical price for the highest quality product which best meets the needs of the educational program. Specifications shall be as open as possible and it shall be made clear in the invitation to bid that use of a trade name does not give exclusive rights to that product. The Superintendent or designee shall be responsible for soliciting the assistance of District staff members who use the products to prepare specifications and to evaluate bids.
- III. Requirements for Competitive Bids - Sealed bids shall be requested for any purchase of materials, equipment, or service above limits set by State Board of Education rules unless the item is purchased on the basis of an established state contract, under the provisions of sections XII. XII. or XIII. herein, or is otherwise exempted from bidding by Florida Statutes or State Board of Education rules. A particular item or group of similar items which is anticipated to exceed a collective legally permitted total during the fiscal year shall be subject to the bid requirements as described herein.
 - A. The purchasing agent shall maintain a list of all potential bidders by category of commodity or service and shall include the names of all persons or firms that requested placement on the list. The purchasing agent shall mail each request for bids to each person and firm on the list for that particular commodity and may mail the request for bids to other known persons or firms that are capable of providing the requested commodity.

- B. The purchasing agent may remove the name of any person or firm from the list upon failure to respond to three consecutive requests for bids.
 - C. The Superintendent or designee may remove the name of any unqualified or unreliable person or firm from the list. Provided, however, the person or firm may apply to the purchasing agent for reinstatement to the vendor list after being removed for one year.
 - D. Prior to issuance of a purchase order in excess of the amount required by Florida Statute the vendor shall execute an affidavit, pursuant to Florida Statutes, certifying that neither the firm nor any of its principals have been convicted with a public entity crime after July 1, 1989.
 - E. Consideration will be given to prices available to the Board through the use of the program for on-line procurement of commodities and contractual services as referenced in Section 287.057(23)(a) FS, under the rules of the Department of Management Services, Division of Purchasing.
- IV. Bid Receipt, Opening, and Tabulation - Sealed bids shall be received in the District Office at the time and date designated in the request for bids. All bids shall be opened publicly in the presence of at least one School Board employee. The purchasing agent shall read aloud the name of the bidder and the amount and shall make recommendations to the Superintendent who shall make a recommendation to the School Board. The tabulation shall be signed by the purchasing agent and School Board employee in attendance. Bids received after the designated time shall not be accepted or considered.
- V. Award of Bids - Each bid shall be awarded on the basis of the lowest and best bid which meets specifications with consideration being given to the specific quality of the product, conformity to the specifications, suitability to school needs, delivery terms, service, and past performance of the vendor. In the event of substantially similar bids, preference shall be given to local vendors meeting all specifications of the bid. In case of a tie, the recommendation shall be made by casting lots. Samples of products may be requested when practical. The School Board shall reserve the right to reject any or all bids.
- VI. Public Inspection of Bids - Bids and quotations shall be made available for public inspection on the posting date and copies may be obtained subsequent to the posting date. The fee for photocopying shall be in accordance with the School Board Rule entitled

“Photocopying of Public Records.” Original bids and quotations and the transmittal envelopes shall not be removed from the District Office.

- VII. Award to Other Than Low Bidder. Any bid recommendation other than the low bid shall be accompanied by a written statement signed by the purchasing agent giving the reasons and justification for such action as provided in section IV. herein. Single or combination items may be considered in determining the recommendation.
- VIII. Bid Withdrawal - A bidder may withdraw a bid before the designated time for opening bids by submitting a written request to the purchasing agent and identifying the reason(s) for the desired bid withdrawal. A bidder shall not be permitted to withdraw a bid for any reason after the designated time for opening bids unless mutually agreed upon by both parties.
- IX. Emergency Situations - Occasionally, situations arise which necessitate immediate action in order to ensure the health and safety of students and staff or to keep a facility in operation. In such cases, at the determination of the Superintendent, the normal procedures may be waived and all Board members will be notified of such action as soon as practicable. The purchasing department shall be required to make telephone contacts to request quotations, determine availability and ability to deliver services or products in a timely manner. All such contacts must be documented and followed by written bids from those contacted. The Superintendent shall be given all facts relating to the problem and a recommendation for the purchases necessary to resolve the problem. Upon the Superintendent's approval, the lowest and best bidder will be given authorization to proceed. A formal tabulation, giving complete details and justification, shall be submitted at the next regular Board meeting for ratification.
- X. Requisitions - Each purchase shall be based upon a requisition originating from the principal or District department head. Each requisition or contract shall be properly financed, budgeted, and encumbered prior to issuing a purchase order. Under extreme emergencies, the purchasing agent or designee may grant permission for a purchase without a requisition; provided, however, any emergency purchase shall be followed immediately with an emergency requisition. A purchase shall not precede a requisition except under emergency provisions.
- XI. Informal Quotations on Purchases between \$5,000 and the limit set by Florida Statute - Except as provided by the School Board of Education Rules or Florida Statutes, quotations shall be obtained from at least three sources prior to issuing a purchase order for materials, services or equipment between \$5,000 and the limit set by Florida Statute.

- XII. Purchase of Foods and Non-Food Items for the Food Service Department - The Superintendent shall develop and prescribe a Competitive Procurement Plan for purchasing food and non-food supply items for the school food service program.
- A. The Plan shall contain procedures to ensure conformity with the Federal Food, Drug and Cosmetic Act, the Federal Meat Inspection Act, and the Meat Inspection Law of Florida when purchasing foods.
 - B. The Plan shall provide for various types of selection procedures including on-line procurement if approved by the state, as alternatives to the bidding requirements prescribed herein. Bidding requirements specified in this rule shall be waived if they conflict or are inconsistent with the Plan. All purchases of milk shall comply with State Board of Education Rule 6A-7.042(2)(a)2.
 - C. Purchases of equipment items and professional services shall be excluded from the Plan and shall be subject to procedures for purchases described herein.
- XIII. Subject to provisions of law, the Superintendent may authorize purchase bids approved by the state of Florida, other government agencies, or educational consortia.
- XIV. Acquisition of Professional or Educational Services - The Superintendent is authorized to contract for professional or educational services to complete projects or activities authorized or approved by the School Board.
- A. Selection of an architect, construction management, professional engineer, landscape architect, or land surveyor to perform professional services for a School Board project shall be in accordance with the School Board Policy 7.141, Selecting Professional Services.
 - B. Contracts or commitments for educational or professional services shall be approved by the School Board if such contracts or commitments exceed amounts permitted without School Board approval by state laws or regulations.
- XV. Conflict of Interest - The following provisions shall apply for conflict of interest. Any violation of these provisions by a School Board employee may be grounds for dismissal.
- A. No contract for goods or services may be made with any business organization in which:

1. The Superintendent or School Board member has any financial interest whatsoever;
 2. A spouse or child of the Superintendent or School Board member has an employment relationship or material interest as defined by Section 112.312, Florida Statutes; or,
 3. A School Board employee has an employment relationship or material interest as defined by Section 112.312, Florida Statutes.
- B. No School Board employee may directly or indirectly purchase or recommend the purchase of goods or services from any business organization in which his / her spouse or child has a material interest as defined by Section 112.312, Florida Statutes.
- C. School Board employees or officials may not use bid prices or school prices or receive gifts or any preferential treatment in making personal purchases. A School Board employee shall not be prohibited from participating in any activity or purchasing program that is publicly offered to all School Board employees or in District surplus sales provided there is no preferential treatment.
- XVI. Multi-Year Purchase Agreements. No obligation shall be created by contract, purchase order, maintenance agreement, lease-purchase agreement, lease agreement, or other instrument which exceeds a period of 12 months. The Superintendent shall develop and prescribe a uniform termination clause which shall be incorporated in and made a part of any multi-year obligation agreement or contract.
- XVII. Bid Protest
- A. A bidder who wishes to file a bid protest, must file such notice and follow procedures prescribed by Section 120.57(3), F.S. for resolution. For bids solicited by the purchasing department, the notice must be filed with the purchasing department. For bids solicited by the Facilities department, the notice must be filed with the facilities department or such persons as the Superintendent designates.
 - B. Any person who files an action protesting a decision or intended decision pertaining to a bid pursuant to F.S. 120.57(3)(b), shall post at the time of filing the formal written protest, a bond payable to the Gilchrist County School Board in an amount equal to one percent of the total estimated contract value, but no less than \$500 nor more than \$5000. The bond shall be conditioned upon the payment of all costs which may be adjudged against the protester in the administrative hearing in which

the action is brought and in any subsequent appellate court proceeding. If, after completion of the administrative hearing process and any appellate court proceedings, the District prevails, it shall recover all costs and charges, which shall be included in the final order or judgment, including charges made by the Division of Administrative Hearings, but excluding attorney's fees. If the protester prevails, (s)he shall recover from the District all costs and charges which shall be included in the final order of judgment, excluding attorney's fees.

- C. Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed in Section 120.57(3), F.S., shall constitute a waiver of proceedings under Chapter 120, F.S.

STATUTORY AUTHORITY: 337.11 (5)(a), 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.312, 120.57, 212.0821, 255.04, 274.02, 287.017, 287.057, 1001.43, 1010.01, 1013.47, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.012, 6A-1.085, 6A-1.087, 6A-7.042

HISTORY: *Adopted:*
Revision Date(s): 2.01, 12.03, 2.06, 1.08 Formerly:

SELECTING PROFESSIONAL SERVICES

7.141

In accordance with state law, architectural, land surveying, landscape architects, construction management, and engineering services shall be solicited through an application procedure. Except in emergency situations, the Board shall publish a legal advertisement in a local newspaper of wide circulation, describing the project or projects for which services are required and specifying the application procedure. A professional services contract shall be negotiated and recommended to the Board.

The Superintendent may authorize outside program consultants to provide professional help or training to divisions or departments.

Full-time employees of the Board shall not contract for additional services to the Board as program consultants.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1001.53, 1011.06, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-2.0010

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06
Formerly:

BID PROTEST RESOLUTION

7.142/D

The following procedures shall govern the resolution of protests from contract bidding procedures prior to initiation of formal or informal proceedings pursuant to 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 by United States mail or by hand delivery.
 - B. For any other Board decision relating to contract bidding procedures, notice of a decision or intended decision shall be given either by posting the bid tabulation at the location where the bids were opened, or by certified mail, return receipt requested. This notice shall contain the following statement: "Failure to file a protest within the time prescribed in Section 120.57(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 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 10 days after the date (s)he filed the notice of protest. *Any person who files an action protesting a decision or intended decision pertaining to a bid pursuant to FS 120.57(3), shall post at the time of filing the formal written protest a bond payable to the Gilchrist County School Board in an amount equal to one percent of the total estimated contract value, but no less than \$500 nor more than \$5,000.* 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 days of receipt of the formal written protest.

- A. If the subject of a protest is not resolved by mutual agreement within seven days of receipt of the formal written protest, and if there is not disputed issues of material fact, an informal proceeding shall be conducted pursuant to Section 120.57, Florida Statutes, and of these rules.
 - B. If the subject of a protest is not resolved by mutual agreement within seven 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 these rules.
- V. Construction bids protested shall be in accordance with the policy on the topic found in the section of these policies dealing with construction.

STATUTORY AUTHORITY: 1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED: 120.53 (2), 120.57, F.S.

HISTORY: Adopted: 11.02

Revision Date(s): 2.06, 1.15

Formerly:

PAYMENT OF VOUCHERS/INVOICES

7.15

Expenditures for payment of vouchers and invoices shall be made by warrants or electronic transfers of the School Board. Authorization for such payments shall be deemed approved by the Board if within amounts approved in the Board-adopted District budget or amendment thereto. In cases of expenditures exceeding approved purchasing limits, specific School Board approval is required and shall be reflected in School Board minutes. Approval of individual warrants themselves by the School Board shall not be required.

Payment for purchases and services shall be made in a timely manner as set forth in Chapter 218, Florida Statutes.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

218.72-.75, 1001.43, 1001.51, 1011.06, F.S.

HISTORY:

Adopted: 1.00

Revision Date(s): 11.02, 2.06 Formerly:

PAYROLL PROCEDURES

7.16/D

- I. Payrolls shall be submitted for all School Board employees and shall be properly signed by a designated administrative employee. Such payrolls shall be supported, where applicable, by time records.
- II. Payroll checks or warrant distribution dates shall be established administratively to ensure that the employees are paid promptly in accordance with Florida Statutes.
- III. No payment shall be made except to properly authorized and approved personnel.
- IV. Payment shall be based on the duly adopted salary schedule for each position. From time-to-time payments in the form of a bonus or other legally authorized payment may be made in accordance with 215.425, Florida Statute.
- V. Full-time and part-time regular, probationary, and temporary employees shall be paid at the regular established pay period.
- VI. Principals shall be responsible for submitting accurate payrolls in accordance with the payroll time schedules and procedures.
- VII. Salary adjustments shall be paid at subsequent payroll periods. A person whose services are terminated shall be paid the full salary balance at the regular pay period following termination. Any exceptions shall be approved by the Superintendent or designee.
- VIII. A procedural manual for annuity and insurance payroll deduction shall be established by the District Benefits Committee and subject to approval by the Board. A payroll deduction for an employee beyond those required by Florida Statutes shall be made only upon the written request of the employee.
- IX. Any employee organization certified by the Florida Public Employees Relations Commission as the official bargaining agent for a group of District employees or other groups designated by law may be entitled to a payroll deduction for membership dues. The organization may be billed annually for the cost of deducting and transmitting such dues to the organization.

X. No payments shall be made for overtime services without prior approval of the Superintendent or designee.

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XI. There shall be no payroll deductions permitted in violation of Florida Statute.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 106.15, 1001.43, 1011.60, 1012.22, F.S.

HISTORY: Adopted: 1.00
Revision Date(s): 11.02 Formerly:

AUTHORIZED TRAVEL EXPENSES

7.17 /D

Authorized travel for offices and employees of the School Board shall be reimbursed as follows:

- I. In-District Travel **B** Travel by an authorized officer or employee within the District shall be reimbursed at School Board adopted rates, provided, however, that no reimbursement shall be made for travel between an employee's home and his/her official headquarters.

- II. Out-of-District Travel
 - A. One-Day Trips **B** Expenses by officers or employees on authorized school business which require less than one day shall be reimbursed for travel and meals at the following rate:

Mileage: *40¢* per mile

Meals:

Breakfast	-	\$ 6.00
Lunch	-	\$ 10.00
Dinner	-	\$ 17.00

- B. Overnight Trips **B** Expense by officers or employees on authorized trips requiring absence overnight or in excess of 24 hours shall be reimbursed for travel, lodging and meals at the following rate:

Mileage: *40¢* per mile

Meals:

Breakfast	-	\$ 6.00
Lunch	-	\$ 10.00
Dinner	-	\$ 17.00

OR

\$ 80.00 per diem.

Travel shall be the most economical route or method.

CHAPTER 7.00 B BUSINESS SERVICES

- III. Mileage shall be computed as follows:
 - A. In-District B In accordance with the District=s mileage schedule or the odometer reading from the point of departure to the destination.
 - B. Out-of-District B Pursuant to the mileage chart established on the official state road map plus vicinity mileage, or mileage established by a reputable internet mapping service.
- IV. Travel shall be coordinated when more than one traveler is going to the same destination at approximately the same time, if practical. Mileage reimbursement for travelers who choose not to carpool shall be pro-rated, between drivers, based on the number of travelers transported.
- V. A purchase order shall be issued and processed through the District Office when a common carrier is used. A District Credit Card may be used when appropriate. Air travel shall be used when practical, using airlines on state contracts if available.
- VI. Reimbursement may be requested for tolls, taxies, and registration fees when properly documented. No reimbursement may be authorized for gratuities. Reimbursement for registration fees shall be reduced by the value of any lodging or meals which are included.
- VII. All out-of-district travel by school board members shall have approval of the School Board. The official headquarters of each School Board member shall be his/her place of residence and all in-district travel, including travel to and from School Board meetings, shall be computed on this basis.
- VIII. The Superintendent or designee is authorized to approve monetary advances for anticipated travel expenses for persons who are traveling on the School Board=s behalf and whose responsibilities require extensive travel from the District. The financial advancement shall not exceed 80% of the anticipated cost of each trip.

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):2.06, 9.06, 7.07
Formerly:

FUND-RAISING FOR SCHOOL PROJECTS

7.19

All fund-raising projects and activities by schools or groups within the school shall contribute to the educational and extracurricular experiences of students and shall not be in conflict with the overall instructional program as administered by the Superintendent.

- 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 prescribe 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 other directives provided 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.
 - 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 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.

LAW(S) IMPLEMENTED: 1001.51, 1006.02, 1010.01, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.085, 6A-7.0411

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06, 10.06 Formerly:

INVESTMENT OF FUNDS

7.20

- I. The Superintendent shall invest temporarily idle funds to earn the maximum return for the period available while assuring minimum risk to principal. The investment objectives shall include safety of capital, liquidation of funds and investment income. Funds may be placed in the following types of investments:
 - A. Bids from qualified depositories;
 - B. Certificates of deposits;
 - C. Time deposits;
 - D. Securities of the United States Government;
 - E. State managed cooperative investment plans, or
 - F. Other forms of authorized investments. Should the District choose to enter into third-party custodial agreements, master purchase agreements or security purchase agreements, it shall do so in accordance with Florida Statutes. The District shall not invest in derivative products.
- II. The principal shall invest temporarily idle internal account funds in qualified depositories at the best available return while assuring minimal risk to principal and in accordance with this policy.
- III. The Board shall provide for appropriate training of those persons managing its investments.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 218.415, 1001.32, 1001.43, 1011.09, F.S.

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06 Formerly:

RISK MANAGEMENT INSURANCE

7.21

The Superintendent shall recommend annually to the School Board insurance programs that are in the best interest of the District. When considering the risk management programs, the Superintendent shall evaluate all options available as provided in state statutes.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1001.57, F.S.

HISTORY: *Adopted:*
Revision Date(s): 2.06 Formerly:

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

7.22

- I. Electronic Records, Electronic Signatures and Electronic Funds
- A. An electronic signature may be used if the law requires a signature, unless there is a specific statute, regulation, or policy that specifically prohibits the use of an electronic record and requires the record(s) to be signed in non-electronic form. 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. The Board further authorizes District staff to create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures. The Superintendent shall put in place measures to protect the integrity, security, and accessibility of electronic signatures and electronic records and shall comply with the mandates of State and Federal agencies or programs, including Medicaid.
- B. The issuance or acceptance of an electronic signature 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.
 7. The Superintendent may allow electronic signatures on internal documents considered to be of a low risk to be exempt from this policy.

- C. The District shall maintain electronically signed records in a manner that is consistent with state law and the District's document retention policies that allows the District to produce accurate and complete reproduction of the electronic records and signatures in their original form.

II. Electronic Fund Transfers

- A. The Board authorizes the movement of District funds into, out of, and between any District account by electronic means, including Fedwire, automatic clearinghouse (ACH), or any other method as may be developed and put into practice by financial institutions for the purposes of transferring money between accounts or between financial institutions. Movement of District funds by electronic means shall comply with the provision of Chapter 668, Florida Statutes. 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 payables; and
 - 5. payroll and other payroll related direct deposit payments.
- B. The Chief Financial Officer, Finance Director or his/her backup, will execute the electronic transfer of funds through qualified financial institutions. All necessary documentation shall be maintained so the transactions can be properly recorded within the Board's financial system.

C. Types of Electronic Funds Transfers

1. Fedwires

- a. Fedwires between Board accounts can be initiated and approved by the Chief Financial Officer or his/her designee.
- b. Templates of Fedwire instructions to non-Board accounts shall be established by a Finance Department employee using software provided by the Board's financial institutions and approved by the Chief Financial Officer. Wires to non-Board accounts require two-factor authentication to initiate the wire and a second approval to complete.

2. ACH Transactions

- a. Vendors may be paid via ACH Credit transactions when advantageous to the Board. An ACH Credit transaction is where money is sent from a Board account to the vendors' appropriate bank account.
- b. ACH Debit transactions are prohibited unless the counterparty to the transaction is another governmental entity or required by a Board approved contract. An ACH Debit transaction is where money is retrieved from a Board account by the counterparty's financial institution.
- c. Authorized vendors to be paid via ACH will be set up to receive such payments in the Board's financial system by finance department personnel, upon approval by the Chief Financial Officer. Such payments will be initiated by the accounts payable fiscal assistant in compliance with procedures established by the Finance department.
- d. Payment of employees' wages via direct deposit or paycard will be initiated by the payroll department in compliance with procedures established by the payroll department.
- e. ACH transactions require two-factor authentication to initiate the ACH transaction and a second approval to complete.

3. Other Electronic Funds Transfers. Transactions, through either an established method or any method that may be developed in the future, are permitted, so long as such transactions are structured so that Board funds

may not be transferred to non-Board accounts at the sole discretion of the Chief Financial Officer or other Board employee. Instructions to transfer funds electronically, to non-Board accounts, shall always be established under dual control, one District employee inputting the payment instructions and a second District employee approving the instructions. Said instructions can then be used by the Chief Financial Officer or his/her designee to execute an electronic transfer of funds.

- D. The Board shall approve agreements with the Board's financial institution(s). 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, as the authorized check signers for Board issued checks;
 3. 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;
 4. 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. The internal controls are designed to prevent losses of monies, which might arise from fraud, employee error, and misrepresentation by third parties, or imprudent actions by employees.

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): _____

HOSPITALITY FUNDS

7.25

The Superintendent may authorize expenditures for purposes of promotion, public relations activities, and hospitality, as set forth herein. Such expenditures are restricted as to the source of funds, amount of annual expenditures and conditions for expenditures, as set forth herein and as limited by law or regulations.

- 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: 1.08
Revision Date(s): 08.17, 11.18
Formerly:

The District is committed to maintaining the privacy and security of student data and teacher and principal data and will follow all applicable laws and regulations for the handling and storage of this data in the District and when disclosing or releasing it to others, including, but not limited to, third-party contractors. The District adopts this policy to implement the requirements of State and Federal privacy laws, including FERPA and its implementing regulations, the Children’s Online Privacy Protection Act (COPPA), 15 U.S.C §§6501-6506, 20 U.S.C. Section 1232g(a)(4) and personally identifiable information (“PII”) as identified in 34 CFR §99.3, and Section 1002.22, F.S., F.A.C. §6A-1.0995(9) as well as to align the District’s data policy and security practices.

This procedure is required whether or not there is a written agreement governing student use, and whether or not the online educational service is free. This procedure is required even if the use of the online educational service is unique to specific classes or courses. Prior to entering into an online educational services agreement, the following review and approval procedure shall be followed.

1. **Definitions:**

- a. “Commercial or marketing purpose” means the sale of student data; or its use or disclosure for purposes of receiving remuneration, whether directly or indirectly; the use of student data for advertising purposes, or to develop, improve, or market products or services to students.
- b. “Contract or other agreement” means a binding agreement between an educational agency and third-party, which includes, but is not limited to, an agreement created in electronic form and signed with an electronic or digital signature or a click-wrap agreement that is used with software licenses, downloaded, and/or online applications and transactions for educational technologies and other technologies in which a user must agree to terms and conditions prior to using the product service.
- c. “Disclose” or “Disclosure: means to permit access to, or the release, transfer, or other communication of personally identifiable information by any means, including oral, written, or electronic, whether intended or unintended.
- d. “Education records” means an education record as defined in the Family Educational Rights and Privacy Act and its implementing regulations, 20 USC Section 1232g and 34 CFR Part 99, respectfully.
- e. “Educational agency” means a school district, school, or charter school.
- f. “Eligible student” means a student who is eighteen years or older.
- g. “Online educational service” means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as a part of a school activity or function. Examples include online services that the students or parents use to access class readings, assignments, or videos, to view learning progression, or to complete assignments. This does not include online services that districts or schools may use to which students or parents do not have access, such as a district student information system.

- h. “Parent” means a parent, legal guardian, or person in parental relation to a student.
- i. “Personally identifiable information” or “PII” as applied to student data, means information that can be used to distinguish or trace a student’s identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to direct identifiers (such as a student’s or other family member’s name), indirect identifiers (such as a student’s date of birth, place of birth, or mother’s maiden name), and other personal identifiers (such as a student’s social security number or Florida Education Identifier (FIELD number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty. It also includes data as applied to teacher or principal data.
- j. “Principal” means a building principal subject to annual performance evaluation review.
- k. “Release” has the same meaning as disclosure or disclose.
- l. “Student” means any person who is or has been in attendance in a district school and regarding whom the District maintains education records.
- m. “Student data” means personally identifiable information (PII) from the student records of an educational agency.
- n. “Teacher” means a teacher subject to annual performance review.
- o. “Teacher or principal data” means personally identifiable information from the records of an educational agency relating to the annual professional performance reviews of classroom teachers or principals that is confidential and not subject to release pursuant to 1012.31, F.S.
- p. “Third-party contractor/service provider/vender” means any person or entity, other than an educational agency, whether public or private, that receives student data or teacher or principal data from an educational agency pursuant to a contract or other written agreement for purposes of providing services to the educational agency, including but not limited to data management or storage services, conducting studies for or on behalf of the educational agency, or audit or evaluation of publicly funded programs. This term will include an educational partnership organization that receives student and/or teacher or principal data from a school district to carry out its responsibilities and is not an educational agency, and a not-for-profit corporation or other nonprofit organization, other than an educational agency. The term does not include the Florida Department of Education or the Department’s contractors and subcontractors.
- q. “Unauthorized disclosure” or “unauthorized release” means and disclosure or release not permitted by federal or state statute or regulation, any lawful contract or written agreement, or that does not respond to a lawful order of a court or tribunal or other lawful order.

2. **Data Collection Transparency and Restrictions**

As part of its commitment to maintaining the privacy and security of student data and teacher and principal data, the District will take steps to minimize its collection, processing, and transition of PII. Additionally, the District will:

- a. Not sell PII nor use or disclose it for any marketing or commercial purpose or facilitate its use or disclosure by any other party for any marketing or commercial purpose or permit another party to do so.
- b. Ensure that it has provisions in its contracts with third-party contractors or in separate data sharing and confidentiality agreements that require the confidentiality of shared student data or teacher or principal data be maintained in accordance with law, regulation, and District policy.
- c. Any agreement for online educational services shall contain an explicit prohibition against sharing or selling a student's PII for commercial purposes without providing parents a means to either consent or disapprove.
- d. This disclosure prohibition does not prevent the purchase, merger, or other type of acquisition of a third party provider or online educational service by another entity, provided that the successor entity continues to be subject to the provisions of this rule with respect to previously acquired PII.
- e. If student PII will be collected by the online educational service, the Superintendent shall establish procedures for notifying parents and eligible students of information that will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure, if any.

3. **Data Protection and Terms of Service**

Prior to submitting any online services agreement or contract to the School Board for approval, the Superintendent, or designee shall:

- a. Designate a person or persons responsible for the review approval of online educational services that are required for students to use.
- b. Ensure the online educational service's terms of service and privacy comply with state and federal privacy laws, including FERPA and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), 15 U.S.C. ss. 6501-6506, and Section 1002.22, F.S.
- c. Ensure the Online Educational Services Agreement contains an explicit prohibition against sharing or selling a student's PII for commercial purposes without providing parents a means to either consent or disapprove. (This disclosure prohibition does not prevent the purchase, merger, or other type of acquisition of a third party provider or online educational service by another entity, provided that the successor entity continues to be subject to the provisions of this policy with respect to previously acquired PII.
- d. Establish procedures for notifying parents and eligible students if PII will be collected by the online educational service on how it will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure, if any.
- e. Ensure the service or application is inventoried and evaluated, and supports the schools' and districts broader mission and goals.

4. **District Data Privacy**

The District will protect the privacy of PII by:

- a. Ensuring that every use and disclosure of PII by the District benefits students and the District by considering, among other criteria, whether the use and/or disclosure will:

- b. Improve academic achievement;
 - c. Empower parents and students with information; and/or
 - d. Advance efficient and effective school operations.
 - e. Not including PII in public reports or other public documents.
5. The District affords all protections under FERPA and the Individuals with Disabilities Education Act and their implementing regulations to parents or eligible students, where applicable.
6. **Click-Wrap Agreements**

Periodically, District staff may wish to use software, applications, or other technologies in which the user must “click” a button or box to agree to certain online terms of service prior to using the software, application, or other technology. These are known as “click-wrap agreements” and are considered legally binding “contracts or other written agreements”

- a. District staff are prohibited from using software, applications, or other technologies pursuant to a click-wrap agreement in which the third-party contractor receives student data or teacher or principal data from the District unless they have received prior approval from the Superintendent, or designee.
 - b. The District will develop and implement procedures requiring prior review and approval for staff use of any software, applications, or technologies pursuant to click-wrap agreements.
7. **Notice:**

For any online educational service that a student is required to use, the district will provide notice on its website of the PII information that may be collected, how it will be used, when it will be destroyed and the terms of re-disclosure. This notice will include a link to the online educational service’s terms of service and privacy policy, if publicly available.

8. **Compliance:**

Pursuant to this policy any online educational service provided through a Third-party vender or Third-party service provider must be School Board approved. An employee’s failure to follow this policy may result in disciplinary proceedings, up to and including termination.

9. **Parent/Guardian Notice:**

- a. The use of any non-approved online educational software, web-based tools or mobile applications on district provided devices may result in the student’s PII being disclosed and not protected.
- b. Students shall only use School Board approved online educational software, web-based tools or mobile applications on district provided devices. The use of any non-approved online educational software, web-based tools or mobile applications on district provided devices may result in disciplinary proceedings, up to and including expulsion.

Statutory Authority:

1001.41, 1001.42, 1001.43, F.S.

Law(s) Implemented:

*1001.22, 1001.21, F.S.,
20 U.S.C. s. 1232g(a)(4); 15 U.S.C. SS. 6501-6506;
34 CFR §99.3;
F.A.C. §6A-1.0955*

History:

Adopted: 7.23

Revision Dates; Formerly: NEW

GRANT MANAGEMENT

- 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: 03.16
Revision Dates;
Formerly: NEW

SAFETY

8.01

- I. The principal shall cooperate with the Police Department, the Highway Patrol, and the County Sheriff's Department in providing safe conditions for students. School safety patrol units are encouraged.
- II. The principal, bus drivers, teachers, school food service personnel, and custodians shall strive to protect the physical welfare of each student.
- III. The principal shall remove hazards where possible and shall report in writing to the Superintendent all other known hazards. Barbed wire shall not be used on school grounds except by the School Board's authorization.
- IV. Students shall be given information which encourages compliance with the safety belt usage law by means of appropriate courses such as driver education, health, and safety.
- V. 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 1001.41, 1001.42, F.S. *AUTHORITY:*

316.614, 1001.43, 1006.062(3), 1006.07, F.S.

LAW(S) IMPLEMENTED:

Adopted: 1.00

HISTORY:

Revision Date(s): 11.02,

2.06 Formerly:

TOXIC SUBSTANCES IN SCHOOL WORK AREAS

8.02

The Superintendent shall develop and implement a program to ensure School Board employees are provided information concerning the nature of toxic substances which are used in the workplace. The program shall include, but not be limited to:

- I. Notification of School Board employees of where to direct requests for information on such substances;
- II. An orientation session, within 30 days of employment, for all new School Board employees to advise them of any adverse health effects which may occur as a result of contact with toxic substances; and,
- III. Distribution of information regarding the use of any toxic substances in the District school system to the local fire department.

STATUTORY AUTHORITY: 1001.42, F.S.

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

HISTORY: *Adopted:*
Revision Date(s):
Formerly:

INSPECTIONS

8.03

- I. All school buildings shall be inspected at least once during each school fiscal year by a person who is certified by the Florida Department of Education. 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.
- II. Fire safety inspections of all buildings shall be conducted annually by the Division of the State Fire Marshall or, upon approval, a local fire department official who has successfully completed the required training courses and is certified by the Division of the State Fire Marshall as a fire safety inspector.
- III. If a serious fire hazard is identified, action may be taken in accordance with Policy 8.31.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 404.056, 1001.43, 1013.12,

STATE BOARD OF EDUCATION RULE(S): F.S. 6A-2.0010

HISTORY:
Adopted:
Revision Date(s): 2.06
Formerly:

CHAPTER 8.00 - AUXILIARY SERVICES

DISASTER PREPAREDNESS

8.05

- I. The School Board recognizes that the use of its facilities and transportation services can be invaluable to this community in a crisis or emergency. Therefore, in the event of a local or State emergency and upon the request of the local emergency management agency, the District shall participate in emergency management efforts by providing facilities and personnel necessary to staff such facilities during a state or local emergency. The Board authorizes the Superintendent to establish a crisis management team whose members shall be trained in various emergency procedures.
 - A. Prior to June 1 of each year, the Superintendent shall develop, with local emergency management agencies, a list of schools to be used as emergency shelters.
 - B. Unless otherwise designated, the principals of the designated facilities shall be the “shelter manager” and shall be responsible for all aspects of the operation of the emergency shelter.
 - C. The Superintendent may authorize the use of custodians, food service personnel, electricians, maintenance employees, and other School Board employees to assist in the safe operation of the emergency shelter or disaster operation.
- II. Transportation assistance provided by the School Board shall be coordinated with the department of emergency management. The Superintendent may authorize the use of bus drivers and assistants as needed to provide emergency transportation services.
- III. In the event the superintendent officially closes a school, district office, or a combination of work centers to employees, the affected employees shall be paid for their regularly scheduled hours. Should the superintendent reschedule that workday for a later date on which the employee was not scheduled to work, the employee shall be deemed to have been compensated in advance, and will receive no additional compensation. The resulting rescheduling of days missed due to school closure will not have any financial impact on twelve (12) month employees.
- IV. The Board recognizes that exempt and nonexempt employees who serve on the crisis management team and who staff the congregate shelters during a declared emergency will be providing services that exceed their contractual obligations by working on days and at times when other District employees are not required to be on duty. Compensation will be as follows:

- A. Hourly personnel asked to perform emergency-related duties will be paid according to current School Board pay schedules. Overtime will be paid consistent with the federal Fair Labor Standards Act. All hours worked must be pre-approved by their supervisor, shelter manager or Superintendent and/or designee where applicable.

 - B. Non-bargaining administrative personnel required to work at the shelter, or otherwise required to work by the Superintendent at another duty station shall be compensated \$200 per day of operation of the shelter or other designated work site if a minimum of eight (8) hours is worked by that employee on that day, or a minimum of four (4) hours worked on the day the shelter ceases operations. Compensation provided by this paragraph is an unbudgeted expenditure and additional compensation.
- V. Following the use of District facilities as congregate shelters, the Superintendent shall calculate the amount spent during the period the facilities were used for congregate shelters that is above and beyond the usual and customary expenses to operate the facilities during that time period for the following:
- A. Utilities (e.g., power, water, and telephone),
 - B. Generator usage (rental costs and/or fuel required),
 - C. Shelter safety and security, and
 - D. Costs related to use of buses and other vehicles, excluding operator costs.
- VI. The Superintendent is authorized to submit the itemized total expended by the District for extra compensation for exempt and nonexempt staff, as well as the additional amount expended for the operation of the District facilities used as congregate shelters, to the Federal Emergency Management Agency (FEMA) and/or appropriate agency for reimbursement. The Board shall be informed of the amount of reimbursement requested from FEMA once completed at a regularly-scheduled Board meeting.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1012.23, 1013.372, F.S.

HISTORY:

ADOPTED: 12.22

REVISION DATE(S):

VANDALISM AND MALICIOUS MISCHIEF

8.08

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 use 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:

1001.42, F.S.

LAW(S) IMPLEMENTED:

741.24, 806.13, 1001.43, 1013.10, F.S.

HISTORY:

Adopted:

Revision Date(s): 10.06

Formerly:

SANITATION AND PREVENTIVE MAINTENANCE

8.09

The school principal or work site supervisor or designee shall be responsible for maintaining satisfactory standards of sanitation and housekeeping. A formal inspection of all buildings under his/her supervision shall be made at least once each month including all toilet areas, food service areas, storage rooms, and other student or staff occupied areas.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

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

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06
Formerly:

CHAPTER 8.00 - AUXILIARY SERVICES

INFECTION CONTROL GUIDELINES

8.11

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 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

LAW(S) IMPLEMENTED:

1001.43, 100123, F.S.

HISTORY:

Adopted:

Revision Date(s):

Formerly:

PURPOSE AND FUNCTIONS OF THE TRANSPORTATION PROGRAM

8.12

- 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 Transportation Supervisor shall develop a handbook for School Board approval to set forth guidelines, directions, and procedures for the District's transportation system.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.21, 1006.22, 1006.23, 1011.68, F.S.

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

HISTORY: Adopted:
Revision Date(s): 2.06, 2.07, 12.16
Formerly:

STUDENT TRANSPORTATION

8.13/D

Each student who is transported shall be entitled to free transportation provided (s)he 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 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 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 Supervisor of Exceptional Students certifying that the student is handicapped and is unable to walk to school.
 - C. Students living within the two-mile limit that do not have city street access to sidewalks/rails-to-trails running adjacent to state or county maintained highways.
- 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) or legal guardian 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 policies 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 operator's handbook for that bus shall be permitted to ride such bus while it is being operated on a regular school bus route except upon the written request of the Principal or Designee. Such approval may be granted only when the student's welfare is involved due to an emergency condition in the home. When an emergency condition exceeds five school days, the Superintendent's approval shall be required. Approval shall not be allowed for:
 - A. Student visitation, unless duly authorized; and,
 - B. A student to obtain transportation to his/her regular place of employment.

- V. No person shall be eligible for transportation on a field trip or extracurricular school trip unless (s)he is authorized by the principal or designee.

- VI. Maximum regard for the safety of students and due consideration for the protection of health of all students transported shall be primary requirements in the routing of buses, establishing student stops, appointing drivers, and in providing and operating transportation equipment.

- VII. A student who arrives early or remains late because of transportation service shall be under school supervision at all times and shall, if practicable, have a planned schedule of activities. The principal shall be responsible for providing such supervision.

- VIII. Each route shall be planned and adjusted as nearly as possible to the bus capacity. Travel each morning and afternoon shall be considered in planning and establishing bus routes and shall not exceed 50 minutes for elementary students and 60 minutes for secondary students when practical.

- IX. Periodically student transportation routes and student walking conditions shall be reviewed to determine if hazardous conditions exist. Appropriate requests for designation of hazardous conditions shall be provided as required by state law or State Board of Education rules.
- X. Pick-up and Drop-off
- A. Morning pick-up - Each student will be assigned to only one bus route. If the bus stop or bus route is not the home of the student, proper paperwork on approved forms must be completed by the parent/guardian and approved by the transportation department prior to any change in the designated bus stop or bus route.
 - B. Evening drop-off - Each student will be assigned to only one bus route. This bus stop or bus route may differ from the morning bus stop or bus route. If the bus stop or bus route is not the home of the student, proper paperwork on approved forms must be completed by the parent and approved by the transportation department prior to any change in the designated bus stop or bus route.
 - C. Students may not change their bus stop or bus route without at least five days written notification and approval from the transportation department.
 - D. In emergency situations or natural disasters requiring special consideration, the Principal shall use his discretion to determine if transportation is warranted.

Special Note: This policy eliminates notes or phone calls from parents to principals requesting a change in bus stop or bus route. However, students that have extenuating circumstances (this does not include birthday parties, staying overnight with friends, etc.) must have a written note from the parent/guardian with at least three days notification to the principal in order to change student's bus stop.
 - E. Any student who feels unsafe about getting off at a stop will be returned to the school and parent/guardian notified.
- XI. Transportation of Pre-Kindergarten Children - All students in membership below Kindergarten (Pre-K and Head Start) being transported on school buses shall be required to have a parent or other adult designee present at the drop-off bus stop. If using an adult designee, proper paperwork must be completed by the parent/guardian and approved by the transportation department. If no parent or designee is present at the bus stop to take custody of the student, the driver will immediately notify the child's

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school. The school will in turn notify the parent or designee. The child will be transported back to the school and the parent or designee will be responsible for picking up the child.

XII. Center-to Center Route Eligibility - A student will be eligible to ride on the center-to-center bus under the following conditions:

- A. The student is enrolled in a magnet program.
- B. Students whose residence is relocated during the school year will be eligible for the remainder of the school year only as long as there is space available on the bus.
- C. Any exceptions to this section shall be approved by the Superintendent. Exceptions include court orders and extreme situations.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1006.21, 1006.22, 1006.23, 1011.68,

STATE BOARD OF EDUCATION RULE:

F.S. 6A-3.001, 6A-3.0171

HISTORY:

Adopted: 1.00

Revision Date(s): 11.02, 10.06, 2.07, 2.16

Formerly:

AUTOMOTIVE EQUIPMENT

8.14

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 policy 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 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 as regular intervals. The equipment shall be placed in the District's garage for repairs or service, if needed.
- V. Under no conditions shall equipment be repaired by a private shop or private individual without the Superintendent or Transportation Supervisor's approval.
- 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.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1006.21, 1006.22, F.S.

STATE BOARD OF EDUCATION RULE:

6A-3.017

HISTORY:

Adopted:

Revision Date(s):

Formerly:

BUS ROUTES

8.15

- I. Designation of Bus Routes - The School Board, after considering the Superintendent's recommendation, shall 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 working 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. School bus routes which are designated by the School Board 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 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 are involved.
 - H. The location of each bus stop will conform to the requirements of Florida Statutes.

- 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 operators 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 area shall be ineligible for transportation provided by the School Board except as permitted by the School Board Policy 8.13, Student Transportation or other controlling regulations.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 947.1405, 1001.21, 1006.21,

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

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06, 2.07
Formerly:

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TRANSPORTATION LIABILITY

8.16

The Superintendent is directed to ensure that School Board liability is protected when transporting students and persons other than 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.

LAW(S) IMPLEMENTED: 1001.43, 1006.21, 1006.24, F.S.

HISTORY: Adopted: 2.06
Revision Date(s):
Formerly:

BUS EMERGENCY EVACUATION DRILLS

8.17

- A. The director of transportation or designee shall instruct bus operators in procedures to be followed while conducting a bus emergency evacuation drill. A bus evacuation drill shall be conducted during the first six weeks of each semester in the presence of a school principal or designee.
 - A. The director of transportation or designee shall inform the bus operators and the school principal or designee by written notice as to the day on which any practice emergency evacuation drill is to be conducted. The bus operator shall hold the drill as directed and the principal or designee 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 operator serving more than one school shall report for instruction to the school as directed by the Director of Transportation or designee.
- III. 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. Initial instruction shall be given during the first 20 days of the school year and the second period of instruction shall be held during the second semester of the school year. The principal and his/her instructional staff members shall determine the most effective and practical manner in which to provide such instruction.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.21, F.S.

STATE BOARD OF EDUCATION RULE:

6A-3.0171

HISTORY:

Adopted: 5.09

Revision

Date(s):

Formerly

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DRUG/ALCOHOL TESTING POLICY FOR DISTRICT EMPLOYEES

8.181D

I. PURPOSE

The intent of this policy is to deter the use of drugs and alcohol and its effects in the work place by establishing standard procedures for drug and alcohol testing for all employees, pursuant to the

Omnibus Transportation Employee Testing Act (OTETA) of 1991 in Section 234.091, Florida Statutes, [Ref: Section 382.101 and 382.103), and regulations of the Federal Highway Administration (FHWA) contained in 49 Code of Federal Regulation (CFR) Parts 40 and 382, et al.]

II. PROCESS AND CONTENT

A. Employees Affected

This policy applies to:

1. All employees who are required by the School Board to hold a Commercial Driver's License (CDL) as a condition of employment.
2. All applicants recommended to fill positions with the School Board for which a CDL is required.
3. Any district employee for whom reasonable suspicion exists to believe that the employee is guilty of violating the prohibitions contained in OTETA, or this policy.

B. Definitions - Prohibitive Substances - What is Positive or Negative

The following categories of prohibitive substances are addressed by this policy:

1. Illegally Controlled Substances or Drugs:

Any illegal drug or substance as identified in Schedules I through V of Section 202 of the Controlled Substances Act and as further defined by 21 CFR 1300.11 through 1300.15. This includes, but is not limited to,

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marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine. Illegal use includes use of any illegal drug, illegally obtained drugs, and misuse of legally prescribed drugs.

2. Alcohol:

Alcohol use is the consumption of any beverage, mixture, or preparation including any medication or product containing alcohol.

3. Positive Results:

A positive alcohol or drug test shall be defined in accordance with the positive criteria in the OTETA, FHWA Regulations, 49 CFR Parts 40 and 382, et.al., and F.S. 440.101 and 440.102 including subsequent revisions or additions.

III. PROHIBITED CONDUCT

A. No employee shall possess, consume or sell alcohol beverages or manufacture, distribute, dispense, possess or use, on the job or in the workplace, any narcotic, drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in the Controlled Substances Act (21 U.S.C. 812) and is further defined by regulations at 21 CFR 1300.11 through 1300.15, or Florida Statutes, Chapter 893.

B. The School District shall not permit any employee to report to work or to perform his or her duties after having ingested illegal or illegally obtained drugs or while under the "influence of alcohol".

1. Controlled Substances:

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a vehicle.

2. Alcohol:

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of BAC (Blood Alcohol Content) of 0.02 or greater. A BAC at or above 0.04 is

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deemed to be positive, however, an OTETA covered employee who has a blood alcohol count of 0.02 but less than 0.04 shall not perform safety-sensitive functions until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test. No driver shall perform safety-sensitive functions within four hours after using alcohol. No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol.

IV. REFUSAL TO SUBMIT TO TESTING

A. Failure of the employee to submit to any required drug or alcohol test is considered a positive test result in accordance with FHWA Regulations.

Employees who refuse to submit to testing will not be permitted to perform or continue to perform safety-sensitive functions and will be subject to discipline, up to and including termination or disqualification for further employment consideration.

V. TREATMENT AND NOTICE REQUIREMENTS

A. Notice to Affected Employees:

The School Board will communicate to all covered employees prior to conducting drug and alcohol testing and provide the reasons for conducting said test(s). The School Board shall provide written notice of the required testing to covered employees and shall provide oral notice at the time of the required testing.

B. Education and Training:

The School Board shall provide educational materials that explains the requirements of the program and its policies and procedures with respect to meeting the requirements.

C. Treatment Information:

Each OTETA covered employee who engages in prohibited conduct shall be evaluated by a substance abuse professional at the employee's expense, who shall determine what assistance, if any, the employee needs in resolving problems associated with use of prohibited drugs or alcohol misuse.

It shall be the sole responsibility of the employee to pay all costs related to any treatment recommended by a substance abuse professional or as a result of the implementation of this policy.

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VI. DRUG TESTING AND ANALYSIS

A. Drug and/or alcohol testing may be conducted when circumstances warrant or as required by State or Federal regulations. It is the intent of the School Board to comply with all alcohol and controlled substance testing procedures contained in 49 Code of Federal Regulations Parts 382, 291, 192, and 395. All OTETA covered employees will be subject to preemployment, post-accident, reasonable suspicion, return-to-duty/follow-up, and random testing. All other district employees are subject only to reasonable suspicions testing.

B. The School Board recognizes the need to protect individual dignity, privacy and confidentiality in the program. Testing and specimen analysis shall be conducted in a manner to assure a high degree of accuracy and reliability and using teaching and laboratory facilities which are certified by the U.S. Department of Health and Human Services and the Florida Agency for Health Care Administration.

C. The following are conditions under which testing may be conducted as required by Federal Regulations or when circumstances warrant.

1. Preemployment Testing:

All applicants for employment for positions requiring a CDL shall undergo testing prior to employment except as otherwise specified pursuant to 382.301(c). Written documentation must be provided by the candidate to substantiate the exception.

2. Reasonable Suspicion Testing:

A supervisor or School Board designee outside the bargaining unit who has been trained in accordance with requirements of FHWA Regulations shall require a driver to submit to an alcohol or drug test when the employer has reasonable suspicions to believe that a driver has violated the prohibitions contained OTETA, FHWA Regulations, or this policy.

Reasonable suspicion must be based upon documented objective facts and circumstances which are consistent with the long or short-term effects of alcohol or substance abuse, including but not limited to physical signs and symptoms, appearance, behavior, speech and/or body odor.

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The required observations for alcohol and/or controlled substance reasonable suspicion testing shall be made by a supervisor or School Board designee who has been trained for at least 60 minutes of training on alcohol misuse and an additional 60 minutes of training on controlled substance use and misuse.

Reasonable suspicion includes, but is not limited, to the following examples: slurred speech, alcohol odor on breath, unsteady walking and movement, an incident involving board property or employees, physical altercation, verbal altercation, unusual behavior, possession of alcohol or drugs, information obtained from a reliable person with personal knowledge.

3. Vehicular Post Accident Testing:

Alcohol and drug testing will be required following an accident when the driver was performing a safety-sensitive function. Accidents are defined to very limited circumstances by the FHWA which include loss of human life, or the driver of the vehicle received a citation from a law enforcement officer for a moving traffic violation arising from the accident and either (a) one or more persons, whether driver or passenger, received immediate medical treatment away from the scene of the accident or (b) one of the vehicles involved must be towed from the scene of the accident due to operational impairment. Such testing must be conducted within time limits set for the FHWA Regulations.

The alcohol test is required to be administered within eight hours following the accident. If the alcohol test is not administered within two hours a record will be kept by the district employee involved in the accident and the supervisor or School Board designee as to why the test was not promptly administered. The controlled substances test is required within 32 hours. If the test cannot be administered after eight hours for alcohol and 32 hours for controlled substances, the school district employee and the supervisor or School Board designee will maintain a record stating the reasons the tests were not administered.

If the accident occurs out of the district and after School Board hours, any employee involved in an accident as defined in this category is REQUIRED to receive the post-accident alcohol and drug testing within the required two-hour period, and to IMMEDIATELY notify the

transportation director or risk manager of the Gilchrist County School Board of the accident. The employee shall have a law enforcement officer or a hospital perform the test with the test kit which shall be located in all buses and all school district owned vehicles which require a CDL to operate.

4. Random Testing:

All OTETA covered employees shall be subject to random, unannounced drug and alcohol testing. The annual random rate for controlled substance testing shall be 50% of the covered employees and at least half of these employees (25% of covered employees) will also be tested for alcohol. The test has to be administered immediately before or immediately after the employee has driven a bus route or operated a district owned or leased vehicle.

The Transportation Director will provide names of current employees who currently operate Board owned/leased vehicles on a regular basis to the Director of Financial Services. The Director of Financial Services will provide the lists by area to the contractor.

The contractor will provide at least four random selections per school year from each pool of employees. The Board will have two pools of employees for testing. One pool for those employees who are required to have a CDL, and another pool for all other drivers of board owned/leased vehicles. A list of those randomly selected will be provided to the Director of Financial Services or designee who will in turn notify the Principal/Department Head. The Principal/Department Head will notify the employees that they should report within one hour to the collection site.

5. Return-to-Duty/Follow-Up Testing:

Any employee who previously tested positive on a drug or alcohol test must submit to a return to duty test and test negative, provided that the employee is considered for return-to-duty.

6. Follow-Up Testing:

Unannounced follow-up alcohol and/or controlled substances testing, as directed by a substance abuse professional in accordance with FHWA Regulations, will include six tests conducted within the first 12 months after returning to duty. The number and frequency of follow-up testing may be conducted up to 60 months as determined and recommended by the substance abuse professional.

The School Board of Gilchrist County will be responsible for the cost of follow-up testing.

7. Employee Requested Testing:

Any employee who questions the results of a required drug test set forth in this policy may request that a test of the split sample be conducted, at the employee's expense. This test may be conducted at the same or a different testing laboratory.

When an employee requests a split sample to be tested and the results are negative, the School Board of Gilchrist County will pay for the cost of the split sampling test. If the results are still positive on a split sample test, the employee shall be responsible for the cost. If the split sample also tests positive, the employee shall be terminated.

VII. CONSEQUENCES OF DRUG TESTING:

A. Refusal to Participate:

Employees will be terminated if they refuse to submit to a drug/alcohol testing or alters a test.

B. Confirmed Positive Results:

1. Job applicants:

If the results of a pre-employment drug test are confirmed positive, the job applicant will be disqualified from further employment consideration.

2. Employees:

Upon notification by the contracted testing company, the supervisor or School Board designee will notify the employee, substitute bus driver, and the principal or department head of the results. If positive tests are

confirmed for illegal substances or alcohol, the district will terminate the employee.

- a. Alcohol: Any employee with a test result of 0.04 or higher will be terminated. Any employee with a test result of 0.02 to 0.039 will result in suspension from duty without pay for a minimum of 10 working days. A second test result of 0.02 or higher will result in termination. A substitute bus driver with a test result of 0.02 or higher will be terminated.
- b. Controlled substance: Any employee or substitute who tests positive for a controlled substance will be terminated.
- c. Employees or Substitute drivers who have been terminated as a result of this program will be provided with information on treatment programs available.
- d. When an employee volunteers his/her services and is subject to disciplinary action as result of a positive test, the disciplinary action shall apply to the supplemented position or volunteer position only. Employees with a positive test in this category will be reported to Professional Practices Services (PPS).

VIII. CONFIDENTIALITY

- A. All information, interviews, reports, statements, memoranda, and drug test results, received by the School District of Gilchrist County, Florida, in conjunction with the Drug Testing Program are considered confidential communications and such information will not be disclosed or released except as authorized pursuant to State law or regulations or written consent by the person tested, except where such release is compelled by hearing officer, a court of competent jurisdiction, or where deemed appropriate by a professional or occupational licensing board. All School District of Gilchrist County employees are required to adhere to this confidentiality policy. However, all documents that become a part of an administrative, judicial, or school district proceeding are considered public record in accordance with Florida Statute.

IX. VOLUNTARY TREATMENT

The Gilchrist County School Board shall not discharge, discipline, or discriminate against an employee solely upon voluntarily seeking treatment for any drug-related problem or alcohol related problem if the employee has not previously tested positive for drug or alcohol use prior to being notified to report for drug/alcohol testing.

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

LAW(S) IMPLEMENTED: , F.S.

HISTORY: *Adopted: Spec Bd Mtg 12/20.1994*
Re-Adopted:
School Board Meeting,
7/21/03, effective 8/1/03
Revision Date(s)
Formerly:

VEHICLE MAINTENANCE PROGRAM

8.19

- 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 operators 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.
 - E. Training through inservice activities for apprentice mechanics.
- II. The mechanical condition of each school bus shall be determined at least once each 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 governmental owned vehicles may be repaired or serviced in the school bus garage.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1006.21, 1006.22, 1006.25, F.S.

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

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06, 2.07
Formerly:

EXITING THE SCHOOL BUS

8.20

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.

<i>STATUTORY AUTHORITY:</i>	<i>1001.42, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>1000.21, 1006.21, 1006.22, F.S.</i>
<i>STATE BOARD OF EDUCATION RULES:</i>	<i>6A-3.0171</i>
<i>HISTORY:</i>	<i>Adopted:</i> <i>Revision Date(s):</i> <i>Formerly:</i>

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TRANSPORTING STUDENTS IN PRIVATE VEHICLES

8.21

- I. The District will normally use school buses, as defined in Florida Statutes, for all regular transportation of students, prekindergarten through grade 12.
- II. The transportation of students in privately-owned motor vehicles for educational field trips or school-sponsored or school-related events shall be approved by the Superintendent or designee on a case-by-case basis pursuant to Florida Statutes, except in an emergency situation. (note see IV below)
- III. The vehicle must be a passenger car or multipurpose passenger vehicle or truck, as defined by federal law, designed to transport fewer than 10 students.
- IV. Drivers of such vehicles shall be required
 - A. to show proof of insurance coverage at the minimum limits required by Florida Statutes and at other limits that may be required by the School Board;
 - B. to provide proof of a valid driver's license; and
 - C. to comply with the requirements of the District's safe driver plan
- V. Vehicles shall not transport numbers beyond their rated capacity. Students must be transported in designated seating positions.
- VI. Appropriate safety measures such as use of seat belts shall be observed.
- VII. The parent, as defined by Florida Statutes, of each student shall be notified in writing about the transportation arrangement and shall give written consent before a student is transported in a private vehicle except in an emergency situation.
- VIII. Violation of this policy shall result in disciplinary action up to and including termination.

STATUTORY AUTHORITY:

1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1006.21, 1006.22, 1006.24, F.S.

STATE BOARD OF EDUCATION RULE:

6A-3.0171

HISTORY:

Adopted: 1.00

Revision Date(s): 11.02, 1.08

Formerly:

(Option 2 of NEFEC model)

SAFETY BELTS

8.22

- I. The operator and each front seat 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 Section 316.003, Florida Statutes, except for the following:
 - A. A school bus except as required by law or rule;
 - B. A bus used for transportation of persons for compensation;
 - C. A farm tractor or implement of husbandry;
 - D. A truck of net weight of more than five thousand (5,000) pounds; and,
 - E. A motorcycle, moped, or bicycle.
- II. The number of front seat passengers of a pick-up truck required to wear a safety belt shall not exceed the number of safety belts which were installed by the manufacturer.
- III. School bus operators shall wear a seat belt when operating a school bus.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 316.003, 316.614, 1006.21, F.S.

STATE BOARD OF EDUCATION 6A-3.0171

RULE(S): HISTORY: Adopted:
Revision Date(s): 2.06, 2.07
Formerly

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GENERAL FOOD SERVICE REQUIREMENTS

8.23/D

- I. The school food service program shall operate according to requirements set forth in Florida Statutes, State Board of Education, and Florida Department of Agriculture and Consumer Services rules. The school food service program shall include the federally reimbursed lunch program, a la carte food, beverage offerings, and sale of food and beverage items offered through vending machines or other methods to students at all school facilities during the school day and may include other federally reimbursed Child Nutrition Programs.
- II. The District shall participate in the Florida Farm Fresh Schools Program contingent on availability.
- III. The school food service program shall be an integral part of the District's educational program, offering nutritional and educational opportunities to students.
- IV. Foods and beverages available in schools shall be only those which meet the nutritional needs of students and contribute to the development of desirable health habits unless permitted otherwise by State Board of Education, Florida Department of Agriculture and Consumer Services rules, and approved by the Superintendent.
- V. The school food service program shall meet the standards for Food Service and Sanitation and Safety as provided by the Florida State Board of Health, Florida State Department of Education, and Florida Department of Agriculture and Consumer Services.
- VI. Students may exercise discretion in their choice of foods. Students may elect to choose at least three of the five food items offered at lunch and three of the four food items offered for breakfast, but shall pay the unit price.
- VIII. Food and beverage services which are available to students shall be provided only during the school day by the food and nutrition service program. School organizations approved by the School Board may be permitted to sell food and beverage items to students in secondary schools one hour following the close of the last lunch period.
 - A. Food sold by school organizations shall comply with the provisions of State Board of Education rules.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1006.06, 106.0605, F.S.

STATE BOARD OF EDUCATION RULE(S):

6A-7.040, 6A-7.041, 6A-7.0411, 6A-7.045

HISTORY:

Adopted: 1.00

Revision Date(s): 3.00, 7.01, 11.02, 2.06, 10.06, 2.13 Formerly:

MEAL PATTERNS

8.24

All schools with grades K-12 shall participate in the National School Lunch Program and Breakfast Programs and serve student meals according to meal patterns established by the United States Department of Agriculture. Schools may participate in the other Child Nutrition Programs meals; meals shall be served to students according to meal patterns established by the United States Department of Agriculture.

STATUTORY AUTHORITY: 1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED: 1006.06, F.S.

STATE BOARD OF EDUCATION RULE: 6A-7.040

HISTORY: Adopted: 1.00

Revision Date(s): 11.02, 2.13

Formerly:

CHAPTER 8.00 - AUXILIARY SERVICES

FREE AND REDUCED PRICE MEALS

8.25

Free or reduced price meals shall be served to all students who are unable to pay the full price of meals and who qualify based on eligibility criteria approved by the School Board.

- I. The income eligibility guidelines for free or reduced price meals shall be in accordance with the scales provided by the Florida Department of Education as adopted by the State Board of Education based upon income guidelines prescribed by the United States Secretary of Agriculture.
- II. Eligibility criteria shall be applicable to all District schools and shall provide that all students from a family meeting the eligibility criteria and attending any District school are offered the same benefits.
- III. Procedures for implementing the free and reduced price meal services shall be reviewed annually and shall be in accordance with procedures and guidelines published by the Florida Department of Education and the United States Department of Agriculture.

STATUTORY AUTHORITY: 1001.42, 1001.43, F.S.

LAW(S) IMPLEMENTED: 1006.06, 1006.0605, F.S.

STATE BOARD OF EDUCATION RULE: 6A-7.0421

HISTORY: *Adopted:*
Revision Date(s): 2.13 Formerly:

SUMMER NUTRITION PROGRAM

8.251

- 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 percent) 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) percent 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: 1.08

Revision Date(s): 2.13 Formerly:

CHAPTER 8 - AUXILIARY SERVICES

SCHOOL BREAKFAST PROGRAM

8.255

- I. Breakfast shall be available to all students in elementary, middle, and high schools.
- II. Breakfast programs shall be implemented at alternative educational sites when feasible. Alternative breakfast options may be served at such sites.
- III. Students who arrive at school on a school bus less than fifteen (15) minutes prior to the start of school shall be allowed a minimum of fifteen (15) minutes to eat breakfast.
- IV. The School Board shall adopt prices for breakfast meals so that the amount paid, state allocations, and federal reimbursements defray the cost of the school breakfast program.
- V. Beginning with the 2010-2011 school year, a breakfast meal will be provided for each student, at no cost to the student or parent, at any school in which eighty percent (80%) of the students are eligible for free or reduced price meals.
- VI. Annually, all students and parents shall be notified about the school breakfast program. Parental notification shall be in writing.

STATUTORY AUTHORITY: 1001.41, 1012.22, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.06, F.S.

STATE BOARD OF EDUCATION RULE: 6A-7.040, 6A-7.041, 6A-7.0411, 6A-7.045

HISTORY: Adopted: 12/09
Revision Date(s): 2.13 Formerly:

CHAPTER 8 - AUXILIARY SERVICES

RECORDS RETENTION AND DISPOSAL

8.26

- 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 or 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 on film, or stored on 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 years old and other records, papers, and documents over three 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. However, commodity records are to be maintained five years.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 119.01, 257.37, 1001.43, 1001.52, F.S.

HISTORY: Adopted:
Revision Date(s): 2.06, 2.07 Formerly:

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SCHOOL CONSTRUCTION BID PROCESS

8.27

- 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 requalified. 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 any 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.

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- 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 firm's 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.

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- M. Tools may be included. (Any tools or equipment paid for by the District will remain the property of the District).
- VII. Bid bonds shall be required on new construction and any renovations or remodeling exceeding twenty-five thousand dollars (\$25,000.00).
- 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 ten percent (10%) hold-back required by Florida Statutes. Upon completion of the construction, the final payment shall be made only on the School Board's approval after proper inspection of the facilities.
- 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.

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STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

255.04, 287.055, 287.057, 1001.43, 1013.46-.48, F.S.

HISTORY:

*Adopted: 1.00
Revision Date(s): 11.02, 0719, 07.20, 11.20 Formerly:*

CHAPTER 8.00 - AUXILIARY SERVICES

PREQUALIFICATION OF CONTRACTORS FOR EDUCATIONAL FACILITIES CONSTRUCTION

8.272/D

The School Board shall prequalify contractors for a one-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 can 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 a 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 years.
- D. Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or similar size within the five 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 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 public two notices of the public hearing in a local newspaper having general circulation through the District at least 30 days and again at seven days prior to 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 solution 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 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's Crimes Statement, and references.
- B. 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.
- 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.
 - 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).

- 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 years, including dates, clients, approximate dollar value, and size.
- G. Certificates of insurance confirming current worker's 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 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, an appropriate. The signature shall be notarized.
- J. Exception: When two 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 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 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 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 30 days written notice by the Board, shall automatically revoke a prequalification certificate.
 - B. Prequalified contractors may request a revision of their prequalification 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 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 trade 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. above.
- G. Contractor's license becomes suspended or is revoked.

- H. No longer meets the uniform prequalification criteria established in this policy.
- VII. 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 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 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, 4483095, 1001.43, 1013.46, F.S.

STATE BOARD OF EDUCATION RULE:

6A-2.0010

HISTORY:

Adopted:

Revision Date(s): 12/09, 11.20

Formerly:

CHANGE ORDERS

8.28

The Superintendent is authorized to approve construction change orders which will not increase the contract amount more than \$6,000.00 over the original contract amount or the last contract amount (increase or decrease) approved by the School Board and recorded in its minutes.

- I. All requested change orders must be in writing and must be approved in writing before the work is done.
- II. Requested change orders concerning the same subject shall not be split in the event that the sum total of the initial requested change order increases the contract amount by more than \$6,000.00.
- III. In the Superintendent's absence, the facilities supervisor shall serve as the Superintendent's designee.
- IV. Copies of all approved change orders shall be provided to the School Board at its first regular or special meeting following the approval date of the change order.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1013.48, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-2.0010

HISTORY:
Adopted:
Revision Date(s):
2.06 Formerly:

IMPROVEMENTS TO SCHOOL PLANTS AND GROUNDS

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 shall 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 alternations 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.

LAW(S) IMPLEMENTED: 1001.42, 1001.43, 1013.37, 1013.371, 1013.372, F.S.

HISTORY:

Adopted:
Revision Date(s):
Formerly:

RENOVATIONS OR REMODELING OF FACILITIES

- 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 \$200,000 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 Department of Education Rules, School Board policies 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 principal for review and approval on the Request for Change(s) to School Board Facility form.
 - B. Full funding for the design costs, construction and any other related costs must be identified.
 - C. If the principal is in agreement, (s)he shall request approval from the Superintendent to submit the request.
 1. If the project requires funding from the District, the Director of Finance must be consulted to determine feasibility and availability of funds.
 2. Should a booster club, PTA, or other school affiliated group be supplying the funds, the Superintendent must be informed.
 3. All projects must comply with State Board of Education rules and requirements contained in the State Publication, "State Requirements for Educational Facilities, 1994."
 4. 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 Operations. The content of this request shall include a detailed project description and a statement regarding the method of funding. Plans and/or specifications will be reviewed by the facilities and maintenance departments.
1. Upon completion of the plans and specifications, such must be submitted for review for compliance with state requirements with consideration given to the impact upon the maintenance and energy usage of the facilities and inhibitions to future site construction. A minimum of 10 days is required and must be provided for review of plans and specifications, plus time to prepare an agenda item to present to the School Board if judged appropriate by the Superintendent.
 2. After approval by the School Board, plans may require submission to the Department of Education.
 3. Upon Department of Education approval (if required), the project must either be formally advertised and bid, in accordance with state regulations or a minimum of three 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.
 - a. Projects funded by booster clubs, PTA or other school affiliated groups, will also be handled by the “respective” group during the bid/proposal process. It is recommended proposals be sealed when submitted and opened at a designated time, in the presence of at least the school principal, the president of the parent group, a representative of the purchasing department, facilities department, or maintenance department, and the designing architect/engineer, if applicable.
- E. In the event the project cost is expected to exceed \$10,000, a registered architect/registered professional engineer must be engaged to design, prepare, and “Seal” the necessary construction documents. 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 Operations for review and determination of the low bidder’s compliance with the projects’ contract documents. The project’s originating group must make a recommendation regarding acceptance of the low bidder.

- G. When compliance has been established, PTA, booster club, or other school affiliated group will receive written authorization to proceed from the Superintendent.
- H. Depending on the scope of work involved, supplemental, periodic inspections may be made by the maintenance department as determined by the Director of Operations.
- I. Upon completion of the work, the Director of Operations must be contacted for final inspection prior to acceptance of the School Board at one of its regularly scheduled meetings.
- J. After acceptance by the School Board, the Department of Education must be contacted by the Director of Operations to conduct an occupancy inspection (if the project required DOE approval) and issuance of a Certificate of Occupancy. At this time the project will be considered complete and the following departments will be notified by the Director of Operations:
 - Superintendent
 - Department of Risk Management
 - Maintenance Department

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 235.30, 1001.43, 1013.01, 1013.35, 1013.45, F.S. 6A-

STATE BOARD OF EDUCATION RULE: 2.0010

HISTORY: Adopted: 1.00
Revision Date(s): 11.02, 2.06 Formerly:

FACILITY FIRE SAFETY INSPECTION

8.31

When an authorized agent under the Florida Fire Prevention Code conducts a fire safety inspection as authorized in Florida Statutes, and it is determined that a serious fire safety hazard exists which poses an immediate danger to the public health safety, or welfare, the authorized agent and Superintendent are permitted to issue a joint order to vacate the facility in question, which order shall be effective immediately. The Superintendent shall immediately notify the School Board members about such an order.

<i>STATUTORY AUTHORITY:</i>	<i>1001.42, F.S.</i>
<i>LAW(S) IMPLEMENTED:</i>	<i>125.66, CHAPTER 633, 1001.43, 1013.12,</i>
<i>STATE BOARD OF EDUCATION RULE(S):</i>	<i>F.S. 6A-2.0010</i>
<i>HISTORY:</i>	<i>Adopted: 1.00</i> <i>Revision Date(s): 11.02, Formerly:</i>

CHAPTER 8.00 - AUXILIARY SERVICES

SMOKING AND TOBACCO FREE ENVIRONMENT

8.32

I. Purpose

The School Board of Gilchrist County (Board) recognizes that the use of tobacco products, including electronic smoking devices, is a health, safety, and environmental hazard for students, employees, parents, visitors, and school facilities. The School Board is committed to providing students, staff and visitors with a smoking and tobacco-free environment. The use of tobacco products on school grounds, in school buildings, in School District vehicles and facilities, on school property or at school-related or school-sponsored events is detrimental to the health and safety of students, employees, and visitors.

II. Applicability of Policy

This policy applies to students, employees, volunteers, parents, spectators, vendors, contractors, delivery persons, visitors and the public.

III. Definitions

For the purposes of this policy, the following definitions shall apply.

- A. "At any time" means twenty-four (24) hours a day, seven (7) days a week, 365 days a year.
- B. "Electronic smoking device" means any product containing or delivering nicotine, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. "Electronic smoking device includes but is not limited to devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, similar devices, or under any other product name or descriptor. "Electronic smoking device" also includes any component part of a product, whether or not marketed or sold separately, including but not limited to, e-liquids, e-juice, cartridges, or pods.
- C. "School property" means all facilities and property, including land, whether owned, rented, or leased by the Board, and also includes all vehicles owned,

leased, rented, contracted for, or controlled by the Board and used for transporting students, staff, or visitors.

- D. "Tobacco product" means any product containing, made, or derived from tobacco or that contains nicotine, whether synthetic or natural, that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including but not limited to: cigarettes, electronic smoking devices, cigars, little cigars, and other kinds and forms of tobacco.

IV. General Policy Statement

- A. Students are prohibited from possessing, using, consuming, displaying, or selling any tobacco products, tobacco-related devices, electronic smoking devices, imitation tobacco products, or lighters at any time on school property or at any school related or school-sponsored event.
- B. Administrators, staff, or visitors are prohibited from using, consuming, displaying, activating, or selling any tobacco products, tobacco-related devices, imitation tobacco products, or lighters at any time on school property or at any school related or school-sponsored events. This includes products or paraphernalia displaying industry brands.

V. Exception to this Policy

- A. A school principal may permit tobacco products to be included in counseling, educational, instructional or research activities in the school building; provided that, the activity is conducted or supervised by a District employee overseeing the instruction or research and the activity does not involve smoking, chewing, vaping, or otherwise ingesting the product.
- B. A person may use or possess a product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and if the product is being marketed and sold solely for such an approved purpose.

VI. Notification of Policy and Implementation

It is the responsibility of District and School administrators to provide:

- A. Appropriate “No Tobacco” signage will be posted in a manner and location on all District property that adequately notifies employees, students, parents, visitors, and the public of this policy.
- B. Written notice to students and parents/guardians in student handbooks and orientations.
- C. Written notice in staff handbooks, in orientations and employee or staff trainings, and when offering employment.
- D. Reminder announcements of this policy at school and District events, as appropriate.
- E. Written notice of the prohibition as provided in this policy in contracts with outside groups who use the school buildings and other facilities.

VII. Tobacco Promotion Prohibited

Tobacco advertising is prohibited on school grounds, in all school-sponsored publications, on District vehicles and buses, and at all school-sponsored events. It is a violation of this policy for any person to promote tobacco products on the school property or at any school related or school sponsored events via the display of images of tobacco products on gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other material.

VIII. Educational and Cessation Programs for Students and Employees

- A. **Prevention Education for Students.** The administration will consult with the Safe Schools Department and other appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean, and inviting school environment. The administration will ensure that students in grades K-12 receive tobacco prevention education using sequential, age appropriate, current, accurate, evidenced based curricula and a skills-based approach (involving students in active "hands on" learning experiences).
- B. **Cessation Support Programs for Students.** The administration will consult with the Safe Schools Department, the Florida Tobacco Prevention Program (www.tobaccopreventiontraining.org), Employee Wellness in Risk & Benefits Management, the American Lung Association and other appropriate health organizations to provide students and employees with information and access to support systems, tobacco use cessation programs, and services to encourage them to abstain from the use of tobacco products.

- C. Prevention and Cessation for Employees. Employees shall be advised as to the availability of related services available to them in the District's various Wellness programs in which they may choose to participate and as they may change from time to time.

IX. Enforcement

The success of this policy depends upon the thoughtfulness, consideration, and cooperation of the entire school community. All individuals on school premises, including students, staff, administrators, and visitors, are responsible for adhering to and enforcing this policy. Members of the school community are encouraged to communicate this policy with courtesy and diplomacy. Any person acting in violation of this policy will be informed or reminded of the policy and asked to comply.

- A. Students. Consequences for engaging in prohibited behavior shall be as provided in the Student Code of Conduct.
- B. Employees. Consequences for employees who violate the tobacco use policy will be in accordance with personnel policies or any relevant collective bargaining agreement.
- C. Family members, volunteers, or visitors. Family members, volunteers or visitors who violate the policy must immediately discontinue using the tobacco product or electronic cigarette, or leave the premises. Law enforcement officers may be contacted to escort the person off the premises if the person refuses to leave the school property when requested to do so by District personnel.

STATUTORY AUTHORITY:

120.81, 1001.32, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

386.201- 386.209, 1001.43, F.S.

HISTORY:

ADOPTED:

REVISION DATE(S): 01.15, 12.22, 7.23

ELECTRONIC SYSTEMS RESPONSIBLE USE

8.33

Gilchrist County School District provides a variety of electronic communication systems for educational purposes. The electronic communications system is defined as the District's network (including the wireless network), servers, computer workstations, mobile technologies, peripherals, applications, databases, online resources, internet access, email, and other technology designated for use by students and employees, including all new technologies as they become available. Including any access to the Gilchrist County School District electronics system while on or near school property, in school vehicles and at school sponsored activities, and consists of the appropriate use of district technology resources via off-campus remote access.

I. Telephone Service

- A. In order to promote efficiency and economy, the Superintendent or designee shall develop a uniform system for implementing effective telephone service systems. School personnel shall be informed of this system.
- B. Employees are generally not permitted to use the District System to conduct personal business or for other personal purposes. However, limited personal use of the system is permitted, but only to the extent it does not conflict with the user's employment duties and responsibilities. Employees may use the telephone system to make calls on their breaks. Such calls should be brief and infrequent so as not to interfere with the official use of the system.
- C. Logs shall be maintained of long distance calls by work location. Logs shall be in a uniform format. Telephone service billings and long distance logs shall be subject to periodic review and audit. No person shall charge personal calls to the School Board.

II. Internet Use

- A. The District is required to comply with state and federal data privacy laws. Employees are required to safeguard employee and student data they have access to in the course of performing their duties. They are required to safeguard their network/system credentials to protect student and employee data from hacks and unauthorized access. The District will provide employees with training in sound email and Internet security practices.
- B. As required by the Children Internet Protection Act (CIPA), the School District educates staff and students regarding appropriate online behavior to ensure internet safety, including use of email and internet resources. An internet filter is maintained by the school district for school use on the device. Filtering not only restricts access to unacceptable sites, but also restricts access to inappropriate content such as those

that are illegal, harmful, or contain potentially offensive information. Gilchrist County Public Schools cannot guarantee that access to all inappropriate sites will be blocked. Log files are maintained on each device with a detailed history of all sites accessed. It is the responsibility of the user to appropriately use the device, network, and the internet.

C. Each student, parent as defined by Florida Statutes, and employee of the District will be required to sign an agreement for network responsibility wherein they are acknowledging their obligation to comply with the terms and conditions outlined in this policy.

D. Appropriate Use

1. Students may only open, view, modify, and delete their computer files.
2. Internet use at school must be directly related to school assignments and projects.
3. Students will be assigned individual network accounts and email accounts and must use only those accounts and passwords that they have been granted permission by the district to use. All account activity should be for educational purposes only.
4. Students must immediately report threatening messages or discomfoting Internet files/sites to a teacher.
5. Students must at all times use the district's electronic communications system, including email when necessary, wireless network access, and Web 2.0 tools/ resources to communicate only in ways that are kind and respectful. (Web 2.0 tools allow users to interact and collaborate in virtual communities, where users are active creators of content i.e. wikis, video sharing sites, cloud service).
6. Students are responsible at all times for their use of the district's electronic communications system and must assume personal responsibility to behave ethically and responsibly, even when technology provides them the freedom to do otherwise.

E. Inappropriate Use

1. Wireless hotspots not provided by the School District are prohibited on the School District network.
2. Using the district's electronic communications system for illegal purposes including, but not limited to, cyberbullying, gambling, pornography, and computer hacking.
3. Using a Virtual Private Network (VPN) program to bypass the School District filtering and or monitoring systems.
4. Disabling or attempting to disable any system monitoring or filtering or security measures

5. Sharing user names and passwords with others; and or borrowing someone else's username, password, or account access.
6. Purposefully opening, viewing, using or deleting files belonging to another system user without permission.
7. Electronically posting personal information about one's self or others (i.e., addresses, phone numbers, and pictures).
8. Downloading or plagiarizing copyrighted information without permission from the copyright holder.
9. Intentionally introducing a virus or other malicious programs onto the district's system.
10. Electronically posting messages or accessing materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
11. Gaining unauthorized access to restricted information or network resources.
12. Using a computer or the network for illegal purposes.
13. Violating student or staff's rights to privacy.
14. Using profanity, obscenity, or other language which may be offensive to another user.
15. Sending or receiving pornographic text and/or graphics.
16. Sexting shall be prohibited. All acts of alleged sexting shall be reported to the appropriate legal authority.
17. Sending or receiving copyrighted materials, including computer software, without permission, or material protected by trade secrets.
18. Using for commercial activities, product advertisement, or political lobbying.

F. Special Note: Cyberbullying. Cyberbullying is defined as the use of any Internet-connected (electronic) device for the purpose of bullying, harassing, threatening, embarrassing or intimidating another student or school staff. Including, but not be limited to:

1. Sending abusive or offensive text messages to cell phones, computers, or Internet-connected game consoles.
2. Posting abusive or offensive comments on someone's blog or social networking site (e.g., Facebook, Instagram, Snap Chat, etc.).
3. Creating a social networking site or web page that masquerades as the victim's personal site and using it to embarrass him or her.
4. Making it appear that the victim is posting malicious comments about friends to isolate him or her from friends.
5. Displaying the victim's personally identifiable information on a site to put them at risk of contact by predators.

6. Sending abusive comments while playing interactive games.
7. Recording and distributing media with the intent to manipulate or embarrass others.

G. Internet Warning. At school, students' access to and use of the network will be under teacher direction and monitored as any other classroom activity. The District is not able to prevent the possibility of user access to material that is not consistent with the education mission, goals, and policies of the School Board when access is obtained outside of the school.

H. User Guidelines.

1. Internet access is coordinated through a complex association of government agencies and regional and state networks. It is the District's intent that the Internet and our communications network be used in a responsible, efficient, ethical, and legal manner. The operation of the Internet relies heavily on the proper conduct of the users who must adhere to strict guidelines. If a district user violates any of these provisions, their account will be restricted. Serious violations may result in school disciplinary action or legal action. The signature(s) on the acceptable use agreement indicate that the user(s) have read the terms and conditions carefully and understand their significance.
2. Acceptable Use. The use of your account must be in support of education and research that is consistent with the educational goals and policies of the District. Users are encouraged to develop uses which meet their individual needs and that take advantage of the network's function; electronic mail, conferences, bulletin boards, data bases, and access to the Internet. Use of any other network or computing resources must be consistent with the rules appropriate to that network.
3. Privileges. The use of Internet is a privilege. Inappropriate use will result in the restriction of that privilege. Each individual who accepts an account will receive information pertaining to the proper use of the network. School and district administrators will decide what is "inappropriate use". Their decision is final. An account may be closed by the district at any time deemed necessary or by recommendation of the administration, faculty, or staff. The person in whose name an account is issued is responsible at all times for its proper use.
4. "Netiquette". You are expected to abide by the generally accepted rules of network etiquette. Be polite. Do not use vulgar or obscene language. Do not reveal your address or phone number, or those of others. Please remember that electronic mail is not guaranteed to be private. Do not disrupt the network, the data, or other users.

I. Warranties: The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any

damage you suffer including loss of data. The District will not be responsible for the accuracy or quality of information obtained through this Internet connection.

- J. Security. Security is a high priority. If you identify a security problem, you must notify a system administrator immediately. Do not show or identify the problem to others. Do not use another individual's account. Attempts to log on as another user will result in cancellation of your privileges. Any user identified as a security risk or having a history of problems with other computer systems may be denied access.
- K. Vandalism. Vandalism will result in cancellation of your privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, Internet or other networks. This includes the creation of or the unloading of computer viruses on to the Internet or host site. Deliberate attempts to degrade or disrupt system performance will be viewed as criminal activity under applicable state and federal law.
- L. E-mail Etiquette. Helpful to your e-mail success are:
 - 1. Preparing text files for uploading before logging on;
 - 2. Making "subject" heading as descriptive as possible.
 - 3. Beginning messages with a salutation; restating the question or issue being addressed in a response;
 - 4. Choosing words carefully to avoid misunderstandings; text does not permit the verbal or expression clues which are usually necessary when statements are intended to be funny or sarcastic;
 - 5. Ending messages with your name and your e-mail address to assist getting feedback or clarifications;
 - 6. Logging off before editing and printing downloaded files; and
 - 7. Deleting e-mail files as soon as possible as appropriate under public records law.
- M. Teachers are responsible for teaching proper techniques and standards for participation, guiding student access to appropriate sections of the network, and or assuring students understand that if they misuse the network they will lose their access privileges. Conference moderators are responsible for monitoring the context and tone of posted messages and or taking steps to delete offensive materials and to communicate with authors.
- N. Contracts. Parents and students are required to enter into an "Electronics Systems Responsible Use Agreement". Employees are required to enter into an Employee Electronics Systems Responsible Use Agreement". These forms shall be approved by the School Board.
- O. Exception of Terms and Conditions. All terms and conditions stated in this document are applicable to all users of the network. These terms and conditions reflect an agreement of the parties and shall be governed and interpreted in

accordance with the laws of the United States of America, the state of Florida, and the School Board.

III. Employee Electronic Systems Responsible Use Agreement

School Board Policy #8.33

Please print all information

User's full name: _____

Home Phone: _____ Work Phone: _____

Employee Location: _____

Job Title: _____

EMPLOYEE AGREEMENT

I have read and understand the Terms and Conditions of the Electronic Systems Responsible Use policy (School Board Policy 8.33) and the Use of Social Media policy (School Board Policy 6.43). I agree to comply with these policies and understand that violations may result in losing my access privileges. In addition, violations may result in disciplinary action including termination of employment and/or appropriate legal or criminal action being initiated against me.

Employee Signature: _____ Date _____

Supervisor's Signature: _____ Date _____

IV. Student/Parent Contract

Student/Parent Network Responsibility Contract
School Board Policy 8.33

Please print all information

User's full name: _____

School: _____ Grade _____

STUDENT AGREEMENT

I understand and will abide by the Terms and Conditions of the Electronic Systems Responsible Use Policy. Violations may result in the restriction or suspension of my access privileges. In addition, violations may result in school disciplinary action and/or appropriate legal or criminal action being initiated against me.

Student Signature: _____ Date _____

PARENT (Also required if student is under the age of 18)

As the parent or guardian of this student, I have read the terms and conditions of the Electronic Systems Responsible Use Policy. I understand that this access is designed solely for educational purposes and the School District has taken reasonable precautions to supervise and filter Internet usage. I also recognize it is impossible for the District to restrict access to all controversial materials and I will not hold the district responsible for information acquired or contracts made on the network. Further, I accept full responsibility for supervision of Internet usage by my child outside of the school setting. I hereby give permission to establish network privileges for my child and certify that the information contained on this form is true and correct to the best of my knowledge and belief.

Parent Signature _____ Date _____

Parent Name (Please print) _____ Parent

Work Phone: _____

V. Consequences for Inappropriate Use

- A. Appropriate disciplinary or legal action in accordance with the Student Code of Conduct and applicable laws including monetary damages shall govern student discipline for student violation of this policy.
- B. Suspension of access to the district's electronic communications system.

- C. Revocation of the district's electronic communications system account(s); and
or
- D. Termination of System User Account: The district may deny, revoke, or suspend specific user's access to the district's system with or without cause or notice for lack of use, violation of policy or regulations regarding acceptable network use, or as a result of disciplinary actions against the user
- E. Possible criminal charges
- F. Employee violation of this policy may result in disciplinary actions including termination of employment.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1001.43, F.S.

HISTORY: ADOPTED: 12.22

REVISION DATE(S):

FORMERLY: NEW

MANAGEMENT INFORMATION SYSTEM

8.34

The District shall develop and maintain an integrated information system or educational management. The Superintendent or designee shall ensure that compatibility exists with the state comprehensive management information system. Procedures and guidelines shall be developed to ensure that adequate management information support needs are met.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.11, 1008.385, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.0014

HISTORY:
Adopted:
Revision Date(s): 2.06, 9.07
Formerly:

NAMING OR RENAMING SCHOOLS

8.40/D

The School Board shall be responsible for naming or renaming all Board owned facilities.

I. Definition

The term facility shall include a building, library, media center, auditorium, performing arts center, gymnasium, athletic field, or other purpose designated area at a school or support services location owned and operated by the School Board of Gilchrist County.

II. Facility Names

- A. A school or facility may be named after a person or persons, after a location, for an object such as a native plant or for a quality or attribute.
- B. Names should have board acceptance in a multicultural society.
- C. If a facility is consolidated or demolished, the name may be reused.
- D. No corporate donors shall be able to purchase naming rights at any District facility.

III. Facility Names Committee

- A. The School Board shall establish a School Site Committee composed of representatives from the community, representatives of employee organizations, and students. The committee shall represent a cross-section of the community with ethnic diversity and gender representation.
- B. Representatives of the area in which the new or existing facility is located shall be appointed to serve on the committee during the period that the name of the particular facility is being selected.
- C. A chairperson shall be appointed by the School Board Chairperson.
- D. The committee shall consider all suggested names and submit a name to the Superintendent for School Board consideration.

IV. The Superintendent shall establish procedures for naming or renaming facilities. Procedures shall include, but not be limited to, selection of the committee, selection of the site-specific representatives, submission of names for the facility, criteria for selection of facility names by the committee, and the approval process. The Superintendent shall submit the procedures to the Board for approval.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

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

HISTORY: *ADOPTED:* 8.08
REVISION DATE(S):
FORMERLY:

CONSERVATION OF RESOURCES

8.50

The School Board of Gilchrist County is committed to the conservation of resources, both natural and material. Resources shall include, but not be limited to, electricity, energy, fuel oil, gasoline, natural gas, propane, and refuse. All conservation initiatives shall be consistent with Florida Statutes and State Requirements for Educational Facilities.

I. Resource Conservation Program

The Superintendent or designee shall develop a comprehensive resource conservation program which shall include short and long range plans to conserve resources, procedures to be observed by all staff members, an instructional program to be implemented at all grade levels, and a method of evaluating the conservation program.

II. Curriculum

Resource conservation shall be incorporated into the curriculum at all grade levels and appropriate subject areas. The curriculum shall address the economic, environmental, and social impact of resource conservation.

III. Facilities and Equipment

- A. New facilities shall be designed and constructed to be energy efficient. Renovations and additions to existing facilities shall include features to minimize energy consumption. Facilities shall be operated in a manner to keep energy use to a minimum.
- B. Life-cycle costs shall be determined prior to construction or renovation of buildings or replacement of major equipment.
- C. Equipment to reduce energy consumption and/or costs shall be utilized where economically feasible.

IV. Recycling Program

The District shall engage in a recycling program that shall include as many reusable materials as is practical and economically feasible.

V. Incentives

- A. The District shall pursue incentive programs offered by utility companies and other energy providers.
- B. Cost savings shall be used to further resource conservation at school sites.
- C. An incentive program may be developed to reward schools for resource conservation when cost savings can be attributed to reduced resource consumption and/or energy savings at the particular schools.

VI. Staff Training

Training shall be provided for school and District staff. Training shall include methods of resource conservation at the worksite, curriculum components, and instructional strategies.

VII. Effectiveness of Program

Prior and current consumption of energy and other resources shall be determined and used as a baseline for the assessment of curriculum, procedures, equipment, maintenance strategies, and facilities design that are implemented in the resource conservation program. The effectiveness of the program shall be evaluated and modifications shall be made based on the analysis of cost savings and utilization of resources.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1013.23, 1013.44, F.S.

STATE BOARD OF EDUCATION RULE:

6A-2.0010

HISTORY:

Adopted: 12/09

Revision Date(s):

Formerly:

PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS

9.01

Each school principal is encouraged to cooperate with parent and school support groups in the District. The school principal shall be responsible for forming and assisting organizations which are desired and necessary for the school program; such organizations shall be kept active by the school principal for the duration of their need and encouraged to maintain accurate financial and activity records.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

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

HISTORY: Adopted:
Revision Date(s): 2.06
Formerly:

PUBLIC INFORMATION

9.02

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 by a particular school be approved by the principal, and that any release relating to the District as a whole shall be approved by the Superintendent.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1001.43, 1001.51, F.S.

HISTORY:

Adopted:

Revision Date(s):

Formerly:

ANNUAL SCHOOL REPORT

9.03

- 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 Rule.
- 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.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1001.11, 1008.345, F.S.

HISTORY:
Adopted: 1.00
Revision Date(s): 11.02, 2.06, 10.06
Formerly:

USE OF FACILITIES

9.04/D

The principal may approve the use of school property, facilities, and equipment for any group provided herein. The use of school property, facilities and equipment shall not interfere with the educational program of the school. The principal shall be responsible for safeguarding the school property, facilities, and equipment, enforcing and informing groups of School Board rules, administrative guidelines as contained in the Facilities Handbook, executing proper forms, and collecting payments.

- I. Use of School Property Without Charge - The principal 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.
 - D. Funeral or memorial service for a currently enrolled student or currently employed employee. The insurance fee is also waived.
- II. Use of Facilities With a Charge - The principal may permit the use of school facilities by a civic, religious, or community 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 subsection III herein.
 - B. School Board approval, upon the principal's recommendation, shall be required for repetitious use for a period of more than six months.

- C. Sufficient supervision and adequate custodial service of the school facility shall be determined by the principal.
 - D. The use of the cafeteria shall require written permission from the principal. If the kitchen is used, written permission shall also be obtained from the food service division. The use of school food service facilities shall require that the kitchen be operated by a food service employee(s) or School Board employee.
 - E. Payment for custodial and other required services shall be made directly to the School District by the organization. These fees shall be in addition to the standard usage fee.
- III. Fees - Fees shall be charged for each hour of use of school facilities when an admission fee is charged or a financial profit is expected for the event or when the principal deems charges as appropriate. These fees do not include charges for custodial, supervisory, and other required services or for any damages to the facility, furnishings or equipment which an organization may be required to reimburse the District. Hourly fees shall be obtained from the approved charge list on file in the District office.
- IV. Payment of Required Fees - Fees as specified in subsection 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 10 days of billing. Checks shall be made payable to the School Board.
- V. Liability and Insurance Coverage - Each organization utilizing school facilities shall:
- A. Agree to hold the School Board harmless from any liability which may accrue the School Board as a result of use;
 - B. Provide general liability insurance coverage in the amount of at least \$1,000,000 naming the School Board as an additional insured; and,
 - C. Execute a form of indemnity agreement as prescribed by the Superintendent.
- VI. Prohibited Uses of School Facilities - School property, facilities, and equipment shall not be used for the following purposes:

- A. Commercial or personal gain;
 - B. Programs involving any form of gambling or other illegal activity;
 - C. Private teaching for personal gain, unless specifically approved in advance by the School Board;
 - D. Programs in violation of Florida Statutes or School Board rules; and,
 - E. Use by political groups for fund-raising activities.
- VII. Special Provisions - The following special provisions shall apply:
- A. Restrooms shall be made available if practicable 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 days prior to a scheduled school carnival, fair, or other celebration involving the sale or preparation of food or beverages.
- VIII. Appeals to the Superintendent - A person who feels his/her organization was improperly denied use of school facilities or an improper charge or fee was assessed may file a written appeal with the Superintendent for resolution.

STATUTORY AUTHORITY:

1001.41, 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: 1.00

Revision Date(s): 11.02 Formerly:

CHAPTER 9.00 SCHOOL - COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

ADVERTISING IN SCHOOLS

9.05

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. Secondary 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.

STATUTORY AUTHORITY: 1001.42, F.S.

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

HISTORY:
Adopted:
Revision
Date(s):
Formerly:

CHAPTER 9.00 SCHOOL- COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

DISTRIBUTION OF LITERATURE AND MATERIALS TO STUDENTS

9.06

Literature or materials which originate from out-of-school sources shall be approved by the Superintendent or designee prior to distribution to students.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.08, F.S.

HISTORY: Adopted:
Revision Date(s):
Formerly:

CHAPTER 9.00 SCHOOL - COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

VISITORS

9.07

Any person entering the premises of a school shall report to the Principal or his/her supervisory designee and make known the purpose of the visit.

- I. This policy does not apply to routine deliveries or scheduled maintenance visits.
- II. A student not enrolled in the school or a student not accompanied by a parent, as defined by Florida Statute, is prohibited from visiting a school unless otherwise approved by the Principal.
- III. Parents are invited to visit the schools. To avoid interrupting the daily program, the parent should request a conference for after school hours or during a teacher's conference period. Parents are encouraged to plan such conferences with teachers and shall sign in at the Principal's office and be issued a visitor's badge at the time they arrive on the campus.
- IV. Any person who enters or remains upon District property without legitimate purpose may be found to be trespassing and, therefore, in violation of Florida Statutes and subject to arrest and penalties as defined by statutes.

STATUTORY AUTHORITY:

1001.42, F.S.

LAW(S) IMPLEMENTED:

1000.21, 1006.07, 1006.145, F.S.

HISTORY:

Adopted:

Revision Date(s):

Formerly:

RELATIONS WITH GOVERNMENTAL AUTHORITIES

9.08

- 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 requests 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:

1001.41, F.S.

LAW(S) IMPLEMENTED:

1001.51, 1013.33, 1013.36, F.S.

HISTORY:

Adopted:

Revision Date(s): 2.06

Formerly:

CHAPTER 9.00 SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

SCHOOL CONCURRENCY

9.20/D

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.

A. Interlocal Agreement

The School Board shall enter into an interlocal agreement with Gilchrist County 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 address the requirements of Sections 163.3177(12), 163.3180(13)(g), and 1013.33. F.S., and 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 Adequate Public School Capacity Determination

- A. The District shall establish procedures for a developer to submit an application for an adequate school capacity determination to be included with an application to the County or a municipality located in the County for an amendment to the local government comprehensive plan that proposes to increase residential densities. The procedures shall be developed in collaboration with Gilchrist County and the municipalities located in the County. The procedures shall provide for evaluation of the impact of the proposed comprehensive plan amendment on the school system pursuant to the provisions of the Interlocal Agreement for Coordinated Land Use and Public School Facility Planning and a written determination of whether public school capacity is available or not available shall be made.
- B. The written adequate public-school capacity determination shall be forwarded to the applicant and affected local government for consideration in the local government's review of the proposed comprehensive plan amendment.

III Application for School Concurrency Determination

- A. The District shall establish procedures for a developer to submit an application for school concurrency determination at the time of rezoning, site plan or subdivision application. The procedures shall be developed in collaboration with Gilchrist County and the municipalities located in the County. The procedures shall provide for evaluation of the impact of the residential development on the school system pursuant to the provisions of the Interlocal Agreement for Coordinated Land Use and Public School Facility Planning and a written determination of whether public school capacity is available or not available shall be made.
- B. The written concurrency determination shall be forwarded to the applicant and affected local government for consideration in the local government's review of the development proposal pursuant to the local government's comprehensive plan and land development regulations.

IV. Concurrency Review Fees

- A. The School Board shall establish fees to offset the cost of reviewing the impact of proposed comprehensive plan amendments on public school capacity and proposed residential developments for public school concurrency. The nonrefundable fee shall be paid to the School Board of Gilchrist 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:

*1001.43, 1013.33, 1013.35, 163.3164, 163.3177,
163.31777, 163.3180, F.S.*

DEPARTMENT OF COMMUNITY AFFAIRS RULE:

9J-5.003, 9J-5.025

HISTORY:

Adopted: 12/09

Revision Date(s):

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