HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

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HOLMES COUNTY SCHOOL BOARD
POLICY MANUAL

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NOTES - The following symbols are used with certain policies to indicate special information about the policy.

***(ASTERISK)** denotes policies which are required by statutes or other regulations.

+(PLUS) sign denotes that plans or other documents must be developed.

HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

CHAPTER 1.00:

DISTRICT PHILOSOPHY

CHAPTER 1.00 - DISTRICT PHILOSOPHY

DISTRICT'S PHILOSOPHY OR VISION 1.10

It is the vision of the Holmes County School District to move the district's student achievement into the TOP 10% in the state. The Holmes County School District shall provide a safe, nurturing environment and a comprehensive curriculum that will allow students to achieve their highest potential and become responsible, productive citizens.

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

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

HISTORY: **ADOPTED: 3/4/08**
REVISION DATE(S): 8/17/2010
FORMERLY:

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CHAPTER 2.00:

SCHOOL BOARD GOVERNANCE AND ORGANIZATION

CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCOPE OF THE SCHOOL DISTRICT 2.10*

I. The School Board is the governing body of the District and is responsible for the control, operation, organization, management, and administration of public schools in the county pursuant to the provisions and minimum standards prescribed by Florida Statutes and State Board of Education rules.

II. The District school system is part of the state system of public education and includes all public schools, classes, and courses of instruction and all services and activities directly related to education in the District which are under the District school officials' directions.

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

LAWS IMPLEMENTED: **1001.30; 1001.31; 1001.32; 1001.33; 1001.41; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

MEMBERSHIP OF THE SCHOOL BOARD 2.101

The School Board of Holmes County consists of five (5) members, each of whom shall be nominated and elected only by the qualified electors in Holmes County. Each member is elected for a term of four (4) years and shall maintain said residency throughout the duration of his/her office term. "Said residence" means the school board member residence area from which he/she was elected. Two (2) members shall be elected at the time of the presidential election and three (3) members shall be elected at the time of the gubernatorial election. The office of any School Board member shall be vacant when the board member removes his/her residence area from the school board member residence area from which he/she was elected. Any vacancy on the School Board shall be filled by the Governor's appointment.

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

LAWS IMPLEMENTED: **1001.51, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

ORIENTATION OF BOARD MEMBERS 2.11

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

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

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

HISTORY: **ADOPTED: 12/5/06**
REVISION DATE(S):
FORMERLY:

RESPONSIBILITIES AND AUTHORITY OF THE BOARD 2.20

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

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: 6/18/2001**
REVISION DATE(S): 3/4/08
FORMERLY:

ORGANIZATION AND OFFICERS OF THE BOARD 2.21

I. A chairperson and a vice-chairperson, and such other officers as the Board may determine, shall be elected annually by the School Board at its organizational meeting held in November. In an election year, the organizational meeting shall be held on the second Tuesday following the general election. If a vacancy occurs in the chairperson position the School Board shall elect a chairperson at the next regular or special meeting.

II. The chairperson shall preside at all School Board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the School Board. The vice-chairperson shall preside in the absence of the chairperson and shall perform such other duties of the chairperson as required by circumstances. The chairperson and vice-chairperson shall be bonded in the manner prescribed by the State Board of Education.

III. The Superintendent, as provided by law, shall be the secretary and executive officer of the School Board. At any organizational meeting, the Superintendent shall act as chairperson until the organization of the School Board is completed.

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

LAWS IMPLEMENTED: **100.041; 1001.371; 1001.41; 1001.43; 1001.48; 1001.51, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 5/21/2013
FORMERLY:

BOARD MEETINGS 2.22*

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

I. Regular School Board meetings shall be established at the organizational meeting, which is held in November following the general election. The regular meeting date may be changed by School Board action at any previous meeting, provided that each member is notified by letter or by distribution of the minutes showing a record of the change. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.

A. Special meetings shall be held at the time designated by the Superintendent, School Board chairperson, or when called by a majority of the School Board members as specified in written notice.

B. Emergency meetings may be held at any time by the Superintendent either upon his/her initiative or upon the School Board chairperson's request. An emergency meeting may be called as quickly as complying with notification procedures; School Board members shall be given a tentative agenda during the notification.

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 twenty-four (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 forty-eight (48) hours. When such a meeting is scheduled or re-scheduled at a location other than the regular meeting place, the Superintendent shall take such action to give public notice as required by Florida Statutes.

III. All School Board meetings shall be conducted in accordance with Robert's Rules of Order.

IV. Any item to be placed on the agenda of a regular School Board meeting shall be submitted, in writing, to the Superintendent's office no later than four o'clock (4:00 p.m.), eight (8) working days prior to the meeting at which consideration is desired. This rule shall not preclude the right of any citizen to address the School Board; however, except for good cause as provided herein, the School Board shall not take action on any substantive proposal until such matter has been formally placed on the School Board agenda. Copies of the agenda for regular meetings shall be made available at least seven (7) days prior to the scheduled meeting date to the public or other parties who have expressed a desire for such copy of the agenda. Copies of the agenda for a special meeting shall be prepared at least forty-eight (48) hours prior to such meeting.

A. Any person or group desiring to be placed on the agenda shall file with the Superintendent, by twelve o'clock (12:00) noon at least eleven (11) days prior to a meeting, a request to be placed thereon. Such request shall contain the following information:

1. The name and address of the person making the request.

2. The organization or group, if any, represented.

3. Content of the information to be presented - if written material is to be passed out, a copy of such material shall accompany the request.

4. An estimate of the time necessary for such a discussion.

5. Specific action desired of the Board.

6. Any charges to be made against an individual shall be in affidavit form. If any information is to be presented that is in the form of a statement or charges that might be considered derogatory or of a serious nature, such shall be presented in writing and shall specifically state the charges in the form of an affidavit.

B. The Superintendent shall respond verbally or in writing to any person or group requesting to be placed on the agenda. In the event the agenda for the next regular meeting is unduly long, the Superintendent shall place the presentation request on the agenda for the following regular meeting. If a question should arise in regard to the granting of a request, the Superintendent and the chairperson shall confer and make a decision.

C. At any School Board meeting, unless otherwise ordered by majority consent of the Board members present, the maximum amount of time allowed for presentation of, and discussion on, the subject matter of any such request shall be thirty (30) minutes, distributed as follows: ten (10) minutes to the maker of the request; ten (10) minutes to any opponent of the proposition of such maker; and ten (10) minutes for questions and discussion by the Superintendent and the Board. Each speaker shall be allowed a maximum of three (3) minutes on a topic unless time is extended by the Board.

D. All agenda items on which action is deferred shall be listed on the next agenda under “Unfinished Business” unless a time certain is specified.

E. The Superintendent shall either answer correspondence sent to the School Board or bring it to the School Board’s attention at its next meeting by placing it on the agenda for information or School Board action.

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.

A. Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the name of the person who seconds the motion; and, the vote or action thereon shall be recorded.

B. Any School Board member or Superintendent who wishes any of his/her statements to be recorded may request during the meeting that such become a part of the official minutes.

C. Any other matter may be made part of the official minutes by direction of the chairman or by a majority of the School Board.

D. Lengthy material such as, but not limited to, student assignments may be maintained in record books which are separate from, but supplemental to the basic record of minutes.

VIII. The public shall be informed that it is unlawful to knowingly disrupt or interfere with a School Board meeting and that any such action may result in a misdemeanor offense of the second degree. This includes individuals who advise, counsel, or instruct students or School Board employees on techniques for disrupting a School Board meeting.

IX. Workshops may be scheduled by the School Board as deemed appropriate. No formal action may be taken by the School Board during such workshops.

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

LAWS IMPLEMENTED: **CHAPTER 112; 120.525; 120.53; 286.0105; 286.011; 286.0111; 286.0113; 286.012; 447.605; 877.13; 1001.32; 1001.37; 1001.372(1),(2),(3),(4); 1001.41; 1001.42; 1001.43; 1006.145, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04; 8/17/2010
FORMERLY:

SCHOOL BOARD HEARINGS 2.221

Any party shall have the right to appear at a School Board hearing in person, by counsel, or by other representative, to call and examine witnesses, and to introduce into the record documentary and other evidence. When written evidence is presented at a hearing, copies shall be prepared for all parties involved unless excused by the School Board Chairman. Witnesses shall be examined orally under oath. Stipulations of fact may be introduced in evidence with respect to any issue.

At the end of the hearing, a reasonable time shall be provided for any party requesting oral argument.

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

LAWS IMPLEMENTED: **120.53(16), F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

SCHOOL BOARD RULES 2.23*

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

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

I. Unless an emergency exists, any proposal relating to a rule amendment, the repeal of any rule, or the adoption of a new rule shall be presented in writing to the School Board including a written explanation of the proposal.

   A. The Superintendent shall give immediate and proper written notice to the public pursuant to the provisions of Florida Statutes, when the School Board has determined that it will give due consideration to the proposal for adoption, amendment, or repeal of a rule. The notice of a public hearing shall be advertised twenty-one (21) days prior to the date of the hearing. The notice shall include a brief and concise explanation of the proposed rule’s purpose and effect, the estimate of economic impact to all individuals affected by the proposed rule or rule amendment, the specific legal authority for the School Board’s action, and the location where the text of the proposed change may be obtained.

   B. Any person, who is substantially affected by a proposed rule, rule amendment, or the repeal of a rule, may within twenty-one (21) days following notice of intent to adopt or repeal such rule, file a written request with the School Board seeking an administrative determination as to the validity of the proposed rule action.

   C. The Superintendent shall file immediately in his/her office a copy of any new rule, rule amendment, or repeal of rule adopted by the School Board; policy handbooks shall be amended accordingly.

   D. Such rules shall become effective upon adoption by the School Board unless a time certain date is specified therein.

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

Board's appeal, be judicially reviewed. Any hearing examiner's decision which is adverse to the person substantially affected may, upon that person's appeal, be judicially reviewed.

III. The School Board may determine that the public health, safety, or welfare is endangered and that immediate action is required to protect the public interest. When this occurs, the School Board, at any meeting in which a quorum is present, may adopt emergency rules, without complying with the waiting period as provided in subsection (1) herein for public hearings and other similar requirements. The Superintendent shall properly record the effective date for any such emergency rule. Any emergency rule shall not be valid in excess of ninety (90) days from the adoption or effective date.

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

V. A copy of the compiled rules shall be available for inspection in the Superintendent's office, the principal's office, and in the library of any school.

VI. Copies of the School Board rules shall be assigned to various positions within the District as determined by the Superintendent.

A. A copy of any rule change shall be made available by the Superintendent to each holder of the compilation who shall be responsible for entering all changes immediately upon receipt.

B. A copy of the School Board rules manual shall be available to all staff members either in the principal's office or school library. The school principal shall keep the compilation current.

C. The principal shall inform his/her staff members of the location of the School Board rules and any changes.

VII. A School Board rule may be waived only to provide and implement overall goals and objectives of the School Board and to protect and preserve the health, safety, and welfare of the affected individual(s). Waiver of a School Board rule shall be addressed and a decision rendered regarding its waiver at a regular, special or emergency School Board meeting. A waiver of a School Board rule shall not render the policy void with respect to the continued implementation of the rule which is sought to be waived.

VIII. Any citizen may appeal to the Board for a variation or waiver with regard to any policy. The appeal process shall be that a written request shall be made to the Superintendent who shall review the matter and present recommendations to resolve the problem at the next regular School Board meeting to which the item may be added as a part of the agenda. In cases where an appeal process has been developed for a specific policy, the appeal shall be made in accordance with that procedure.

IX. 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.

X. 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.

XI. 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; 1001.42 F.S.**

LAWS IMPLEMENTED: **120.52 - .72; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

COLLECTIVE BARGAINING AGREEMENTS 2.24

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

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

LAWS IMPLEMENTED: **447.309(3); 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

SCHOOL BOARD ADOPTED PLANS 2.25+

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

These include, but are not limited to:

I. Administrative Services

A. District Emergency Plan

B. District Five-year Work Plan

C. District Master In-service Plan

D. District Safety Plan

E. General Outline of Revenue and Meal Accountability Procedures

F. Human Resources Management and Development (HRMD) Plan

G. Project Priority List

H. School Plant Survey

I. Transportation Procedures Manual

II. Instructional Services

A. After School Child Care Program Manual

B. Code of Student Conduct

C. District Testing Procedures Manual

D. Dropout Prevention Plan

E. Instructional Materials Manual

F. Instructional Technology Plan

G. English Language Learners (ELL) Plan

H. Manual for Admissions and Placement for ESE Programs

I. School Handbooks

J. School Health Procedures Manual

K. School Improvement Plans

L. Special Programs and Procedures Manual

M. Student Education Records Manual

N. Student Progression Plan

O. Student Services Plan

P. Truancy Plan

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

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

HISTORY: **ADOPTED: 6/18/01**
REVISION DATE(S): 3/4/08; 8/17/2010
FORMERLY:

STRATEGIC PLANNING 2.255+

I. Overview

A strategic plan shall be adopted by the School Board for achieving the District's vision, goals, and beliefs. Performance standards, assessment procedures for collecting data, benchmarks, and an evaluation process to determine whether the goals are being successfully achieved shall be established. The strategic plan shall include, but not be limited to, the District's mission statement, goals, desired outcomes, objectives, strategies, a detailed action plan, time lines, assessment tools, evaluation criteria, periodic reporting procedures, allocation of financial and human resources, budget appropriations and a process for revision. The School Board shall provide guidance in creating and formalizing the strategic plan and shall collaborate with the Superintendent, District administrators, principals, teachers, support staff, students, parents, and the community during the development, adoption and revisions of the plan.

II. Development

A. Strategic planning shall be a process by which the School Board envisions the District's future status and develops the necessary operations and procedures to achieve the desired results. The process shall initially include self-examination to identify the District's current status, performance gaps and priorities and to collect baseline data for establishing benchmarks and for measuring progress and acceptable levels of performance for programs and services.

B. Goals and objectives shall be

1. Clear and concise statements of expectations and purposes as they relate to programs, operations, departments, services, and positions;

2. Limited in number so that they may be reasonably achievable within designated time lines;

3. Time specific;

4. Measured in a quantitative and qualitative manner;

5. Researched-based, if available and appropriate; and

6. Defined with indicators or specifications for successful achievement.

C. The strategic plan shall include specific strategies for attainment of goals and objectives. Strategies shall be analyzed for effectiveness in leading to the desired outcome and for cost effectiveness.

D. The District's strategic plan shall be results-oriented with a monitoring and evaluation component. Evaluation criteria shall be developed by the Superintendent for operations, programs, and services that are targeted in the strategic· plan and shall be used to measure progress toward achieving the strategic goals.

III. Implementation

A. The Superintendent shall be responsible for implementing the strategic plan.

B. The Superintendent shall establish a management plan that enables School Board employees to direct their efforts to the strategic plan. The action plan shall include particular responsibilities of District staff. Employees shall be given specific directions for establishing daily priorities and for identifying data that needs to be collected to assess whether the goals and objectives are being met.

C. Administrative and instructional staff shall be held accountable for working diligently to achieve the strategic goals directly related to their job responsibilities and to create student success.

D. School improvement plans shall incorporate strategies, resource allocations, and budget appropriations for achieving the District's goals and objectives.

IV. Resources

A. Inservice training shall support the goals and objectives of the plan. Training shall be provided for employees to assist them in their efforts toward achieving the District’s goals.

B. Human and financial resources shall be allocated for and included in the District and school budgets to achieve stated goals, objectives and expectations. The District's financial resources shall focus on the strategic plan and shall provide adequate financial support as set forth in the District budget. The Superintendent shall maximize the allocations of funds to educational and operational programs to achieve the desired results of the strategic plan. A coordinated cycle of budgeting to fund the strategic plan shall be included.

V. Reporting

A. The Superintendent shall provide quarterly written progress reports to the School Board.

B. The School Board shall use the quarterly reports to monitor progress, make revisions, and update the strategic plan as necessary.

C. The dates for the quarterly progress reports shall be included in the District's master calendar.

D. An annual report shall be prepared and distributed to School Board employees, students, parents, and the community about implementation of the strategic plan. Such reports shall include, but not be limited to, the status of achieving the strategic plan, performance levels, cost-efficiency data, and identification of any modifications or revisions to the strategic plan.

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

LAW(S) IMPLEMENTED: **1001.42, 1001.43, 1001.452, 1008.385, F.S.**

HISTORY: **ADOPTED: 8/07/2012**
REVISION DATE(S): _____
FORMERLY: NEW

SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY 2.26*+

The School Board shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to Florida Statutes and State Board of Education rules. The system shall establish the individual school as the unit for education accountability and shall conform with the provisions of planning, 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. An approval process.

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

any disapproved school improvement plans to the appropriate agency as required by law.

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. A communication program to inform the public about student performance and educational programs in District and school reports.

V. Funds for schools to develop and implement school improvement plans.

VI. Reporting Procedures

A. To provide the Florida Commission on Education Reform and Accountability with annual feedback on the progress of implementing and maintaining a system of school improvement and education accountability. Items specified in 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)(c), 1001.10, 1001.42, 1001.43, 1001.452, 1002.20, 1008.33, 1008.345, 1003.413, 1008.385, 1010.01, 1011.01, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08
12/20/17
FORMERLY:

FAMILY AND SCHOOL PARTNERSHIP FOR STUDENT ACHIEVEMENT 2.261*+

I. The School District and each school principal are encouraged to strengthen family involvement and family empowerment in the school. The District will coordinate and integrate parental involvement strategies with school improvement, Title I, Title II, Title IV, Title VI, Community Involvement Programs, Business Partnerships, and other community involvement activities.

II. The District will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs, based on the National Standards for Parent/Family Involvement Programs, which include:

A. Communication between home and school is regular, two-way and meaningful.

B. Responsible parenting is promoted and supported.

C. Parents play an integral role in assisting student learning.

D. Parents are welcome in school and their support and assistance are sought.

E. Parents are full partners in the decisions that affect children and families.

F. Community resources are utilized to strengthen school programs, family practices and student learning.

III. The District will communicate parental choices and responsibilities to parents.

IV. The District shall develop and distribute a parent guide to successful student achievement. The guide shall contain information that parents need to know about their child's educational progress and how parents can help their child's success in school.

V. The District will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the District professional development plan.

VI. The District, to the extent practicable, shall provide full opportunities for parents with disabilities, parents with limited English proficiency and parents of migratory children to participate in school and parental involvement activities and programs.

VII. The District will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy

A. To determine the effectiveness in increasing parent participation;

B. To identify barriers to greater parent participation; and

C. To report the findings to the State Board of Education.

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

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

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

HISTORY: **ADOPTED: 11/04/2003**
REVISION DATE(S): 6/21/04, 12/05/06, 3/4/08; 8/17/2010
FORMERLY: 2.61

SPECIAL COMMITTEES OF THE SCHOOL BOARD 2.27

I. Special committees may be appointed by the School Board Chairperson, when deemed necessary. The duties of any such committee shall be outlined at the time of appointment; the committee shall be automatically dissolved when the School Board accepts the committee's final report. Each School Board member shall be notified of all committee meetings, but shall have no vote unless the member is serving as a committee member. All meetings of School Board committees shall be open to the public.

II. Special committees or individuals who serve on special committees shall take no action which is binding upon the School Board.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

SCHEDULE FOR LEGAL ADVERTISEMENTS 2.28

I. The School Board shall inform the general public of certain actions through legal advertisements (e.g., Notices of Public Hearing, Invitation to Bid). Items of interest to the public shall also be advertised.

II. Notifications to all appropriate agencies and individuals to amend, adopt, or repeal a School Board rule shall be given twenty-one (21) days prior to the date of intended School Board action.

III. Annually the tentative budget shall be posted on the District's official website and advertised as required by law.

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

LAWS IMPLEMENTED: **120.54; 1001.43, 1011.03, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE (S): 6/21/04; 8/07/2012
FORMERLY:

SCHOOL ADVISORY COUNCILS 2.30*+

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

I. Composition and Selection of Councils - Council members shall include the school principal and an appropriately balanced number of teachers, education support employees, students, parents, and business and community representatives.

A. Members shall be representative of the ethnic, racial, and economic community served by the council.

B. Student representation shall be required for school advisory councils established at vocational-technical centers and high schools and may be included for school advisory councils serving middle and junior high schools. Student representation shall not be required for school advisory councils serving elementary schools.

C. The term *education support employees* as used herein shall refer to any person who is employed by a school for twenty (20) or more hours during a normal working week and who does not meet the definition of instructional or administrative personnel pursuant to Florida Statutes.

D. The term *teacher* as used herein shall include classroom teachers, certified student services personnel, and media specialists.

E. A majority of members must be persons who are not employed at the school.

F. *Appropriately balanced* as used herein shall mean a proportionate number of council members considering each peer group being represented on the council, excluding the school principal. The size of the school advisory council and the ratio of representatives among the peer groups, excluding the school principal, shall be set forth in the bylaws establishing procedures adopted by each school advisory council.

II. Selection of Council Members - New council members shall be elected by their respective peer group, except for business and community representatives and the school principal.

A. The following council members shall be elected in a fair and equitable manner as determined by their respective peer group and as set forth in the bylaws of the school advisory council.

1. A teacher(s) shall be elected by teachers;

2. An education support employee(s) shall be elected by education support employees;

3. A student(s), when appropriate, shall be elected by students; and,

4. A parent(s) shall be elected by parents, as defined by Florida Statutes.

B. The school advisory council shall select a business and community member(s) to serve on the school advisory council after reviewing the list of nominees prepared by the school principal.

1. Business and community representatives shall be selected initially through a nomination and selection process facilitated by the school principal of each school advisory council.

a. The school principal shall seek candidates who are interested in making a commitment to participate on the school advisory council by representing businesses and the community.

b. Letters, newsletters, or other media releases shall be used by the school principal to seek candidates.

c. The school principal shall prepare a list of individuals seeking nomination to the school advisory council and shall present the list to the school advisory council for selecting the business and community representative(s).

2. Subsequent to the initial selection as described in section II.B.1. herein, the operational guidelines of the school advisory council shall set forth procedures for nominating business and community representatives to serve on the school advisory council.

C. The principal shall submit the list of council members to the Superintendent for review of each school to determine compliance with section I. herein. The membership list shall contain the name of each council member and the peer group which is being represented by each member and a description of how the council represents the ethnic, racial, and economic community served by the school.

III. Confirmation of the School Advisory Council - The Superintendent shall submit to the School Board for review and approval the membership list for each school advisory council in the District. The School Board shall determine if a school advisory council meets criteria specified in section I. herein; additional members shall be appointed by the School Board when it is required to achieve the proper representation on the school advisory council.

IV. Responsibilities of Councils - Each school advisory council shall

A. review the results of any needs assessments conducted by the school administration.

B. assist in the development of the school improvement plan and provide recommendations on specific components of the plan, such as the goals of the school, indicators of school and student progress, and strategies and evaluation procedures to measure student performance. The school advisory council shall be the final decision-making body at the school relating to school improvement.

C. define adequate progress for each school goal; obtain public input when defining adequate progress for school goals; negotiate the definition of adequate progress with the School Board; and notify and request assistance from the School Board when the school fails to make adequate progress in any single goal area.

D. monitor students' and the school's progress in attaining goals and evaluate the appropriateness of the indicators of student progress and strategies and evaluation procedures which are selected to measure student performance.

E. prepare and distribute information to the public to report the status of implementing the school improvement plan, the performance of students and educational programs, and progress in accomplishing the school goals.

F. make recommendations on the accumulation and reporting of data that is beneficial to parents.

G. serve as a resource for the principal and advise the principal in matters pertaining to the school program.

H. provide input on the school's annual budget and the use of school improvement funds, and 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.

C. The agenda shall be advertised to the school community at least seven (7) days in advance of the scheduled meeting.

D. Members of the advisory council shall be notified three (3) days in advance, in writing of any matter that is scheduled before the council for a vote.

E. All meetings shall be open, public, and subject to Florida Statutes.

F. The school advisory council shall be subject to maintaining records pursuant to Article 1, Section 24, and Article XII, Section 20, of the Florida Constitution.

G. 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: 6/18/2001**
REVISION DATE(S): 6/3/2003, 6/21/2004, 12/05/2006; 8/17/2010
FORMERLY:

LEGAL COUNSEL – BOARD 2.40

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

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

LAWS IMPLEMENTED: **1001.4; 1001.43; 1012.26, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

LEGAL COUNSEL - SUPERINTENDENT 2.41

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

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

LAWS IMPLEMENTED: **1001.43; 1012.26, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

LEGAL SERVICES FOR EMPLOYEES 2.42

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

II. 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.**

LAWS IMPLEMENTED: **1001.43; 1012.26, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

PARTICIPATION IN ACTIVITIES 2.50

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

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

PROGRAM OF AWARDS 2.60*+

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

I. Individuals who are eligible for receiving an award shall include:

A. Employees with long and meritorious service or distinguished service in the performance of duty.

B. Students who have excelled in scholarship, athletics, music, subject matter areas, citizenship, attendance, and any other areas recommended by the Superintendent and approved by the School Board.

C. School volunteers or advisory council members who have contributed outstanding and meritorious service.

II. The criteria for awards granted at individual schools shall be established by the principal and the instructional staff, and shall be submitted in writing to the Superintendent.

III. The criteria for awards distributed at the District level shall be developed by the Superintendent with the assistance of representatives of the supervisory, administrative, instructional, and non-instructional staffs.

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

V. The amount of a monetary award shall be established by the School Board pursuant to Florida Statutes.

VI. An Academic Scholarship Signing Day shall be established to recognize outstanding academic achievement.

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

LAWS IMPLEMENTED: **1001.43; 1012.22, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/07/2012
FORMERLY:

PROHIBITING DISCRIMINATION, INCLUDING SEXUAL AND OTHER FORMS OF HARASSMENT 2.70

I. Policy Against Discrimination

No person shall, on the basis of race, color, religion, gender, age, marital status, disability, political or religious beliefs, national or ethnic origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School District, except as provided by law.

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.

The School Board shall admit students to District Schools, programs, and classes without regard to race, color, religion, gender, age, national or ethnic origin, marital status, disability or handicap.

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

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.

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.

Definition of Sexual Harassment

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

Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.

Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting the individual.

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.

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.

Types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to

Graphic verbal comments about an individual's body or appearance.

Sexual jokes, notes, stories, drawings, pictures or gestures.

Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions.

Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates.

Spreading sexual rumors.

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.

Cornering or blocking normal movements.

Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.

Definition of Other Forms of Prohibited Harassment

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

Has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment;

Has the purpose or effect of interfering with an individual's work or academic performance; or

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

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

Epithets, slurs or negative stereotyping;

Threatening, intimidating or hostile acts, such as stalking; or

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. Retaliation Prohibited

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.

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.

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

Procedures for Filing Complaints

Any person who believes that he or she has been discriminated against, or placed in a hostile environment based on gender, marital status, sexual orientation, race, national origin, religion, age or disability by an employee, volunteer, agent or student of the School District should within sixty (60) days of alleged occurrence file a written or oral complaint. The complaint should set forth a description of the alleged discriminatory actions/harassment, the time frame in which the alleged discrimination occurred, the person or persons involved in the alleged discriminatory actions, and any witnesses or other evidence relevant to the allegations in the complaint.

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 Equal Employment Opportunity (EEO) Officer within five (5) days of the filing of the complaint. If the complaint is against the principal

or site administrator, the complaint may be filed directly with the EEO officer.

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.

Procedures for Processing Complaints

Complaints filed against persons other than the Superintendent or member of the School Board

Upon receipt of the written complaint by the District EEO Officer, the District EEO Officer shall appoint an investigator to conduct an investigation of the allegations in the complaint. The investigator shall interview the complainant and the accused; interview any witnesses identified by the complainant, accused, or by other sources; take statements from all witnesses; and review any relevant documents or other evidence. Upon completing a review of all evidence relevant to the complaint, the investigator shall prepare a written summary of the investigation, and make a recommendation to the District EEO Officer as to whether there is reasonable cause to believe a violation of the District's 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.

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 VI.B.1.a.

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.

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.

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. 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.

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.

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.

After providing the opportunity for an informal hearing as referenced in section VI.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.

Complaints against School Board Members or against the Superintendent

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.

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.

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.

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.

Penalties for Confirmed Discrimination or Harassment

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*.

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.

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

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 investigate and to take corrective action may supersede an individual's right to privacy

The parents of a person under the age of 18 who has filed a complaint of discrimination and/or harassment shall be notified within three (3) days of receipt of a complaint.

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

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 200.43(c), P.L. 110.233

STATE BOARD OF EDUCATION RULE(S): **6A-19.001 *et seq.***

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08; 8/17/2010; 8/07/2012
FORMERLY: 2.29, 2.291, 2.71,
2.72, 2.81

REPORTING CHILD ABUSE 2.80+

I. Definitions of Child Abuse, Abandonment or Neglect

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.

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.

*Neglect o*ccurs 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.

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.

Notification of Responsibility

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

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

B. Statewide toll-free telephone number for the central abuse hotline.

Requirements for Reporting Child Abuse, Abandonment or Neglect

Florida Statute requires that any person including, but not limited to, any

Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care or treatment of persons;

Health or mental health professional other than one listed in 1;

Practitioner who relies solely on spiritual means for healing;

School teacher or other school official or personnel;

Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker; or

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

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.

Reporters in the categories specified in A. above, will be required to provide their names to hotline staff. The extent of confidentiality of the reporter's name, with respect to the Department's records, is governed by Florida Statute.

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.

Complaint Against School District Employee, Volunteer or Agent - If a complaint is made against a School District employee, volunteer, agent or other person affiliated with the School District which, if true, would constitute child abuse, neglect or abandonment by that person, that complaint shall be immediately forwarded to the Superintendent. The Superintendent shall forward the complaint to the Department of Children and Family Services for investigation as provided by statute. The person accused of child abuse, abandonment or neglect may be suspended or reassigned from duties involving interaction with children pending investigation of the allegations. If the allegations are substantiated by the Department of Children and Family Services, the Superintendent shall take appropriate disciplinary action. School District staff shall in good faith cooperate with, and participate only as directed by, the Department of Children and Family Services and law enforcement during the investigation, and with respect to any subsequent criminal proceedings.

When a report of child abuse, neglect or abandonment has been made to the Department of Children and Family Services or law enforcement agencies, a teacher, staff member, volunteer or agent should not take it upon himself/herself to interview the child, talk with the suspected abuser, discuss the allegations with other potential witnesses or otherwise investigate the case. Nor should a teacher, staff member, volunteer or agent divulge information relating to the complaint to persons other than school officials, the Child Protection Team, the Department of Children and Family Services, law enforcement, the State Attorney or other court designee. If a parent, caregiver, or legal guardian desires information related to a complaint of child abuse, that person should be directed to contact the Department of Children and Family Services and/or the applicable local law enforcement agency.

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.

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: 6/3/2003
REVISION DATE(S): 6/21/04; 12/05/06
FORMERLY:

NON-DISCRIMINATORY ADMISSION OF STUDENTS 2.81

The School Board shall admit students to District schools and programs without regard to race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background.

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

LAWS IMPLEMENTED: **1000.05; 1001.43 F.S.**

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

TOBACCO USE IN DISTRICT FACILITIES 2.90

The School Board prohibits the use of any form of tobacco products (including synthetic tobacco and electronic cigarettes) in any area utilized by students or designated for student activities. Additionally, and in accordance with law and other governing regulations, prohibits the use of tobacco products in any form in facilities, vehicles, and areas designated for the various student programs and activities.

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

LAWS IMPLEMENTED: **386.201 – 386.209; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010; 1/20/2015
FORMERLY:

WELLNESS PROGRAM 2.95*+

I. The Superintendent shall establish a Wellness Program that shall include, but not be limited to, the following components:

A. Goals for nutrition education, physical activity and other school-based activities that are designed to promote student wellness;

B. Goals for nutrition education, physical activity and other activities that are designed to promote employee wellness;

C. A plan for implementing the goals of the program;

D. Nutrition guidelines for all foods available on each school campus and District facility during the school/work day;

E. A plan for evaluating the implementation of the wellness program;

F. A plan for modifying the program based on evaluation data;

G. Designation of a wellness coordinator at each school and District facility; and

H. Involvement of parents, students, representatives of the school food authority, the School Board, teachers, school administrators, support staff, District administrators and the public.

II. This program shall meet the requirements of the National School Lunch Act and the Child Nutrition Act of 1966.

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

LAW(S) IMPLEMENTED: **P.L. 108-265, SECTION 204**
NATIONAL SCHOOL LUNCH ACT (42 USC 1751 *et seq.*)
CHILD NUTRITION ACT OF 1966 (42 USC 1771 *et seq.*)
570.981.570.982; 1003.453, 1003.42, 1003.455, 1003.46, 1001.43 F.S.

HISTORY: **ADOPTED: 12/05/06**
REVISION DATES: 3/4/08; 5/21/2013
FORMERLY:

HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

CHAPTER 3.00:

SCHOOL ADMINISTRATION

ADMINISTRATIVE ORGANIZATION 3.10*

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

The District staff exists to give support and direction to the schools. The Superintendent is assisted in this responsibility by administrators or staff in the positions of assistant superintendent, directors and coordinators. The Superintendent shall prepare and submit annually an organizational chart which shall serve as a guideline for organizing administrative responsibilities within the system.

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

LAWS IMPLEMENTED: **120.53; 1001.42; 1001.43; 1012.27; 1013.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003; 8/17/2010
FORMERLY:

SCHOOLS-WITHIN-A-SCHOOL 3.11

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

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

LAWS IMPLEMENTED: **1001.42; 1001.43, 1003.02(4); 1013.43(A), F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

SCHOOL SITE DECISION MAKING 3.12+*

The Superintendent shall design and recommend to the School Board for approval a school-based management plan which provides for delegation of decision making authority and for involvement of principals, assistant principals, teachers, parents, as defined by Florida Statutes, and the community in reaching these decisions. This plan shall embody a high degree of local control, but with a strong and viable element of accountability for the goals and objectives addressed through the School Board approved comprehensive education plan.

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

LAWS IMPLEMENTED: **1000.21, 1001.43, F.S.**

HISTORY: **ADOPTED: 6/3/2003**
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

SCHOOL CALENDAR 3.18

I. Annually the Superintendent shall establish a school year calendar committee.

II. The committee shall prepare a proposed school year calendar for the school year following the next occurring fiscal year and present to the Superintendent for approval and recommendation to the board.

III. School calendars shall adhere to the provisions of Florida Statutes.

IV. The Superintendent/designee shall prepare a list of specific religious observance days which occur when school is in session and may result in a student's absence in accordance with provisions of the *Code of Student Conduct* and other Board rules related to student attendance.

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

LAW(S) IMPLEMENTED: **1001.42, 1001.43, 1001.51, 1003.21, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.045111, 6A-1.09514, 6A-10.019**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 12/05/2006; 8/07/2012
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

RESPONSIBILITIES OF SUPERINTENDENT 3.20

The Superintendent shall be responsible for the administration of the entire school system as provided by law, State Board of Education and School Board rules. The Superintendent shall keep the School Board informed regarding all phases of the District school system.

The Superintendent serves as the secretary to the School Board and executive officer of the District. He/she 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.

All members of the instructional and noninstructional staff shall be under the general supervision of and subject to the direction of the Superintendent.

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

LAWS IMPLEMENTED: **1001.32, 1001.33, 1001.42, 1001.43, 1001.49, 1001.51, F.S.**

HISTORY: **ADOPTED:** 6/18/2001
REVISION DATE(S): 6/21/04, 12/19/2005
FORMERLY:

PERFORMANCE GRADE SCHOOLS 3.201*+

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 (2) performance grade categories as required by Florida Statutes.

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

LAWS IMPLEMENTED: **1001.42; 1001.43; 1002.38; 1004.41, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003; 12/05/2006
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

DELEGATION OF AUTHORITY 3.202

The Superintendent may delegate authority when it becomes expedient; he/she 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, School Board Rules, or School Board resolution. All reports and recommendations to the School Board from any employee under the Superintendent's direction and supervision 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.**

LAWS IMPLEMENTED: **1001.41; 1001.49; 1001.51; 1001.33, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010; 8/17/2010
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

DIRECTIVES, PROCEDURES, AND ADMINISTRATIVE MANUALS 3.21

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

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

LAWS IMPLEMENTED: **1001.43; 1001.51, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

OPENING AND CLOSING OF SCHOOLS 3.22*

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

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

LAWS IMPLEMENTED: **1001.42; 1001.43, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.045111**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/07/2012
FORMERLY:

EMERGENCIES 3.23

I. In case of an emergency involving the welfare and safety of students and employees, the Superintendent may suspend any part of these regulations; provided, that he shall report the fact of and the reason for suspension at the next meeting of the School Board; and provided further, that the suspension shall expire at the time of such report unless continued in effect by actions of the School Board.

II. In case of an emergency, the Superintendent may close any school or all schools. The members of the School Board shall be informed immediately of any event or condition which requires the closing of a school or the schools of the District, and, where the public interest requires Board action, the Superintendent shall call a special meeting of the Board.

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.**

LAWS IMPLEMENTED: **1001.33; 100.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

AUTOMATIC EXTERNAL DEFIBRILLATORS 3.25+

I. The School Board authorizes the use of an automatic external defibrillator (AED) in a perceived medical emergency.

II. All persons who are reasonably expected to use an AED shall be trained to use the device. Training shall include a course in cardiopulmonary resuscitation (CPR) or a basic first aid course which includes CPR and demonstrated proficiency in the use of an AED.

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 readily available for use. The location of the device shall be registered with the local emergency medical services director. All persons who are reasonably expected to use the device shall be notified of its location.

IV. The Superintendent or designee shall develop procedures to implement this policy. The procedures shall be reviewed and approved by the local emergency medical services director.

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

LAW(S) IMPLEMENTED: **401.2915, 768.1325, 1001.42, 1001.43, 1006.165, F.S.**

HISTORY: **ADOPTED: 12//05/2006**
REVISION DATE(S):
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

RESPONSIBILITIES OF PRINCIPALS 3.30

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

I. Each principal shall have authority and responsibility for contracting for all athletic contests, school papers, school yearbooks, programs and other contracts incidental to the operation of the individual school unit.

II. The principal shall observe all applicable requirements prescribed within the School Board Rules, and shall exercise due care to protect the interests of the school and the School Board when entering such contracts. Such contracts shall not extend beyond the school year during which they were made unless approved by the Superintendent.

STATUTORY AUTHORITY: **1001.4; 1001.42, F.S.**

LAWS IMPLEMENTED: **1001.32; 1001.4; 1001.54; 1006.09, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

SAFE AND SECURE SCHOOLS 3.40+

I. Introduction

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

II. Orderly Environment

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

A. No person other than a student and employee of a school site shall be on a school campus during school hours unless they are in compliance with Policy 9.60, Visitors.

B. A student who is suspended or expelled is not in good standing and is not permitted on the school campus or 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.

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.

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.

Safety – Emergency Plans

The Superintendent shall develop and present to the board for review and approval appropriate school emergency management and preparedness plans.

The Superintendent shall establish uniform guidelines for the development of schools' emergency management and preparedness plans.

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.

Copies of school plans shall be provided to county and city law enforcement agencies, fire departments, and emergency preparedness officials.

Safety – Procedures

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

A safety program shall be established consistent with the provisions of Policy 8.11.

Emergency evacuation drills (fire, hurricane, tornado, other disaster, and school bus) shall be held in compliance with state requirements. Each principal, site administrator or transportation official is responsible for

Developing and posting emergency evacuation routes and procedures;

Assigning and training staff members in specified responsibilities to ensure prompt, safe and orderly evacuation;

Identifying and reporting hazardous areas requiring corrective measures; and

Preparing and submitting a written report of each emergency evacuation drill to the District office.

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.

Safety – Violence Prevention

The Superintendent shall develop a violence prevention plan for use by each school.

Training in identification of potentially violent behaviors and the procedures to be implemented shall be provided to personnel of the schools.

Security

The Superintendent shall establish and implement a Domestic Security Plan consistent with the requirements of the National Incident Management System (NIMS).

The Superintendent shall develop and implement guidelines and procedures for reviewing each school's security provisions.

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.

Each school's emergency plan shall include security provisions including emergency lock down procedures.

Security trailers may be located on school property.

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

LAWS IMPLEMENTED: **1001.43; 1001.51; 1006.07;**

1006.145; 1006.21; 1006.062; 1013.13, FS.

STATE BOARD OF EDUCATION RULES: **6A-1.0403; 6A-3.017**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21//04, 12/05/06; 8/17/2010
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

DOMESTIC SECURITY 3.41+

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

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

A. Access Control

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

B. Emergency Equipment

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

C. Training

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

D. Communication and Notification Procedures

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

E. Coordination with Partners

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

F. Vulnerability Assessment

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

III. The District plan including all school and facility plans shall be reviewed annually or more frequently if needed. Modifications shall be made and communicated to relevant school/District personnel and emergency management officials. Conditions which may warrant interim review and possible modification of the plan include addition to or renovation of a facility, change in the use of a facility, change of grades served by a school, new programs added to the school and change in security threat level.

IV. The Superintendent shall request documentation of compliance with the National Incident Management System (NIMS) standards from the county emergency management agency and shall obtain certification of compliance from the Commissioner of Education.

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

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

STATE BOARD OF EDUCATION RULE(S): **6A-1.0403, 6A-3.0171**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08; 8/17/2010
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

ALCOHOL, ALCOHOLIC BEVERAGES, MOOD-MODIFYING OR CONTROLLED SUBSTANCE ON BOARD PROPERTY 3.42

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

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

II. Any person having purchased an admission ticket to a school event shall forfeit his/her rights under this rule by having an alcoholic beverage or other controlled substance 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 or other controlled substances, 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 or other controlled substances in possession of minors will be seized.

B. Students and/or adults in possession of alcoholic beverages or other controlled substances may be sent home at their or their parents' expense and/or other appropriate action taken.

V. A School Board employee who violates this Rule shall be considered guilty of conduct which seriously impairs his/her effectiveness as an employee and shall be subject to such discipline as the School Board determines under the provisions of Sections 230.23(5)(f); 230.33(7)(e); and, 231.28, Florida Statutes.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

ANIMALS ON CAMPUS 3.47*+

I. Animals may be allowed on a school campus under the following conditions:

A. The presence of the animal(s) is related to the curriculum and significantly contributes to the instructional program.

B. The animal(s) does not present a danger to students or staff.

C. The animal is kept in an appropriate cage or container or on a leash or other restraint.

D. The length of time the animal(s) may be on campus is specifically designated.

E. Animals are housed and cared for in a humane manner.

F. The principal has approved the presence of the animal(s) on campus.

II. Parents shall be notified in advance that an animal(s) will be in the classroom or will be part of a class activity.

III. Any experiment involving an animal shall be under the supervision of a qualified teacher or expert in the field.

IV. The principal or designee shall be responsible for contacting local animal control authorities if any wild or stray animal(s) are found in a school building or on the school campus.

V. This policy does not apply to law enforcement canine units or approved assistance and therapy animals.

VI. The Superintendent shall develop guidelines for having animals on campus.

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

LAW(S) IMPLEMENTED: **1001.32, 1001.43, 1003.47, 1006.07, 1006.08, F.S.**

STATE BOARD OF EDUCATION RULE(S) **6A-2.0010**

HISTORY: **ADOPTED: 8/17/2010**
REVISION DATE(S):
FORMERLY:

SERVICE ANIMALS 3.48+

I. The purpose of this policy is to implement standards related to service animals as set forth in federal and state law including

A. Individuals with Disabilities Education Act (IDEA);

B. Rehabilitation Act of 1973, as amended;

C. Americans with Disabilities Act (ADA);

D. Section 413.08, F.S.

II. A *service animal* is any dog that is trained to do work or perform tasks for the benefit of an individual with a disability. The animal must be trained to perform tasks directly related to the person's disability.

A. Other species of animals are not considered service animals.

B. Miniature horses may be used as an alternative to dogs, with certain limitations. However, they are not included in the definition of service animal.

C. An animal whose sole function is to provide comfort, therapy, or companionship is not considered a service animal.

D. A service animal is not a pet.

III. A *task* is a minor job or piece of work that the animal performs. Tasks include

A. Guiding a person who is visually impaired or blind;

B. Alerting a person who is deaf or hard of hearing;

C. Retrieving objects;

D. Assisting with mobility or balance;

E. Pulling a wheelchair;

F. Alerting and protecting a person having a seizure; and

G. Performing other specific tasks.

H.

IV. A service animal is personal property and may not be brought on campus without the knowledge and permission of the school or District administration. A student's need for and use of a service animal must be documented in the student's Individual Education Plan (IEP) or Section 504 Plan.

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 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.

VII. 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: 8/07/2012**
REVISION DATE(S): _____
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

PUBLIC INFORMATION AND INSPECTION OF RECORDS 3.50

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

I. Photocopying or other reproduction of any record shall be performed upon a person's request. Charges for photocopying or reproducing shall be in accordance with the School Board rule 3.51 (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;

G. Sealed responses to request for bids or proposals, until such time as they are publicly opened pursuant to Florida Statutes and PL 104-191, Health Insurance and Accountability Act of 1996 (HIPAA); and,

H. Employee and student health and medical records of dependent children of employees who are covered by group insurance plan are exempt from inspection as prescribed by Florida Statutes and PL 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPAA).

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04; 8/17/2010; 1/20/2015
FORMERLY:

COPYING OF PUBLIC RECORDS 3.51

I. Copies of public records may be obtained by making a request to the lawful custodian of the records. Charges for copies of public records not exceeding 8 ½" x 14" in size shall be fifteen (15) cents for each one-sided copy or twenty (20) cents for each two-sided copy, unless a different fee is otherwise prescribed or permitted by Florida Statutes. A one dollar ($1.00) fee shall be assessed for a certified copy of a public record.

II. Charges for audio, video and other materials shall be charged at rates as established by the Superintendent/designee.

III. Copies shall be made by the appropriate staff members at a time which does not interfere with the normal work duty.

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

LAWS IMPLEMENTED: **119.07; 119.08; 1001.43; 1001.52, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/15/06
FORMERLY:

COPYRIGHTED MATERIALS 3.52

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

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.**

LAWS IMPLEMENTED: **1001.361; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/19/2005
FORMERLY:

FLAG DISPLAY AND PLEDGE 3.60

I. The pledge of allegiance to the flag shall be recited at the beginning of each school day in elementary, middle, and secondary schools.

II. The *Student Handbook* that is distributed to all students shall contain written notification that the student has the right not to 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. Flags shall be displayed according to established guidelines.

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: **256.015, 1000.06, 1000.21, 1001.43, 1002.20, 1003.42, 1003.44, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06; 8/07/2012, 12/20/2016
FORMERLY:

A MOMENT OF SILENCE 3.61

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

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

LAWS IMPLEMENTED: **1001.43; 1003.45, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

BACKGROUND SCREENING FOR CONTRACTORS 3.68+

I. Contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students or who have access to or control of school funds must meet level two (2) screening requirements as described in Florida Statutes. Contractual personnel shall include any vendor, individual or entity under contract with a school or the School Board. Each vendor, individual contractor or employee of a contractor as described in this section must provide verification that he/she has met the level two (2) screening requirements prior to accessing a school campus.

II. An employee or contractor of an employer who offers high school student internship must meet level 2 background screening requirements if he/she has direct, unsupervised access to the student intern(s).

III. 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.

IV. 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.

V. 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. 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.

VI. 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.

VII. A noninstructional contractor, as described in section VI, 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.

VIII. The Superintendent shall develop procedures to implement this policy.

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

LAW(S) IMPLEMENTED: **1001.43, 1003.496, 1012.32, 1012.465, 1012.467, 1012.468, F.S.**

HISTORY: **ADOPTED: 12/5/06**
REVISION DATE(S): 3/04/08
FORMERLY:

AGENTS, SOLICITORS AND SALESPERSONS 3.70

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

The principal shall prohibit all forms of canvassing or soliciting of teachers or students on school premises during school hours except as otherwise approved in writing by the Superintendent.

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

LAWS IMPLEMENTED: **1001.42; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

VISITOR IDENTIFICATION MEASURE 3.701+

I. 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.

II. The Superintendent/designee shall develop guidelines to allow persons convicted of certain crimes as defined in § 856.022, F.S., to visit a school campus or event under specific circumstances. The individual must request approval prior to the activity. If approved to be on campus or at a school event, the individual shall be under the supervision of a designated staff member at all times.

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

LAWS IMPLEMENTED: **855.06, 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/07/2012
FORMERLY: NEW

CHAPTER 3.0 - SCHOOL ADMINISTRATION

SCHOOL VOLUNTEERS 3.80

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

I. The school principal and each staff member who is assigned a school volunteer shall be responsible for assigning duties to school volunteers which are consistent with Florida Statutes, State Board of Education rules, and School Board rules.

II. School volunteers shall meet level two (2) screening requirements. Section 435.04, F.S., mandates level two (2) security background investigations be conducted on employees, defined as individuals required by law to be fingerprinted pursuant to Chapter 435, F.S.

III. School volunteers shall be recommended by the Superintendent and approved by the Board.

IV. The Superintendent shall issue directives concerning school volunteers as may be deemed necessary.

V. A school volunteer shall be accorded the same protection of Florida Statutes as accorded to certificated instructional personnel provided the school volunteer has officially recorded his/her attendance in the school where he/she is rendering services under an administrative or instructional staff member.

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

LAWS IMPLEMENTED: **110.504(4), 110.504(5), 768.28, 1012.01, 1001.21, 435.04 F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06; 1/20/2015
FORMERLY:

CHAPTER 3.0 - SCHOOL ADMINISTRATION

CHARTER SCHOOLS 3.90

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

I. Eligibility to Apply

A. A proposal for a new charter school may be made by an individual, teachers, parents, group of individuals, a municipality, or any legal entity organized under the laws of the state of Florida. The school shall organize as a nonprofit organization prior to receiving approval as a charter school with the School Board.

B. The principal, teachers, parents and/or the school advisory council at an existing public school that has been in operation for at least two (2) years may submit a proposal for converting the school to a charter school, provided that they demonstrate the support of at least fifty percent (50%) of the teachers then currently employed at the school and fifty percent (50%) of the parents voting whose children are then currently enrolled in the school. A majority of the parents eligible to vote must participate in the ballot process. The ballot process must be conducted in accordance with State Board of Education rule.

C. 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 August 1 and staff may provide technical assistance to organizations and individuals submitting proposals. A charter school application shall be approved or denied no later than sixty (60) calendar days after receipt of the application to allow sufficient time for the governing board of a charter school organization to obtain fiscal, material, facility, students, staff and other resources for start up for the succeeding fall school term.

III. Application

Proposals for charter schools shall be submitted on the application form prepared by the Department of Education. No proposal will be accepted until the application is complete and all appropriate signatures are obtained. The application does not constitute the charter which will be considered the legal contract between the School Board and the school organizational body.

A. The application shall include

1. All items required by Florida Statutes.

2. Proof of insurability from an adequate rated insurer with a policy of no less than one million dollars ($1,000,000) for errors and omissions and general liability coverage to include but not limited to prior acts, sexual harassment, civil rights and employment discrimination, breach of contract, insured vs. insured, consultants and independent contractors.

3. Coverages for property and casualty equal to replacement costs for school structures and contents, automobile and workers' compensation.

4. An indemnification or hold harmless agreement releasing the School Board of all liability for actions by the charter school governing body or its employees.

B. 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.

IV. Charter

A. Within sixty (60) days of approving a charter school application, the District shall provide an initial proposed charter contract to the charter school.

B. The applicant and the District shall have seventy-five (75) days to negotiate the charter and provide notice for final approval of the charter contract.

C. The following elements shall be included in the school's charter agreement with the School Board:

1. School vision and mission

2. Students to be served (ages, grades, current school or zone and projected FEFP categories)

3. Student criteria for admissions, selection process and dismissal procedures

4. Marketing/recruitment plan

5. Method for achieving racial and ethnic balance of student population

6. FTE enrollment verification process

7. Focus of the curriculum with emphasis on reading

8. Instructional methods to be used, including service to ESE, ADA and ESOL students and students who are reading below grade level

9. Current baseline standard of student achievement, outcomes to be achieved and method(s) of measurement

10. Methods used to identify the educational strengths and needs of students and how well goals are met by the students

11. Participation in the statewide assessment program

12. Method for determining that a student has met graduation or promotion requirements

13. *Code of Student Conduct* consistent with District policies and discipline code

14. Method of identification and acquisition of appropriate technologies needed to improve educational and administrative performance

15. Means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards

16. Nature of parent involvement

17. Conflict resolution strategies for students, parents and staff

18. Methods for resolving conflict between School Board and governing body of the charter school

19. Program evaluation and reporting plan

20. Annual progress reports to include state required information

21. Status as a private or public employer

22. Staff status related to certification or subcontracting

23. Strategies that will be used to recruit, hire, train, and retain qualified staff to achieve best value

24. Staff selection process, including fingerprinting and criminal background check

25. Disclosure of employees of the charter school who are related to the owner, board of directors, president, superintendent, school administrator or other person with decision making authority at the charter school

26. Qualifications of teachers which must be disclosed to parents

27. Professional development plan

28. Alternative arrangements for students and teachers at a converting public school who choose not to participate

29. Charter School Board members and background checks including fingerprinting for governing body

30. Articles of incorporation and governance structure, including names, addresses, financial disclosure to include the same requirements as in Florida Statutes

31. Financial and administrative management of school

32. Internal financial controls and audit process

33. Proposed budget including salary and benefits of staff and letter of credit or other funds to cover start-up costs

34. Procedure for notification by auditor if school is in a state of financial emergency or deficit financial position

35. Insurance coverage at specified limits no less than one million dollars ($1,000,000) for errors and omissions and general liability and property equal to replacement costs of all structures and contents

36. Indemnification or hold harmless agreement

37. Transportation, food service or other plans and agreements with the District or other contractors

38. Facilities to be used and their location and evidence of all codes having been met

39. Length of agreement

40. Renewal and modification of the agreement

41. Provision for cancellation of the agreement for insufficient progress

42. Implementation timetable

D. The District shall provide academic student performance data to charter schools for each of their students coming from the District, as well as rates of academic progress of comparable student populations in the District school system.

E. The governing body shall exercise continuing oversight over charter school operations.

F. The governing body shall participate in governance training approved by the Department of Education.

G. After a public hearing to ensure community input, the governing body of the charter school and the District shall sign the charter.

V. Approval

The School Board shall receive all completed applications for a charter school on or before August 1 of each calendar year for charter schools to be opened at the beginning of the District's next school year. The School

A. Board shall by a majority vote of the full Board approve or deny a formal application no later than sixty (60) days after receiving the completed application during the submission period, following a public hearing to ensure community input.

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

The School Board shall consider but is not limited to using the following criteria to evaluate applications for charter school approval:

A. Quality and breadth of instructional program.

B. Safeguards for the physical and emotional safety of students to be served.

C. Innovativeness of approach to teaching and learning.

D. Representativeness of student population and impact upon other schools

E. Soundness of the financial plan, including sufficient start up funds or line of credit equivalent to three months operating costs.

F. Adequacy of insurance to include property and casualty, general liability, automobile, workers' compensation and errors and omissions, including specific coverage for civil rights and employment discrimination claims, and indemnification of the School Board.

G. Qualifications and diversity of staff, governing body and organizers including criminal background checks, fingerprinting and bonding as necessary.

H. Adequacy of facilities.

I. Extent of parent involvement.

J.

K. Representativeness of governance structure including full financial disclosure on the forms required by the School Board of all members of the governing body.

L. Level of student performance expectations relative to state education and other significant goals.

M. Sufficiency of elements required in the charter law or policy.

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 ant of the grounds listed in paragraph VII.A. or if the health, safety, or welfare of the student(s) is threatened.

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 a request for an informal hearing may be requested within fourteen (14) days of receipt of the notice. The School Board shall conduct an informal hearing within thirty (30) days after receiving a written request. The charter school's governing body may, within thirty (30) days after receiving the School Board's decision to terminate or refuse to renew the charter, appeal the decision to the State Board of Education.

D. 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.

E. 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.

F. 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 for up to three (3) years to accept employment in a charter school upon the approval of the School Board and shall maintain seniority accrued in the School District. They 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. 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.

E. 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.

F. The governing body of a charter school may elect to participate in the Florida Retirement System after proper application and approval under Florida Statutes.

XI. Funding

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

A. Each charter school shall report its student enrollment to the District School Board as required by Florida Statutes and School Board policy and procedures. The School Board shall include each charter school's enrollment in the District's report of students.

B. Charter schools whose students or programs meet the eligibility criteria in law shall be entitled to their proportionate share of all Florida Education Finance Program and General Appropriations Act funds, gross state and local funds, discretionary funds, categorical program funds and federal funds. Total funding for each charter school will be recalculated during the year to adjust for the actual weighted full-time equivalent and eligible students reported by the school and the revised calculations under the Florida Education Finance Program, following the October and February Full Time Equivalent (FTE) counts.

C. Any administrative fee charged by the School District to the charter school shall be no more than five percent (5%) of the available funds defined in XI.B. The District may only withhold an administrative fee for enrollment up to and including five hundred (250) students. The District may only withhold an administrative fee for enrollment up to and including five hundred (500) students within a system of charter schools that meets designated criteria. Administering the contract includes providing technical assistance, monitoring policy compliance and processing financial, student and other records or required reports. This does not include contract(s) for other specific services to staff or student participation in the benefit packages or other special programs. The fees for these services will be negotiated and will be determined on an actual cost basis.

D. The School District shall make every effort to ensure that charter schools receive timely and efficient reimbursement with payment issued no later than ten (10) working days after receipt of funding or pay a penalty of one percent (1%) interest per month. Under no circumstances will the School District advance funds before a charter school is open, but the School Board may approve a charter before the applicant has secured space, equipment or personnel if the applicant indicates approval is necessary for it to raise working capital.

XII. Facilities Requirement

A charter school shall utilize facilities which comply with the Florida Building Code adopted pursuant to Florida Statutes, the Florida Fire Prevention Code pursuant to Florida Statutes and the comprehensive land use plan as adopted by the authority in whose jurisdiction the facility is located. A lease agreement and evidence that all applicable codes have been met shall be provided no less than three (3) weeks prior to the opening of the school year or the school will not be permitted to be open to students.

XIII. Length of the School Year

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

XIV. Monitoring and Review

A. The Superintendent, or designee, and the District internal auditor shall have ongoing responsibility for monitoring the health, safety and well being of students and the fiscal responsibility of all approved charter schools. The Superintendent, the Superintendent's designee, the District internal auditor and all School Board members shall have free and open access to the charter school at all times.

B. The charter school shall submit a monthly financial report to the School District.

C. Annually, no later than forty-five (45) calendar days following the end of the regular school term, the governing body of the charter school shall submit the following for School Board review:

1. The charter school's progress towards achieving the goals outlined in its charter;

2. The charter school's annual report to parents pursuant to Florida Statutes;

3. An annual financial audit report obtained by the school reflecting generally accepted financial accounting standards;

4. Salary and benefit levels of school employees;

5. Certification status of instructional personnel; and

6. Any other information provided by the school, the Superintendent or the internal auditor.

D. Upon receipt of the required annual report, the School Board shall forward the report to the Commissioner of Education at the same time as other annual school accountability reports.

E. If a deteriorating financial condition is identified, the School District shall notify the governing board of the charter school within seven (7) business

days. The governing board and District shall develop a corrective action plan and submit the plan to the Commissioner of Education within thirty (30) business days after notifying the charter school.

F. If a certified public accountant or an auditor finds that a charter school is in a state of financial emergency, the charter school shall file a detailed financial recovery plan with the District and Commissioner of Education no later than thirty (30) days after receipt of the audit. The Superintendent or designee shall monitor implementation of the recovery plan.

G. A charter school that receives a school grade of D shall report to the District regarding areas of deficiency. A charter school that receives a grade of D for two (2) consecutive years or a grade of F shall submit a school improvement plan. The Superintendent or designee shall monitor implementation of the plan in accordance with Florida Statutes.

XV. Appeal Process

A. An applicant may appeal any denial of an application for a charter school to the State Board of Education no later than thirty (30) days after the School Board's final decision. The State Board of Education must accept or reject the decision of the School Board no later than ninety (90) days after an appeal is filed, and remand the application with its written recommendation to the School Board.

B. The School Board shall act upon the recommendation of the State Board of Education no later than thirty (30) days after it is received.

C. The decision of the State Board of Education is a final action subject to judicial review.

D. A governing body may appeal the School Board's decision not to renew or to terminate a charter following the same steps described in XV.A.-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: **1001.02, 1001.43, 1002.33, 1002.345, 1013.62, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-6.0781, 6A-6.0785, 6A-6.0787**

HISTORY: **ADOPTED: 12/05/2006**
REVISION DATE(S): 3/4/08; 8/17/2010; 8/07/2012
FORMERLY:

HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

CHAPTER 4.00:

CURRICULUM AND INSTRUCTION

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

THE CURRICULUM 4.10*+

I. The District curriculum shall be determined by

A. Students' needs as determined by studies, assessments and surveys;

B. Continuous evaluation of curriculum effectiveness in meeting students' needs in the District;

C. Florida Statutes, State Board of Education rules, and the School Board; and

D. Florida Department of Education developed and School Board approved Florida curriculum frameworks, State Student Performance Standards and course descriptions.

II. The Superintendent may appoint such committees and special study groups as may be necessary to assist in determining the educational needs of the District.

III. The Superintendent shall designate an appropriate staff member who is responsible for the development and coordination of the total curriculum of the District.

IV. The program of instruction can be found in the *Student Progression Plan* for elementary, middle and high school levels. A student's progression from one grade to another shall be determined, in part, upon proficiency in reading, writing, science, and mathematics.

V. The responsibility and right of an instructional staff member to present information of a controversial nature is hereby recognized. The teacher shall not present controversial material or issues which are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the question without bias or prejudice and shall permit each student to arrive at his/her own conclusions.

VI. A course description shall be presented for School Board approval before any course or unit in the objective study of the Bible or a comparative study of religion, as provided in Florida Statutes, is initiated in any school. The description shall detail the purpose of the course, the materials to be used, grade location, length of the course, and credit value. No teacher shall present or permit to be presented any material which ridicules any religious sect, belief, or faith.

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

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

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

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

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

XII. In compliance with Florida Statute, throughout instruction in Acquired Immune Deficiency Syndrome, sexually transmitted diseases, or health education, when such instruction and course material 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 an absolute way to avoid pregnancy, sexually transmitted diseases, including Acquired Immune Deficiency Syndrome (AIDS), and other associated health problems.

C. Teach that each student has the power to control personal behavior and encourage students to base actions on reasoning, self-esteem, and respect for others.

D. Provide instruction and material that is appropriate for the grade and age of the student.

XIII. The Superintendent or designee shall develop a physical education program to implement the requirements of Florida Statutes.

XIV. The Superintendent or designee shall develop procedures to implement the provisions of the Florida Secondary Schools Redesign Act. Requirements of the Act shall be incorporated into the *Student Progression Plan*.

XV. When dealing with political issues, the positions of all parties will be presented on a nonpartisan basis. Partisan political literature will not be distributed in schools. However, schools may give out information relating to School District taxes or the need for construction bonds.

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

XVII. The Superintendent/designee shall develop procedures to assure all aspects of curriculum development and implementation are carried out.

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

LAW(S) IMPLEMENTED: **1000.21, 1001.43, 1003.42, 1003.4203, 1003.45, 1003.455, 1006.28, 1006.29, 1008.25, 1010.305, F.S.**

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

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08; 8/07/2012; 1/20/2015
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT PROGRESSION PLAN 4.11*+

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

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

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

HISTORY: **ADOPTED: 6/18/01**
REVISION DATE(S): 3/4/08; 8/07/2012; 5/21/2013; 1/20/2015

FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ACADEMIC ACCELERATION 4.113+

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

I. Accelerated learning options shall include but not be limited to

A. Whole grade promotion;

B. Midyear promotion;

C. Virtual instruction;

D. Subject matter acceleration;

E. Advanced academic courses;

F. 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 evaluation committee shall be established at each school to consider all referrals for academic acceleration. The committee shall determine a student's eligibility for an acceleration program or accelerated class(es).

VI. A parent may appeal the decision of the evaluation committee in writing if the committee does not recommend that the child is eligible to participate in academic acceleration.

VII. A performance contract shall be developed for each student who participates in an acceleration option at the request of his/her parent. The contract shall be signed by the student, parent, and school principal.

VIII. Provisions for academic acceleration shall be contained in the *Student Progression Plan*.

IX. The District and schools shall establish procedures for the implementation of academic acceleration. The eligibility requirements, data sources to be used for evaluation, composition of the evaluation committee and methods of monitoring accelerated students shall be included in the procedures.

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

LAW(S) IMPLEMENTED: **1000.21, 1001.43, 1002.3105, 1002.321, 1003.4281, 1003.429, 1003.4295, F.S.**

HISTORY: ADOPTED: 5/21/2013
REVISION DATE(S):
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

GRADE FORGIVENESS 4.115*

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

I. Required Courses

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

II. Elective Courses

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

III. Middle Grades Students

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

IV. Grade Point Average

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

V. Student Records

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

VI. Notification

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

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

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

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

HISTORY:

ADOPTED: 12/20/2016
REVISION DATE(S): _____
FORMERLY:

EARLY HIGH SCHOOL GRADUATION 4.117*+

I. A student who completes a minimum of twenty-four (24) credits and meets the graduation requirements stated in Florida Statutes, in less than eight (8) semesters or the equivalent, may elect early graduation. The District shall notify the parent and student who qualifies for early graduation.

II. Procedures for the implementation of this policy and relevant law shall be established.

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

LAW(S) IMPLEMENTED: **1001.43, 1003.4281, F.S.**

HISTORY: **ADOPTED: 5/21/2013**
REVISION DATE(S): 1/20/2015
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EXCEPTIONAL STUDENT EDUCATION 4.12+

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

I. Upon recommendation of the Superintendent, the Board shall annually adopt a plan for the provision of exceptional student education programs for all exceptional students.

II. The annual plan for special programs and procedures for exceptional students shall include: screening procedures; pre-referral activities; referral procedures; eligibility criteria; program placement; program dismissal; and descriptions of program organization and operations.

III. The annual plan for exceptional student education shall be subject to the approval of the State Commissioner of Education.

IV. The exceptional student education program shall conform to the provisions adopted by the Board and approved by the Commissioner and shall function in accordance with the provisions of law, State Board of Education rules, and other applicable provisions of Board rules.

V. Every parent, as defined by Florida Statutes, of an exceptional student shall be informed about the services that are available and appropriate for the student's disability.

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

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

STATE BOARD OF EDUCATION RULES **6A-6.0331,6A-6.03411**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08; 8/03/09
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CHAPTER 1, COMPARABILITY POLICY 4.121

Funds allocated to the District, under Public law 97-35, shall be used to increase the learning opportunities for the educationally disadvantaged, and shall be used to supplement the basic curriculum. The funds shall not be used to supplant services that are normally considered the School Board's responsibility. Comparability procedures are as follows:

I. The annually adopted District Staffing Plan shall include a formula for providing equitable staffing of administrative, instructional, counseling and auxiliary services at all schools.

II. Staff who are funded by Chapter 1 shall be paid pursuant to salary schedules adopted by the School Board for all employees.

III. The District's formula for allocating funds to schools for basic programs and purchase orders shall show:

A. Equitable expenditure of funds for curriculum supplies and materials among all schools.

B. Supplementary expenditure of Chapter 1 funds to the District's basic program allocations at targeted school sites.

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

LAWS IMPLEMENTED: **1001.42, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-6.0131**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

DROPOUT PREVENTION PROGRAM 4.13+

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.**

LAWS IMPLEMENTED: **1001.43; 1003.53, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-6.0523**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04, 12/19/2005
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ADULT EDUCATION 4.14*

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 Superintendent. Course and credit requirements for the GED Diploma and the Adult General Education Program shall be approved by the School Board and incorporated into the 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. Tuition shall be assessed for the Adult General Education Program as required by law

III. 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.

IV. 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.

V. 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.

Any student enrolled in the area technical center may withdraw from courses to enter active military duty without penalty. Students may re-enroll as per Florida State Statutes.

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

LAWS IMPLEMENTED: **1000.04; 1001.42; 1001.43; 1001.435, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-6.011; 6A-6.014; 6A-6.021**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003; 8/17/2010; 8/07/2012
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EDUCATIONAL ENHANCEMENT DEFINED 4.15

The Superintendent shall recommend and the School Board shall annually approve the use of funds for educational enhancement which are derived from the Educational Enhancement Trust Fund and based on the annual allocation by the Legislature. The funds shall be expended to best serve the educational needs of students in Holmes County.

I.The term educational enhancement shall be defined to include, but not be limited to, instructional activities, instructional materials, salaries, fringe benefits, equipment, etc., which are associated with:

A. The continuation or implementation of pilot programs which were not previously funded by the State; and,

B. The continuation of existing programs when state or local revenues are inadequate to finance the existing program.

II. The Superintendent or designee shall annually transmit to the Florida Department of Education any School Board Rule(s) and District procedure(s) relating to educational enhancement expenditures and an account of actual expenditures from the Educational Enhancement Trust Fund.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

HOMEWORK ASSIGNMENTS 4.16

Excessive homework shall not be assigned. In a departmentalized situation, a teacher in a given subject matter area shall not monopolize the student's homework time to the detriment of other courses being taken by the student. Homework, when assigned, shall:

I. Meet the needs of the individual student;

II. Be thoroughly explained to the student;

III. Result in learning and not be busywork or a repetition of what the student already knows;

IV. Be assigned with sufficient time for a student to obtain any resource that is needed or required;

V. Not be assigned as a disciplinary measure; and,

VI. Be reasonable in length of time for completion of the assignment.

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

LAWS IMPLEMENTED: **1001.43; 1006.28, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SUMMER SCHOOL 4.17

I. The School Board authorizes an annual summer school program. The Superintendent shall determine the building site(s).

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

III. All summer school requirements are contained in the Student Progression Plan.

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

LAWS IMPLEMENTED: **1001.42; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ACADEMIC AND CAREER PLANNING 4.18

Middle grade students shall participate in a career and education planning course during the 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 (4) to five (5) year academic and career plan (ePersonal Education Planner) based on postsecondary and career goals.

The academic and career plan shall include

A destination;

A major area of interest;

A list of courses to meet the requirements of the destination and major area of interest.

Destinations shall include

Four (4) year college or university, community college plus university, or military academy degree;

Two (2) year postsecondary degree;

Postsecondary career certificate;

Immediate employment or entry level military; or

A combination of any of these destinations.

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*.

Completion of the academic and career plan shall be required for promotion to grade nine (9).

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

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

Each high school principal shall

Designate an instructional or administrative staff member to serve as a specialist who will

A. Coordinate the use of student achievement strategies;

B. Assist teachers in integrating academic and career curricula, using technology, providing feedback about student achievement and implementing career and technical preparation programs;

C. Coordinate the review of academic plans; and

D. Coordinate the collection and retention of signed academic plans.

E. Implement strategies to improve reading, writing and mathematics skills and eliminate deficiencies in these areas.

F. 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: 3/4/08**
REVISION DATE(S): 1/20/2015
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

PHYSICAL EDUCATION 4.19*+

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

I. The physical education program shall be consistent with the standards of the National Association for Sport and Physical Education and with the Next Generation Sunshine State Standards. It shall be an integral part of the District Wellness Program.

II. The physical education curriculum shall be a continuum from prekindergarten through grade 12. Activities shall be appropriate for the grade level and capabilities of the students and shall be of sufficient intensity and duration to provide a health benefit.

III. Goals of the physical education program shall include

A. Competency in motor skills and movement patterns;

B. Understanding of human movement as it relates to physical activities;

C. Understanding of the benefits of regular participation in physical activity;

D. Regular participation in physical activity;

E. Achievement of a health-enhancing level of physical fitness;

F. Knowledge of safety in physical activities;

G. Knowledge of first aid and cardiopulmonary resuscitation (CPR);

H. Demonstration of responsible personal and social behavior in physical activity;

I. Recognition and acceptance of the differing abilities of people;

J. Recognition of the values of physical activity for health, enjoyment, challenge, self-expression, and social interaction; and

K. Increase in health and wellness.

IV. The District shall develop a comprehensive physical education plan with input from teachers, parents, students, and representatives from the medical and sports fields. The plan shall be reviewed annually by the Wellness Committee and modified as appropriate. The plan shall adhere to the requirements of Florida Statutes.

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: 12/05/06**
REVISION DATE(S): 1/20/2015
FORMERLY: NEW

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

ALLOCATION OF INSTRUCTIONAL MATERIAL 4.20*

I. The distribution of all textbooks, library resources, and other instructional materials shall be made on an equitable basis to District schools. The allocation of these materials shall be based solely on student full-time equivalent membership funds, school enrollment and membership, or similar indicators of the schools' student population and needs.

II. Student fees may be charged only for special need areas when recommended by the principal and approved by the Superintendent.

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

LAWS IMPLEMENTED: **1001.43; 1006.28, 1006.40, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 1/20/2015
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

INSTRUCTIONAL MATERIALS SELECTION 4.21+

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

I. The following standards will be used to determine the propriety of instructional materials for selection:

   A. The age of the children who normally could be expected to have access to the material,

   B. The educational purpose to be served by the material, with priority being given to the selection of materials that encompass state and District performance standards,

   C. The consideration of the racial, ethnic, socioeconomic, and cultural diversity of the district,

   D. The degree to which the material would be supplemented and explained as part of normal classroom instruction.

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

II. No school may participate in a pilot program of materials being considered for adoption by the state during the eighteen (18) months prior to the official adoption of the materials by the Commissioner of Education. However, publishers, manufacturers, and/or agents are not prohibited from supplying sample copies of materials necessary for examination and review as part of the selection process.

III. The principal of the school will provide to the superintendent's designee prior to April 1 a list of selected materials planned for purchase for a subject during the first two years of the state adoption cycle. If non-adopted materials are selected, a list of the titles and publishers will be provided with documentation that the selections and reasons for the selections have been reviewed and approved by

the School Advisory Council.

IV. The Superintendent or designee shall notify the Department of Education by April 1 of each year the state-adopted instructional materials that will be requisitioned for use in the district.

V. The principal is to collect from each pupil or the pupil's parent the purchase price of any instructional material the pupil has lost, destroyed, or unnecessarily damaged and to report and transmit such amounts collected to the Assistant Superintendent of Finance. Upon reasonable effort by the principal to collect the sum, failure to satisfy the debt may result in the suspension of the pupil from participation in extracurricular activities or satisfaction of the debt by the pupil through community service activities at the school site as determined by the principal. The principal may not delay the transfer of a pupil's permanent record or delay the awarding of grades due to failure of payment of assessment on lost, destroyed, or damaged materials.

VI. The principal, when requested by the parent of a pupil in the school, shall sell to the parent any instructional materials used in the school. The costs of the materials to the parents would be prorated based on the original purchase price, number of years of adoption, and number of years used.

VII. All money collected from the sale, loss, or damage of instructional materials shall be transmitted to the Finance Department to be deposited in the district school fund and added to the district appropriation for instructional materials.

VIII. Principals shall see that all books are fully and properly accounted for annually.

IX. Instructional materials purchased by district School Board on behalf of dual enrollment students shall be the property of the School Board.

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

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

HISTORY: **ADOPTED: 06/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EDUCATIONAL MEDIA MATERIALS SELECTION 4.22

I. Objectives of Selection - The primary objective of the school's educational media center is to implement, enrich, and support the educational program of the school. The center shall provide a wide range of materials on all levels of difficulty, with diversity of appeal, and the representation of different points of view. The School Board asserts that the responsibility of the media center is to provide:

A. Materials that will enrich and support the curriculum, taking into consideration the varied interest, abilities, and maturity levels of the students served.

B. 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. Criteria for Selection of Educational Materials

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

B. First consideration shall be given to the needs of the individual school based on knowledge of the curriculum, of the existing collection, and of the needs of children and youth. Requests from users of the collection, *i.e.*, administrators, faculty, parents, and students, shall be given high priority.

C. Materials shall be considered on the basis of accuracy of content, overall purpose, timeliness, importance of the subject matter, quality of the writing/production, readability and popular appeal, authoritativeness, comprehensiveness of material, reputation of the publisher/producer, reputation and significance of the author/artist/composer/producer, format and price.

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

III. Procedures for Selection

A. In selecting materials for purchase, the school media specialist shall evaluate the existing collection and shall consult with

1. Reputable, unbiased, professionally prepared selection aids such as those published by the American Library Association and other reputable publishing companies generally accepted by the educational media profession.

2. Media staff, curriculum consultants, faculty, students, and community representative.

3. Media committee appointed by the principal to serve in an advisory capacity in the selection of materials.

B. In specific areas, the media specialist shall follow these procedures.

1. Purchase materials which are outstanding and frequently used;

2. Replace periodically worn or missing basic items;

3. Withdraw out-of-date or unnecessary items from the collection; and

4. Examine sets of materials and materials acquired by subscription and purchase only material to fill a definite need.

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

LAW(S) IMPLEMENTED: **1000.21, 1001.43, 1006.28, 1006.34(2)(b), F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S):
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CHALLENGED MATERIALS 4.30*

I. The following procedures shall be followed when the appropriateness of District-adopted books or materials is questioned:

A. School-community citizens may register their concerns with the Superintendent or principal of the school where material is being challenged.

B. All concerns shall be presented in writing on a printed form that is available in each school office the Superintendent's office, or on the District website. The written objection must be filed within thirty (30) calendar days of the adoption of the material. A complainant who does not complete and return the form within the required time shall receive no consideration. The statement shall include the following information:

1. Author, compiler, or editor;

2. Publisher;

3. Title;

4. Reason for objection;

5. Page number of each item challenged; and

6. Signature, address and telephone number of person making the complaint.

C. Within thirty (30) days after the initial thirty-day period has expired, the School Board shall conduct at least one public hearing on all petitions received during the thirty-day time period. The petitioner(s) shall be notified in writing of the date and time of the hearing at least seven (7) days prior to the hearing.

D. The contested material shall be made available to the public online at least seven (7) days before the hearing.

E. The decision of the School Board, after convening a hearing, shall be final and not subject to further review or petition.

II. The following procedures shall be followed for other objections to instructional materials:

A. A parent, as defined by Florida Statutes, may object to his/her child's use of a specific instructional material or an adult student may object to the use of a specific material in his/her instructional program. The parent or adult student may request a conference with the principal or principal's designee to discuss the use of the material.

B. The complainant will be provided with the District's policies and procedures for the selection of instructional materials. The principal or designee will explain the use of the material in the instructional program and answer questions from the individual.

C. If the issue is not resolved at the conference, the complainant will be provided with the form to file a written objection and an explanation of the process that will be followed.

D. These procedures shall be followed for school-level appeals:

1. A committee of teachers, educational media specialists, and other qualified personnel shall be appointed by the principal to evaluate the challenged materials and to make recommendations of any changes. The principal shall notify the Superintendent and the instructional materials coordinator when a committee is convened.

2. Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.

3. Challenged materials shall be read and re-evaluated by the committee, considering the specific objections raised. The committee shall report its decision within fifteen (15) working days.

4. The complainant shall be informed in writing concerning the committee's recommendations.

E. These procedures shall be appropriate for district-level appeals and shall be followed when the complainant disagrees with the decision rendered from the school level appeal.

1. A committee shall be appointed by the Superintendent to review the appeal. The Superintendent shall designate the instructional materials coordinator as being responsible for the organization of this review committee according to School Board policies. The committee's recommendations shall be submitted to the

Superintendent within fifteen (15) working days. A committee member shall not be selected from the school where the challenged materials originated.

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

(1) A chairperson of a School Advisory Council or designee;

(2) Elementary media specialist;

(3) Elementary principal;

(4) A curriculum supervisor;

(5) Three (3) instructional staff members at the elementary level; and

(6) Two (2) parents, as defined by Florida Statutes, of elementary-age students.

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

(1) A chairperson of a School Advisory Council or designee;

(2) Secondary media specialist;

(3) Secondary principal;

(4) A curriculum supervisor;

(5) Three (3) instructional staff members at the secondary level; and

(6) Two (2) parents of secondary-age students.

2. The committee's review shall be treated objectively, unemotionally, and in a businesslike manner and shall be conducted in the best interest of the students, the school, and the community. Efforts

shall be made to meet with citizens who register concerns to consider their objections.

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

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

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

LAW(S) IMPLEMENTED: **1000.21, 1001.32, 1001.41, 1001.42, 1001.43, 1006.28, 1006.34, 1006.40, 1006.41, 847.012, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 1/20/2015
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

EXTRACURRICULAR PROGRAM 4.40

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 Florida High School Athletic Association, Inc.

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.

IV. Students may be suspended from extracurricular activities based on procedures established by the Superintendent.

V. Appropriate adult supervision consistent with Florida Statutes shall be provided all students.

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

LAW(S) IMPLEMENTED: **1001.43, 1006.15, 1006.20(9), 1012.22, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 06/21/2004, 12/05/2006
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

NON-SCHOOL RELATED TRIPS 4.41

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

I. Trips shall be organized between the individual participants and any sponsoring agency.

II. The School Board shall not be involved in the curriculum, itinerary, or selection of advisors for the trip.

III. Promotional activities shall not include the name of the individual school or School Board.

IV. Class time may not be used for planning or advertising such trips.

V. Participation in such travel by employees and students shall be subject to the District's leave and attendance policies.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

PUBLIC APPEARANCE OF SCHOOL GROUPS 4.42

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

I. Requests for any school group or organization to make a public appearance shall be directed to the principal for approval (For Field Trips see Policy 4.43).

II. School groups may 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.**

LAWS IMPLEMENTED: **1001.43; 1006.07, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

FIELD TRIPS 4.43+

I. Educational Field Trips

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

A. An educational field trip for one (1) day shall be limited to a radius of one hundred (100) miles from the school unless otherwise approved by the School Board.

B. Transportation costs of educational field trips shall be paid from the schools' transportation budget. Educational field trips shall not be of a prohibitive cost to the students.

C. The Superintendent shall develop procedures to be followed relating to educational field trips.

II. Extracurricular Field Trips

A. A trip which is not directly related to the instructional program but which is related to a school-sponsored or connected activity shall be considered an extracurricular trip.

B. The Superintendent shall develop procedures to be followed relating to extracurricular field trips.

III. Parental Notification and Permission

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

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

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

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

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S):
FORMERLY:

SCHOOL FUNCTIONS 4.44

I. Any school social function shall be chaperoned by an instructional staff member and shall be approved by the principal prior to scheduling.

II. Faculty members shall be encouraged to attend social functions.

III. Dances sponsored by the school or held on school property shall be subject to the following conditions. Dances shall be

A. attended by the principal or designee, and

B. well chaperoned with at least one (1) chaperone being a parent, as defined by Florida Statutes.

IV. A student shall lose all privileges under this rule if he/she is unable to behave in a pleasant and wholesome manner.

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

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

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S):
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

CHAPERONES FOR SCHOOL FUNCTIONS 4.45 +

All school functions including field trips and extracurricular events and recreational activities such as picnics, parties, excursions, and similar activities under the sponsorship of the school shall have one (1) sponsor for the first ten (10) students and one (1) additional chaperone for each ten (10) additional students. A sponsor is a School Board employee who holds a valid Florida Educator's Certificate. Chaperones are volunteers and shall be approved by the principal in compliance with procedures outlined by the Superintendent. The principal may use his/her discretion in determining whether additional chaperones are necessary. Activities sanctioned by the Florida High School Athletic Association, Inc., shall be governed by the regulations of that association. Activities of vocational student organizations shall be governed by rules of the State Board of Education.

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

LAWS IMPLEMENTED: **1001.43; 1003.31; 1006.07, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04
FORMERLY:

BAND ACTIVITIES 4.46

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

I. Saturday and Sunday performances shall be limited to those approved by the principal.

II. There shall not be more than one (1) band appearance on a night preceding a school day during any one (1) week.

III. Uniformed band appearances shall cease on the closing day of school for any school year except by special permission of the School Board.

IV. A school band may not play where alcoholic beverages are being served.

V. A school band may not play for a partisan political rally or for religious sponsored activities of a denominational nature.

VI. Adequate insurance shall be carried on all school-owned instruments.

VII. The rules of the Florida School Music Association shall be observed.

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

LAWS IMPLEMENTED: **1001.43; 1006.07, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

STUDENT CLUBS AND ORGANIZATIONS 4.50

I. All student clubs and organizations shall be approved by the principal before they can operate within a school center. See the attached Co-Curricular Club or Organization Application.

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 rules, or the regulations of the local school.

III. Any school club or organization which engages in an initiation ceremony for its members shall prepare and submit the program of initiation exercises to the faculty sponsor for review and approval by the school principal.

IV. Secret societies, social clubs, sororities, fraternities, or any similar organizations are prohibited.

See CO-CURRICULAR CLUB OR ORGANIZATION APPLICATION form on following page (Page 3 of 4).

Holmes District School Board 701 East Pennsylvania Avenue Bonifay, FL 32425

CO-CURRICULAR CLUB OR ORGANIZATION APPLICATION

SCHOOL: _____ PRINCIPAL: _____

NAME OF PROPOSED CLUB OR ORGANIZATION: _____

_____

FACULTY SPONSOR OR SPONSORS (MUST BE HOLMES DISTRICT SCHOOL BOARD EMPLOYEE):

_____

LIST GOALS, OBJECTIVES AND ACTIVITIES: _____

_____

_____

_____

_____

_____

I (We), _____
sponsor(s) of the above proposed club or organization, have read he Holmes District School Board Policy, 4.50 Student Clubs and Organizations, and agree to strictly adhere to this policy.

DATE SUBMITTED_____ APPROVED_____ DISAPPROVED_____

PRINCIPAL SIGNATURE_____ DATE_____

Original to be maintained at School Office

Copies to:
District Office
Applicant
Sponsor(s)

ADMINISTRATIVE OFFICES ·TEL (850) 547-6674 FAX (*850) 547-3568*

The Homes County School Board is an Equal Educational/Employment Institution

HDSB FORM 30-121

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: 6/18/2001**
REVISION DATE(S): 12/05/06; 8/17/2010
FORMERLY:

STUDENT PUBLICATIONS 4.51

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

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

II. The principal shall not allow advertisements of intoxicants or tobacco products.

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

LAW(S) IMPLEMENTED: **1000.21, 1001.43, 1006.28, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

DISTRICT AND STATE-WIDE ASSESSMENT PROGRAM 4.60+

I. Provisions of the District and state-wide testing program for students shall be set forth in the *Testing Handbook for District Schools*. The handbook shall be approved by the School Board and is hereby incorporated by reference and made a part of these rules.

II. No student shall be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any District testing program on the basis of race, color, religion, age, national or ethnic origin, political or religious beliefs, marital status, sexual orientation, disability if otherwise qualified, genetic information, or social and family background.

III. The District shall adopt local assessments to measure student performance in all subjects and grade levels not measured under the statewide assessment program. The assessments shall measure mastery of course content as described in state adopted course descriptions. Local assessments may include statewide assessments, other standardized assessments, industry certification assessments, end of course assessments, and teacher-selected or principal-selected assessments. The following shall be approved by the School Board and included in the *Testing Handbook for District Schools*: the process for the selection, development, administration, and scoring of local assessments; the procedure for collection of assessment results; and the assessment schedule. Assessment schedules shall be published on District website and reported to the Department of Education.

IV. Test modifications shall be made for students with disabilities and Individual Education Plans (IEP) to ensure aptitude and achievement are measured and not their disability.

V. The parent, as defined by Florida Statutes, of each student must be notified as to the progress of the student towards achieving state and District expectations for proficiency in reading, science, writing and mathematics. A student's state assessment results must be reported to the parent.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/23/2003, 6/21/2004; 1/20/2015
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

SECURITY OF TESTS 4.61

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 provisions 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 destruction of test materials as directed by the Florida Department of Education and shall inform the Department, in writing, to certify that the designated testing materials were destroyed in a secure manner.

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

LAWS IMPLEMENTED: **1001.11(5); 1001.43; 1008.22; 1008.23; 1008.24; 1008.34, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-10.042**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/19/2005; 1/20/2015
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

HOME EDUCATION PROGRAM 4.70

I. Home education programs shall adhere to the provisions of Florida Statutes.

II. The following provisions shall govern home education programs:

A. The parent, as defined by 1000.21, F.S., shall

1. Notify the Superintendent or designee in writing within thirty (30) days of the establishment of a home education program. The notice shall be signed by the parent and include the names, addresses, and birth dates of all children who shall be enrolled in the program. Copies of applicable Florida Statutes and the home education policy will be given to the parent and a conference to discuss the requirements will be held with the parent.

2. Maintain a portfolio of records and materials for a period of two (2) 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.

Portfolios may be inspected by a District employee upon fifteen (15) days written notice.

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 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.

B. 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 shall be notified in writing and have one (1) 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 (1) year probationary period.

C. 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: 6/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

PARTICIPATION OF HOME EDUCATION AND PRIVATE SCHOOL STUDENTS IN EXTRACURRICULAR ACTIVITIES 4.71

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 and Florida High School Athletic Association (FHSAA) and Florida School Music Association bylaws.

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 Statues, academic and conduct requirements of the district.

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

LAW(S) IMPLEMENTED: **1001.43, 1002.41, 1006.15, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/2004; 8/07/2012;5/21/2013
FORMERLY:

VIRTUAL INSTRUCTION 4.75

I. At least one (1) course required for graduation must be earned through online learning. A student shall not be required to take an online course outside the regular school day or in addition to the courses in which a student is registered in a given semester.

II. The District shall provide various options for eligible students to participate in part-time or full time virtual instruction. Options may include

A. Courses in the traditional school setting taught by certified personnel who provide instruction through virtual instruction;

B. Blended learning courses taught by certified personnel that consist of traditional classroom and online instructional techniques;

C. Online courses offered by the District;

D. Online courses offered by another Florida school district;

E. Enrollment in Florida Virtual School; and

F. Enrollment with a virtual instruction provider approved by the Florida Department of Education.

III. Students may also use the following options to meet online course requirements:

A. Completion of a course in which a student earns an industry certification in information technology that is identified on the CAPE Industry Certification Funding list;

B. Passing the information technology certification exam without enrolling in or completing the course(s); or

C. Passing an online content assessment that requires the student to demonstrate skill and competency in locating information and applying technology for instructional purposes without enrollment in or completion of the relevant course(s).

IV. To participate in virtual instruction, a student must meet the eligibility requirements set forth in state law.

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.

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

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

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

HISTORY:
ADOPTED: 12/20/2016
REVISION DATE(S): _____
FORMERLY:

REPORT CARDS 4.80*+

Policies relating to the content and issuance of student report cards shall be set forth in the *Student Progression Plan*.

STATUTORY AUTHORITY: **1001.4; 1001.42, F. S.**

LAWS IMPLEMENTED: **1001.43; 1003.33, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010
FORMERLY:

HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

CHAPTER 5.00:

STUDENTS

CHAPTER 5.00 - STUDENTS

REQUIREMENTS FOR ORIGINAL ENTRY 5.10

I. Any student who initially enrolls in the District shall be required to present certification of immunization for those communicable diseases as required by Florida Statutes.

   A. Students who are under twenty-one (21) years of age and are attending adult education classes shall present certification of immunization for communicable diseases.

   B. A transfer student may be granted thirty (30) days to provide documentation of school-entry health examination and certification of immunization record.

   C. Exceptions may be granted as provided in Florida Statutes.

II. Students in Grades PK-12 who enter Florida public schools for the first time shall present evidence of a health examination within the twelve (12) month period prior to their initial entrance.

   A. Any student who was previously enrolled in a Florida school and who seeks admission may be granted thirty (30) days to secure documentation of a school health examination.

   B. The Superintendent may grant exceptions to this rule pursuant to Florida Statute.

   C. The health examination shall be completed by a health professional who is licensed in Florida or in the state where the examination was performed.

III. Any student who was previously enrolled in an out-of-state public school and who seeks admission to a District school shall be admitted on the basis of admission requirements established in the state in which the student resided prior to moving to the county, except as provided in this rule.

IV. A student entering a District school from a private or nonpublic school shall be assigned to a grade based on 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. The District may waive or honor the final order of expulsion or dismissal of a student if an act would have been grounds for expulsion according to the receiving District School Board's *Code of Student Conduct*.

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

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 5/7/2002, 6/21/2004, 12/19/2005; 8/17/2010
FORMERLY:

CHAPTER 5.00 - STUDENTS

ADMISSION TO KINDERGARTEN 5.11

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

I. The child's date of birth in the manner provided by Florida Statutes;

II. An up-to-date immunization record and tuberculosis test; and,

III. A school-entry health examination conducted within one (1) year prior to enrollment in school in accordance with State Board of Education rules.

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

LAWS IMPLEMENTED: **1001.43; 1003.21; 1003.22, F. S.**

STATE BOARD OF EDUCATION RULE: **6A-6.024**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):12/05/06
FORMERLY:

ADMISSION TO FIRST GRADE 5.12

I. For admission to first grade, a student shall be six (6) years old on or before September 1 of the school year and shall satisfy one (1) of the following requirements:

A. Previous enrollment and attendance in a Florida public school.

B. Satisfactory completion of kindergarten requirements in a non-public school; or,

C. Previous attendance in an out-of-state school in which he/she was admitted on the basis of age requirement established by the state of residency.

II. First grade students shall progress according to the District's *Student Progression Plan.*

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

LAWS IMPLEMENTED: **1001.43; 1003.21; 1003.22, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-6.024**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):12/05/06
FORMERLY:

POSTSECONDARY VOCATIONAL PROGRAMS 5.13*+

I. The Superintendent or designee shall develop written procedures to implement Florida Statutes and State Board of Education rules which pertain to students with learning disabilities or other impairments who enter postsecondary programs in vocational-technical education centers. The procedures shall include, but not be limited to,

A. A method for identifying students who meet the definition of hearing impaired, visually impaired, or learning disabled pursuant to State Board of Education rules.

B. Development of reasonable substitutions for admission and graduation requirements for postsecondary programs offered at a vocational-technical center.

C. A plan for advising students about eligibility criteria and substitution requirements.

D. Individualized counseling for students who may qualify for substitution requirements.

E. An appeal process for students who do not qualify for substitution requirements.

II. A high school or adult student who has a documented disability and is completing a postsecondary vocational 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 student who is age sixteen (16) or older and is concurrently enrolled in a regular high school and the vocational-technical center for one (1) to six (6) hours daily.

B. An adult student is a person who is sixteen (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 postsecondary 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: 6/18/2001**
REVISION DATE(S): 3/4/08
FORMERLY:

CHAPTER 5.00 - STUDENTS

HOMELESS STUDENTS 5.14*

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

II. Definitions

A. Homeless Child

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

1. Are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;

2. Are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

3. Are living in emergency or transitional shelters, abandoned in hospitals or awaiting foster care placement;

4. Have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

5. Are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or

6. Are migratory children who qualify as homeless because the children are living in circumstances described in II.A.1. through II.A.5.

B. Unaccompanied Youth – A student who is not in the physical custody of a parent or guardian.

C. Certified Homeless Youth – For the purpose of obtaining a birth certificate, if born in Florida, a minor, homeless child or youth, including an unaccompanied youth, who has been certified as homeless or unaccompanied by a school district homeless liaison, the director of an emergency shelter program funded by the U. S. Department of Housing and Urban Development or designee, or the director of a runaway or

homeless youth basic center or transitional living program funded by the U. S. Department of Health and Human Services or designee.

D. Certified Unaccompanied Homeless Youth – For the purpose of obtaining personal consent authority to access to health services, a 16 year old or older youth who has been certified as homeless and unaccompanied by a school district homeless liaison, the director of an emergency shelter program funded by the U.S. Department of Housing and Urban Development or designee, or the director of a runaway or homeless youth basic center or transitional living program funded by the U.S. Department of Health and Human Services or designee, a licensed clinical social worker, or a circuit court.

E. School of Origin – The school that the student attended when permanently housed or the school where the child or youth was last enrolled.

F. Enroll and Enrollment – Attending school and participating fully in school activities.

G. Immediate – Without delay.

H. Parent – Parent or guardian of a student.

I. Liaison – The staff person designated by the District as the person responsible for carrying out the duties assigned to the liaison by the McKinney-Vento Homeless Assistance Act.

III. The District shall identify homeless students as defined by federal and state law. If the District's liaison for homeless children and youth determines that the minor is an unaccompanied homeless youth, the liaison shall issue to the youth a certificate documenting his/her status as required by law.

IV. The District shall seek to remove barriers to the enrollment and retention of homeless children and youth.

V. The District shall ensure the immediate enrollment of homeless students.

A. The District shall assist homeless children to provide documentation to meet state and local requirements for entry into school.

B. A homeless child shall be given a thirty (30) school day exemption to provide proof of age, certification of a school-entry health examination, proof of immunization and other documentation required for enrollment.

VI. Each homeless student shall be provided the services that are available for all other students including transportation, school nutrition programs, before and after school programs, and education services for which the child meets the eligibility criteria such as exceptional education, gifted education, vocational and technical programs, preschool programs, Title I, and limited English proficiency programs.

VII. Homeless students shall be given meaningful opportunities to succeed in school.

VIII. Homeless students shall be allowed to remain in the school of origin to the extent feasible, unless this is contrary to the wishes of the parents.

IX. Homeless students and/or parents shall have the right to dispute school assignment if placement is other than the school of origin. The District shall ensure that unaccompanied youth and the parents of homeless students are notified of the right to remain in the school of origin and of the dispute process.

X. If requested by the parent of a homeless child or by the liaison on behalf of an unaccompanied youth, the District shall be responsible for providing transportation to and from the school of origin throughout the duration of homelessness. The District shall share the responsibility for transportation if a homeless student begins living in another district in a homeless status and continues to attend the school of origin.

XI. Homeless students shall not be stigmatized, segregated, or separated in any educational program on the basis of their homeless status.

XII. The District shall follow the requirements of the McKinney-Vento Homeless Assistance Act and Florida Statutes.

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

LAW(S) IMPLEMENTED: 382.002, 743.067, 1000.21, 1001.43, 1003.01, 1003.21, 1003.22, F.S.

MCKINNEY-VENTO HOMELESS ASSISTANCE ACT, P.L. 100-77
NO CHILD LEFT BEHIND ACT OF 2001, P.L. 107-110

HISTORY: ADOPTED: JANUARY 20, 2009
REVISION DATE(S): 8/03/2009; 1/20/2015

CHAPTER 5.00 - STUDENTS

NONRESIDENT TUITION FEE 5.141

Students in kindergarten through grade twelve (K-12) whose parents or legal guardians are nonresidents of Florida may be charged a tuition fee of fifty dollars ($50) payable at the time of the student's enrollment. All funds collected shall be remitted to the School Board; funds shall be used for operation and maintenance purposes.

I. A nonresident is defined as a person who has lived in Florida less than one (1) year, has not purchased and occupied a home prior to student's enrollment, or has not filed a manifestation of domicile in the county where the student is enrolled.

II. Tuition shall not be charged to:

A. Students whose parent(s) or legal guardian are in the federal military service or are civilian employees;

B. Students of migratory agricultural workers; or,

C. Students who reside in residential care facilities operated by the Department of Health and Rehabilitative Services and who receive their education under Section 230.23(4)(n), Florida Statutes.

D. Students enrolled in a special exchange program or plan approved by the School Board.

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

LAWS IMPLEMENTED: **1001.42, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHILDREN OF MILITARY FAMILIES 5.18+

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.

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.

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: 8/07/2012**
REVISION DATE(S): _____
FORMERLY: NEW

CHAPTER 5.00 - STUDENTS

STUDENT ASSIGNMENT 5.20+

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

I. No student shall be permitted to transfer, enroll, or be admitted to a school when he/she has been expelled 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.

II. A student may be permitted to attend a school in another residential attendance zone pursuant to the *Controlled Open Enrollment Plan* adopted by the School Board.

I. 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*. 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 designated 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, F.S.**

HISTORY:

ADOPTED: 12/05/06

REVISION DATES(S): 08/15/07; 8/17/2010; 8/07/2012, 12/20/2016

CHAPTER 5.00 - STUDENTS

CONTROLLED OPEN ENROLLMENT 5.23*+

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. The plan shall be in effect beginning with the 2017-2018 school year.

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;

F. Identification of schools that have not reached capacity;

G. Class size standards;

H. Lottery procedure for determining student assignment if transfer requests exceed available space;

I. Provision for a parent to request placement of siblings within the same school;

J. Appeals process for hardship cases;

K. Availability of transportation; and

L. Method and timeline for notifying a parent of his/her child's placement for the next school year.

III. The 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, 1013.35, F.S.**

HISTORY:

ADOPTED: 12/20/2016
REVISION DATE(S): _____
FORMERLY:

CLASSROOM TRANSFER 5.25

I. A parent as defined by Florida Statutes may request that his/her child be transferred to another classroom teacher in the school.

II. A parent whose child is assigned to an out-of-field teacher may request that his/her child be assigned to an infield classroom teacher in the same grade within the school.

III. A request for transfer must be approved or denied within two (2) weeks after receiving the written request. If the request is denied, the school must notify the parent and state the reason(s) for denial.

IV. The transfer of the student to a different classroom teacher shall not violate the maximum class size regulations.

V. The Superintendent shall develop procedures for the transfer process which will be published 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: 12/20/2016**
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 - STUDENTS

STUDENT CONTROL 5.30+

All students enrolled in school shall be subject to the laws, regulations of the State Board of Education, the rules and policies of the School Board and the *Code of 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 the time they are on School Board premises for school attendance and authorized activities.

I. The principal or the principal's designated representative shall see that students are properly supervised while at school and during any school-sponsored activity.

II. The teacher, other members of the instructional staff or bus driver shall assume such authority for the control and supervision of students as may be assigned by the principal or the principal's designated representative and shall keep good order in the classroom or other places where in charge of students.

   A. No student may be suspended from school, from school bus transportation or from class, nor may corporal punishment be administered except as provided by law and the policies of the Board.

   B. No student shall be suspended for unexcused absence, tardiness, or truancy unless otherwise provided in the *Code of Student Conduct*.

III. The School Board shall review the provisions for corporal punishment at a School Board meeting every three (3) years and shall take public testimony at the meeting.

IV. This policy shall not apply to students while they are being transported to or from school by private citizens.

V. 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' parents, as defined by Florida Statutes, at the beginning of each school year.

D. Be filed in the Superintendent's office.

VI. The *Code of Student Conduct* shall be discussed with students, school advisory councils, and parent/teacher associations at the beginning of each year.

VII. Any School Board decision which conflicts with provisions in the *Code of Student Conduct* shall prevail until revisions are adopted.

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

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

LAW(S) IMPLEMENTED: **120.57(1), 1000.21, 1001.43, 1002.20, 1003.04, 1003.21, 1003.31, 1003.32, 1006.07, 1006.08, 1006.09, 1006.10, 1006.13, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/2004;12/05/06; 8/17/2010, 8/07/2012
FORMERLY:

CHAPTER 5.00 - STUDENTS

USE OF REASONABLE FORCE 5.301

School discipline requires the guidance of students in a way which permits the orderly and efficient operation of the school. The BOARD recognizes that it may be necessary for school personnel to use reasonable and appropriate physical force.

PROCEDURE

Use of Physical Force

I. Reasonable Use of Force:

A. Reasonable physical force may be used by school personnel when necessary to restrain, remove, or disarm students who present a threat of harm to themselves or others, property damage or theft, or who disrupt school activities.

B. Physical force is necessary only when other means of restraint, removal, or disarmament would be ineffective or only after such other means have been attempted and have been ineffective.

C. In determining whether the use of physical force is reasonable and necessary, all circumstances surrounding the incident shall be considered, including without limitation, the seriousness of the problem and the threat posed by the student, and the availability and use of other means of restraint, removal, or disarmament not involving the use of physical force.

D. Examples of force that could be reasonable and necessary include, but are not limited to, the following:

1. Using reasonable and necessary force to quell a disturbance or prevent an act that threatens physical injury to any person;

2. Using reasonable and necessary force to obtain possession of a weapon or other dangerous object within a student's control;

3. Using reasonable and necessary force for the purpose of self defense or the defense of others;

4. Using reasonable and necessary force for the protection of property;

5. Using reasonable and necessary force to remove a disruptive student from the school premises, motor vehicle, or from school

sponsored activities.

6. Using reasonable and necessary force to prevent a student from inflicting harm on himself or herself;

7. Using reasonable and necessary force to protect the safety of others;

8. Using incidental, minor, or reasonable physical contact designed to maintain order and control;

9. Using reasonable physical activities associated with athletics.

E. When physical force is no longer necessary, it shall be discontinued. Action taken after the fact may be conference, referral, suspension, court action or expulsion.

II. Unreasonable Use of Physical Force Prohibited:

A. The unreasonable use of physical force occurs as a result of using physical force (1) when it is not necessary to use such physical force, or (2) when it is no longer necessary to use such physical force.

B. Unreasonable use of physical force is prohibited.

C. Examples of unreasonable use of physical force are as follows:

1. Slapping;

2. Punching;

3. Kicking;

4. Prolonged maintenance of physically painful position.

Note: The use of reasonable bodily restraint on a student is generally regarded as a more appropriate option than striking a student. However, courts have recognized that,

in stressful circumstances, a person of ordinary prudence may act with less detachment and control than he or she might under normal circumstances.

III. Reporting:

School personnel who use physical force against a student shall report each incident to the principal, who shall report such incidents to the Superintendent.

See **REASONABLE FORCE INTERVENTION REPORT** form on following page.

STATUTORY AUTHORITY: **232.27(3), 232.273, 232.275, 228.041(27), F.S.**

LAWS IMPLEMENTED:

HISTORY:

ADOPTED:
REVISIONDATE(S): 8/17/2010
FORMERLY:

REASONABLE FORCE INTERVENTION REPORT

The legal authority for collection and maintenance of this information is in the Florida Statutes 232.27(3), 232.273, 232.275, 228.041(27) and Holmes County School Board Policies #5.301. Users of this information may be supervisory officers, principals, teachers, SRO and support staff, for the purpose of complying with Board policy. The contact person for queries concerning this information collection is the principal of the school.

Student: _____ **Date of Birth:** _____

School: _____ **Teacher:** _____

Date of Incident: _____

Physical Intervention **Plan developed:** **Y** **N** Date: _____

Incident Report:

1. Prior events and circumstances leading to Physical Intervention

2. Steps taken to de-escalate

Physical Intervention:

1. Physical intervention used
2. Intervener
3. Length of time of physical intervention
4. Witness(es)

_____ _____

Signature of Staff Member using physical intervention **Signature of witness(es)**

_____

Signature of Principal **Date**

HDSB FORM 30-112

CHAPTER 5.00 - STUDENTS

COOPERATION WITH THE LAW ENFORCEMENT AGENCIES 5.302

A cooperative effort shall be maintained between the officials of the school district and Department of Children and Families/law enforcement agencies. It is paramount that the rights of the school, the home, the civil authorities and of the individual be clearly understood and protected.

COOPERATION WITH THE FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES/LAW ENFORCEMENT AGENCIES

I. Officers' Involvement with Students

When students become involved with law enforcement officers, the officer is to be requested to confer with the student at a time when the student is not under the jurisdiction of the school, if this can be arranged. However, when this is impractical, the officer may confer with a student during school hours provided the following conditions are met:

A.The officer properly identifies himself/herself.

B.Permission from a school official is given.

C.Student(s) are removed from the classroom by school personnel only in order to guard against other students knowing about the matter.

II. Law Enforcement Officer's Rights with Regard to Students:

A. Right to interrogate Students within the School

A spirit of cooperation should be extended to any bona fide police or law enforcement official who comes to a school seeking to interrogate students.

Students should be questioned only in a private room or office. Care should be taken to prevent other students from being aware of the interrogation.

Law enforcement may allow a school staff member who is known by the child to be present during the initial interview if

The law enforcement agency believes that the school staff member could enhance the success of the interview y his/her presence; and

The child requests or consents to the presence of the school staff member at the interview.

B. Right to take a Student from the School

A child alleged to be dependent, may be taken into custody pursuant to Chapter 39.401 of Florida Statutes and the Rules of this policy by an authorized agent of the Florida Department of Children and Families or by a Law Enforcement Officer, if the officer or agent has reasonable grounds to believe that the child has been abandoned, abused or neglected, is suffering from illness or injury, or is in an immediate danger from his/her surroundings and that his/her removal is necessary to protect the child.

RULES

I. If any authorized agent of the Florida Department of Children and Families or Law Enforcement appears on campus with a court order stating that they have the authority to take a particular child into custody, the court order should be a certified copy which should have an impression seal imprinted on the document with a statement by the Clerk of the Court certifying it to be a certified copy of the original. That document or a photocopy thereof should be placed in the student folder upon taking of the child into custody.

II. However, before any authorized agent of the Department of Children and Families or any law enforcement agency attempts to take a child into custody from a school, as authorized under Chapter 39.401 of the Florida Statutes, he/she will contact the School Resource Officer (SRO). The SRO will be dispatched to the school to oversee the taking of the child into custody.

III. Before any dependent child is taken into custody, the SRO shall verify the affiliation of the person representing the agency desiring to take the child into custody.

IV. It shall be the responsibility of the governmental agency taking the dependent child into custody to make every effort to advise the parents.

V. Right to Serve a Subpoena

A. Law Enforcement Officers have an absolute right to enter schools and serve subpoenas.

B. While law enforcement officers have the legal right to serve a subpoena at school, serving officials should be strongly urged to serve these subpoenas at the home of the student whenever possible.

VI. In all of these situations, every possible step should be taken to ensure a minimum of embarrassment or loss of class time for the student. Law enforcement officials should be encouraged to contact students during hours when school is not in session and off the school grounds.

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

LAWS IMPLEMENTED: **1001.42, F.S.**
39.301, F.S., 39.401, F.S.

HISTORY: **ADOPTED: 7/2/2002**
REVISION DATE(S): 8/17/2010; 8/07/2012
FORMERLY:

STUDENT DETENTION, SEARCH, AND SEIZURE 5.31

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 or the immediate vicinity thereof.

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 or instructional staff member may search the personal property of the 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 area 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:

V. The following provisions shall apply to canine searches for 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.

Notice to Students

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

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 at what times and in which schools the canine sniffers shall be utilized. The school principal or designee shall be notified each time the canine sniffers are brought on campus.

1. The canine sniffers shall be controlled and directed at all times by qualified handlers from the Sheriff's Department or local police departments.

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. The primary purpose of the canine sniffer program shall not be to refer students to police authorities for criminal prosecution. The circumstances in some cases may make it advisable to refer that case to police authorities due to the serious nature of the offense, dangerous nature or sizable amount of the contraband seized, past school disciplinary or criminal record of the suspect, or serious disruption of school that has occurred or is likely to occur. The decision to refer a case to police authorities shall be made by the school principal, after consultation with the qualified handler and Superintendent or designee.

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

LAWS IMPLEMENTED: **1001.43; 1003.31; 1006.07; 1006.09(9); 1006.13, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/07/2012
FORMERLY:

CHAPTER 5.00 - STUDENTS

ZERO TOLERANCE FOR SCHOOL RELATED CRIMES 5.32*

I. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. The District shall strive to protect students, staff, visitors and volunteers from harm and to protect victims of crime from further victimization. This policy applies to conduct on School District property, school or District provided transportation and at any school or District sponsored activity.

II. Acts that pose a serious threat to school safety are those acts that endanger the life or safety of a student, staff member or other person on campus or at a school or District sponsored activity. Such acts include but are not limited to

A. Aggravated battery;

B. Armed robbery;

C. Arson;

D. Battery or aggravated battery on a teacher or other school personnel;

E. Kidnapping or abduction;

F. Murder;

G. Manslaughter;

H. Possession, use or sale of a controlled substance;

I. Possession, use or sale of any explosive devise;

J. Possession, use or sale of any firearm or weapon;

K. Sexual battery.

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

A. Cellular telephone violation;

B. Defiance of authority;

C. Disruption, minor;

D. Dress code violation;

E. Eating or drinking on the bus;

F. Forgery;

G. Horseplay;

H. Leaving campus without permission;

I. Lying or misrepresentation;

J. Profanity;

K. Vehicle parking violation.

IV. The District shall establish agreements with the county sheriff's office and local police department(s) that provide for reporting conduct that threatens school safety and obtaining assistance from the appropriate law enforcement agency.

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:

Alcohol violation;

Alcohol, sale or distribution;

Arson;

Battery;

Bomb or biochemical threat;

Breaking and entering or burglary;

Drug use, sale or distribution;

Disruption of school, major;

Explosives, possession or use;

Extortion;

False alarm;

Firearms violation;

Gang-related activity;

Hate crime;

Illegal organization, membership;

Robbery;

Sexual battery;

Sexual harassment;

Sexual misconduct;

Sexual offense;

Stalking;

Trespassing;

Weapons violation;

Any felony as defined by Florida Statutes.

Students found to have committed one of the following offenses on school property, school sponsored transportation or during a school sponsored activity

shall be expelled, with or without continuing educational services, from the student's regular school for a period of not less than one (1) full year and be referred to the criminal justice or juvenile justice system:

> Bringing a firearm or weapon as defined in Chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.
>
> Making a threat or false report as defined in Florida Statutes, Sections 790.162 and 790.163 respectively, involving school or school personnel's property, school transportation or a school-sponsored activity.
>
> Assault or battery on specified officials or employees in violation of Section 784.081, Florida Statutes.
>
> Hazing as defined in 1006.135, Florida Statutes.

When a student is formally charged with a felony or a delinquent act that would be a felony if committed by an adult, the Superintendent shall notify appropriate personnel including the principal, the transportation director, the student's classroom teachers, the student's bus driver and other school personnel who directly supervise the student.

The School Board may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion.

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.

If a student committing any of the offenses in this policy is a student with a disability, the School Board shall comply with the applicable State Board of Education rules.

Any student found to have committed a violation of Section 784.081(1), (2) or (3), Assault or Battery on Specified Officials or Employees, shall be expelled or placed in an alternative school setting or other program as appropriate. Upon being charged with the offense, the student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition.

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, 1001.42, 985.04, 1001.43, 1001.54, 1003.31, 1006.07, 1006.08, 1006.09, 1006.13, 1006.135, 1006.14, 1012.28, F.S.**

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/2006; 8/17/2010; 8/07/2012
FORMERLY: 5.321

CHAPTER 5.00 - STUDENTS

BULLYING AND HARASSMENT 5.321

I. Statement Prohibiting Bullying and Harassment

A. It is the policy of the _____ 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 and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

B. The District upholds that bullying or harassment of any student or school employee is prohibited

1. During any education program or activity conducted by a public K-12 educational institution;

2. During any school-related or school-sponsored program or activity;

3. On a school bus of a public K-12 educational institution;

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 nonschool-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 nonschool-related activity, function, or program.

II. Definitions

A. 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 may involve but is not limited to

1. Teasing;

2. Social Exclusion;

3. Threat;

4. Intimidation;

5. Stalking;

6. Physical violence;

7. Theft;

8. Sexual, religious, or racial harassment;

9. Public or private humiliation; or

10. Destruction of property.

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

B. 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 photooptical 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.

C. 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; or

3. Has the effect of substantially disrupting the orderly operation of a school.

D. Bullying 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 substantially similar to the effect of bullying or harassment.

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.

III. Behavior Standards

A. The _____ 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.

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.

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. 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 action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.

3. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements. Additionally, 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 administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

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

1. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.

2. Consequences and appropriate remedial action for a school employee, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements.

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 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 complaints alleging violations of this policy.

B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.

C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.

D. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a

report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.

E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.

F. A school employee, school volunteer, student, parent/legal guardian or other person who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).

I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

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. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at school bus stop.

B. The principal or designee shall select an individual(s), employed by the school and trained in investigative procedures, to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim.

C. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.

D. The investigator shall collect and evaluate the facts including but not limited to

1. Description of incident(s) including nature of the behavior;

2. Context in which the alleged incident(s) occurred;

3. How often the conduct occurred;

4. Whether there were past incidents or past continuing patterns of behavior;

5. The relationship between the parties involved;

6. The characteristics of parties involved, *i.e.*, grade, age;

7. The identity and number of individuals who participated in bullying or harassing behavior;

8. Where the alleged incident(s) occurred;

9. Whether the conduct adversely affected the student's education or educational environment;

10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and

11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.

E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include

1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and

2. A written final report to the principal.

F. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of 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.

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. 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 (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states ". . .a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."

B. Immediate notification to the parents/legal guardians of the perpetrator of an act 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 teacher may request that the involved student's parents or legal guardian are included.

B. School personnel or the parent/legal guardian may refer a student to the school intervention team 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. 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.

1. 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.

2. 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 System.

D. The District shall provide bullying 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 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.

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**

HISTORY: **ADOPTED: 12/05/2006**
REVISION DATE(S): 12/01/08; 08/17/2010; 01/20/2015; 09/01/2015, 12/20/2016
FORMERLY:

CHAPTER 5.00 - STUDENTS

DATING VIOLENCE AND ABUSE 5.325*

It is the policy of the Holmes 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.

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. 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.

D. 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.

E. 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.

F. 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.

G. 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.

H. 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.

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. Security protection, such as safe egress/regress from school and within the school;

D. Timely and comprehensive investigation of dating violence and abuse complaints.

E. Referrals for outside support and/or counseling.

VII. 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.

VIII. 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: 8/07/2012**
REVISION DATE(S): _____
FORMERLY:

CHAPTER 5.00 - STUDENTS

HAZING 5.327*+

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

II. Definition of Hazing

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

A. Pressuring, coercing, or forcing a student into violating state or federal law; consuming any food, liquor, drug, or other substance; or participating in physical activity that could adversely affect the health or safety of the student.

B. Any brutality of a physical nature such as beating, whipping, branding, or exposure to the elements.

III. Reporting an Act of Hazing

A. At each school with any of grades six (6) through twelve (12), the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.

B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.

C. All other members of the school community, including students, parents as defined by Florida Statutes, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.

D. The principal of each school that includes any of grades six (6) through twelve (12) in the District shall establish and prominently publicize to students, staff, volunteers, and parents, how a report of hazing may be filed either in person or anonymously and how this report will be acted upon.

E. The victim of hazing, anyone who witnessed the hazing, and anyone who has credible information that an act of hazing has taken place may file a report of hazing.

F. A school employee, school volunteer, student, parent or other person who promptly reports in good faith an act of hazing to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.

G. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

H. Any written or oral reporting of an act of hazing shall be considered an official means of reporting such act(s).

I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

III. Investigation of a Report of Hazing

B. The investigation of a reported act of hazing is deemed to be a school-related activity and shall begin with a report of such an act.

C. The principal or designee shall select an individual(s), employed by the school and trained in investigative procedures, to initiate the investigation. The person may not be the accused perpetrator or victim.

D. Documented interviews of the victim, alleged perpetrator(s), and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.

E. The investigator shall collect and evaluate the facts including but not limited to

1. Description of incident(s) including nature of the behavior;

2. Context in which the alleged incident(s) occurred;

3. How often the conduct occurred;

4. Whether there were past incidents or past continuing patterns of behavior;

5. The relationship between the parties involved;

6. The characteristics of parties involved, *i.e.*, grade, age;

7. The identity and number of individuals who participated in hazing;

8. Where the alleged incident(s) occurred;

9. Whether the conduct adversely affected the student's/students' health or safety;

10. The date, time, and method in which the parents of all parties involved were contacted.

E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include

1. Recommended remedial steps necessary to stop the hazing; and

2. A written final report to the principal.

F. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.

G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of hazing and the investigative procedures that follow.

IV. Investigation to Determine Whether a Reported Act of Hazing is Within the Scope of the District

A. The principal or designee will assign an individual(s) who is trained in investigative procedures to initiate an investigation of whether an act of hazing is within the scope of the School District.

B. The trained investigator(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of hazing falls within the scope of the District.

1. If it is within the scope of the District, a thorough investigation shall be conducted.

2. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.

3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents of all students involved.

V. Notification to Parents of Incidents of Hazing

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

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of hazing as defined by this policy to the parent(s) of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

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

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of hazing as defined by this policy to the parents of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

C. Notification to local agencies where criminal charges may be pursued.

Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator(s), all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

VI. Referral of Victims and Perpetrators of Hazing for Counseling

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

A. The teacher or parent may request informal consultation with school staff, *e.g.*, school counselor, school psychologist, to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents are included.

B. School personnel or the parent may refer a student to the school intervention team for consideration of appropriate services. Parental involvement shall be required when the student is referred to the intervention team.

C. If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school intervention team for determination of counseling support and interventions. Parental involvement shall be required.

D. The intervention team may recommend

1. Counseling and support to address the needs of the victims of hazing;

2. Research-based counseling or interventions to address the behavior of the students who haze others; and/or

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

VII. Disciplinary Action

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

VIII. Reporting Incidents of Hazing

A. Incidents of hazing shall be reported in the school's report of data concerning school safety and discipline data required under s. 1006.09(6), F.S. The report shall include each incident of hazing and the resulting consequences, including discipline and referrals. The report shall also include each reported incident of hazing that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.

B. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data to report hazing incidents.

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

LAW(S) IMPLEMENTED: **1000.21, 1001.41, 1001.42, 1001.43, 1001.51, 1001.54, 1003.04, 1003.31, 1003.32, 1006.07, 1006.08, 1006.09, 1006.10, 1006.135, F.S.**
20 USC 1232g

HISTORY: **ADOPTED: 1/20/2015**
REVISION DATE(S):
FORMERLY:

CHAPTER 5.00 - STUDENTS

TEACHER REMOVAL OF STUDENTS FROM CLASSROOM 5.33

I. Appropriate action will be taken to remove or to make special provisions for a disruptive student. Disruptive behavior will include: assault on staff or students, threat(s) or violence, disrespectful, willful disregard of a teacher's directions, malicious vandalism, possession of weapons of any type, continuing use of profane language or obscene gestures, and instigation of violence or mass disobedience to legitimate directions.

When a teacher sends a disruptive student to the office, the principal or his/her representative will provide oral and/or written feedback to the teacher with regard to present and/or future action concerning the student's behavior. The teacher may request a conference with the principal or his/her representative and the student's parent(s), 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 he/she exhibited disruptive behavior until the teacher has received the feedback.

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

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

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

A. Committee membership shall include the following:

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

2. One (1) member of the school staff selected by the principal.

3. One (1) teacher selected by the instructional staff of the school to serve as an alternative member of the committee.

B. A teacher, who removed a student from his/her class and who has withheld consent for the return of that student to his/her class, shall not serve on the committee when the committee makes its decision regarding the return of the student.

C. The Placement Review Committee(s) will be selected during pre-school planning. Each school's faculty shall also determine the following during pre-school planning:

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.

D. Any teacher who removes 25 percent (25%) of his/her total class enrollment shall be required to complete professional development to improve classroom management skills. Any required training under this provision shall be free of cost to the teacher.

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

LAWS IMPLEMENTED: **1000.21, 1001.43; 1003.32, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):12/05/06
FORMERLY:

EXPULSION OF STUDENTS 5.34

The school principal may recommend, to the Superintendent, the expulsion of any student who has committed a serious breach of conduct including, but not limited to: willful disobedience; open defiance of authority of a School Board employee; violence against persons or property or any other act which substantially disrupts orderly conduct of the school. The school principal or designee shall recommend to the Superintendent the expulsion of any student who has violated School Board rules which require expulsion.

I. The following procedures shall be observed when a student is suspended with a recommendation of expulsion:

A. The Superintendent or designee shall receive and review recommendations for expelling a student from the school principal or designee who is directly charged with the supervision of the student concerned. These recommendations shall be submitted in writing to the Superintendent by the individual and shall indicate the grounds for the recommendation. The student's parent(s) or legal guardian or the adult student shall be notified in writing to inform them of the recommendation and to provide a reasonable opportunity to meet with the principal to discuss the recommendation and shall receive a copy of the recommendation submitted to the Superintendent. Such notification shall be sent by certified mail or by regular mail if the parent(s) or legal guardian or the adult student has been notified in person.

B. A preliminary investigation shall be conducted in accordance with the following.

1. The Superintendent or designee shall direct an investigation based on the school's recommendation within five (5) school days of receipt of a recommendation for expulsion. The student's parent(s) or legal guardian or adult student shall be informed that the investigation is being conducted in a manner reasonable calculated to notify them. The Superintendent or designee may extend an existing school suspension pending the results of the investigation when reasonable belief exists that the student's return to school or continued attendance at school is detrimental to the student, school staff, and other students or tends to interrupt the orderly conduct of the educational process.

2. The Superintendent shall inform the student's parent(s) or legal guardian or adult student by certified mail of the suspension or extended suspension. If requested, the student's parent(s) or legal guardian or adult student shall be given a hearing with the Superintendent or his/her staff to challenge the extension or imposition of a suspension. Such hearing shall be informal in nature and shall be granted upon an oral or written request.

3. All interested parties shall be immediately informed in an appropriate manner when the Superintendent's investigation reveals that no reasonable basis exists for an expulsion recommendation to the School Board. The student shall immediately be readmitted to school with no penalty imposed for absences related to the investigation; this does not include the initial school suspension if reasonable in nature. Student records shall be properly annotated to indicate that grounds for expulsion were insufficient.

4. All necessary school personnel shall cooperate in the investigation. Inquiries shall be made into alternatives to expulsion before further proceedings are initiated. The student's parent(s) or legal guardian or adult student shall be informed of any feasible alternatives and appropriate changes shall be made in the student's assignment or program to avoid expulsion proceedings. Any changes shall be based upon sound educational reasons and upon a reasonable belief that such a change will alleviate the problems leading to the school expulsion recommendation.

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

6. Investigations shall be conducted with deliberate speed, considering the nature of the facts underlying the school's recommendation and the characteristics of the student and his/her program.

C. Charges and the notice of the right to a hearing shall be governed by the following:

1. Charges shall be made when a preliminary investigation is completed and there is reason to believe grounds exist for expulsion. The basis of the charges shall be specified with the Superintendent's recommended action, including specific allegations of fact to support the recommendation.

2. Charges shall be served upon the student's parent(s) or legal guardian or adult student in a manner reasonably calculated to inform him/her of the charges. Certified mail addressed to the last known address of the parent(s) or legal guardian or adult student shall be considered sufficient notice.

3. The student's parent(s) or legal guardian or adult student shall be notified, in writing, of a proposed hearing date and of the right to an administrative hearing, in accordance with the provisions of Florida Statutes, before the School Board, if they desire to dispute the material allegations of fact contained in the charges and the recommendation of expulsion. To request a hearing, the parent(s) or legal guardian or adult student shall file a written request for a hearing with the Superintendent's office at the specified address and before a certain date and time identified in the notice. Failure to timely request a hearing, in writing, shall be considered a waiver of the student's right to a hearing to contest the charges.

4. The student's parent(s) or legal guardian or adult student who timely requests a hearing shall be notified in a manner calculated to inform him/her of the time, place, and nature of the hearing, including a statement of the legal authority and jurisdiction under which the hearing is to be held, a reference to the particular sections of the Florida Statutes and State Board of Education rules involved, and specific references to School Board rules.

D. A hearing shall be conducted pursuant to the following:

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

   The School Board chairman may direct the Superintendent or an administrative staff member to present the evidence and testimony to the School Board in support of the Superintendent's recommendation for expulsion.

2. Reasonable flexibility in method or order of presentation shall be permitted. No parent, legal guardian, or adult student shall be prohibited from presenting reasonable matters to the School Board because of unsubstantiated procedural irregularities.

3. No parent, legal guardian, or adult student shall be prohibited from being represented at the hearing by an adult, whether as legal counsel or qualified representative.

4. The School Board shall be the finders of fact and shall make conclusions of law based on competent substantial evidence presented at the hearing. Nothing herein shall prevent the School Board from seeking the advice of counsel of the attorney assisting it at the hearing. The School Board may indicate its finding of facts and conclusions of law to a School Board employee who shall write a final order for submission to the School Board for approval or modification.

E. Any student who is being considered for dismissal shall be accorded due process of law prior to dismissal. This shall include the following:

1. A written copy of the charges against the student;

2. The offer of a hearing at which the student may call witnesses and present evidence in the student's own behalf;

3. The right to cross-examine witnesses;

4. The right to defend the student's actions;

5. Legal counsel at the student's expense to assist the student in presenting a defense; and,

6. A written copy of the School Board's findings or action.

F. The following shall apply to informal proceedings on undisputed facts:

1. The student's parent(s) or legal guardian or the adult student may

request, in writing, that an informal proceeding be conducted before the School Board when the facts alleged in the charges upon which the Superintendent's recommendation is based are not disputed. The student's parent(s) or legal guardian or the adult student shall file a written request for informal proceeding before a date and time certain with the Superintendent's office as provided in the notice. Failure to timely file a written request for an informal proceeding shall be deemed a waiver of the student's rights to an informal proceeding before the School Board.

2. Notification of the right to informal proceedings shall be given in the same manner as in the notice of right of hearings of disputed fact. The Superintendent, acting for the School Board, may establish a date for the informal proceeding to provide timely information on proceedings of the charges. Acceptance of the informal proceeding date by the student's parent(s) or legal guardian or the adult student shall be deemed waiver of the notice requirements as to time. The hearing shall not be held in a manner calculated to cause inadequate preparation time. Fourteen (14) days shall be deemed sufficient preparation time unless an objection is timely raised; the days shall be calculated from the day immediately following the actual personal notice or posting of the notice by certified mail.

3. An informal proceeding shall be held before the School Board on the date proposed in the notice of right of informal proceeding when a timely request for an informal proceeding is filed. At the informal proceeding before the School Board, the student's parent(s) or legal guardian, the adult student, or the legal counsel or representative may present written or oral evidence in opposition to the Superintendent's recommendation for expulsion is based. The School Board shall consider any oral testimony or written statements submitted by the parties and render a final order in the same manner as in formal hearings of disputed fact.

G. The Superintendent shall notify the student's parent(s) or legal guardian or the adult student of the official School Board action by certified mail with reasonable speed and include a copy of the School Board's final order. The notice shall inform the student's parent(s) or legal guardian or the adult student of his/her right to appeal the School Board's final order to the

District Court of Appeal.

H. A student who is expelled from the District by School Board action shall not be afforded a rehearing before the School Board unless prior evidence is proven to be false or new evidence is substantiated that was omitted from the original hearing. A request for rehearing shall be made by the parent(s) or legal guardian to the Superintendent or designee. The Superintendent's office shall determine whether the expulsion shall be re-heard by the School Board.

II. The Superintendent may recommend to the School Board expulsion of a student who is found guilty of a felony. Provided, however, any student subject to discipline or expulsion for the unlawful possession or use of any substance controlled under Florida Statutes shall be entitled to a waiver of the discipline or expulsion if he/she divulges information leading to the arrest and conviction of the person who supplied such controlled substance or if he/she voluntarily discloses the unlawful possession of such controlled substance prior to arrest.

III. Provisions for the expulsion of exceptional education students shall be described and set forth in the Code of Student Conduct and Holmes District School Board Procedure for Discipline of Students with Disabilities.

A. The dismissal of an exceptional education student shall not result in a complete cessation of educational services; the District is responsible for providing the dismissed student's education during the expulsion in accordance with a revised individual education plan (IEP).

B. The following procedures shall be followed for the expulsion of exceptional education students:

1. The principal shall adhere to State Board of Education rules when recommending expulsion of exceptional students and shall be responsible for convening a disciplinary review committee. The disciplinary review committee membership shall comply with State Board of Education rules and shall include, but not be limited to, the District administrator of exceptional students or designee, the school psychologist, the exceptional student education teacher, and the principal or designee. The disciplinary review committee shall review the student's IEP and shall determine whether the student's

behavior bears a relationship to his/her exceptionality. A disciplinary review committee that determines the student's behavior is in relation to his/her exceptionality may modify the student's IEP in accordance with current needs and expulsion may not be applied. Procedures in subsection (3)(b)3, herein shall apply when a student's conduct does not bear a relationship to his/her exceptionality.

2. An IEP meeting shall be conducted in compliance with State Board of Education rules and in conjunction with the disciplinary review committee meeting. The decision of the disciplinary committee shall be recorded on the IEP and shall be used in determining the adequacy of the current special program and related services. The student's IEP may be revised to reflect:

   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), legal guardian, or custodian of an exceptional education student shall be provided a copy of the suspension and expulsion procedures regarding discipline of exceptional education students at the initial placement meeting or at the first IEP meeting held in the District.

C. Additional requirements for the expulsion of exceptional education students may be set forth in the Special Programs and Procedures for Exceptional Student Education Manual.

IV. This rule shall prevail over any District procedure which is contrary to or conflicts with these rule provisions.

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

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

STATE BOARD OF EDUCATION RULE: **6A-6.0331**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010
FORMERLY:

USE OF TIME OUT, SECLUSION AND PHYSICAL RESTRAINT FOR STUDENTS WITH DISABILITIES 5.341*+

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. *Nonexclusion 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 nonstimulating room away from the classroom. The student must be observed continuously by trained personnel.

IV. Physical Restraint

A. *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.

B. Physical restraint should only be used in an emergency situation when an immediate and significant threat to the student or others exists.

C. Physical restraint may only be implemented by trained, qualified school personnel.

V. Documentation and Reporting

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

VI. Monitoring and Analysis

A. The use of manual physical restraint or seclusion shall be monitored at the classroom, school and District levels.

B. 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 physically 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. Incident reporting;

B. Data collection;

C. Monitoring and analysis;

D. Plan for reducing the use of restraint and seclusion;

E. Identification of staff to be trained; and

F. 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(S) **6A-6.03312**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010; 8/07/2012
FORMERLY:

GRANTING PERMISSION FOR STUDENTS TO LEAVE THE SCHOOL CAMPUS 5.35

No student shall be permitted to leave the school campus 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.

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.

The provisions of this subsection shall not apply to a law enforcement officer, court official, Children and Family Services, or proper school employee provided, that the person's identity and authority are clearly established.

If a student is eighteen (18) years old or otherwise identified by statutes as being treated as having achieved majority status, and having verified this with school officials, he/she shall be considered as acting as his/her own guardian for purposes of this policy if the student provides proper written documentation, if feasible, that the parents have been informed of the decision.

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

LAWS IMPLEMENTED: **1000.21; 1001.43; 1006.07, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06; 8/17/2010
FORMERLY

VEHICLE USE BY STUDENTS 5.36+

I. A student shall be permitted to drive his/her automobile, motor scooter, or motorcycle to school provided the student shows proof of licensure and a written agreement to comply with all the School Board Rules relating to student vehicles is filed with the principal. Any student violating this rule shall be denied permission to bring his/her vehicle to school until such time as the principal restores the privilege.

II. A student who drives a car to school shall not

A. Park his/her car in any area other than that designated for student parking;

B. Loiter in or around cars in the parking area(s); or,

C. Occupy cars during class hours, between classes, or before or after school except when arriving and leaving for the school day.

D. These rule provisions shall apply equally to bicycles, motor scooters, motorcycles, and any other type of privately-owned vehicle.

III. After arriving at school, a student shall remain on the school campus unless given permission to leave the campus as provided in the policy 5.35 entitled "GRANTING PERMISSION FOR STUDENTS TO LEAVE THE SCHOOL CAMPUS". At the close of the school day, each student shall leave the school campus promptly unless under the supervision of an instructional staff member.

IV. All student cars shall remain in the parking area(s) until after the buses have left unless special permission is granted by the principal.

V. The principal shall cooperate with law enforcement officers. Any student who receives a citation for a traffic violation while traveling to or from school or a student who is known to be operating a vehicle in such manner as to endanger his/her own safety or that of others may be directed by the principal not to drive a vehicle to school. Any student violating such a directive shall be subject to suspension or dismissal from school.

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

LAWS IMPLEMENTED: **1001.43; 1006.07, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 5.00 - STUDENTS

STUDENT USE OF CELLULAR TELEPHONES, PAGERS AND OTHER COMMUNICATION DEVICES 5.37*

I. Personal telephones and other communication devices may be brought to school with the following conditions applying:

   A. If emergency calls to or from students are necessary they should be placed through the school office and not to or from the student's telephone.

   B. Devices should be kept secure to prevent theft (*e.g.,* vehicles, purses, backpacks, lockers).

II. Violation of these provisions shall result in the confiscation of the personal telephone or other communication devices and its return only to the parent, as defined by Florida Statutes. If the student is of majority age, then he/she may be prohibited from possessing a phone or other communication devices on campus.

III. The use of personal telephones or other communication devices at school events shall not be limited by this policy; however, the principal shall have full authority to promulgate rules that implement all provisions herein.

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

LAWS IMPLEMENTED: **1000.21; 1001.43; 1003.04; 1003.31; 1006.07; 1006.08; 1006.09; 1006.145, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATES(S): 1/20/2015
FORMERLY:

STUDENT ATTENDANCE 5.40*

I. A student who is absent without the principal's approval shall have his/her parent(s), as defined by Florida Statutes, report such absences to the school center in the manner prescribed by the *Code of Student Conduct*.

A. The *Code of Student Conduct* shall prescribe attendance requirements including, but not limited to, provisions for excused and unexcused absences, opportunities to make up work assignments, and reporting absences.

B. Students shall be excused from any examination, study, or work assignments for observance of a religious holiday or because the tenets of his/her religion forbid secular activity at such time. The school principal shall implement this provision on an individual basis pursuant to Florida Statutes and State Board of Education rules.

C. No adverse or prejudicial effects shall result to any student who avails himself/herself to the provisions of this rule.

II. Student absences must be tracked on a daily basis and parents contacted as required by law.

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

F.S. 1003.21 School attendance.

(1)(a)1. All children who have attained the age of 6 years or who will have attained the age of 6 years by February 1 of any school year or who are older than 6 years of age but who have not attained the age of 16 years, except as otherwise provided, are required to attend school regularly during the entire school term.

2. Children who will have attained the age of 5 years on or before September 1 of the school year are eligible for admission to public kindergartens during that school year under rules adopted by the district school board.

(b) Any child who has attained the age of 6 years on or before September 1 of the school year and who has been enrolled in a public school or who has attained the age of 6 years on or before September 1 and has satisfactorily completed the requirements for kindergarten in a private school from which the district school board accepts transfer of academic credit, or who otherwise meets the criteria for admission or transfer in a manner similar to that applicable to other grades, shall progress according to the district's student progression plan. However, nothing in this section shall authorize the

state or any school district to oversee or exercise control over the curricula or academic programs of private schools or home education programs.

(c) A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the district school board. Public school students who have attained the age of 16 years and who have not graduated are subject to compulsory school attendance until the formal declaration of intent is filed with the district school board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the student and the student's parent. The school district shall notify the student's parent of receipt of the student's declaration of intent to terminate school enrollment. The student's certified school counselor or other school personnel shall conduct an exit interview with the student to determine the reasons for the student's decision to terminate school enrollment and actions that could be taken to keep the student in school. The student's certified school counselor or other school personnel shall inform the student of opportunities to continue his or her education in a different environment, including, but not limited to, adult education and high school equivalency examination preparation. Additionally, the student shall complete a survey in a format prescribed by the Department of Education to provide data on student reasons for terminating enrollment and actions taken by schools to keep students enrolled.

(d) Students who become or have become married and students who are pregnant shall not be prohibited from attending school. These students and students who are parents shall receive the same educational instruction or its equivalent as other students, but may voluntarily be assigned to a class or program suited to their special needs. Consistent with s. 1003.54, pregnant or parenting teens may participate in a teenage parent program. Pregnant students may attend alternative education programs or adult education programs, provided that the curriculum allows the student to continue to work toward a high school diploma.

(e) Consistent with rules adopted by the State Board of Education, children with disabilities who have attained the age of 3 years shall be eligible for admission to public special education programs and for related services. Children with disabilities younger than 3 years of age who are deaf or hard of hearing; visually impaired; dual sensory impaired; orthopedically impaired; other health impaired; who have experienced traumatic brain injury; who have autism spectrum disorder; established conditions, or who exhibit developmental delays or intellectual disabilities may be eligible for special programs and may receive services in accordance with rules of the State Board of Education. Rules for the identification of established conditions for children birth through 2 years of age and developmental delays for children birth through 5 years of age must be adopted by the State Board of Education.

(f) Children and youths who are experiencing homelessness and children who are known to the department, as defined in s. 39.0016, must have access to a free public

education and must be admitted to school in the school district in which they or their families live. School districts shall assist such children in meeting the requirements of subsection (4) and s. 1003.22, as well as local requirements for documentation.

(2)(a) The State Board of Education may adopt rules under which students not meeting the entrance age may be transferred from another state if their parents have been legal residents of that state.

(b) Each district school board, in accordance with rules of the State Board of Education, shall adopt a policy that authorizes a parent to request and be granted permission for absence of a student from school for religious instruction or religious holidays.

(3) The district school superintendent may authorize certificates of exemptions from school attendance requirements in certain situations. Students within the compulsory attendance age limits who hold valid certificates of exemption that have been issued by the superintendent shall be exempt from attending school. A certificate of exemption shall cease to be valid at the end of the school year in which it is issued.

(4) Before admitting a child to kindergarten, the principal shall require evidence that the child has attained the age at which he or she should be admitted in accordance with the provisions of subparagraph (1)(a)2. The district school superintendent may require evidence of the age of any child whom he or she believes to be within the limits of compulsory attendance as provided for by law. If the first prescribed evidence is not available, the next evidence obtainable in the order set forth below shall be accepted:

(a) A duly attested transcript of the child's birth record filed according to law with a public officer charged with the duty of recording births;

(b) A duly attested transcript of a certificate of baptism showing the date of birth and place of baptism of the child, accompanied by an affidavit sworn to by the parent;

(c) An insurance policy on the child's life that has been in force for at least 2 years;

(d) A bona fide contemporary religious record of the child's birth accompanied by an affidavit sworn to by the parent;

(e) A passport or certificate of arrival in the United States showing the age of the child;

(f) A transcript of record of age shown in the child's school record of at least 4 years prior to application, stating date of birth; or

(g) If none of these evidences can be produced, an affidavit of age sworn to by the parent, accompanied by a certificate of age signed by a public health officer or by a public school physician, or, if these are not available in the county, by a licensed practicing physician designated by the district school board, which states that the health officer or physician has examined the child and believes that the age as stated in the affidavit is substantially correct. Children and youths who are experiencing homelessness and children who are known to the department, as defined in s. 39.0016, shall be given temporary exemption from this section for 30 school days.

F.S. 1003.23 Attendance records and reports.

(1) The attendance of all public K-12 school students shall be checked each school day in the manner prescribed by rules of the State Board of Education and recorded in the teacher's register or by some approved system of recording attendance. Students may be counted in attendance only if they are actually present at school or are away from school on a school day and are engaged in an educational activity which constitutes a part of the school-approved instructional program for the student.

(2) All officials, teachers, and other employees in public, parochial, religious, denominational, and private K-12 schools, including private tutors, shall keep all records and shall prepare and submit promptly all reports that may be required by law and by rules of the State Board of Education and district school boards. Such records shall include a register of enrollment and attendance and all persons described above shall make these reports therefrom as may be required by the State Board of Education. The enrollment register shall show the absence or attendance of each student enrolled for each school day of the year in a manner prescribed by the State Board of Education. The register shall be open for the inspection by the designated school representative or the district school superintendent of the district in which the school is located. Violation of the provisions of this section shall be a misdemeanor of the second degree, punishable as provided by law. This section shall not apply to home education programs provided in s. 1002.41.

F.S. 1003.24 Parent responsibilities for attendance of children

Parents responsible for attendance of children; attendance policy.—Each parent of a child within the compulsory attendance age is responsible for the child's school attendance as required by law. The absence of a student from school is prima facie evidence of a violation of this section; however, criminal prosecution under this chapter may not be brought against a parent until the provisions of s. 1003.26 have been complied with. A parent of a student is not responsible for the student's nonattendance at school under any of the following conditions:

(1) WITH PERMISSION.—The absence was with permission of the head of the school;

(2) WITHOUT KNOWLEDGE.—The absence was without the parent's knowledge, consent, or connivance, in which case the student shall be dealt with as a dependent child;

(3) FINANCIAL INABILITY.—The parent was unable financially to provide necessary clothes for the student, which inability was reported in writing to the superintendent prior to the opening of school or immediately after the beginning of such inability, provided that the validity of any claim for exemption under this subsection shall be determined by the district school superintendent subject to appeal to the district school board; or

(4) SICKNESS, INJURY, OR OTHER INSURMOUNTABLE CONDITION.—Attendance was impracticable or inadvisable on account of sickness or injury, attested

to by a written statement of a licensed practicing physician, or was impracticable because of some other stated insurmountable condition as defined by rules of the State Board of Education. If a student is continually sick and repeatedly absent from school, he or she must be under the supervision of a physician in order to receive an excuse from attendance. Such excuse provides that a student's condition justifies absence for more than the number of days permitted by the district school board.

Each district school board shall establish an attendance policy that includes, but is not limited to, the required number of days each school year that a student must be in attendance and the number of absences and tardinesses after which a statement explaining such absences and tardinesses must be on file at the school. Each school in the district must determine if an absence or tardiness is excused or unexcused according to criteria established by the district school board.

F.S. 1003.26 Enforcement of school attendance.
The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

(a) Upon each unexcused absence, or absence for which the reason is unknown, the school principal or his or her designee shall contact the student's parent to determine the reason for the absence. If the absence is an excused absence, as defined by district school board policy, the school shall provide opportunities for the student to make up assigned work and not receive an academic penalty unless the work is not made up within a reasonable time.

(b) If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period, the student's primary teacher shall report to the school principal or his or her designee that the student may be exhibiting a pattern of nonattendance. The principal shall, unless there is clear evidence that the absences are not a pattern of nonattendance, refer the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, whether the absences are excused or not, a meeting with the parent must be scheduled to identify potential remedies, and the principal shall notify the district school superintendent and the school district contact for home education programs that the referred student is exhibiting a pattern of nonattendance.

(c) If an initial meeting does not resolve the problem, the child study team shall implement the following:

1. Frequent attempts at communication between the teacher and the family.
2. Evaluation for alternative education programs.
3. Attendance contracts.

The child study team may, but is not required to, implement other interventions, including referral to other agencies for family services or recommendation for filing a truancy petition pursuant to s. 984.151.

(d) The child study team shall be diligent in facilitating intervention services and shall report the case to the district school superintendent only when all reasonable efforts to resolve the nonattendance behavior are exhausted.

(e) If the parent refuses to participate in the remedial strategies because he or she believes that those strategies are unnecessary or inappropriate, the parent may appeal to the district school board. The district school board may provide a hearing officer, and the hearing officer shall make a recommendation for final action to the district school board. If the district school board's final determination is that the strategies of the child study team are appropriate, and the parent still refuses to participate or cooperate, the district school superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.

(f)1. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the

student, as defined by s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(b). The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(b).

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under s. 1003.01(13)(a), (b), (c), or (e), within 3 days. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21 and may result in criminal prosecution under s. 1003.27(2). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41(1)(b).

(g) If a student subject to compulsory school attendance will not comply with attempts to enforce school attendance, the parent or the district school superintendent or his or her designee shall refer the case to the case staffing committee pursuant to s. 984.12, and the district school superintendent or his or her designee may file a truancy petition pursuant to the procedures in s. 984.151.

(2) GIVE WRITTEN NOTICE.—

(a) Under the direction of the district school superintendent, a designated school representative shall give written notice that requires enrollment or attendance within 3 days after the date of notice, in person or by return-receipt mail, to the parent when no valid reason is found for a student's nonenrollment in school. If the notice and requirement are ignored, the designated school representative shall report the case to the district school superintendent, and may refer the case to the case staffing committee, established pursuant to s. 984.12. The district school superintendent shall take such steps as are necessary to bring criminal prosecution against the parent.

(b) Subsequent to the activities required under subsection (1), the district school superintendent or his or her designee shall give written notice in person or by return-receipt mail to the parent that criminal prosecution is being sought for nonattendance. The district school superintendent may file a truancy petition, as defined in s. 984.03, following the procedures outlined in s. 984.151.

(3) RETURN STUDENT TO PARENT.—A designated school representative may visit the home or place of residence of a student and any other place in which he or she is likely to find any student who is required to attend school when the student is not enrolled or is absent from school during school hours without an excuse, and, when the

student is found, shall return the student to his or her parent or to the principal or teacher in charge of the school, or to the private tutor from whom absent, or to the juvenile assessment center or other location established by the district school board to receive students who are absent from school. Upon receipt of the student, the parent shall be immediately notified.

(4) REPORT TO APPROPRIATE AUTHORITY.—A designated school representative shall report to the appropriate authority designated by law to receive such notices, all violations of the Child Labor Law that may come to his or her knowledge.

(5) RIGHT TO INSPECT.—A designated school representative shall have the right of access to, and inspection of, establishments where minors may be employed or detained only for the purpose of ascertaining whether students of compulsory school age are actually employed there and are actually working there regularly. The designated school representative shall, if he or she finds unsatisfactory working conditions or violations of the Child Labor Law, report his or her findings to the appropriate authority.

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

LAWS IMPLEMENTED: **39.01(73)(C); 985.03; 1000.21; 1001.43; 1003.21; 1003.23; 1003.24; 1003.26, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-1.044; 6A-1.09514**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003, 12/05/06
FORMERLY:

CHAPTER 5.00 - STUDENTS

STUDENT SERVICES PLAN 5.50+

The Superintendent shall recommend and the Board shall annually adopt a Student Progression Plan, Student Services Plan and Code of Student Conduct as required by law.

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

LAWS IMPLEMENTED: **1001.43; 1006.07, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 5.00 - STUDENTS

ADMINISTRATION OF STUDENT SURVEYS 5.51

The purpose of this policy is to comply with the federal law for the collection and reporting of certain information by means of student surveys. The information that will be collected relates to student attitudes and behaviors on topics such as school safety, substance use and the prevalence of risky attitudes or behaviors, particularly with respect to alcohol and drug abuse. In addition, these surveys also collect information on general health practices and human sexuality. Such information is collected anonymously, and no personally identifiable information is obtained from or reported on any individual student. The district cooperates with other agencies such as the Florida Department of Health in conducting these surveys.

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

   A. Political affiliations or beliefs of the student or the student's parent

   B. Mental and psychological problems of the student or the student's family

   C. Sexual behavior or attitudes

   D. Illegal, anti-social, self-incriminating, or demeaning behavior

   E. Critical appraisals of other individuals with whom respondents have close family relationships

   F. Legally recognized, privileged or analogous relationships, such as those of lawyers, physicians, and ministers

   G. Religious practices, affiliations, or beliefs of the student or student's parent

   H. Income (other than that required by law to determine eligibility for participation in a program or before receiving financial assistance under such program)

II. Participation Voluntary – No student shall be required to participate in such a survey if the student or the student's parent, if the student is less than 18 years of age, objects to participation.

III. Right to Inspect – A student or the student's parent, if the student is less than 18 years of age, has the right to inspect any such survey instrument before the survey is administered or distributed to students if a request is made within a

reasonable period of time. Parents also have the right to be advised of arrangements that will be made to protect student privacy.

Student survey instruments and teacher directions for administering the survey will be available at each participating school within a reasonable period of time prior to the survey administration.

IV. Notification of Parents - Parents will be notified of this policy annually at the beginning of the school year and within a reasonable period of time if any substantive change is made to this policy. Such notice shall include the specific or approximate dates during the school year when any such survey will be administered.

STATUTORY AUTHORITY; **1001.32(2), 1001.41, 1001.42, 1001.43, F.S.**

LAWS IMPLEMENTED: **1001.42(20), 1003.02(4), 1013.43, F.S.**

HISTORY: **ADOPTED:**
REVISION DATE(S): 8/17/2010
FORMERLY:

SPECIAL DIETARY NEEDS 5.57

I. School food service staff shall make substitutions or modifications for students with disabilities. Such substitutions or modifications shall be based on a written prescription from a licensed physician.

II. Students with food allergies that may result in severe, life threatening reactions shall be provided with food substitutions as prescribed by a licensed physician.

III. The principal shall ensure that all appropriate staff are knowledgeable about a student's special dietary needs. Confidentiality of medical information shall be maintained.

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

LAW(S) IMPLEMENTED: **570.981, 1001.43, 1002.20, F.S.**
20 USC §1232g (FERPA)
P.L. 108-446 (IDEIA)

STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES RULE(S) **5P-1.001, 5P-1.002, 5P-1.003**

HISTORY: **ADOPTED: 5/21/2013**
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 5.00 - STUDENTS

STUDENT INJURIES 5.60

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

1. First aid shall be administered by the nearest person with first-aid training.

2. The student's parent(s), as defined by Florida Statute, shall be notified immediately.

3. The family physician shall be notified and his/her instructions followed if the parent(s) or a responsible adult member of the family cannot be reached.

4. A physician who has agreed to handle school emergencies shall be called if the parent(s), an adult member of the family, or the family physician cannot be reached.

5. A student shall be taken to the emergency room of the nearest hospital when a life threatening situation occurs. Discretion shall be used in moving a critically injured student without medical advice.

6. A student who is suspected of sustaining a concussion or head injury shall be immediately removed from physical activity. Approved guidelines contained in the *Health Services Manual* shall be followed.

7. 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.

8. An accident report shall be filed when an injury occurs, including a detailed description of the accident and a list of witnesses.

9. An insurance report shall be prepared if an injury is covered by insurance.

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

LAWS IMPLEMENTED: **1000.21; 1001.43; 1006.07; 1006.08, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06; 5/21/2013
FORMERLY:

STUDENT ILLNESS 5.61

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 emesis 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. A student not attended by a physician may be readmitted if the principal, in his/her judgment, finds the student has met the criteria for readmission as established by the County Health Unit.

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 IMPLEMENTED: **1000.21; 1001.43; 1006.07, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 5.00 - STUDENTS

ADMINSTRATION OF MEDICATION 5.62*+

I. Administration of Prescription Medication

A. Each school principal shall designate a staff member(s) to administer prescribed medications. The staff member(s) shall be trained annually by a licensed nurse or licensed physician.

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. This rule, the *Standard Operating Procedures Manual*, and the *Code of Student Conduct* shall set forth provisions for administering prescription medications.

C. All prescription medications shall be delivered to the office/clinic with the following information on the label:

1. Student's name

2. Name of medication

3. Date of prescription and pharmacy

4. Specific instructions on the administration of the medication

5. Approximate duration of medication.

D. A permission form signed by the student's parent(s), as defined by Florida Statutes, shall be required. The physician's signature on the permission form is required after two days. The permission form shall be updated every ninety (90) days. A two (2) day grace period will be extended to parents for renewal of authorization of medication.

E. Prescription medication which is kept at school shall be counted and shall be stored in its original container, in a secure location under lock and key as designated by the school principal. Only staff who have been designated by the principal and have received training shall have access to the medication.

F. A student with a special health condition(s) such as asthma, diabetes, pancreatic insufficiency, cystic fibrosis or hypersensitivity may carry prescription medication for emergency situations on self if approved by his/her physician and his/her parent. The approval of the physician and the parent and information regarding the medication required in I.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.

G. A record shall be maintained on each student who receives a prescription medication during school hours, including the date and time each dose of prescription medication was administered. These records shall be made available at all times to the principal and authorized staff.

II. Administration of Nonprescription Medication

A. Nonprescription medications are not administered during school hours unless prescribed by a physician. Nonprescription medication ordered by a physician will be administered in accordance with the policies and procedures required for administration of prescription medication.

B. No student may carry medications in his or her pocket, purse or on his or her person during school hours; however, the principal may authorize a student to carry nonprescription medication such as an asthma inhaler when a permission form has been signed by the parent and the student's physician has signed the permission form confirming that, because of the student's medical condition, it is necessary that the student retain the asthma inhaler in his/her possession during school hours or at any school related activity.

1. If a student is receiving prescription drugs at school, the physician prescribing that medication must give his/her written permission for any nonprescription medications to be given at school.

2. The procedures and training for the administration of nonprescription drugs shall be the same as that for prescription drugs.

3. Documentation of the administration of any medication will be made on the student's progress note.

4. The following nonprescription (over-the-counter) medications may be administered to students following the above guidelines:

a. Tylenol

b. Maalox

c. Pepto-Bismol

d. Cough syrup

e. Neosporin

f. Caladryl

g. Other medications as specified in writing from the parent

B. No student may carry medications in his or her pocket, purse or on his or her person during school hours; however, the principal may authorize a student to carry nonprescription medication such as an asthma inhaler when a permission form has been signed by the parent and the student's physician has signed the permission form confirming that, because of the student's medical condition, it is necessary that the student retain the asthma inhaler in his/her possession during school hours or at any school related activity.

III. Field Trips

The requirements for the administration of medication while students are away from school property or on official school business shall be the same as those while on school property. All medications including nonprescription medications that are taken on field trips or other official school business must be in the original container. Only trained personnel will administer medication away from the school site except for students who have permission to self administer emergency medications.

IV. Administration of Emergency Medication

A. Schools may purchase and maintain a supply of epinephrine auto-injectors to use when a student is having an anaphylactic reaction. The medication shall be kept in a secure location accessible only to trained personnel.

B. The School Board shall adopt a protocol, developed by a licensed physician, for the administration of epinephrine in emergency situations.

C. Only school personnel who are trained to recognize an anaphylactic reaction and certified to administer an epinephrine auto-injector or a person who is authorized by an authorized health care practitioner shall be permitted to administer this medication; however, the auto-injector may be

given to a student who is authorized to self-administer an epinephrine auto-injector.

D. Under the provisions of Florida Statutes, the District, trained and certified personnel, or an uncertified person who administers an epinephrine auto-injector under the authorization of an authorized health care provider shall not be liable for any injury resulting from the administration of an auto-injector provided that school personnel were trained or authorized as provided by law, followed the established protocol and believed that the student was having an anaphylactic reaction.

HISTORY:

ADOPTED: 10/05/06
REVISION DATE(S): 10/15/06; ; 8/17/2010; 8/07/2012; 1/20/2015, 12/20/2016
FORMERLY:

PSYCHOTROPIC MEDICATION 5.621

I. Psychotropic medication is a prescription medication used for the treatment of mental disorders and includes, without limitation, antihypnotics, antipsychotics, antidepressants, anxiety agents, sedatives, psychomotor stimulants, and mood stabilizers.

II. The School Board of Holmes 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.**

LAWS IMPLEMENTED: **1000.21, 1001.43, 1006.0625, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S):
FORMERLY:

CHAPTER 5.00 - STUDENTS

GUIDELINES AND PROCEDURES CONCERNING HIV, AIDS, OR OTHER COMMUNICABLE DISEASES (STUDENT AND EMPLOYEE) 5.63+

I. Introduction

It is the policy of this School Board to seek to provide, in the least restrictive environment, for the educational needs of each student to the maximum extent consistent with the needs of other students and the health, safety and welfare of all. One factor necessary in implementing this policy is that of providing AIDS-related education and awareness for students. Another such factor is that of adopting and implementing procedures to be followed in instances where the administration is notified by the parent, as defined by Florida Statutes, student or another employee that a student is known to have the Human Immunodeficiency Virus (HIV) or Acquired Immunodeficiency Syndrome (AIDS).

This rule delineates also the policy of this School Board in utilizing the services of employees who have HIV or AIDS. The purpose of the policy is the protection of the right of these employees to continued employment, while also recognizing the School Board's obligation, as an employer and educational agency, to provide an environment that is not only objectively safe for all employees, students and the public at large, but that is also one where, insofar as practicable and reasonable, employees and students do not have fears for their health or safety.

In providing communicable disease education to include Hepatitis B and awareness for students, an important goal will be

> To make it clearly and convincingly understood that, as to the present and the foreseeable future, there is no known or definitely expected cure for AIDS and that most cases of AIDS resulted from behavior that can be avoided.

II. In all matters related to this rule, directly or indirectly, all employees shall strictly observe and protect the rights of all students and their parents as to privileged or confidential information.

III. Student Guidelines and Procedures

Epidemiological studies show that HIV is transmitted via contact with the body fluids of the infected person. Since there is no evidence of casual transmission

by sitting near, living in the same household, or playing together with an individual who has HIV infection, the following guidelines have been developed:

A. Circumstances Warranting Special Action - No student shall be excluded from attending regular classes solely because the student has been diagnosed as having HIV or AIDS including clinical evidence of infection with HIV. However, if a child so diagnosed evidences any one of the following conditions, the Superintendent of Schools with consent of the parent, will convene an Advisory Panel for the purpose of making recommendations on the most appropriate educational placement of the student:

1. Manifestation of clinical signs and/or symptoms that indicate progression of the illness;

2. Demonstration of behavior risky or harmful to self or others;

3. Demonstration of unstable or decompensated neuropsychological behavior;

4. Presence of open wounds, cuts, lacerations, abrasions, or sores, on exposed body surfaces where occlusion cannot be maintained; and

5. Impairment of gastrointestinal and/or genitourinary functions such that control of internal body fluids cannot be maintained.

B. In the event the parent refuses to authorize release of information regarding the student, the Superintendent shall request a review by the County Health Officer. If the County Health Officer determines that students or school personnel are likely to be significantly exposed to body fluids of the student, the Superintendent may proceed with establishment of the panel, notwithstanding the refusal of the parent.

C. Composition of Advisory Panel

1. Superintendent of Schools;

2. Director and Health Officer of the County Health Department or designee;

3. Attending physician of the student with HIV infection;

4. Director of Exceptional Student Education;

5. Student's principal or principal's designee;

6. Infectious disease specialty physician, when and as determined by the Superintendent as appropriate;

7. Other professional staff to include Health Services Staff when and as determined by the Superintendent as appropriate;

8. Case Manager (optional); and

9. Student's parent(s), when and as appropriate or requested, who shall not be official member of the panel.

D. Panel Responsibilities

1. Review student's medical history and current status; student identity will be dependent upon parent written release;

2. Review available educational and social data, progress reports as available, test results, prior school placements, and other relevant information;

3. Discuss educational options, considering risks and benefits;

4. Reduce to writing findings, options, and recommendations and review draft report before submission to the Superintendent, focusing on key issues, unresolved problems, if any, and summary recommendations;

5. Submit written report to the Superintendent within twenty-four (24) days and remain available as needed; and

6. Re-evaluate each Panel case on a continuing basis at least once every six (6) months and more often when circumstances change in the categories listed in III.A.

The general intent is that the Advisory Panel is to serve as an expert professional resource to advise the Superintendent in special situations where information about appropriate environment may not be available, complete, clear, or readily amenable to lay interpretation. It is expected that recommendations of the Advisory Panel shall be based solely upon current medical and educational information consistent with established ethical guidelines and considerations in accordance with extant guidelines of the Centers for Disease Control and Prevention and other scientific and relevant professional bodies.

E. Panel Protocol

1. If the Superintendent determines that any one of the conditions in III.A. exists, the student in question will be placed on homebound instruction status for no longer than five (5) school days.

2. Within the five (5) school-day period (equivalent to one calendar week), consent for release of medical information will be obtained, and past medical history, laboratory tests, and other relevant records will be provided to and reviewed by the Director of the Health Department and by other physicians as appropriate. Critical medical tests and other procedures will be conducted during this period by the Director of the Health Department or by other medical practitioners as warranted.

3. Based on results and medical interpretation of the student's current status, the Director of the Health Department (and other consultants as appropriate) will advise the Superintendent within five (5) days as to whether continued homebound instruction is, or is not, warranted.

4. If medical review indicates that continuation of special status is not indicated, the student will return to regular status at the end of the five-school-day initial review period or upon the advice of the director of the Health Department, whichever is sooner.

5. If medical review indicates that continuation of special status is indicated, the student will remain on homebound instruction, for a period not to exceed fifteen (15) additional school days (equivalent

to three more calendar weeks).

6. During the twenty (20) school-day review period, the Superintendent will arrange the following steps in preparation for Advisory Panel review:

   a. Alert Advisory Panel of forthcoming meeting to be scheduled.

   b. Obtain written authorization from parent(s) of the student to contact attending physician for medical information.

   c. Obtain signed consent from parent(s) of student to permit release of information from attending physician and others to the Superintendent.

   d. Receive relevant medical and social information about the student with HIV infection and maintain same in strict confidence. Any written form to be reviewed will be shared in meetings with panel and kept on file in Superintendent's or Health Department Director's confidential files [see h. below].

   e. Circulate confidential information about the HIV infected student to the Advisory Panel members only.

   f. Schedule and notify the Advisory Panel members of initial review meeting, at date, time and location suitable to all; meeting will be scheduled only when complete medical information has been obtained and circulated in advance to all Advisory Panel members.

   g. Siblings - Siblings of children diagnosed as having HIV, AIDS, or with clinical evidence of infection with HIV are able to attend school without any restrictions.

   h. Privacy and Disclosure - Any report or information received by the Superintendent from the Department of Health and Family Services, or from any other source, regarding AIDS

or HIV relating to a student shall be released only in an emergency situation which results in a significant exposure by students or school personnel to the blood or body fluids of the person. Such release may only be made directly to those persons having a significant exposure, and such persons shall be required to retain such information in strict confidence. All records regarding the condition of the student shall be maintained by the Superintendent in a confidential file separate and apart from the student's cumulative record and accessible only by lock and key by appropriate personnel.

i. Exclusion from School - Since the student diagnosed as showing clinical evidence of infection with the AIDS-Associated Virus (HIV or AIDS) has an increased risk of acquiring infections in the school setting, the student will be excluded from school if there is an outbreak of a threatening communicable disease, upon the advice of the County Health doctor or the child's private physician such as, chicken pox or measles, until he/she is properly treated and/or the outbreak is no longer a threat to the child.

IV. Employee Guidelines and Procedures

Statement of Purpose and Scope - This section establishes the policy of the School Board for working with employees who have a communicable disease such as Hepatitis B, HIV, or AIDS, etc. and is applicable to all employees of the School Board.

Employee Policy - The School Board recognizes that employees with life-threatening illnesses including, but not limited to, cancer, heart disease, and AIDS-related illnesses may wish to continue to work. As long as employees are able to meet acceptable performance standards and medical evidence indicates that their condition is not a threat to themselves or others, employees shall be assured of continued employment.

Training and Education - Medical studies show that HIV infection is transmitted via contact with body fluids (especially semen, preseminal fluid, blood, and menstrual flow) of an infected person. To date, there is

no record of transmission of the AIDS-associated virus (HIV) to co-workers, clients or consumers in offices, schools, factories, construction sites or other workplaces. There is no evidence of casual transmission by sitting near or working in the same office or sharing the same water fountain, telephones, toilets, eating facilities or office equipment with a person infected with HIV.

Many of the problems that arise in the workplace when employees are confronted with a fellow employee who has become HIV infected are caused by lack of knowledge about the disease and misunderstanding of the way in which it is transmitted. The only means of combating this fear is education. Supervisors should make a concerted effort to educate themselves as to the facts regarding HIV infection and how it is and is not transmitted and, further, should make the same effort to educate their employees. Any information needed will be furnished by the School Board office. Supervisors should be sensitive and responsive to co-workers' concerns, and emphasize employee education.

Confidentiality - The School Board realizes that an employee's health condition is personal and confidential. Personnel and medical files or information about employees are exempt from public disclosure. In addition, information relating to a specifically named individual, the disclosure of which would constitute an unwarranted invasion of personal privacy, is prohibited. Thus, special precautions should be taken to protect such information regarding an employee's health condition in order to prevent instances of disclosure that may invade the personal privacy of employees. Unless specifically authorized by the employee, release of such information shall only be made in emergency situations to personnel who have a significant exposure to the blood or body fluids of the person. Written authorization of such release should be kept in a confidential file under lock and key in the Superintendent's or Health Department Director's office.

Circumstances Warranting Special Action - No employee is prohibited from reporting for duty solely because the employee has been diagnosed as having HIV or AIDS, including clinical evidence of infection with the AIDS-associated virus (HIV). However, medical reports and information relative to the employee's condition shall be regularly examined and monitored by school authorities (health officials designated by the Superintendent and County Health Department Director). If an employee

so diagnosed evidences any of the following conditions, the Superintendent of Schools may, with consent of the employee, convene an Advisory Panel for the purpose of making recommendations on the most appropriate work assignment for the employee:

Manifestation of clinical signs and/or symptoms which indicate progression of the illness;

Demonstration of behavior risky or harmful to self or others;

Demonstration of unstable or decompensated neuropsychological behavior;

Presence of open wounds, cuts, lacerations, abrasions, or sores on exposed body surfaces where occlusion cannot be maintained; and

Impairment of gastrointestinal and/or genitourinary function such that control of internal body fluids cannot be maintained.

Composition of the Advisory Panel

Superintendent of Schools;

Director and Health Officer of the Health Department or designee;

Attending physician of the employee with HIV infection;

Infectious disease specialty physician, when and as determined by the Superintendent as appropriate;

Other School District Health Services staff, when and as determined by the Superintendent as appropriate;

The employee when and as appropriate or requested, who should not be an official member of the Panel; and

Case Manager (optional).

Panel Responsibilities

Review employee's medical history and current status (note: employee identity dependent upon written release);

Review available social data, prior school assignments, employment history, and other relevant information;

Discuss with employee the employment options, as applicable, considering risks and benefits;

Reduce findings, options, and recommendations to writing and review draft report before submission to Superintendent, focusing on key issues, unresolved problems, if any, and summary recommendations;

Submit written report to the Superintendent within fourteen (14) days and remain available as needed; and

Re-evaluate each Panel case on a continuing basis at least once every six (6) months and more often when circumstances change in the categories listed in IV.F.

The general intent is that the Advisory Panel is to serve as an expert professional resource to advise the Superintendent in special situations where information about appropriate environment may not be available, complete, clear or readily amenable to lay interpretation. It is expected that recommendations of the Advisory Panel shall be based solely upon current medical and employment information consistent with established ethical guidelines and considerations in accordance with extant guidelines of the Center for Disease Control and Prevention and other scientific and relevant professional bodies.

In the event the employee refuses to authorize release of information to the Panel, the Superintendent shall request a review by the County Health Officer. If the County Health Officer determines that students or school personnel are likely to be significantly exposed to blood or body fluids of the employee, the Superintendent may proceed with establishment of the panel, notwithstanding the refusal of the employee.

Panel Protocol

If the Superintendent determines that any one of the conditions in IV.F. exists, the employee in question will be placed on special assignment for no longer than five (5) work days.

Within the five-work-day period (equivalent to one calendar week), consent for release of medical information will be obtained and past medical history, laboratory tests, and other relevant records will be provided to and reviewed by the Director of the Health Department and other physicians as appropriate. Critical medical tests and other procedures will be conducted during this period by the Director of the Health Department or other medical practitioners as warranted.

Based on results and medical interpretation of the employee's current status, the Director of the Health Department (and other consultants as appropriate) will advise the Superintendent within five (5) days whether a continuation of special assignment is, or is not, warranted.

If medical review indicates that continuation of special assignment is not indicated, the employee will return to regular status at the end of the five (5) work-day initial review period or upon the determination of the Superintendent, whichever is sooner.

If medical review indicates that continuation of special assignment is warranted, the employee will remain on special assignment for a period not to exceed fifteen (15) additional work days (equivalent to three more calendar weeks).

During the twenty (20) work-day review period, the Superintendent will arrange the following steps in preparation for Advisory Panel review:

Alert Advisory Panel for forthcoming meeting to be scheduled;

Obtain written authorization from employee to contact attending physician for medical information;

Obtain signed consent from employee to permit release of information from attending physician and others to Superintendent of Schools.

Receive relevant medical and social information about the employee with HIV infection and maintain same in strict confidence.

Circulate confidential information about the HIV-infected employee to the Advisory Panel members only.

Schedule and notify the Advisory Panel members of initial review meeting, at date, time and location suitable to all; meeting will be scheduled only when complete medical information has been obtained and circulated in advance to all Advisory Panel members.

Any report of information received by the Superintendent from the Department of Health and Family Services, or from any other source, regarding AIDS or HIV relating to an employee shall be maintained in a confidential fashion and shall be released only in an emergency situation which results in significant exposure of students or school personnel to the blood or body fluids of the person. Such release may only be made directly to those persons having a significant exposure, and such persons shall be required to retain such information in strict confidence. All records regarding the condition of the employee shall be maintained in a confidential fashion in the Superintendent's office and accessible only by lock and key by appropriate personnel and shall not be available to those persons normally having access to personnel records.

V. Sanitation/Waste Disposal

Blood or any other body fluids including vomitus, fecal, or urinary products of any student or employee should be treated cautiously. It is required that gloves be worn when cleaning up any body fluids from any student.

A. These spills should be cleaned up with a fresh solution of bleach (no older

than 24 hours; one part bleach to ten parts water) or another EPA and District approved disinfectant, by pouring the solution around the perimeter of the spill.

B. All disposable materials, including gloves, should be discarded in a manner prescribed by the County Health officer for disposal of biohazardous waste, in order to eliminate exposure of employees and students. Mops should also be disinfected with the bleach solution described in V.A.

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

LAW(S) IMPLEMENTED: **381.0098, 1000.21, 1001.42, 1001.43, 1002.22, 1003.01, 1010.305, F.S.**

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

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

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08; 8/17/2010
FORMERLY:

CHAPTER 5.00 - STUDENTS

STUDENT WITH AIDS OR HIV DISEASE 5.631

I. It is the School Board's intent to protect employees and students from exposure to infectious diseases and from risk occasioned by infectious diseases and environmental hazards and to provide reasonable accommodations to infected students.

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

III. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need to know.

IV. School Board employees shall receive and review procedures governing immunization against Hepatitis B infection, HIV, AIDS, blood-borne pathogens, other communicable disease, and environmental hazards.

V. Staff members shall cooperate with public health authorities by practicing and promoting "universal precautions," as deemed by the Centers for Disease Control (CDC). Procedures for dealing with students who pose a threat of transmitting a blood-borne health condition are contained in the Health Services Manual.

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

LAWS IMPLEMENTED: **100.01; 1002.22; 1001.3; 1010.305; 1001.42; 1001.43, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-6.03020; 6A-6.0331; 6A-6.0341**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 6/21/04
FORMERLY:

EYE PROTECTION DEVICES 5.64

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

I. The School Board shall provide protective devices for School Board employees, students, and visitors.

II. The student shall be required to wear the eye protection device as directed by the teacher when engaged in activities listed under the Eye Protection Device Law. The student's failure or refusal to wear the device shall be cause for his/her suspension or dismissal from the course.

III. Any teacher who fails to carry out the provisions of this rule shall be charged with willful neglect of duty and shall be reported to the Superintendent or designee for such action as deemed appropriate.

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

LAWS IMPLEMENTED: **1001.43; 1006.063; 1006.07, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 5.00 - STUDENTS

STUDENT RECORDS 5.70*+

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

I. Procedures on student records shall be approved by the School Board and contained in the *Student Educational Records Manual*. Included shall be provisions of the No Child Left Behind Act requirements relating to the surveying of students, the collecting of information from students for marketing purposes, and certain nonemergency medical examinations.

II. Parents and students shall be notified annually of their rights regarding education records.

III. The District shall not collect or retain information including biometric information restricted by §1002.222, F.S.

IV. The individual records of children enrolled in the Voluntary Prekindergarten Education Program shall be maintained as confidential records exempt from the public records law as required by Florida Statutes.

V. A school may release student's education records to partners to an interagency agreement among the Department of Juvenile Justice, the school, law enforcement authorities and other signatory agencies as allowed by law.

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

VII. Reporting of student database information shall comply with these safeguards.

A. Data reported to the Florida Department of Education shall not disclose a student's name or identity unless required by Florida Statutes;

B. Data shall not be stored in a single file or released in such a manner that a complete student profile can be reported unless specified by Florida Statutes; and

C. Data shall be protected from unauthorized use at all times.

VIII. Social security numbers may be collected from students

A. To be used as student identification numbers as allowed by 1008.386, F.S. until the Department of Education has issued a student identification number;

B. To facilitate the processing of student scholarships, college admission and other applications; and

C. For other purposes when consent of the parent or adult student is granted.

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

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

STATE BOARD OF EDUCATION RULE(S): **6A-1.0955**
HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08; 8/07/2012; 1/20/2015
FORMERLY:

DIRECTORY INFORMATION 5.71

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: 12/05/06**
REVISION DATE(S): 03/04/08; 1/20/2015
FORMERLY:

PARENTAL ACCESS TO INFORMATION 5.711+

I. The Board shall incorporate into the Board approved *Student Services Plan*, rules and procedures required by the No Child Left Behind Act relating to student privacy, parental access to information and administration of physical examinations to minors.

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.

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

LAW(S) IMPLEMENTED: **20 USC 1232g, 1000.21, 1001.43, 1002.22, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08
FORMERLY:

LEGAL NAME OF STUDENT 5.72

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: **1001.41; 1001.42, F.S.**

LAWS IMPLEMENTED: **1000.21; 1001.43; 1003.21, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 5.00 - STUDENTS

ATHLETICS 5.80

I. Each school may establish a board of control for athletics to include the school principal, instructional staff members, the athletic director, and any other member deemed appropriate by the school principal.

II. All District high schools and schools with middle grades shall be members of the Florida High School Athletic Association, Inc. (FHSAA) and shall be governed by the rules and regulations adopted by FHSAA. Students who participate in athletics shall meet eligibility requirements established by FHSAA and the School Board. Membership dues will be paid from the internal accounts of each respective school.

III. Students practicing or participating in any type of interscholastic athletics shall provide proof of accident insurance covering medical expenses of any injury sustained in a sport. The principal shall be responsible for obtaining proof, as evidenced by a copy of the insurance card and a signed statement from the student's parent(s), as defined by Florida Statutes, of the student's insurance prior to practice or participation in interscholastic athletics. Such insurance may be made available to the parent(s) through the school, or the parent(s) may submit evidence that insurance has been provided through another source.

IV. No student shall engage in practice or participate in any interscholastic game without the written permission of the student's parent(s) and a current physical examination as required by Florida High School Athletic Association being on file.

V. Pursuant to Florida Statutes licensed medical personnel who act as volunteers for school events and agree to render emergency care or treatment shall be immune from civil liability for treatment of a participant in any school-sponsored athletic event, provided such treatment was rendered in accordance with acceptable standards of practice and was not objected to by the participant.

VI. An automatic external defibrillator (AED) will be available for use, if needed, at every preseason and regular season interscholastic contest and at every FHSAA state championship series contest. Staff will be trained to use such equipment.

VII. All students shall be subject to all School Board rules and to the *Code of Student Conduct* while attending athletic events and practices.

VIII. In order for a student to be eligible to participate in interscholastic extracurricular student activities, he/she must meet all of the requirements established by the Florida High School Athletic Association consistent with Florida Statutes and maintain satisfactory conduct, as defined by the District *Code of Student Conduct*. If a student is convicted of an on- or off-campus felony or a delinquent act which would have been a felony if committed by an adult, regardless of whether

adjudication is withheld, the student's participation in interscholastic extracurricular activities will be suspended for the balance of the school year.

IX. A report of an alleged violation of this standard of conduct shall be submitted to the principal or his/her designee for investigation. If the principal or his/her designee determines that a violation has occurred, the student and his/her parent shall be notified in writing, of the suspension from school sponsored extracurricular activities.

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

LAW(S) IMPLEMENTED: **768.135, 1000.21, 1001.43, 1002.20, 1002.31, 1006.07, 1006.15, 1006.16, 1006.20, F.S.**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 6/3/2003, 6/21/04; 12/05/06 12/20/2016
FORMERLY:

CHAPTER 5.00 - STUDENTS

DRUG AND ALCOHOL TESTING OF STUDENT ATHLETES 5.81+

Recognizing that student participation in interscholastic athletics is extracurricular and voluntary and pursuant to Florida Statutes, the School Board has adopted a policy on drug and alcohol testing of student athletes including the following provisions:

I. Definitions - For purpose of this policy, the following terms and phrases shall be defined as follows:

A. *Alcohol* shall mean any beverage, mixture or preparation, including any medications or other products, containing alcohol or ethanol.

B. *Chain of custody* refers to the methodology of tracking specified materials or substances for the purpose of maintaining control and accountability from initial collection to the final disposition for all such materials or substances and providing for accountability at each stage in handling, testing, storing specimens and reporting test results.

C. *Confirmation test, confirmed test,* or *confirmed drug test* means a second analytical procedure used to identify the presence of a specific drug or metabolite in a specimen. A second test must be different in scientific principle from that of the initial test procedure and must be capable of providing requisite specificity, sensitivity, and quantitative accuracy.

D. *Drugs* shall mean any substance or drugs identified in Schedules I through V of 21 United States Code Section 202 (controlled substances act) and as further defined by 21 CFR 1300.11 through 1300.15 and Section 893.03, Florida Statutes, and shall include, without limitation, cannabinoids (marijuana), amphetamines, alcohol, cocaine, opiates, and phencyclidine (PCP).

E. *Drug test* or *test* means any chemical, biological, or physical instrumental analysis administered - by a laboratory certified by the United States Department of Health and Human Services or licensed by the Agency for Health Care Administration - for the purpose of determining the presence or absence of a drug or its metabolites.

F. *Initial drug test* means a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens, using an immunoassay procedure or an equivalent, or a more accurate scientifically accepted method approved by the United States Food and Drug Administration as

such more accurate technology becomes available in a cost-effective form.

G. *Medical Review Officer* or *MRO* is a licensed physician who has agreed to provide services to the School Board for the purpose of reviewing drug test results and communicating with student athletes and their parent(s) concerning any positive drug test result as more specifically described herein.

H. *Prescription* or *nonprescription medication* means a drug or medication obtained pursuant to a prescription as defined by Section 893.02, Florida Statutes, or medication that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human disease, ailments, or injuries.

I. *Parent* shall mean the parent, as defined by Florida Statutes, of a student athlete.

J. *Reasonable-suspicion drug testing* means drug testing based on a belief that a student athlete is using or has used drugs in violation of School Board policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:

1. Observable phenomena while at school, athletic practice, athletic competition, or other times such as direct observation of drug use or the physical symptoms or manifestations of being under the influence of a drug.

2. Abnormal conduct or erratic behavior while at school, athletic practice, athletic competition, or other times.

3. A significant deterioration in athletic performance.

4. A report of drug use, provided by a reliable and credible source.

5. Evidence that a student athlete has tampered with his/her drug test.

6. Evidence that a student athlete has used, possessed, sold, solicited, or transferred drugs.

K. *Specimen* means tissue, hair, or a product of the human body capable of revealing the presence of drugs or their metabolites, as approved by the United States Food and Drug Administration or the Agency for Health Care Administration.

L. *Student athletes* are any students enrolled in the county public schools who are participating in or applying for participation in any interscholastic athletic program, including practices and contests under the control and jurisdiction of the School District.

M. *Interscholastic athletics* is defined as any play between organized varsity, junior varsity, B squads, or 7th, 8th and 9th grade squads of different schools in sports including cheerleader squads.

II. General Prohibitions and Penalties

A. Standard of Conduct for Student Athletes - The use or possession of a drug, as defined herein, by a student athlete at any time is both illegal and detrimental to that student athlete's ability to participate in interscholastic athletics and is hereby prohibited. Any student athlete determined to be in violation of this policy is subject to disciplinary action related to his/her participating in interscholastic athletics and will be suspended from participation.

B. *Code of Student Conduct* - Nothing contained in this policy for drug testing for student athletes shall be construed to limit the application and enforcement of the *Code of Student Conduct*, including all of its provisions pertaining to drugs and alcohol.

C. Positive Test Results - A drug test administered pursuant to this policy will be deemed to have rendered a positive result indicating the presence of a drug if the quantity as determined by an initial laboratory analysis followed by a confirmation analysis of the remaining portion of a split sample is equal to or greater than the following levels:

1. Amphetamines: 1000ng for the initial test and 500ng for the confirmation test.

2. Cannabinoid (marijuana): 100ng for the initial test and 15ng for the confirmation test.

3. Cocaine: 300ng for the initial test and 150ng for the confirmation test.

4. Ethanol: Any amount if detected during the initial test and the confirmation test.
5. Opiates: 300ng for the initial test and 300ng for the confirmation test.

6. Phencyclidine (PCP): 25ng for the initial test and 25ng for the confirmation test.

7. Other Drugs: If a drug test administered pursuant to this policy is intended to detect the presence of drugs other than those listed in paragraphs 1. - 6. above, then a determination as to whether such drug test renders a positive result shall be based upon the levels or quantities established for such drugs by the Medical Review Officer (MRO).

D. Penalties - In addition to any disciplinary action that may be applicable pursuant to the *Code of Student Conduct*, any student athlete whose drug test administered pursuant to this policy renders a positive test result or who otherwise violates this policy shall be punished as follows:

1. First Offense or First Positive Drug Test Result - The student athlete shall be suspended from participation in all interscholastic athletics (including practices) and referred to a school-approved drug assessment and rehabilitation program. His/Her parent(s) will sign the student athlete up and pay the enrollment fee. The student athlete will attend his/her normal classes while enrolled in the program unless he/she is under any disciplinary action set forth by the *Code of Student Conduct*. The length of the suspension shall be no less than four (4) weeks from notification of the test results. After the student athlete has satisfactorily completed the program, he/she may resume participation in interscholastic athletics under a probationary status with the following conditions:

a. Condition Number 1 - As a condition of probation, the student athlete shall be required to comply with any recommendations resulting from the assessment/counseling conducted as part of the assessment.

b. Condition Number 2 - At the conclusion of the assessment/counseling program, the student athlete must pass a second drug test. The cost of this test will be the responsibility of the student athlete and his/her parent(s).

c. Condition Number 3 - As a condition of probation, the student athlete will be subjected to recurring drug tests at times that would not be previously disclosed to the student athlete to deter the student athlete from committing a subsequent violation of this policy.

d. Condition Number 4 - The student athlete shall remain on probation throughout the remainder of the time that he/she is enrolled in school.

2. Subsequent Offense or Subsequent Positive Drug Test Result - Upon determination that a student athlete is guilty of a second or subsequent violation of this policy or has a second or subsequent positive drug test result, the student athlete shall be prohibited from participation in all interscholastic athletics for one (1) full calendar year following the end of the athletic season during which the second offense or second positive drug test occurs. For example, if a football player has a second positive drug test during the middle of the football season, he/she would be prohibited from participating in any interscholastic athletics for the remainder of the season and for one (1) full calendar year thereafter.

III. Drug Testing Procedures

A. Consent - Each student athlete and his/her parent are required to sign a written consent for drug testing form prior to being allowed to participate in interscholastic athletics. Any random drug testing or reasonable suspicion drug testing done throughout the course of the school year will be paid for by the school. Any refusal by a student athlete to be tested shall constitute a violation of this policy.

B. Medication - Student athletes who have been selected for drug testing and who are or have been taking prescription or nonprescription medication should disclose that fact at the time of the drug testing and upon request provide verification. This disclosure may be done by either a copy of the prescription or by the physician's written authorization.

C. Selection Process - Drug testing of student athletes shall occur at various times throughout the school year on a team and/or individual basis whereby all student athletes participating in a particular sport would be required to undergo drug testing or where individuals would be selected at random using a numerical selection process where each student athlete's name and identity remains unknown until the random selections are complete. The times for team drug testing will be determined by the athletic director. The random selection will occur on a weekly basis throughout the fall, winter, and spring sports seasons. The random drawing of student athletes will be done by the testing agency, which is also the provider of the medical review officer. This process is to ensure fairness and confidentiality for our student athletes. Reasonable suspicion drug testing will occur at the request of the coach based on a belief that student athlete is using or has used drugs in violation of athletic department policy. Re-testing of student athletes following a first offense or first positive drug test result shall occur as specified in paragraph II.D. above.

D. Sample Collection Procedures - Those student athletes who are selected for drug testing shall be required to report to the testing facility immediately after school and produce a urine sample under the supervision of the laboratory technician in a manner which will minimize intrusiveness and embarrassment to the student athlete while also ensuring that there is no tampering with the urine specimen by the student athlete. Each urine sample container will be checked for appropriate temperature and for any signs of tampering and will be sealed and labeled with a number of other means of identification which does not disclose the student athlete's name.

E. Sample Analysis Procedures - The sealed urine sample container will be delivered to the licensed testing facility through a verifiable chain of custody. A portion of the urine sample will then be analyzed by gas chromatography/mass spectrometry (GC/MS) or an equivalent or more accurate scientifically accepted method approved by the Agency for Health Care Administration of the United States Food and Drug Administration as such technology becomes available in a cost effective form. If the initial analysis renders a negative result, then no further analysis will be conducted. If the initial analysis renders a positive result, then a second analysis of the remaining portion of the urine sample will be conducted for confirmation of the positive result. If such confirmation

analysis renders a negative result, then the drug test will be deemed negative and no further analysis or action will be taken. If the confirmation analysis renders a positive result, then the drug test result will be deemed positive, and a report of such results will be delivered to the medical review officer bearing only a number to identify the student athlete without the student athlete's name appearing on that report.

F. Medical Review Officer's Procedure - The Medical Review Officer (MRO) will receive all reports of positive drug test results and will be supplied with information to determine the correct name of the student athlete whose identifying number appears on each positive test result report. Prior to verifying a positive drug test result, the MRO shall contact the student athlete whose name coincides with the identifying number on the positive drug test report and that student athlete's parent(s) to afford them the opportunity to discuss the test result confidentially with the MRO and provide the MRO with the student athlete's medical history and any other relevant biomedical information that would assist the MRO in determining whether he/she should verify the drug test result as positive or deem that result to be negative. If the MRO determines that the test result should be deemed negative, then no further action shall be taken and the student athlete's test result along with previous negative test results will be reported to the school principal or his/her designee as a negative result. If the MRO verifies that a positive drug test result as reported by the laboratory is indeed positive, then the MRO will offer (signed form) to the student/parents, the opportunity to have the original sample tested by another laboratory at the student's/parent's expense. This will be the final offer for a re-test. The MRO shall submit that positive drug test result to the student athlete's school principal or his/her designee identifying that student athlete by name so that the appropriate disciplinary action can be taken pursuant to this policy.

Re-testing of student athletes who are on probation because of a previous positive drug test or other violation of this policy shall be processed in the manner described above.

IV. Appeal Procedures - In addition to the opportunity afforded to the student athlete and his/her parents to discuss that student athlete's confirmed positive drug test result with the MRO, a student athlete whose test result has been verified and forwarded by the MRO to the school principal or his/her designee for the imposition of disciplinary actions provided herein or a student athlete facing

disciplinary actions provided herein as a result of other alleged violations of this policy, shall be entitled to procedural due process as follows:

A. Notice - The principal or his/her designee shall notify the student athlete and his/her parent(s) that the student athlete's positive drug test result has been verified by the MRO or that the student athlete has otherwise violated this policy, describe the disciplinary action to be taken, and advise the student athlete and his/her parent(s) of their right to schedule a due process hearing. This hearing will be scheduled for the following school day.

B. Hearing - If requested by the student athlete or his/her parent(s), the principal shall conduct a hearing within a reasonable period of time. The principal shall render a decision and provide the student athlete and parent with a written record of that decision at the hearing or within three (3) days of the hearing and sanctions shall begin immediately. The principal's decision shall be final and shall not be subject to any further administrative appeal.

A **CONSENT TO STUDENT ATHLETE DRUG TESTING** is located on the following page.

CONSENT TO STUDENT ATHLETE DRUG TESTING

I understand that submission to testing for the presence of drugs and alcohol is a condition of participation in interscholastic athletics. I further understand if I refuse to take the test, or if the test establishes a violation of the drug testing policy, I will face disciplinary action set forth by the drug testing policy.

By signing and dating this form I consent to take preseason urinalysis if required and be random tested by draw throughout my sport's season(s). The preseason test, when required, is completed prior to the start of the particular sports season after tryouts are over. The random testing will be done weekly throughout the sports season. The draw for the random testing will be performed by an outside agency with the athletes being notified on the day they are to report for urinalysis. I also understand the provisions of reasonable suspicion.

By signing and dating this form I understand that the costs for the seasonal urinalysis are the athlete's responsibility and all random testing will be paid for by the school. I also understand that the cost for the assessment and rehabilitation program, in the event of a violation of the drug testing policy, is also the responsibility of the athlete.

I hereby consent to the administration of the drug test and to the conditions listed in this consent. By signing and dating this form I attest I have read and understand the attached random drug testing policy.

Student Athlete's Name: _____

Date: _____ Signature: _____

Parent's Name: _____

Date: _____ Signature: _____

Notary Signature: _____ Date: _____

Commission Expires: _____

HDSB FORM 30-111

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

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

HISTORY: **ADOPTED: 3/4/08**
REVISION DATE(S): 8/17/2010
FORMERLY:

ANABOLIC STEROID TESTING FOR STUDENT ATHLETES 5.82

I. As a condition of being a member of the Florida High School Athletic Association (FHSAA), each school with students in grades nine (9) through twelve (12) will participate in the state-mandated anabolic steroid testing program. Each school shall adhere to the provisions established by FHSAA.

II. FHSAA shall designate the sports that will be included in the testing program.

III. Students participating in designated sports will be subject to random testing. Failure by a student or his/her parent(s), as defined by Florida Statutes, to consent to steroid testing will disqualify a student from participation in a designated sport.

IV. All records and information related to any test or to any challenge or appeal shall be confidential, shall not be subject to the public records law, and shall not be included in a student's educational record.

V. The portion of a meeting at which exempt records are discussed shall be exempt from the open meetings law. Appeals meetings shall be exempt from the open meetings laws and shall be closed to the public.

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

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

HISTORY: **ADOPTED: 3/4/08**
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 5.00 - STUDENTS

FOREIGN EXCHANGE STUDENTS 5.90+

I. A foreign exchange student may be enrolled in a Holmes County school provided that the student

A. Is sponsored by a program approved by the Council on Standards for International Educational Travel (CSIET).

B. Is at least fifteen (15) years or age but has not attained the age of eighteen and one/half (18 ½) years of age at the time of enrollment. Proof of age must be documented by a birth certificate or passport.

C. Will be living with an American host family that resides in the county and has been approved by the sponsoring program.

D. Shall gain legal entry into the United States with a J-1 Exchange Visa.

E. Provides an academic transcript from the home school with English translation.

F. Provides evidence of sufficient English proficiency to function successfully in the academic level in which he/she is enrolled.

G. Meets immunization requirements in accordance with Florida statutes.

H. Has health, accident and liability insurance coverage that is valid in the United States.

II. A student shall be enrolled for a semester or a complete school year [two (2) semesters].

III. The student shall be subject to the *Code of Student Conduct*.

IV. Eligibility for participation in athletics shall be consistent with Florida High School Athletic Association and School Board rules.

V. The Superintendent or designee shall approve the admission of each foreign exchange student.

VI. 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, 1006.07**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010; 8/07/2012
FORMERLY: 5.15

HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

CHAPTER 6.00:

PERSONNEL

CHAPTER 6.00 - PERSONNEL

EMPLOYMENT OF PERSONNEL 6.10*+

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

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

III. All openings for instructional positions shall be posted as prescribed in the Master Contract with the Holmes County Teachers Association.

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

LAWS IMPLEMENTED: **1001.42; 1001.43; 1012.22; 1012.27; 1012.32; 1012.335; 1012.39, F. S.**

STATE BOARD OF EDUCATION RULES: **6A-1.0502; 6A-1.064; 6A-4.0081; 6A-4.0082; 6A-4.0083**

4.0084

HISTORY: **ADOPTED: 5/7/2002**
REVISION DATE(S): 6/21/04; 7/19/04; 8/07/2012
FORMERLY:

CHAPTER 6.00 - PERSONNEL

MINIMUM WORK DAY FOR PERSONNEL 6.101*

I. Employment as a teacher, supervisor, or administrator shall constitute full- time employment, unless otherwise provided.

II. The length of the work day for teachers shall be as set forth in the Contract Agreement between the School Board and the Holmes County Teachers Association.

III. The Superintendent shall establish uniform duty hours for principals.

IV. The administrative and supervisory staff shall maintain office hours as directed by the Superintendent.

V. The duty hours for non-instructional personnel shall be set by the Superintendent.

VI. School shall not be dismissed prior to the regular dismissal time without the consent of the Superintendent except in the case of an extreme emergency.

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

LAWS IMPLEMENTED: **1012.22; 1001.43; 1012.27; 1012.39, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-1.0502; 6A-1.064; 6A-4.0081; 6A4.0082; 6A-4.0083; 6A-4.0084**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 8/17/2010
FORMERLY:

EMPLOYMENT DEFINED 6.11

I. **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.

II. **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.

III. **Temporary.** A temporary employee is a person whose employment is expected to be for a limited time to fill a vacancy for which a permanent employee is not available or to perform some work of a temporary nature. Such employment will cease at the close of the school term or school fiscal year or when the temporary work has been completed. A temporary employee may be a part-time or a full-time employee.

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

LAWS IMPLEMENTED: **1001.43; 1012.22, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

DEFINITION OF PERSONNEL 6.111

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

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

LAWS IMPLEMENTED: **1000.21; 1001.43; 1012.01, F.S.**

HISTORY:

ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

YEAR OF SERVICE DEFINED FOR ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL 6.13*

Teaching, administrative, and supervisory experience for the purpose of establishing salary level shall be based on verified experience, as follows:

I. A person shall receive credit for all Florida teaching experience that was rendered in any public school or institution of higher learning or private school having a new teacher training program.

II. Any instructional staff member shall be given credit for out-of-state teaching service, which may include service rendered in state-supported schools and institutions of higher education, private and parochial schools licensed by a state, and schools supported by the Federal Government and possessions of the United States. The number of years that a teacher can transfer from out-of-state shall be determined by Contract Agreement between the Holmes County Teachers Association and the Holmes County School Board.

III. Any person employed in a service area such as social worker, school psychologist or similar position may count a maximum of five (5) years of verified experience relating to the area of assignment as determined by the Superintendent.

IV. Military service not to exceed two (2) years shall be allowed. Service shall be established from the date of active duty to the discharge or release date from active duty. Discharge from active duty shall be verified on Form DD-214 under honorable conditions.

V. Part-time teaching may not be counted in determining a year of service unless the person renders service under contract in excess of one-half (1/2) the days or hours required for the full-time contractual positions.

VI. Credit for substitute teaching experience shall not be allowed unless the service was rendered under a contract and meets the requirements for a year of service.

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

LAWS IMPLEMENTED: 1000.21; 1001.43; 1011.60, F.S.

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

THE INSTRUCTIONAL STAFF 6.14*

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

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

LAWS IMPLEMENTED: **1000.21; 1001.43; 1012.32; 1012.39; 1012.53; 1012.54; 1012.56; 1012.57, F.S.**

HISTORY:
ADOPTED: 6/18/2001
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FORMERLY:

CHAPTER 6.00 - PERSONNEL

EMPLOYMENT OF ATHLETIC COACHES WHO ARE NOT FULL-TIME EMPLOYEES OF THE SCHOOL BOARD 6.141*+

(To be used only if such persons are employed in the system)

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

I. The principal has determined that qualified full-time employees of the School Board are not available to perform these responsibilities.

II. The contracted employment conforms to rules and regulations of the State Board of Education and the bylaws of the Florida High School Athletic Association.

III. The employment procedures and contracted services conform to standards and procedures provided by the Superintendent including, but not limited to:

   A. Use of an approved agreement form for contracted services.

   B. Assessment of the qualifications of such persons.

   C. Agreement by the contracted employee to abide by the *Code of Ethics of the Education Profession in Florida*.

   D. Evaluation of performed services to be conducted by the principal and appropriate records maintained.

IV. 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.

LAWS 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(S) 6A-4.0282

HISTORY:
ADOPTED: 6/18/2001
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FORMERLY:

CHAPTER 6.00 - PERSONNEL

NONCERTIFICATED INSTRUCTIONAL PERSONNEL 6.142

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

I. Employment Procedures

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

II. Personnel Records

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

III. Salary

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

IV. Assignment, Suspension, and Dismissal

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

duty immediately and further action, including dismissal, shall be recommended by the Superintendent.

V. Assessment of Performance

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

VI. Student Welfare

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

VII. Instructional Practices and Policies

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

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010
FORMERLY:

EMPLOYMENT OF NONDEGREED VOCATIONAL AND ADULT INSTRUCTIONAL PERSONNEL 6.143*+

The Superintendent is authorized to develop a procedural manual for the employment of nondegreed vocational and adult instructional personnel which is entitled *Qualifications for Employment of Nondegreed 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 nondegreed 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: 6/18/01**
REVISION DATE(S): 12/19/05; 3/3/08
FORMERLY:

CHAPTER 6.00 - PERSONNEL

EDUCATIONAL PARAPROFESSIONALS AND AIDES 6.144*

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

The conditions of employment of an aide or paraprofessional shall include the following:

An aide shall have a high school diploma or hold a high school equivalency diploma issued pursuant to State Board of Education rules.

A paraprofessional shall meet one of the following requirements:

Hold an associate's or higher degree;

Two (2) years of study at an institution of higher education; or

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.

Be at least eighteen (18) years of age.

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 (2) agencies.

A drug test shall be required of all noninstructional applicants recommended for hire and shall be administered by the Board approved testing laboratory.

The principal shall assure 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.

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

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 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.

An aide or paraprofessional shall not perform any of the following:

a. Establish instructional objectives;

b. Render decisions regarding the relevancy of certain activities or procedures to achieve instructional objectives;

c. Make decisions regarding the appropriateness of training materials for accomplishing instructional objectives; and,

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

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, and School Board rules, and other controlling regulations.

CHAPTER 6.00 - PERSONNEL

STATUTORY AUTHORITY:	**1001.41; 1012.22; 1012.23, F.S.**
LAWS IMPLEMENTED:	**1001.43; 1012.22; 1012.32; 1012.37, F.S. 34 CFR 200**
STATE BOARD OF EDUCATION RULES:	**6A-1.070; 6B-1.006**
HISTORY:	**ADOPTED: 6/18/2001 REVISION DATE(S): 6/21/04; 12/06/06 FORMERLY:**

SUBSTITUTE TEACHERS 6.145*

I. Each school principal is authorized to employ a substitute teacher when an instructional staff member is unable to perform assigned duties. The principal shall obtain substitute teachers from the approved list published by the District 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 eighteen (18) years of age;

C. Submit a complete set of fingerprints taken by a law enforcement agency or properly trained District personnel and the appropriate processing fee to obtain a records check by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI); and

D. Complete an initial orientation/training program and other training required by Florida Statutes.

III. District Office 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. Any member of the Florida Retirement System who has been retired for at least one (1) calendar month from any state administered retirement system may be employed as a substitute or hourly teacher on a noncontractual basis.

VI. A substitute teacher shall hold

A. A valid Florida Educator's Certificate or

B. A valid substitute certificate/document issued by the District or another Florida School district. The substitute certificate/document shall verify

satisfaction of requirements specified in section II. herein. Procedures for issuance of District certificates are described in School Board Rule 6.21, District Certificates.

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

LAWS IMPLEMENTED: **1001.43; 1012.32; 1012.35; 1012.36; 1012.39; 1012.55; 1012.56, 121.091 F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/2004; 12/19/2005; 2/19/2013; 5/21/2013; 09/01/2015
FORMERLY:

ASSISTING TEACHERS TO BECOME HIGHLY QUALIFIED 6.15+

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

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

LAW(S) IMPLEMENTED: 1001.43, 1012.22, 1012.27, 1012.42, F.S.
No Child Left Behind Act of 2001, P.L. 107-110
20 USC 7801

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

HISTORY: ADOPTED: 12/05/2006
REVISION DATE(S): 8/17/2010; 8/17/2010
FORMERLY:

DUAL EMPLOYMENT 6.16

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 ten (10) hours per week in the adult education program. Special permission of the Superintendent and/or School Board shall be required when such instruction will exceed six (6) hours per week.

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

LAWS IMPLEMENTED: **1001.43; 1012.22, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

OUTSIDE EMPLOYMENT OF STAFF MEMBERS 6.161

Outside employment or "moonlighting" of a principal, supervisor, or instructional staff member shall not violate the moral standards of the community or the Professional Code of Ethics prescribed in State Board of Education Rules, Chapters 6B-10 through 13. Under no conditions shall outside employment conflict with the employee's performance of regular duties or with the extracurricular activities related to his/her position.

I. No principal, supervisor, or instructional staff member shall be permitted to sell instructional materials to the parent(s) or legal guardian of a student who attends his/her school.

II. If the propriety of a staff member's outside employment is questioned, the principal or immediate administrative supervisor may require the employee to confer with the Superintendent to receive prior approval from the School Board. When the employee refuses to follow the Superintendent's instructions or feels that his/her rights have been violated, the matter shall be referred to the School Board.

III. Outside employment or "moonlighting" of educational support staff members shall not interfere with duties, responsibilities, and job efficiency or violate the moral standards of the community.

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

LAWS IMPLEMENTED: **1212.28; 1001.54; 1006.32(8), F.S.**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 8/17/2010
FORMERLY:

PERSONAL BUSINESS ON SCHOOL TIME 6.162

School Board employees shall not conduct personal business on school time, except for emergencies approved by the principal or Superintendent. School Board equipment or supplies shall not be used to conduct personal business or to engage in any other activity unrelated to the District, except as provided in School Board rules or upon School Board approval.

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

LAWS IMPLEMENTED: **1212.22, F.S.**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

PROFANE OR OBSCENE LANGUAGE 6.163

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 reduces his/her effectiveness as an employee, and failure to comply with a School Board Rule.

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 Rule to the Superintendent shall be subject to suspension or dismissal for willful neglect of duty as provided in Section 231.36(6), Florida Statutes.

II. The Superintendent may suspend employees from duty as provided in Section 230.33(7)(e), 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, F. S.**

LAWS IMPLEMENTED: **1212.22; 1012.27; 1012.33, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

HONORARIA 6.164

School Board employees shall not accept honoraria or remuneration other than expenses for any service rendered to public, private, or governmental agencies in Florida when performing their assigned District duties unless advance approval has been granted by the Superintendent.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

APPOINTMENT OR EMPLOYMENT REQUIREMENTS 6.17*

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

I. Qualifications

A. Must be of good moral character.

B. Must have attained the age of eighteen (18) years with the exception of students employed by the Board.

C. Must not be ineligible for employment under 1012.315, F.S., if applying for an instructional, administrative or any other position requiring direct contact with students.

II. Certificate Requirements

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

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

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

III. Interviews and Appointments

A. When interviews are conducted by interview teams, including those with community representatives, the team shall reasonably reflect the District's diverse racial, ethnic, and gender composition.

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

IV. Driving Record

A. The driving record of each applicant for the position of school bus operator or for any position that would require the person to drive a School Board vehicle shall be reviewed to determine if the record contains any infractions of the driving code that would make the applicant unqualified for the position in accordance with the District safe driver plan.

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

V. Initial Employment

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

B. As a condition of employment and prior to beginning work, an applicant who has received a conditional job offer must file a complete set of fingerprints taken by an authorized law enforcement officer or an employee of the District trained to take fingerprints. The fingerprints shall be processed by the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The applicant shall be required to pay for full costs of processing at the time of fingerprinting.

C. A Criminal Background Check (CBC) committee shall be established to review the criminal history of all persons nominated for initial employment. The CBC committee shall obtain criminal background information for applicants through requests to the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The CBC committee shall include, but not be limited to, the Director of Personnel Services, the District Equal Employment Opportunity (EEO Officer), and a representative of the County Sheriff's Department.

D. When the fingerprint or background check reports are returned, the Committee shall review both the application and the report(s) concerning the individual. The CBC committee will compare the information provided by the new employee with the information received from the FDLE and/or the FBI pursuant to Florida Statute.

E. The Superintendent or designee shall conduct employment history checks of applicants for instructional, administrative or any other positions requiring direct contact with students. The employment history check shall include, but not be limited to, screening through the use of educator screening tools described in law and contact with each previous employer. All finds shall be documented. If the Superintendent is unable to contact a previous employer, he/she shall document all efforts to contact the previous employer. For all other applicants, the CBC committee or its designee shall contact or attempt to contact all prior employers for a minimum of the past ten (10) years and all private or public educational institutions by which the applicant was previously employed while age eighteen (18) or older. The committee shall document all attempts to contact previous employers.

F. No applicant who has received a conditional job offer shall begin work before their fingerprints are processed, the criminal and pre-employment investigation is completed, and a determination is rendered as to suitability

for employment.

G. Based upon the facts of an application, criminal background check or other valid or reliable data sources, applicants who are, or have been convicted of certain serious offenses may be denied employment by the School District. As used in this section the term conviction is defined as a finding of guilt, a plea of guilty, or a plea of *nolo contendere*, or a verdict of guilty. The withholding of adjudication or the entry of an order sealing or expunging the record requiring a pre-trial intervention or pre-trial diversion shall not be considered an exception to this section. Other information derived from the pre-employment investigation, which indicates the applicant may not be suitable for employment by the School District, may be grounds for denying employment to an applicant.

H. An applicant shall be disqualified from employment in any position requiring direct contact with students if he/she is ineligible for employment under 1012.315, F.S.

I. Any instructional or noninstructional persons under contract to the School District to operate student programs, student teachers, persons participating in short-term teacher assistance experiences or field experiences who have direct contact with students must meet the requirements of V.A., B., E. and F. Such persons may not be in direct contact with students if ineligible under 1012.315, F.S.

VI. Current Employees

A. Whenever a personnel investigation of a complaint against an employee is required, a criminal background check may be conducted as part of the investigation.

B. If it is discovered during the period of employment that a regular employee has a prior criminal record and that the employee was requested to provide this information at the time of hire, but did not do so, the employee may be subject to disciplinary action, including dismissal for submitting false information on the employment application, or otherwise having misled the District.

C. If it is discovered during the period of employment that an employee has a prior criminal record and no falsification of an application nor attempt to mislead occurred, the record shall be reviewed by the CBC Committee.

The committee shall consider all information, including any mitigating conditions, and report findings of fact, possible mitigating circumstances and recommendations for action to the Superintendent. The employee shall have the opportunity to respond in writing to the findings and recommendation. The Superintendent shall review the record, recommendation and response before taking appropriate action. Appeal of the Superintendent's action shall follow collective bargaining agreements or School Board Policy, as appropriate.

Instructional personnel and noninstructional or contractual personnel who have direct contact with students or have access to or control of school funds must meet the screening requirements described in law every five (5) years. Personnel whose fingerprints have not been maintained by the Department of Law Enforcement are required to be refingerprinted.

VI. Acceptance of Appointment

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

VII. Reconsideration and Appeal

Applicants who have been denied employment, and probationary employees who have been denied permanent employment, on the basis of their criminal record and/or background check, may request reconsideration by the CBC Committee only if they present new information not previously available to the committee.

Applicants who have been denied employment, and probationary employees who have denied permanent employment, because of their criminal record, drug screening and/or background check, may appeal to the Superintendent. Applicants and probationary employees shall receive written notice of the right to appeal the decision by the CBC committee to the Superintendent. Their appeal must be in writing, and may respond to

the findings and decision of the CBC Committee. If new information is to be submitted, the applicant must first request reconsideration by the CBC Committee. The Superintendent's decision shall be final.

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, 1001.42, 1001.43, 1012.01, 1012.22, 1012.27, 1012.315, 1012.32, 1012.39, 1012.465, 1012.56, 1012.56, F.S.**

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

HISTORY: **ADOPTED: 6/18/01**
REVISION DATE(S): 6/3/03; 6/21/04; 3/4/08; 08/03/2009; 8/17/2010
FORMERLY:

PHYSICAL EXAMINATIONS 6.171

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

LAWS IMPLEMENTED: **1001.43; 1012.32, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

LICENSE OF SCHOOL BUS OPERATOR 6.172*

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

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: 12/5/06**
REVISION DATE(S): 3/4/08
FORMERLY:

CHAPTER 6.00 - PERSONNEL

RESPONSIBILITIES OF SCHOOL BUS OPERATORS 6.173*

I. School bus operators shall be responsible for adhering to the requirements of federal laws and regulations, Florida Statutes, State Board of Education rules, driving regulations, School Board policies, District 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.

K. To adhere to the requirements for the reduction of heavy-duty idling.

III. Failure to fulfill the responsibilities of a school bus operator may result in disciplinary action up to and including dismissal.

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

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

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

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

HISTORY: ADOPTED: 3/4/08
REVISION DATE(S): 08/03/09
FORMERLY:

CHAPTER 6.00 - PERSONNEL

CONTRACTS: INSTRUCTIONAL AND ADMINISTRATIVE PERSONNEL 6.18*

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

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.

C. Contracts with Administrative Staff

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

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

any additional contract shall be for a period of time not to exceed three (3) years.

A contract year for principals, other school site administrators and instructional personnel may not exceed ten (10) calendar months of service unless otherwise approved by the School Board.

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

LAW(S) IMPLEMENTED: **120.57, 1001.43, 1011.60, 1012.22, 1012.32, 1012.33, 1012.335, 1012.56, F.S.**

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

HISTORY: **ADOPTED:06/18/01**
REVISION DATE(S): 12/19/2005; 8/17/2010; 8/07/2012
FORMERLY:

CHAPTER 6.00 - PERSONNEL

PROBATIONARY STATUS FOR NON-INSTRUCTIONAL PERSONNEL 6.181

Upon initial employment, non-instructional employees shall serve a probationary period. 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 three years 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 the fingerprinting process is pending completion, or 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.**

LAWS IMPLEMENTED: **1001.43; 1012.40, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

CERTIFICATION OF ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL 6.20*

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

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

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

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

LAWS IMPLEMENTED: **1001.43; 1011.60; 1012.24; 1012.54; 1012.55; 1012.56; 1012.57, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-1.0501; 6A-1.0502; 6A-1.0503**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 12/19/2005
FORMERLY:

CHAPTER 6.00 - PERSONNEL

DISTRICT CERTIFICATES 6.21*

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

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 (3) Temporary Certificate upon receipt of fingerprint clearance from the Florida Department of Law Enforcement (FDLE) and Federal Bureau of Investigation (FBI).

B. A five (5) year Professional Certificate will be issued when all requirements have been completed as specified for a Professional Services Contract.

C. To re-issue a valid Professional Certificate, official transcripts must be filed with the appropriate renewal form showing six (6) semester hours of college credit which includes three (3) semester hours specific to each area on the certificate. One hundred twenty (120) Inservice Points shall be considered equivalent.

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

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

STATE BOARD OF EDUCATION RULE: **6A-1.0502**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 6.00 - PERSONNEL

TEACHING OUT-OF-FIELD 6.22

I. The employment or assignment of out-of-field teachers may occur when a qualified and appropriately certificated teacher is unavailable. Any teacher who is employed or assigned out-of-field shall be required to satisfy the course credit requirement in State Board of Education rule if he or she is appointed in a subsequent school year(s). The deadline for earning the six (6) semester hours of college credit or equivalent in the appropriate field shall be one (1) calendar year from the date of initial appointment to the out-of-field teaching assignment.

II. Each principal shall report to the Superintendent any teacher who is assigned to teach a subject(s) for which he or she is not properly certificated. Such reports shall be filed at the beginning of each school year or when changes occur and shall include the following information: teacher's name, the certificate area(s) on the Florida Educator 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: 6/18/2001**
REVISION DATE(S): 5/7/2002; 12/19/200; 8/17/2010, 12/20/2016
FORMERLY:

CHAPTER 6.00 - PERSONNEL

PROFESSIONAL ETHICS 6.27*

I. An effective educational program requires the services of personnel of integrity, high ideals, and human understanding. All employees shall be expected to maintain and promote these qualities. The Board shall also expect all administrative, instructional and support staff members to adhere to the *Code of Ethics of the Education Profession in Florida* and the *Principles of Professional Conduct for the Education Profession in Florida*.

II. Administrative and instructional personnel, as defined by Florida Statute, shall be required to complete training on these ethical standards. All other employees shall 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(S): **6B-1.001, 6B-1.006**

HISTORY: ADOPTED: 8/17/2010
REVISION DATE(S):
FORMERLY: NEW

CHAPTER 6.00 - PERSONNEL

REPORT OF MISCONDUCT 6.29*

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

I. Mandatory Reporting of Misconduct

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

II. Investigation

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

A. An employee who is alleged to have committed such misconduct shall be reassigned to a position not requiring direct contact with students pending the outcome of the investigation.

B. Information related to the alleged misconduct shall be considered confidential during the investigation.

C. The Superintendent shall report alleged misconduct to the Department of Education as required by Florida Statutes.

III. Legally Sufficient Complaint

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

IV. Resignation or Retirement in Lieu of Termination

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

V. Employment Reference

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

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

STATE BOARD OF EDUCATION RULE(S): **6B-1.001, 6B-1.006**

HISTORY:

ADOPTED: 8/17/2010
REVISION DATE(S):
FORMERLY:

VIOLATION OF LOCAL, STATE, AND/OR FEDERAL LAWS 6.30

I. Anyone known to be violating a local, state, and/or federal law on School Board property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to Florida Statutes and School Board rules.

II. Any employee in violation of the reporting requirements of this policy may be subject to disciplinary action by the Superintendent or Board up to or including dismissal.

As required by the provisions of State Board of Education Rule 6B-1.006(5) *The Principles of Professional Conduct of the Education Profession in Florida,* and Florida Statutes, professional employee and noninstructional and contractual personnel who have direct contact with students or who have access to or control of funds are required to self-report within forty-eight (48) hours to Holmes County School Board any arrests/ charges involving the abuse of a child, the sale and/or possession of a controlled substance or any disqualifying offense. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, self-reporting shall also be required for any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or nolo contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment.

When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Sections 943.0585(4)c and 943.059(4)c, Florida Statutes.

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

LAWS IMPLEMENTED: **887.13; 943.0585; 943.059; 1001.41; 1001.43; 1006.145;; 1012.22; 1012.27; 1012.465, F.S.**

STATE BOARD OF EDUCATION RULES: **6B-1.006(5)**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003, 6/21/04; 12/05/06
FORMERLY:

CHAPTER 6.00 - PERSONNEL

STUDENT DATING PROHIBITED 6.301

All school personnel are prohibited from dating or agreeing to date any student enrolled in the Holmes County School District. Violation of this Rule constitutes gross insubordination and misconduct in office and shall be grounds for dismissal.

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

LAWS IMPLEMENTED: **1012.22, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

CONFLICT OF INTEREST IN PURCHASING 6.302

I. No employee of the District shall on behalf of the District either directly or indirectly purchase, rent, or lease any realty, goods, or services from any business entity of which the employee or the employee's spouse or child has a material interest. No business in which an employee holds ownership or material interest shall provide either directly or indirectly purchase, rent, or lease any realty, goods, or services to the District, subject to Florida Statutes and provisions herein.

II. This policy is not intended to prohibit the School Board from authorizing purchases or other related activities from or with a business or individual related to an employee who provides an acceptable bid or quote for such services or goods and, when all other conditions are equal or comparable. This policy does not prohibit reimbursements to employees for purchases made in connection with their employment.

III. Any employee who is found to have violated the provisions of this policy shall be subject to the provisions of policy 6.30.

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

LAW(S) IMPLEMENTED: **112.313, 1001.43, F.S.**

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

HISTORY: **ADOPTED: 01/20/2005**
REVISION DATE(S): 9/01/2015, 12/20/2016
FORMERLY:

RECORDS AND REPORTS 6.31*

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

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

LAWS IMPLEMENTED: **1001.43; 1012.22; 1012.53, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

TELEPHONE CALLS, ELECTRONIC COMMUNICATIONS AND FACSIMILES 6.32+

District communication equipment shall be used for designated purposes and shall not be used for personal or nonschool 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's 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. The expenditure of public funds for cellular phones or service, personal digital assistants (PDAs), or other mobile wireless communication devices or service shall be consistent with the provisions of Florida Statutes.

VI. 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.

VII. 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: **1011.09; 1001.43, 1011.09(4), 1012.22, F.S.**

HISTORY: **ADOPTED: 06/18/2001**
REVISION DATE(S): 06/21/04; 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

EMPLOYEE USE OF CELLULAR TELEPHONES 6.321+

I. It is the policy of the School Board to provide selected employees cellular telephones in support of fulfilling their assigned duties. The expenditure of public funds for cellular phones or service shall be consistent with the provisions of Florida Statutes.

II. In order to ensure that cellular telephones are used only for the benefit of the School District, the following conditions shall exist:

A. Personal calls or calls unrelated to school business are prohibited except in emergency situations.

B. Employees with assigned cellular telephones shall submit monthly logs showing each call sent or received. The log shall include the date, telephone number called, party contacted, and reason for the call.

C. Should a personal call be made or received and the cost charged to the District, the employee shall reimburse the District for the actual cost.

III. The Superintendent shall develop procedures for implementation of this policy.

IV. 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, 1011.09, 1012.27, F.S.**

HISTORY:

ADOPTED: 8/17/2010
REVISION DATE(S):
FORMERLY:

ALCOHOL AND DRUG-FREE WORKPLACE 6.33

I. No employee shall possess, consume or sell alcoholic beverages or be under the influence of alcohol on the job or 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 1300 or Florida Statutes, Chapter 893, without a valid prescription.

III. The appropriate use of legally prescribed drugs and nonprescription medication is not prohibited. However, it is the employee's responsibility to inform the physician of the employee's job duties and to ask the prescribing physician to determine whether or not the prescribed drug may impair the employee's job performance. It is the employee's responsibility to remove himself/herself from service if unfit for duty.

IV. An employee in a safety sensitive position must obtain a written release from the prescribing physician if he/she has prescribed any substance that carries a warning label indicating that mental functioning, motor skills or judgment may be adversely affected. The release must state that the employee is able to perform safety sensitive functions.

V. "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, off-school property during any school-sponsored or school-approved activity, event or function, such as a field trip, workshop or athletic event.

VI. As a condition of employment, each employee will:

A. Abide by the terms of this policy, and

B. Notify the Superintendent of any criminal drug statute arrest or conviction for a violation occurring on the premises of the School Board, at the workplace, or during the conduct of any official activity related to the School Board within forty-eight (48) hours. Professional employees must

be in compliance with Policy 6.30 (Violation of Local, State, and/or Federal Laws).

VII. The School Board shall:

A. Notify the appropriate agency within ten (10) days after receiving such notice from an employee or otherwise receiving actual notice of such conviction; and,

B. Take one of the following actions, within thirty (30) days of receiving such notice, with respect to any employee who is so convicted:

1. Require such an employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency; or,

2. If the employee fails to participate satisfactorily in such program, the employee may be non-renewed or his or her employment may be suspended or terminated, at the discretion of the School Board; or,

3. Take appropriate personnel action against such an employee, up to and including termination.

C. Offer assistance and information on drug abuse in order to maintain an alcohol and a drug-free workplace. Employee assistance will be available through the Personnel Department and the Employee Assistance Program. The School Board shall also conduct periodic workshops on drug and alcohol abuse in the workplace to inform employees and supervisors of the dangers of substance abuse and of the provisions in this policy.

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

LAWS IMPLEMENTED: 440.102; 1001.41; 1001.43; 1012.795, F.S.
DRUG FREE WORKPLACE ACT OF 1988;
34 CFR PART 85, SUBPART F

HISTORY: ADOPTED: 6/18/2001
REVISION DATE(S): 08/03/2009; 09/01/2015
FORMERLY:

POLITICAL ACTIVITIES OF EMPLOYEES 6.34

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 himself/herself as a candidate for public office shall notify the Superintendent immediately upon qualifying for election. He/she shall conduct his/her campaign so as not to interfere with his/her responsibilities.

A. Personal leave without pay may be taken during the campaign period.

B. Such candidate shall adhere strictly to Florida Statutes governing political activity on the part of public officials and public employees.

III. A successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or School Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

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

LAWS IMPLEMENTED: **104.31; 106.15; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

GRIEVANCE PROCEDURE FOR PERSONNEL 6.35*

The Board and the Superintendent recognize that good morale among its employees is necessary. Problems are solved as they arise by sincere efforts of all persons concerned to work toward constructive solutions of such problems in an atmosphere of courtesy and cooperation. Whenever an employee feels that he/she 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.

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 non-work 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, he/she shall discuss the complaint with his/her immediate supervisor within five (5) days of the occurrence of the alleged violation.

B. Level one – If the complainant is not satisfied with the informal resolution he/she may, within ten (10) days, file a formal complaint on the proper form and deliver it to his/her immediate supervisor. The Supervisor shall communicate his/her answer in writing to the complainant within ten (10) days after receipt of the complaint. Class complaints involving more than one (1) 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 he/she may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. Within ten (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, he/she shall have the right to appeal the Superintendent's decision to the School Board; provided request for placement on Board agenda is filed within ten (10) days.

V. The Contract Agreement between the Holmes County Teachers Association and the School Board shall address grievance procedures for an employee who believes a provision of his/her contract agreement has been violated. Refer to manuals for specific information.

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

LAWS IMPLEMENTED: **447.401; 1001.43; 1001.49; 1012.22; 1012.27, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

COMPLAINTS AGAINST EMPLOYEES 6.36*+

The School Board invites constructive criticism from parents and citizens of the District.

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 that could result in dismissal from employment, shall be in writing and shall bear the signature of the person filing the complaint.

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

LAWS IMPLEMENTED: **1001.43; 1012.22; 1012.796, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

INDEBTEDNESS CREATED AGAINST A SCHOOL OR THE SCHOOL BOARD 6.361

School Board employees may be personally liable for creating any bill or indebtedness against a school or against the School Board unless authority exists under duly adopted School Board Rules or is authorized in writing by the Superintendent. Any employee violating this Rule may be subject to cancellation of his/her contract or dismissal from employment.

STATUTORY AUTHORITY: **1001.41; 1001.43, F. S.**

LAWS IMPLEMENTED: **1001.42; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

SUSPENSION AND DISMISSAL 6.37

I. No employee may be suspended from duty except by the Superintendent or the School Board. The Superintendent may suspend a member of the staff during an emergency for a period extending to and including the next meeting of the School Board or in accordance with the provisions of Rule 6.38 (Suspension With Partial or No Pay).

II. In the case of a suspension without pay by the School Board, an affected employee shall be entitled to a hearing on the charges as to why he/she should be suspended without pay. Said hearing shall be upon reasonable notice by the School Board.

III. If any dismissal proceeding in which the substantial interest of the employee is affected, or in which the employee has a property interest, the employee shall be entitled to a hearing on the merits of the case in accordance with the provisions of Chapter 120, Administrative Procedure Act.

IV. In the event an employee is entitled to a hearing, the Superintendent shall notify the affected employee in writing of his/her right to a hearing at the time a petition for suspension or dismissal is filed. The petition for suspension or dismissal must set forth the charges against the employee. The petition shall further notify the employee that in the event 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 service 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; or,

8. 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; or,

10. 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; or,

8. 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; or,

7. 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. Using position for personal gain;

11. 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;

12. 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;

13. Inappropriate or disparaging remarks to or about students or exposing a student to unnecessary embarrassment or disparagement;

14. Inappropriate relationship with a student;

15. Inappropriate interactions with colleagues including, but not limited to physical or verbal altercation;

16. Misappropriation of funds or theft of personal property;

17. Excessive absenteeism or tardiness;

18. Absence without leave (AWOL) or abandonment of job;
19. Failure to correct performance deficiencies;

20. 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;

21. Misconduct or misconduct in office;

22. Unauthorized use, theft or vandalism of School Board property.

23. Failure to comply with School Board policy, state law, or appropriate contractual agreement;

24. Safe Driver Plan (Transportation Department only); or

25. Smoking on School Board property.

**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.

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 thirty (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 (2) consecutive unsatisfactory annual evaluations and have been given written notice and intent that his/her employment is being terminated or nonrenewed.

X. Nonrenewal 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.

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

LAW(S) IMPLEMENTED: **CHAPTER 120, 790.15, 1001.43, 1012.22, 1012.27, 1012.33, 1012.335, 1012.795. F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-5.056**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/2006; 8/17/2010; 8/07/2012; 5/21/2013
FORMERLY:

SUSPENSION WITH PARTIAL OR NO PAY 6.38

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

I. The suspension shall not exceed five (5) days.

II. The suspension may be wholly or partially without pay.

III. Suspension shall be authorized only if the Superintendent finds that the employee has

A. Been absent without leave;

B. Been insubordinate;

C. Endangered the health or well-being of a fellow employee or of a student(s);

D. Willfully neglected duty;

E. Consumed an alcoholic beverage while working; or,

F. Violated School Board rules to the extent that disciplinary action is required, but the violation is not severe enough for dismissal.

IV. An employee who is suspended under the authority of this rule shall be granted all due process rights accorded by the Florida Statutes.

V. This rule grants the Superintendent authority in addition to that provided by Florida Statutes. It shall not be construed to limit the Superintendent's statutory powers.

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

LAWS IMPLEMENTED: 1001.43; 1012.22; 1012.27; 1012.33, F.S.

STATE BOARD OF EDUCATION RULE: 6A-5.056

HISTORY: ADOPTED: 6/18/2001
REVISION DATE(S): 12/19/2005; 5/21/2013
FORMERLY:

CHAPTER 6.00 - PERSONNEL

ASSESSMENT OF EMPLOYEES 6.40

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

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

III. A copy of each employee's evaluation report shall be filed in the District Personnel office.

IV. The assessment of all employees shall be based on observations of the individual's work by his/her immediate supervisor and shall be made at least once each year prior to reappointment. Evaluation of instructional personnel and school administrators shall include indicators of student learning growth.

V. The Superintendent shall arrange for the assessment of all principals, supervisors and administrative personnel as required by law.

VI. The principal and/or administrator supervising personnel shall arrange for the assessment of all employees under his/her supervision as required by law.

VII. Prior to preparing the written report of the assessment, the individual being assessed shall be informed as to the criteria and the procedure to be used.

VIII. The written report of the assessment shall be reviewed with the employee and discussed with him/her by the person who made the assessment.

IX. An employee may respond to an assessment in the manner provided by law or other approved procedures.

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

LAWS IMPLEMENTED: **1001.43, 1008.22, 1008.36, 1012.22, 1012.27, 1012.34, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/07/2012; 1/20/2015; 09/01/2015
FORMERLY:

CHAPTER 6.00 - PERSONNEL

INSTRUCTIONAL EMPLOYEE PERFORMANCE CRITERIA 6.41*

I. The Superintendent or designee shall, in accordance with the Master Contract and the Holmes County Teachers Association, 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. Student performance data shall be used in the evaluation of instructional personnel.

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.**

LAWS IMPLEMENTED: **1001.43; 1008.22; 1008.36; 1012.22; 1012.27; 1012.34, F.S.**

STATE BOARD OF EDUCATION RULE (S): **6A-5.030**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 1/20/2015; 09/01/2015
FORMERLY:

CHAPTER 6.00 - PERSONNEL

LEAVE OF ABSENCE 6.50*+

I. Leave of absence

A leave of absence is permission granted by the School Board or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of leave. Any absence of a member of the staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority. 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 employment period.

II. The Superintendent shall develop procedures to implement leave provisions.

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

LAWS IMPLEMENTED: **1001.43; 1012.22; 1012.61 1012.63; 1012.64; 1012.66, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-1.080**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/03/2009
FORMERLY:

LEAVE APPLICATION 6.501*

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 1 of that fiscal year. Return to employment is contingent upon an open position being available.

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

LAWS IMPLEMENTED: **1001.43; 1012.66, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 08/03/2009
FORMERLY:

CHAPTER 6.00 - PERSONNEL

APPROVAL OF LEAVES 6.502*

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

I. The following types of leave require approval of the School Board:

A. Extended Health Leave or Disability Leave including Maternity Leave

B. Military Leave in excess of seventeen (17) days

C. Personal Leave in excess of seventeen (17) days

D. Illness-or-Injury-in-Line-of-Duty Leave

E. Leave to seek political office

F. Professional Leave in excess of six (6) days

G. Sabbatical Leave

H. Family and Medical Leave

II. The Superintendent is authorized to grant the following types of leave:

A. Sick Leave

B. Personal Leave not in excess of six (6) days

C. Annual Leave

D. Professional Leave not to exceed five (5) days

E. Jury Duty assignment

F. Military Leave not to exceed seventeen (17) days

G. Witness Duty absence

H. Temporary Duty

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.

STATE BOARD OF EDUCATION RULE(S): 6A-1.080, 6A-1.081, 6A-1.082

HISTORY:
ADOPTED: 12/05/06
REVISION DATE(S): 3/4/08
FORMERLY:

CHAPTER 6.00 - PERSONNEL

NOTIFICATION OF ABSENCE 6.51*

I. The principal shall notify and submit the appropriate leave form to the Superintendent when he/she 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 (2) days; provided, such authorized absence is immediately reported to the Superintendent.

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

LAWS IMPLEMENTED: **1001.43; 1012.22; 1012.66; 1012.67, F.S.**

HISTORY:

ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

ABSENCE WITHOUT LEAVE 6.511*

Any employee 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.

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

LAWS IMPLEMENTED: 1001.43; 1012.33; 1012.66; 1012.67, F.S.

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

RESIGNATIONS 6.52

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. Any resignation for an ensuing school year shall be accepted without question if submitted prior to June 20 of the current school year.

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. An educational support employee who wishes to resign shall submit his/her resignation in writing addressed to the School Board on the prescribed resignation form. Whenever possible, two (2) weeks prior notice shall be given. The letter of resignation shall state the reason for the resignation and the desired effective date. A resignation of an employee shall be sent to and countersigned by his/her immediate administrative supervisor. The resignation shall be submitted to the School Board at its next regular or special meeting. No resignation shall become effective until accepted by the School Board; the School Board may refuse to accept any resignation for cause.

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

LAWS IMPLEMENTED: 1001.43; 1012.22; 1012.23; 1012.33; 1012.34; 1012.795, F.S.

STATE BOARD OF EDUCATION RULES: 6B-4.0041; 6B-4.0044; 6B-4.0046; 6B-4.0048

HISTORY: ADOPTED: 6/18/2001
REVISION DATE(S): 8/17/2010
FORMERLY:

EFFECTIVE DATE FOR LEAVE, SUSPENSION, OR TERMINATION 6.521*

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

I. An employee who terminates employment and does not work on the first day following a holiday(s) shall not receive pay for the holiday(s). The termination date shall be considered the last work day on which the employee is paid prior to the holiday(s).

II. An employee to earn holiday pay must work or be on an uncompensated leave either the day before or day after the holiday.

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

LAWS IMPLEMENTED: **1001.43; 1011.60; 1012.22, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 5/7/2001; 12/19/2005
FORMERLY:

RETIREMENT OF EMPLOYEES 6.53

Personnel who plan to retire shall concurrently submit his/her resignation to the School Board and his/her application to the retirement system for retirement benefits. Employees shall submit the resignation and application form in advance of the retirement date to ensure that retirement benefits begin the month following the last month of service with the School Board. An employee will then be eligible for a retirement supplement under one of the following plans.

PLAN I

A retirement supplement will be available to all personnel who terminate with thirty (30) through thirty-three (33) years experience under the following conditions:

I. The person shall be eligible and retire under the Florida Statutes and not have previously been paid a retirement supplement by the Holmes County School Board.

II. The supplement will be payable only if the person resigns with an effective date during or at the end of the school year in which they first reach 30 through 33 years experience and begin immediately to draw benefits.

III. Total experience shall include all creditable experience, except that applying credit for military or creditable out of state experience shall affect eligibility for this benefit solely at the discretion of the employee.

IV. At least 15 of the years must have been completed in Holmes County.

V. Notification of intent to retire and to claim this benefit shall be as follows:

A. A person planning to retire during a school year should notify the Superintendent by July 1 prior to retirement.

B. A person planning to retire at the end of a school year should notify the Superintendent by March 1 of that year.

VI. For educational support personnel, the amount of the supplement will be based on a percentage of the beginning salary for a person in the same position for the current year. The percentage shall be equal to $16,000 divided by the beginning

teacher salary for the current year times the beginning salary for the person's position for the current year but in no case should exceed $16,000.00.
$16,000.00 X Beginning salary for person's position for current year.
Beginning Teacher
Salary for current year

VII. This retirement supplement shall be payable 45 days after retirement.

PLAN II

A person who is retiring with thirty-three (33) years or less experience and who is not eligible for the retirement supplement under Plan I shall be eligible for a retirement supplement equivalent to 10% of their annual salary excluding any supplements, if the following conditions are met.

I. The person shall be eligible and retire under Florida Statutes and not have previously been paid a retirement supplement by the Holmes County School Board.

II. The supplement will be payable only if the person resigns with an effective date prior to the end of the school year in which he/she first reaches 33 years experience and begins immediately to draw benefits except as follows:

A. Those persons with twenty-nine (29) years experience in June of the 1992-93 school year will be entitled to collect this retirement supplement whatever the year of their retirement.

III. Total experience shall include all creditable experience, except that applying credit for military or creditable out of state experience shall affect eligibility for this benefit solely at the discretion of the employee.

IV. At least ten (10) of these years must have been completed in Holmes County.

V. Notification of intent to retire and to claim this benefit shall be as follows:

A. A person planning to retire during a school year should notify the Superintendent by July 1 prior to retirement.

B. A person planning to retire at the end of a school year should notify the Superintendent by March 1 of that year.

NOTE: IT SHALL BE THE RESPONSIBILITY OF EACH PERSON TO DETERMINE THE FIRST YEAR FOR RETIREMENT AND TO MEET THE REQUIREMENTS SET FORTH ABOVE FOR THE COLLECTION OF THE SUPPLEMENT.

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

LAWS IMPLEMENTED: **1001.43; 1012.23, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 01/18/05; 8/15/07; 8/17/2010;

FORMERLY:

CHAPTER 6.00 - PERSONNEL

DEFERRED RETIREMENT OPTION PROGRAM ("DROP") 6.531

The Deferred Retirement Option Program ("DROP") as defined in chapter 121, Florida Statutes, is an alternative method of deferred payment of retirement benefits for up to 60 months 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. Benefits Payable – 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 at the rate of 10% per year during the time the person is in DROP with the final payout upon termination. Payment shall be made at the end of each 12 month period and final payment in the month following the last day worked.

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

B. It is 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:

1. Sick leave earned prior to DROP shall be calculated in accordance with School Board Policy.

2. The value of each sick day will be computed according to the salary established at the time of entry into the DROP Program. 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 days used.

3. 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.

III. Benefits Payable – 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 in the last paycheck prior to the effective beginning date of DROP.

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

B. 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.**

LAWS IMPLEMENTED: **121.091; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 5/7/2002; 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

ANNUAL / VACATION LEAVE 6.541*

I. Personnel employed on (12) month contracts shall accrue annual leave, exclusive of holidays, with compensation as follows:

A. One (1) day per month cumulative to twelve (12) days per year for less than five (5) years of continuous service in the District.

B. One and one fourth (1¼) days per month cumulative to fifteen (15) days per year for more than five (5) but less than ten (10) years of continuous service in the District.

C. One and one-half (1½) days per month cumulative to eighteen (18) per year for ten (10) years or more of continuous service in the District.

The term "continuous" as used in Subsection (1) herein means an employee who has rendered uninterrupted service to the School Board in a twelve (12) month position or job. Provided, however, individuals who previously rendered full-time continuous service in a ten (10) or eleven (11) month contractual position shall be considered as having continuous service when determining creditable service for annual leave.

II. 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.

III. Annual leave shall accrue at the close of each month and shall not exceed thirty (30) working days as of August 1st of each school fiscal year, except on August 1st of the last fiscal year before the date of retirement. Employees shall be encouraged to use accrued annual leave on an annual basis.

IV. Only full-time employees shall be eligible to accrue annual leave.

V. Annual leave shall not be granted until employee has rendered at least three (3) months of acceptable service in the District.

VI. Accrued annual leave may be used in lieu of other types of leave with Superintendent's approval.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04
FORMERLY:

ADMINISTRATIVE LEAVE FOR ADMINISTRATIVE PERSONNEL 6.5410*

Administrative leave is defined as leave granted to an administrative staff member at the Superintendent's discretion when the administrator has been required to work in excess of normal office hours and has been assigned tasks other than current job responsibilities and expectations.

I. Administrative leave shall be with pay. Tasks which may lead to accumulation of administratively leave time shall have the prior approval and assignment of the Superintendent. The use of this leave shall be scheduled to minimize interruptions in the normal school program.

II. Administrative leave shall not be accumulated beyond the school year in which it has been earned. If the leave request is in excess of five (5) consecutive days, the Superintendent and the School Board's approval are required.

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

LAWS IMPLEMENTED: **1001.43; 1012.66; 1012.61, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

FAMILY AND MEDICAL LEAVE 6.542*

I. In compliance with the Family and Medical Leave Act of 1993, full-time school employees are entitled to take up to twelve (12) weeks unpaid leave a year for the following reasons:

A. The birth of the employee's child;

B. The placement of a child with the employee for adoption or foster care;

C. To care for the employee's spouse, child or parent who has a serious health condition;

D. A serious health condition rendering the employee unable to perform his/her job; or

E. Any qualifying exigency that arises because the spouse, son, daughter or parent of an employee is a service member serving with the Armed Forces, a veteran of the Armed Forces, National Guard or Reserves; or on active duty or has been notified of an impending call or order to active duty as a member of the National Guard or Reserve or a retired member of the Regular Armed Forces or Reserve in support of a contingency operation.

II. An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to a total of twenty-six (26) weeks of leave during a twelve (12) month period to care for the service member. This leave is available only during a single twelve (12) month period. Entitlement for military caregiver leave applies on a per covered service member per injury basis.

III. During the single twelve (12) month period described in section II. an eligible employee is entitled to a combined total of twenty-six (26) of leave under the provisions of sections I. and II. This does not limit the availability of leave under section I during any other twelve (12) month period.

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

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 08/03/09; 8/07/2012
FORMERLY:

ILLNESS-OR-INJURY-IN-LINE-OF-DUTY LEAVE 6.543

I. Any full-time regular employee shall be entitled to illness or injury-in-line-of-duty leave for a period not to exceed ten (10) school days when he/she has to be absent from work because of a personal injury received in the discharge of his duties or because of illness from any contagious or infectious disease contracted in the performance of his/her duties. Illness-in-the-line-of-duty leave is intended to deal with the illnesses normally known as childhood diseases, such as, mumps, measles, and chicken pox. This leave does not include normal adult illnesses such as colds and influenza. This leave is non-cumulative.

II. In order to be considered for injury-in-the-line-of-duty leave, the following conditions shall be met:

A. The employee must provide written testimony or evidence that his/her injury was received in the line of duty.

B. The employee must supply a letter from a medical doctor, who treated the patient, stating that in his/her opinion, there is a strong probability that the illness was contracted at the work site.

C. The employee must file a written claim as outlined below.

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

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

LAWS IMPLEMENTED: **1001.43; 1012.61; 1012.63; 1012.66; 1012.695, F. S.**

STATE BOARD OF EDUCATION RULE: **6A-1.080**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):12/19/05; 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

JURY/WITNESS DUTY 6.544*

I. An employee of the Board who is summoned as a member of a jury panel may be granted temporary duty leave. Any jury fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a juror.

II. An employee who is subpoenaed as a witness, not involving personal litigation, may be granted temporary leave. Any witness fees may be retained by the employee. The Board shall not reimburse the employee for meals, lodging, and travel expenses incurred while serving as a witness.

A. When an employee is subpoenaed in line of duty to represent the Board as a witness or defendant, he/she may be granted temporary duty leave, since his/her appearance in such cases shall be considered a part of his/her job assignment. The employee may retain any fees received from the court. In the event no fees are received from the court, he/she may be paid per diem and travel expenses.

B. In no case shall temporary duty leave with pay be granted for court attendance when an employee is engaged in personal litigation. In such cases, an employee may request personal leave.

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

LAW(S) IMPLEMENTED: **40.24, 40.271, 1001.43, 1012.66, F.S.**

HISTORY:
ADOPTED: 6/18/01
REVISION DATE(S): 3/4/08
FORMERLY:

CHAPTER 6.00 - PERSONNEL

MILITARY LEAVE 6.545*

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.

An employee granted military leave for extended active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice; provided that an application for re-employment is filed within six (6) months following the discharge date or release from active military duty. Following receipt of the application for re-employment, the School Board shall have a reasonable time, not to exceed six (6) months, to assign the employee to duty in the same or similar position he/she left in the District.

Compensation allowed during military leave may not exceed two hundred forty (240) working hours except as provided in Section 115.07, Florida Statutes.

An employee who enters active military service shall be governed by the provisions of Sections 115.07, 115.14, 121.111, and 250.341, Florida Statutes.

STATUTORY AUTHORITY: **1001.41; 1012.22; 1012. 23, F.S.**

LAWS IMPLEMENTED: **115.07; 115.09; 115.14; 121.111; 250.341; 1001.43; 1012.66, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-1.080**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04, 12/19/2005; 8/07/2012
FORMERLY:

PERSONAL LEAVE 6.546*

I. *Personal Leave Chargeable to Sick Leave* - Employees may be allowed six (6) days paid leave for personal reasons each year to be charged against accrued sick leave. Such leave shall be noncumulative 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 maternity 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 the contract 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.

2. An employee may apply for a leave of absence in the event of his/her adoption of a child, provided such leave shall not exceed the balance of the school fiscal year in which such adoption shall occur, and provided a written application for such leave is submitted to the employee's immediate supervisor within two (2) calendar weeks after approval for adoption by the recognized agency or source.

3. In all instances herein where a leave of absence shall extend beyond one (1) school fiscal year, re-application shall be made in accordance with the rules of the Board.

C. *Leave Related to Domestic Violence*

1. An employee, who has been employed by the District for at least three (3) calendar months, may request and shall be granted up to three (3) days of unpaid personal leave within a twelve (12) month period if he/she 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 seek 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, he/she may request personal leave chargeable to sick leave provided that the employee is eligible to be on such leave or he/she may request annual (vacation) 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 thirty (30) calendar days prior to the election.

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.

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: 6/18/01**
REVISION DATE(S): 3/4/08; 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

PROFESSIONAL LEAVE 6.547*

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 thirty (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, and such leave shall be with compensation. 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. If the leave is in excess of five (5) days, the School Board's approval shall be required.

III. Professional leave during the post-school conference shall not be granted to a person who will not be returning the ensuing school year.

IV. Leave for both the post-school and pre-school conference periods shall be approved except where the applicant may need to attend two (2) sessions to complete work for a required degree and such would be to the advantage of the district.

V. Personnel who are employed annually for ten (10) months and who are assigned additional work during the summer program shall not be eligible for professional leave during the extra employment period.

VI. Personnel employed under contract for twelve (12) months may be granted three (3) 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 (2) years to exceed six (6) weeks or thirty (30) workdays.

VII. Professional leave for twelve (12) month personnel may be granted for work during summer sessions of a college or university; provided, that suitable arrangements are made for the person's duties.

VIII. 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 (3) 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.

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

LAWS IMPLEMENTED: **1001.43; 1012.66, F. S.**

STATE BOARD OF EDUCATION RULE: **6A-1.081**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

SICK LEAVE 6.548*

I. Personnel employed on a full-time basis shall be entitled to earn one (1) day of sick leave per month of employment. Such leave shall be cumulative from year to year, and any leave charged against accrued sick leave shall be with full compensation. Sick leave shall be credited as follows:

A. **Administrative and educational support personnel**. Such full-time employees shall be credited with four (4) days of sick leave at the end of the first month of employment of each contract year and shall thereafter be credited for one (1) day of sick leave for each month of employment.

B. **Instructional personnel.** Such full-time employees shall be entitled to four (4) days of sick leave as of the first day of employment of each current year, and thereafter is credited for one (1) day of sick leave at the end of each month of employment.

C. The total number of sick leave days earned shall be no more than one (1) day of sick leave times the number of months of employment during the year of employment.

D. Sick leave shall not be used prior to the time it is earned.

II. Accrued sick leave shall be taken only when the employee's service is interrupted by temporary disability which renders him/her incapable of performing his duties, or because of the illness or death of his/her father, mother, brother, sister, husband, wife, child, other close relative, or member of his/her own household. The term "temporary disability" as used herein shall include personal illness or injury and, in addition any temporary disability of the employee arising out of pregnancy, childbirth, miscarriage, abortion, or recovery therefrom which renders the employee physically incapable of performing assigned duties.

III. Any claim for sick leave shall be filed with the Superintendent, or his/her designee, within five (5) working days upon return of the employee to duty.

A. The claim shall be in writing and shall set forth the days absent and that such absence was allowable under the provisions of Florida Statutes. The claim shall be duly signed by the claimant certifying that the facts are true and correct and that the claim is valid and legal.

B. Where there is any doubt as to the validity of a sick leave claim, the Superintendent may require the claimant to file a written certification of

illness from a licensed physician or other supporting evidence where personal illness is not involved. Consequences of false claims for sick leave are as follows:

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. **Educational support 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 (1st) day of contractual service.

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

VII. 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.**

LAWS IMPLEMENTED: **1001.41; 1001.43; 1012.64; 1012.66, F. S.**

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04
FORMERLY:

CHAPTER 6.00 - PERSONNEL

USE OF SICK LEAVE BY FAMILY MEMBERS 6.5481

I. Any district employee may authorize the use of their accrued sick leave as follows:

A. As provided by any existing Sick Leave Bank provision.

B. Up to 30 days annually by his/her spouse, child, parent, or sibling who is also a District employee.

II. Sick Leave donated as provided in I.B. cannot be used until all of the individual's sick leave has been depleted, excluding sick leave from any existing Sick Leave Bank, if the recipient participates in a Sick Leave Bank.

III. Donated sick leave shall have no terminal pay value.

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

LAWS IMPLEMENTED: **1001.43; 1012.61, F.S.**

HISTORY: **ADOPTED: 5/7/2002**

REVISION DATE(S): 12/05/06; 8/17/2010

FORMERLY:

CHAPTER 6.00 - PERSONNEL

ANNUAL PAYMENT FOR SICK LEAVE 6.5482

The Board shall provide employees with the option of an annual payment for sick leave days accumulated during the school year under the following conditions:

I. A minimum balance of ten (10) days must be maintained at all times.

II. The maximum number of days eligible for purchase by the Board shall be in accordance with F. S. 231.40 (2) (a) 3.

III. The value of the sick leave days purchased shall be set at the employee's current daily rate of pay multiplied by 80%.

IV. All payments made under this section will be subject to federal income tax and social security tax.

V. Application letters must be submitted to the Finance Office prior to May 1 of each year and must include the total number of days requested. In calculating buyout pay, the collective bargaining agreement in effect at the time the employee elects the buyout provision will be used to determine the appropriate pay. Payment will be made on or after July 1, but no later than July 16 of the year in which the application is made.

VI. School Board will designate $15,000 annually from the terminal benefit fund to provide for this benefit. If the cost for the number of days applied exceeds that amount, the number of days for which individuals will be compensated will be prorated.

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

LAWS IMPLEMENTED: **1001.43; 1012.61, F.S.**

HISTORY: **ADOPTED: 5/7/2002**
REVISION DATE(S): 8/17/2010
FORMERLY:

TEMPORARY DUTY 6.55*+

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.

The Superintendent shall develop procedures and guidelines to implement this policy.

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

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

STATE BOARD OF EDUCATION RULES:

HISTORY:

ADOPTED: 6/18/2001
REVISION DATE(S): 3/4/08
FORMERLY:

CHAPTER 6.00 - PERSONNEL

TRANSPORTATION EMPLOYEE DRUG AND ALCOHOL TESTING 6.60*+

This policy is intended to deter the use of drugs and alcohol in the workplace by establishing standard procedures for drug and alcohol testing for all employees required to hold a Commercial Drivers' License (CDL).

Employers of persons performing safety sensitive functions and holding commercial drivers' licenses are required to implement a drug and alcohol testing program pursuant to the Omnibus Transportation Employee Testing Act of 1991 (OTETA), (Pub. L. 102-143, Title V), regulations of the Federal Highway Administration (FHWA) at 49 CFR Parts 40 and 382, and 1012.45, Florida Statutes.

I. Definitions as Used in This Policy

Prohibited Substances or Drugs means any illegal drug or substance as identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 USC §812) and by regulations at 21 CFR §§1308.11-.15, including, but not limited to, marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine. Prohibited use includes both use of any illegal drug, and misuse of legally prescribed or obtained prescription drugs.

Alcohol Use means the consumption of any beverage, mixture or preparation containing alcohol, including any medication or product.

Covered Employees means those School Board employees who are required to hold a commercial drivers' License as a condition of employment and in which a driver operates

- a vehicle designed to carry 16 or more passengers,
- a vehicle which weights more than 26,000 pounds, or
- a vehicle which carries a placard indicating hazardous cargo..

Program Manager means the staff person designated by the Superintendent as OTETA program manager.

Safety-sensitive function or *safety sensitive position* means all job responsibilities of a covered employee from the time he or she begins to work or is required to be in readiness for work until the time he or she is relieved from work.

Medical Review Officer or MRO means a physician with knowledge of substance abuse disorders and who has appropriate medical training to interpret and evaluate laboratory positive drug test results in a confidential manner, in conjunction with or without an individual medical history and any other relevant biomedical information, to determine alternative medical explanations for positive drug test results.

II. Treatment and Notice Requirements

A. Notice to Affected Employees – The Board will inform all covered employees prior to conducting drug and alcohol testing and provide the reasons for conducting the test(s). The Board will provide written notice of the required to covered employees.

B. Education and training – The Board will provide educational materials that explain the requirements of the program and its policies and procedures with respect to meeting the requirements.

C. Treatment Information – Each covered employee who engages in prohibited conduct shall be evaluated by a substance abuse professional who shall determine what assistance, if any, the employee needs to resolve problems associated with use of prohibited drugs or alcohol misuse. The employee is responsible for all costs associated with evaluation and/or treatment.

D. Self-referral – An employee with a substance abuse problem may refer to himself/herself to the Employee Assistance Program via the program manager at any time prior to receiving notice of a required alcohol or drug test. Such an employee will be granted a leave and be required to successfully complete a rehabilitation program prior to returning to a safety-sensitive position.

III. Prohibited Conduct

A. Prohibited Substance or Drugs – No covered employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance. The employee must provide advance notice to the supervisor of the use of prescribed therapeutic drugs that cause symptoms such as drowsiness and excitedness.

B. Alcohol - No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having a blood alcohol concentration of (BAC) of .02 or greater. The use of alcohol is prohibited during the duty day, and for four hours prior to reporting for duty. The consumption of alcohol is also prohibited for up to eight hours, or until tested, following an accident as described in post-accident testing below. While operating a vehicle, covered employees may not have any item in their possession which contains alcohol, unless that item is a part of the vehicle's official inventory. Alcohol-free medications are available, and covered employees should advise their physicians of the need for such substitutes.

C. Refusal to Test – No employee shall refuse to submit to a required test, delay reporting for a test, or attempt to adulterate test results. Any of the above shall be considered a positive test, in accordance with FHWA regulations, and a violation of this policy.

Medical Review Officer Contact – No employee may refuse to contact the MRO. All initial positive drug tests must be reviewed and confirmed by an MRO. The results are discussed with the employee prior to being reported to the district. If the MRO is unable to contact the employee, the program manager will be notified. When the employee is contacted by the program manager or a designee, the employee must call the MRO immediately.

IV. Consequences of Engaging in Prohibited Conduct

A. Removal from Work – Covered employees with a confirmed positive test for alcohol or controlled substances are in violation of Board policy and will immediately be removed from safety-sensitive positions, placed on leave without pay, and provided a list of substance abuse professionals (SAP). Upon submission of a written substance abuse treatment plan from a SAP, licensed physician or counselor and enrollment in an out-patient or in-patient treatment program, the employee may be granted paid leave, if accrued leave is available, after entering into a rehabilitation contract with the Board.

Failure to contact the MRO upon notification shall be considered a violation of this policy. The employee shall be removed from the safety-sensitive position and shall be subject to disciplinary action up to and including termination.

B. Rehabilitation Program, Return-to-Duty Test – Prior to returning to work the employee must provide written documentation of an evaluation by a SAP; the successful completion of a rehabilitation program, if recommended by the SAP; and a negative return-to-duty, alcohol and/or drug test.

C. Stand-down from Work – An employee with a BAC of .02 or higher shall be immediately removed from the safety-sensitive position for a minimum of twenty-four (24) hours and placed on leave without pay. Prior to returning to work, the employee must have a negative return-to-duty alcohol test.

D. Recommendation for Termination – Termination of employment will be recommended for any employee who

- fails to be evaluated by a SAP or fails to successfully complete a substance abuse rehabilitation program; or
- has a second positive test for alcohol and/or controlled or illegal substances; or
- fails to submit to any required alcohol or drug test.

V. Testing, Analysis, and Results

The Board intends to comply with all alcohol and controlled-substance testing procedures contained in 49 CFR Parts 382, 392, and 395. The School Board recognizes the need to protest individual dignity, privacy, and confidentiality in the alcohol and drug testing program. Specimen analysis shall be conducted in a manner to assure a high degree of accuracy and reliability, using laboratory facilities which are certified by the U.S. Department of Health and Human Services and the Florida Agency for Health Care Administration.

The following are conditions upon which testing may be conducted as required by Federal regulations or when circumstances warrant:

A. Pre-employment Testing – All applicants for employment for positions requiring a Commercial Driver's License (CDL) shall undergo testing prior to employment except as otherwise specified pursuant to 49 CFR §382.301(c). Written documentation must be provided by the candidate for employment to substantiate any exception.

B. Reasonable Suspicion Testing – A supervisor or designee outside the bargaining unit who has been trained in accordance with the requirements of FHWA regulations shall require a driver to submit an alcohol or drug test when the supervisor or designee has reasonable suspicion to believe that a driver has violated the prohibitions contained in the FHWA regulations and this policy.

Reasonable suspicion must be based on documented objective facts and circumstances which are consistent with the long- and short-term effects of alcohol or substance abuse, including, but not limited to, physical signs and symptoms, appearance, behavior, speech and/or body odor.

C. Post-accident Testing – Alcohol or drug testing will be administered following an accident when the driver was performing a safety-sensitive function. For this purpose, *accident* is defined by the FHWA to include at least one of the following criteria:

- Loss of human life;
- Driver received a citation from a law enforcement officer and either a driver or passenger received immediate medical treatment away from the scene of the accident; or
- One of the vehicles involved was to be towed from the scene of the accident due to operational impairment.

Such testing must be conducted within the time limits set forth in the FHWA regulation.

D. Random Testing – All Covered employees shall be subject to random, unannounced drug and alcohol testing. The annual random rate for alcohol testing shall be twenty-five percent (25%) of the covered employees. The annual random rate for controlled substance testing shall be fifty percent (50%) of the covered employees.

Alcohol testing shall take place before, during, or after driving, and within reasonable proximity to driving. When an employee tests positive for alcohol, a second test shall be performed no less than fifteen (15) minutes and not more than (20) minutes later. The results of the second test shall be controlled. Drug testing may take place at any time during the Board's regular work day.

E. Follow-up Testing – Unannounced follow-up alcohol and/or controlled substance testing as directed by a SAP in accordance with FHWA regulations shall occur when it is determined that a covered employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of drugs. The number and frequency of follow-up testing shall be determined by the SAP, with a minimum of six (6) tests within a year.

F. Split Sample Test – An employee who tests positive for a controlled substance may request that a test of the split sample be conducted. The second test will be conducted by a different laboratory, as selected by the employee from a list provided by the Board. The employee shall be responsible for pre-payment of the second test by certified check or money order. However, in the event the second test is negative, the Board will reimburse the employee. If performed, the second test shall be controlling.

All drug testing with the exception of employee requested tests, shall be at the expense of the School Board.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/19/2005
FORMERLY:

SCHOOL BOARD EMPLOYEES WITH HIV, AIDS, OR OTHER COMMUNICABLE DISEASES 6.61+

I. It is the School Board's intent to protect employees from exposure to infectious diseases and from risk occasioned by infectious diseases and environmental hazards and to provide reasonable accommodations to infected 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. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need to know.

V. School Board employees shall receive and review procedures governing immunization against Hepatitis B infection, HIV, AIDS, bloodborne pathogens, other communicable disease, and environmental hazards.

VI. 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 employees who pose a threat of transmitting a bloodborne health condition shall be developed.

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

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

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

HISTORY:

ADOPTED: 12/05/06
REVISION DATE(S): 3/4/08
FORMERLY:

AIDS, BLOODBORNE PATHOGENS, AND ENVIRONMENTAL HAZARDS 6.62+

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

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

LAWS IMPLEMENTED: **381.0098; 1001.43; 1012.27; 1013.12, F. S.**

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

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 12/19/2005
FORMERLY:

CHAPTER 6.00 - PERSONNEL

STAFF TRAINING 6.70

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

Various types of inservice training programs shall be approved by the School Board to assist personnel in the performance of their assigned duties by improving their competencies, knowledge, and skills. After establishing programs, staff members who are involved in that particular type of work shall attend the training session unless excused from attendance by the principal or immediate administrative supervisor.

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

LAWS IMPLEMENTED: **1001.43; 1012.22; 1012.27; 1012.38; 1012.98; 1012.985, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

INSERVICE TRAINING ON AIDS AND ARC FOR EMPLOYEES 6.701

District employees shall receive inservice training on Acquired Immune Deficiency Syndrome (AIDS) and Acquired Immune Deficiency Syndrome –related complex (ARC). The training shall include transmissibility of the disease, precautions to be taken to prevent spread of the disease, and other factual and timely information about the disease from a legal, research, public health, and related perspective. Relevant material concerning AIDS or ARC shall be distributed to employees.

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

LAWS IMPLEMENTED: **1001.43; 1012.38, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

EPA TECHNICIAN CERTIFICATION PROGRAM 6.702

It shall be the policy of the Holmes County School Board to only employ technicians who have taken and passed an EPA approved technician certification program. These are the only employees of the school board authorized to use or handle restricted refrigerants as outlines in the Clean Air Act of 1990, as amended (CAA) including final regulations published May 14, 1993 (58 FR 28660).

It shall also be the policy of Holmes County School Board to prohibit the illegal venting of refrigerants and require all refrigerants be recovered, recycled, and reclaimed as outlines in the Clean Air Act of 1990, as amended (CAA).

The technician shall sign an affidavit attesting to his/her compliance with the following statement:

> Having taken the EPA approved technician certification program test, and having passed it, I fully understand the safe and legal handling of refrigerants and will abide by this policy and the Clean Air Act of 1990, as amended (CAA). In testament of this I give my signature.

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

LAWS IMPLEMENTED: **1001.43; 1012.38; 1012.27, F.S.**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

PROFESSIONAL ORIENTATION PROGRAM 6.703

The School Board shall adopt a Professional Orientation Program (POP) as prescribed by Florida Statutes and State Board of Education Rule 6A-5.075. Individuals who have successfully completed the POP shall have the same re-employment rights as other teachers on probationary service.

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

LAWS IMPLEMENTED: **1001.43; 1012.38; 1012.56, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CONFERENCE AND PLANNING DAYS FOR ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL 6.704

During any school year, there shall be one hundred eighty (180) days of instruction for students and not less than eleven (11) additional days for pre-school and post-school conference and planning days. The distribution of days between pre-school and post-school conference sessions and planning days shall be prescribed by the Superintendent and approved by the School Board. All administrative and instructional staff members are required to attend all

I. Pre-school and post-school conference sessions and planning days. Any person not attending such sessions without authorized leave may have his/her contract terminated as provided by Florida Statutes or shall have his/her salary reduced according to the number of days of service required under his/her contract.

II. Meetings called by the Superintendent at his/her discretion.

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

LAWS IMPLEMENTED: **1000.01; 1011.60, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

WHISTLEBLOWER PROTECTION 6.75

I. This policy shall be known as the Whistleblower Protection Policy.

II. 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.

III. 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.

IV. 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.

V. 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: 12/05/06**
REVISION DATE(S):

FORMERLY: NEW

NAME AND ADDRESS OF EMPLOYEE 6.80

I. Any employee who changes his/her name or address shall notify the human resources department within ten (10) days after a change of name or address.

II. Any employee who is required to have a Florida Educator Certificate or other license or certificate shall maintain the license or certificate in his/her legal name.

III. Any employee who is a certificated educator is responsible for maintaining his/her current name and address with the Department of Education. The Department of Education shall be notified in writing or electronically of any changes of name and/or address.

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

LAW(S) IMPLEMENTED: **1001.43, 1012.561, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S):
FORMERLY:

NURSING MOTHERS 6.85+

I. Under the provisions 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.**

LAW(S) IMPLEMENTED: **383.015, 1001.43, 1012.23, F.S.**
Fair Labor Standards Act of 1938 (29 USC 207, Section 7)

HISTORY: **ADOPTED: 8/07/2012**
REVISION DATE(S): _____
FORMERLY:

SOCIAL SECURITY NUMBERS 6.88*

I. Collection

A. Social security numbers shall be collected only when allowed by law or when necessary for the performance of the school system's duties.

B. The District shall collect the social security number of each applicant and employee for the following reasons:

1. Identification and verification;

2. Benefit processing;

3. Data collection;

4. Tax reporting; and

5. Criminal background checks.

C. The District may also use the social security number for search purposes.

II. Notification

The District shall notify each applicant and employee of the reasons for which his/her social security number may be collected. Such notification shall include the specific law governing the collection, use or release of a social security number and whether the collection of social security numbers is authorized or mandatory under law.

III. Review

The Superintendent shall review the collection of social security numbers to ensure that the reasons for collection and the process for collection and maintenance are consistent with Florida Statutes. The Superintendent shall report his/her findings as required by law.

IV. Confidentiality

A social security number shall be considered confidential and exempt from public inspection in accordance with Florida Statutes. Social security numbers may be

disclosed to another agency or governmental entity if it is necessary for the receiving entity to perform its responsibilities.

V. Release to Commercial Entities

A. Social security numbers may be released to a commercial entity as allowed by law. The commercial entity must state the reason for requesting the social security numbers.

B. The District, as required by law, shall annually report the identity of all commercial entities that have requested social security numbers during the preceding year and the reasons for the requests. If no requests have been received during the preceding year, the District shall report that information.

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

LAW(S) IMPLEMENTED: **119.071, 1001.43, 1012.23, F.S.**

HISTORY:

ADOPTED: 3/04/2008
REVISION DATE(S): 8/17/2010
FORMERLY:

CHAPTER 6.00 - PERSONNEL

PERSONNEL FILES 6.90

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

I. A personnel record shall be maintained by the Superintendent on each employee. The record shall include:

   A. Application for employment

   B. References

   C. Annual evaluations

   D. Letters of commendation, reprimand, etc.

   E. Data substantiating placement on the salary schedule (education, official transcripts, experience, etc.)

   F. Teaching certificate, if applicable

   G. Any other pertinent data.

II. Except for materials pertaining to work performance or other matters that may be cause for discipline, suspension or dismissal under laws of this state, no derogatory materials relating to an employee's conduct, service, character, or personality shall be placed in the personnel file of such employee. No anonymous letter or anonymous materials shall be placed in the personnel file.

III. Materials relating to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.

   A. No such materials may be placed in a personnel file unless they have been reduced to writing within forty-five (45) days, exclusive of the summer vacation period, of the administration becoming aware of the facts reflected in the materials.

   B. Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify as needed. A copy of such materials to be added to an employee's

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

C. The employee's signature on a copy of materials to be filed in the employee's personnel file signifies receipt and does not necessarily indicate agreement with its content. The employee will be afforded every right as outlined in Florida Statutes.

IV. Personnel files, regardless of their location in the school system, are open to inspection pursuant to Florida Statutes, except as follows:

A. Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential until the conclusion of the preliminary investigation, or until such time as the preliminary investigation ceases to be active as defined in Florida Statutes.

B. Employee evaluations prepared pursuant to Florida Statutes, rules adopted by the State Board of Education, or a local School Board shall be confidential until the end of the school year immediately following the school year during which each evaluation is made. No evaluations prepared prior to July 1, 1983, shall be made public.

C. No material derogatory to the employee shall be open to inspection until ten (10) days after the employee has been notified pursuant to (3)(b) of this rule.

D. The payroll deduction records of the employee shall be confidential.

E. Employee medical records, including medical claims, psychiatric and psychological records, shall be confidential; provided however, at any hearing relative to an employee's competency or performance, the hearing officer or panel shall have access to such records.

F. Any information in a report of injury or illness filed pursuant to Florida Statute that would identify an ill or injured employee.

V. Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be open to inspection at all times by School Board members, the Superintendent and the principal or their respective designees, in the exercise of their respective duties.

VI. Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

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

LAWS IMPLEMENTED: **112.08(7); 441.85(10); 1001.43; 1008.24; 1012.31, F.S.**
34 CFR 99 (FERPA); 45 CFR 164 (HIPAA)

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04; 1/20/2015
FORMERLY:

CHAPTER 6.00 - PERSONNEL

NAME AND ADDRESS CHANGES OF STAFF MEMBERS 6.901*

I. Any employee who changes his/her name shall apply immediately to the Bureau of Educator Certification, Florida Department of Education, to change the name on the certificate. This requires submission of an application form and a fee to the Bureau of Teacher Certification of the Florida Department of Education. This form may be obtained from the Office. The employee shall be expected to use his/her legal name in dealing with the School Board and other professional agencies.

II. The staff member shall keep the Superintendent's Office informed of his/her current address.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

SALARY SCHEDULES 6.91*

I. All personnel shall be paid in accordance with salary schedules as adopted by the School Board.

II. All salary schedules and their implementation shall comply with the requirements of Florida Statutes.

III. Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1938, as amended, and who is required to work in excess of forty (40) hours in any work week, shall be compensated for the hours in excess of forty (40) at the rate of one and one-half (1½) times the regular rate of pay for the service performed or shall be provided compensatory time.

IV. Any employee working beyond his/her designated total weekly hours without prior permission of the Superintendent through the principal or supervisor may be subject to disciplinary action.

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

LAW(S) IMPLEMENTED: **1001.43, 1011.60, 1012.221012.27; 1012.55, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.052**

HISTORY:
ADOPTED: 12/05/06
REVISION DATE(S): 08/07/2012
FORMERLY:

CHAPTER 6.00 - PERSONNEL

PERFORMANCE PAY 6.911

The board shall annually include in the budget a reserve to fully fund an additional 5 percent supplement on the individual salaries for school administrators and instructional personnel who demonstrate outstanding performance as measured under F.S. 231.29. This performance pay plan is subject to negotiation as provided in chapter 447, F. S.

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

LAWS IMPLEMENTED: **1001.43; 1012.6 1, F.S.**

HISTORY: **ADOPTED: 7/2/2002**
REVISION DATE(S):
FORMERLY:

CHAPTER 6.00 - PERSONNEL

TERMINAL PAY 6.912

The School Board shall provide terminal pay for accumulated sick leave to any District employee at the time of retirement, death or separation with 20 years service. When termination of employment is by the employee's death, any terminal pay to which the employee may have been entitled may be paid to his/her beneficiary. To be entitled to terminal pay benefits, the employee shall have been under contract to render service for the period immediately preceding separation or death, and shall not be under suspension from duty or have any charges pending which may have resulted in dismissal from employment. Such terminal pay shall not exceed an amount determined as follows:

During the first three (3) years of District service, the daily rate of pay shall be multiplied by thirty-five percent (35%) times the number of accumulated sick leave days.

During the next three (3) years of District service, the daily rate of pay shall be multiplied by forty percent (40%) times the number of accumulated sick leave days.

During the next three (3) years of District service, the daily rate of pay shall be multiplied by forty-five percent (45%) times the number of accumulated sick leave days.

During the next three (3) years of District service, the daily rate of pay shall be multiplied by fifty percent (50%) times the number of accumulated sick leave days.

After the twelfth (12th) year of District service, the daily rate of pay shall be multiplied by one hundred percent (100%) times the number of accumulated sick leave days.

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

LAWS IMPLEMENTED: **1001.43; 1012.61, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-1.052**

HISTORY: **ADOPTED: 5/7/2002**
REVISION DATE(S): 7/2/2002; 8/17/2010
FORMERLY:

LUMP-SUM PAYMENT OF VACATION LEAVE 6.913

A staff member who is employed on a regular or full-time basis for twelve (12) calendar months may be entitled to a lump-sum payment for his/her accrued vacation leave upon termination of employment, transfer to less than a twelve (12) month position within the District, or normal retirement. Normal retirement as used herein means retirement with either full or reduced benefits as provided by Florida Statutes; it does not include disability 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.

I. The employee may choose to receive a lump-sum terminal payment of accrued vacation leave with the final salary warrant or extend his/her employment status through the last day of accrued vacation leave.

II. Payment shall be the daily rate of pay at the time of termination, transfer, retirement, or death.

III. The employee shall have been employed by the District at the time of termination, retirement or death.

IV. No employee shall be paid for more than 48 days of annual leave.

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

LAWS IMPLEMENTED: **1001.43; 1012.65, F. S.**

HISTORY: **ADOPTED: 5/7/2002**
REVISION DATE(S): 9/20/2004
FORMERLY:

HEALTH INSURANCE PREMIUMS 6.92

I. The School Board may pay an employee's normal health insurance contribution as provided herein.

A. The health insurance premium for one (1) month may be paid when an employee enters a nonpay leave status. The employee shall be provided an opportunity to continue the total health insurance payment, after the School Board's one (1) month contribution, for a period not to exceed twelve (12) months while on nonpay leave status.

B. The health insurance premium may be paid when an employee enters a non-pay 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 workers' compensation case through regular channels.

C. Any employee who is on unpaid sick leave or unpaid approved family leave will receive up to a maximum of twelve (12) weeks of Board portion of health insurance per insurance fiscal year. This rule is in compliance with the Family and Medical Leave Act of 1993. 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 Section 250.341, Florida Statutes.

III. The School Board shall not pay the contribution for dependents who are included in the employee's health insurance premium. This contribution shall be paid by the employee.

IV. Retired School Board personnel and their eligible dependents may continue to participate in the current group health insurance program of the District provided the person enrolls immediately upon retirement from active employment with the School Board and continues coverage without interruption. Retirement shall mean application for and receipt of retirement benefits under any Florida Retirement System plan. An employee who retires under the Public Employee Optional Retirement Program (PEORP) shall be considered a retiree if he/she

meets the age and service requirements defined in 112.0801, F.S. 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: 6/18/01**
REVISION DATE(S): 12/05/2006; 3/4/08; 8/17/2010
FORMERLY:

DISTRIBUTION OF DIRECTORIES FOR EMPLOYEES 6.93

Directories of employees shall be distributed, or made available, only to authorized agencies and not to individuals or private business concerns.

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

LAWS IMPLEMENTED: 112.0801; 250.341; 340.33; 1001.43, F.S.

HISTORY: ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

CHAPTER 7.00:

BUSINESS SERVICES

CHAPTER 7.00 - BUSINESS SERVICES

SCHOOL BUDGET SYSTEM 7.10+

I. The Superintendent shall prepare and maintain annual District budget in the matter prescribed by the State Board of Education. In formulating the budget, the Superintendent shall take into consideration the immediate and long range needs of the District's school system and student achievement data obtained pursuant to Florida Statutes. The Superintendent shall submit the proposed annual budget to the School Board for review. The School Board shall adopt a balanced budget in accordance with Florida Statutes and submit it to the State on or before the date prescribed in State Board of Education rules or established by the Commissioner.

II. In order to ensure appropriate preparation and management of the District budget, the Superintendent or designee is authorized to develop and implement appropriate budgetary accounting and record keeping procedures consistent with mandatory federal and state laws, rules, and regulations and with School Board rules. Such procedures shall be consistent with good business practice.

III. Expenditures shall be in accordance with state law and rules of the State Board of Education.

IV. The tentative budget, the adopted budget, and any amended budget(s) shall be posted on the District's official website as required by law.

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

LAWS IMPLEMENTED: **1001.43, 1008.385, 1010.01, 1010.04, 1011.01 – 1011.18, F.S.**

STATE BOARD OF EDUCATIONS RULES: **6A-1.002, 6A1.004, 6A-1.006, 6A-1.007, 6A-1.0071**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003, 12/19/2005, 3/4/2008; 8/07/2012
FORMERLY:

ACCOUNTING AND CONTROL PROCEDURES 7.20*+

I. The financial records and accounts of the School Board shall be kept by the Superintendent on forms and in the manner prescribed by State Board of Education rules. If such forms are not prescribed by State Board of Education rules or Florida Statutes, a uniform system shall be established by the School Board.

II. The Superintendent shall submit to the School Board a financial statement for each month of the school fiscal year. The format of the statement shall be approved by the School Board and shall include a cumulative report to date of all receipts and expenditures for the school fiscal year.

III. Fund balances shall be classified and reported in accordance with the Governmental Accounting Standards Board (GASB) Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions*.

IV. The Superintendent shall submit to the School Board a list of personnel authorized to execute the electronic transmission of funds.

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

LAW(S) IMPLEMENTED: **215.85, CHAPTER 668, 1001.43, 1001.51, 1010.11, 1011.60, 1011.62, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.001**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/03/2003; 12/19/2005; 3/4/2008; 8/07/2012;5/21/2013
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

EDUCATIONAL ENHANCEMENT (LOTTERY) FUNDS 7.30*

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 or as required to be distributed by state law, and consistent with proviso language included in the annual state appropriation bill or other state requirements.

II. 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 services, programs, or distribution as may be required or permitted by state law or regulations. Such services or programs shall be identified during the annual budget adoption process by the Board.

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.**

LAWS IMPLEMENTED: **1001.43; 1011.62, F. S.**
ANNUAL STATE APPROPRIATIONS ACT

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003, 6/21/04; 8/17/2010
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

SCHOOL FOOD SERVICE FUNDS 7.31*+

School food service funds shall be considered Special Revenue funds, but shall be subject to all requirements applicable to the District School Fund such as budgeting, accounting, reporting, and purchasing unless specific requirements are established by Federal or State laws, rules, or regulations.

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 and State Department of Agriculture and Consumer Services rules.

VII. The Board shall annually adopt prices charged to students and adults who participate in the food services program.

VIII. The Superintendent shall develop written procedures for conducting the District's food Service program.

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

LAWS IMPLEMENTED: **570.981;1001.43;1010.05; 1010.20, F.S.**
STATE BOARD OF EDUCATION RULES: **6A-1.001, 6A-1.085, 6A-1.087 6A-1.091**

STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES RULE(S): **5P-1.003**
HISTORY: **ADOPTED: 8/03/2009**
REVISION DATE(S): 5/21/2013
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

INTERNAL FUNDS 7.32*

I. Definition

Internal funds are defined as all monies collected and disbursed by school 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. As used in this rule, *school* shall also mean a district department and *principal* shall mean a department head.

II. Administration.

Internal funds shall be classified in accordance with the several activities of the school having funds. Depositories may be established using any institution authorized to hold public funds. When a depository balance exceeds the insurance protection or other legal collateral limits as set by Federal law, an additional account or accounts shall be opened in another institution.

III. Responsibilities.

A. The School Board will:

1. Require that written procedures and rules governing the receipt, use, and accounting of internal funds be developed and approved by the Board and are consistent with state law and regulations.

2. Require that its written policies relating to internal funds be enforced.

3. Require that internal funds be used for legal public purposes.

4. Provide fidelity bonds for employees responsible for such funds.

5. Provide for an annual audit of internal funds by a qualified auditor.

B. The Superintendent shall administer all rules and policies established by the School Board relating to internal funds.

C. The principal shall:

1. Be held accountable for the handling of all phases of internal accounting in his/her school.

2. Use a uniform system of accounting as directed by the Superintendent.

3. Submit to the Superintendent or designee monthly and annual reports of internal funds.

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

LAWS IMPLEMENTED: **1001.43; 1011.07; 1011.18, F. S.**

STATE BOARD OF EDUCATION RULES: **6A-1.001; 6A-1.085; 6A-1.087; 6A-1.091**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

PETTY CASH FUNDS 7.33*

The Superintendent may establish petty cash funds for his/her office, each District department, and each school. Petty cash funds shall be used for operating expenses in accordance with State Board of Education rules and provisions described herein.

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 three hundred dollars ($300.00) for the Superintendent's office, each District department and two hundred dollars ($200.00) for each school.

IV. An itemized receipt for each expenditure shall be kept to receive reimbursement.

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

LAW(S) IMPLEMENTED: **1001.43, 1011.07, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.087**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S): 8/07/2012
FORMERLY:

HOSPITALITY FUNDS 7.34

The Superintendent may authorize expenditures for purposes of promotion, public relations activities and hospitality, as set forth herein. Such expenditures are restricted as to the source of funds, amount of annual expenditures and conditions for expenditures, as set forth herein and as limited by law or regulations.

I. Expenditures may include promotion and public relation activities and hospitality of business quests provided they will directly benefit or are in the best interest of the District.

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.**

LAWS IMPLEMENTED: **1001.43; 1010.08, F. S.**

STATE BOARD OF EDUCATION RULES: **6A-1.0143**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

INVESTMENT OF FUNDS 7.35

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. Financial deposit instruments insured by the Federal Deposit Insurance Corporation (FDIC);

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 Section 218.415, Florida Statutes or its successor and amendments thereto. 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: 6/18/2001**
REVISION DATE(S): 6/18/2002; 8/17/2010
FORMERLY:

INDEBTEDNESS CREATED AGAINST A SCHOOL OR THE SCHOOL BOARD 7.36

Any school employee or other person shall be personally liable for creating any bill of indebtedness against a school or against the School Board unless authority exists under duly adopted policy of the School Board or unless authorized in writing by the Superintendent. Any employee violating the provisions of this rule shall be subject to cancellation of his/her contract or dismissal from employment.

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

LAWS IMPLEMENTED: **1001.43; 1012.22, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

BONDED PERSONNEL 7.37*

Each Board member, the Superintendent and any employee of the School Board who is responsible for school funds or property shall be placed under a bond or insured in an amount to be determined by the School Board as provided in State Board of Education rules.

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

LAWS IMPLEMENTED: 112.08; 1001.42(10)(H); 1001.43; 1010.07, F.S.

STATE BOARD OF EDUCATION RULE: 6A-1.0692

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S):6/21/04
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

FACSIMILE SIGNATURE 7.38

I. In accordance with Florida Statutes, the Superintendent and the chairperson of the School Board, after filing with the Department of State, his/her manual signature certified by him/her under oath, may execute or cause to be executed with a facsimile signature in lieu of his/her manual signature:

A. Any public security as permitted by Florida Statutes.

B. Any instrument of payment.

C. Any official order, proclamation, instrument of conveyance, or resolution, provided, however, that the same has been authorized by said School Board and such authorization be reflected in the minutes thereof.

D. Contracts with school personnel.

II. Definitions as used in this policy are as follows:

A. Public security means a bond, note, certificates of indebtedness, or other obligation for the payment of money, issued by the Board.

B. Instrument of payment means a check, draft, warrant, or order for the payment, delivery, or transfer of funds.

C. Instrument of conveyance means an instrument conveying any interest in real property.

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

III. The vice-chairperson shall have no authority to sign warrants or school documents except when he/she is required to assume the duties of the chairperson; in which case he/she shall be legally empowered to sign warrants and other legal documents as the chairperson would be empowered to sign.

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

LAWS IMPLEMENTED: **116.34; 1001.43, F.S.**
HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 8/07/2012; 09/01/2015
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

FUND-RAISING FOR SCHOOL PROJECTS AND ACTIVITIES 7.40

All fund-raising projects and activities by schools or groups within the school shall contribute to the educational and extracurricular experiences of students and shall not be in conflict with 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 prescribed by School Board rules and State Board of Education rules.

II. Each school shall continuously evaluate its fund-raising projects and extracurricular activities of the school program, the promotion of education experiences, the time involved for students and teachers, and the additional demands made on the school community.

III. The determination of the fund-raising projects and activities for a school shall be the principal and the staff's responsibility, and shall conform to the following conditions and any directives by the Superintendent.

   A. Fund-raising activities and projects within all schools shall be kept within a reasonable limit. Before approving any project or activity, the principal shall require full justification of the need and explanation of the manner in which the funds will be expended.

   B. 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. Students may not sell any 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 Principal's or designee's approval. The Principal or designee 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 in compliance with the provisions of the State Board of Education rules.

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

LAWS IMPLEMENTED: **1001.51; 1006.02; 1010.01, 1011.07, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-1.085; 6A-7.042**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04
FORMERLY:

PAYMENT OF VOUCHERS/INVOICES 7.50

Expenditures for payment of vouchers and invoices shall be made by warrants or electronic transfers of the School Board. Authorization for such payments shall be deemed approved by the Board if within amounts approved in the Board-adopted District budget or amendment thereto. In cases of expenditures exceeding approved purchasing limits, specific School Board approval is required and shall be reflected in School Board minutes. Approval of individual warrants themselves by the School Board shall not be required.

Payment for purchases and services shall be made in a timely manner as set forth in chapter 218, Florida Statutes.

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

LAWS IMPLEMENTED: **218.72-75; 1001.43; 1001.51; 1011.06, F.S.**

HISTORY: **ADOPTED: 5/7/2002**
REVISION DATE(S): 6/21/04
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

PAYROLL PROCEDURES 7.51

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.

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 payroll deduction for an employee beyond those required by Florida Statutes shall have the Superintendent's approval and shall be made only upon the written request of the employee. Such deductions shall not be granted to any group or organization with a membership of less than twenty-five employees. An authorized payroll deduction may be initiated during any fiscal year in which the group or organization deduction authorization and the written request of the employee(s) are in the district office on or before the date established as the final date for the initiation of employee deductions.

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 group 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.

XI. In the event of an error in payment to an employee resulting in the underpayment of the employee for a period of at least 90 days, payment will be made to the employee correcting the underpayment. Interest at the rate of 8% will be calculated and payable to employee starting on the first day of underpayment.

XII. There shall be no payroll deductions permitted in violation of section 106.15, Florida Statutes.

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

LAWS IMPLEMENTED: **106.15; 1001.43; 1011.60; 1012.22, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/03
FORMERLY:

TRAVEL EXPENSE REIMBURSEMENT 7.52*+

Authorized travel for officers and employees of the School Board shall be reimbursed as follows:

I. Authority to incur traveling expenses

A. All travel by employees and authorized persons must be authorized and approved by the Superintendent or a designated representative. The Superintendent shall not authorize or approve such a request unless it is accompanied by a signed statement by the traveler's supervisor stating that such travel is on the official business of the School District and also stating the purpose of the travel.

B. Traveling expenses of public officers shall be limited to those expenses necessarily incurred by them in the performance of a public purpose authorized by law and must be within the limitations prescribed by Florida Statutes.

II. In-District travel

A. Expenses for authorized travel by an employee, authorized person, or public officer, if he/she has not been assigned a car owned by the School Board, may be paid for the use of his/her personal car while used in travel on school business within the district with mileage reimbursed at School Board adopted rates of 47 cents per mile unless otherwise required by State.

B. Where the monthly flat rate is used, the person shall submit detailed monthly mileage reports for the months of October and April each year to determine an average mileage for computing the monthly payment.

C. For the initial implementation of the flat monthly rate of payment, the two (2) most current and detailed mileage reports submitted shall be used to determine an interim rate until the average mileage as provided above can be established. The payments for November and May will be adjusted for any increases or decreases. If no mileage reports have been submitted, an estimated rate not to exceed fifty dollars ($50.00) may be used until the two (2) typical months of mileage reports can be submitted. For succeeding fiscal years, the average rate as determined above shall be used until a new average is established.

III. Out-of-District travel

A. One-day trips – Expenses for authorized travel by employees, authorized persons, or public officers, on school business which does not require an overnight stay shall be reimbursed at 47 cents per mile unless otherwise required by state law and the scheduled amount for meals.

B. Overnight trips – Expenses for authorized travel by employees, authorized persons, or public officers on school business requiring absence in excess of one (1) day shall be reimbursed for travel and per diem at the rate of $.47/mile and $6.00 breakfast, $10.00 lunch, $20.00 dinner.

IV. When more than one (1) employee is going to the same destination, travel shall be pooled when such is practical.

V. Where a common carrier is used, reimbursement will be made only for the most economical class. The expense of common carrier travel may be processed through the District office on a purchase order or by copies of paid bill(s) attached to the employee's travel voucher.

VI. Reimbursement may be requested for tolls, taxis, registration fees, and limousine service, storage or parking, and communication expense when properly documented. No reimbursement may be authorized for gratuities. Reimbursement for registration fees shall be reduced by the value of any lodging or meals which are included if such items are claimed elsewhere for reimbursement.

VII. Out-of-state travel – Actual expenses for authorized travel by employees, authorized persons, or public officers not to exceed the single occupancy rate shall be reimbursed for lodging and the scheduled amount for travel and meals as established for out of District travel.

VIII. The Superintendent or designee is authorized to approve monetary advances for anticipated travel expenses for persons who are traveling on the School Board's behalf and whose responsibilities require extensive travel from the District. The financial advancement shall not exceed eighty percent (80%) of the anticipated cost of each trip.

IX. The Superintendent or designee shall develop procedures which detail travel reimbursement claims and restrictions. Such procedures shall be the same regardless of funding source.

X. Violations or abuse of District travel policies and/or procedures shall be a basis for employee discipline.

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

LAWS IMPLEMENTED: **112.061; 1001.39; 1001.43, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-1.056**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):12/15/201612/19/2005; 02/07/2005; 09/01/2015
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

AUDITS 7.60*

I. District Audits

A. Periodic audits shall be made of accounts, records, financial practices, and program elements of the District pursuant to Florida Statutes and State Board of Education rules.

B. The School Board may select an independent auditor to perform audits of the District when the Auditor General advises a financial audit will not be completed within the twelve (12) month period immediately following the fiscal year or if otherwise deemed needed by the School Board.

1. The School Board shall establish an audit committee as required by Florida Statutes. The primary role of the committee shall be to assist in selecting an auditor to conduct the annual financial audit.

2. Selection of the auditor shall be pursuant to provisions in Section 218.391, Florida Statutes.

3. The certified public accountant who coordinates the financial audit shall have completed twenty-four (24) hours of inservice training in government or governmental auditing as approved by the Board of Accountancy within the last three (3) years.

4. At the conclusion of the audit field work, the preliminary findings shall be discussed with the Superintendent or designee. The auditor's comments shall reflect items which are intended to be included in the final audit report.

C. Other auditors may be selected as permitted by law.

II. Audits of Internal Accounts

A. Each principal shall report in writing to the auditor of internal accounts within ten (10) days of receiving an audit report. The written report shall address the audit report and any discrepancies cited therein.

B. The Superintendent may direct an audit of a school's internal accounts without prior notification. Such audits may be conducted by a School Board employee or an independent accounting firm.

III. Nonfinancial audits shall be conducted by persons or entities qualified to conduct audits of the program, functions, or 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.**

LAWS IMPLEMENTED: **11.45; 218.39; 218.391; 1001.42; 1001.43; 1008.35; 1011.07, F. S.**

STATE BOARD OF EDUCATION RULE: **6A-1.087**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 5/7/2002; 12/05/06
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

ANTIFRAUD 7.65+

I. The School Board of Holmes County will not tolerate fraud or the concealment of fraud.

II. This policy applies to any fraud, suspected or observed, involving District employees, outside support organizations, vendors, contractors, volunteers, outside agencies doing business with the School Board and any other persons or parties in a position to commit fraud on the School Board.

III. Fraud includes, but is not limited to, knowingly misrepresenting the truth or concealment of a material fact in order to personally benefit or to induce another to act to his/her detriment.

Actions constituting fraud include but are not limited to

A. Falsifying or unauthorized altering of District documents.

B. Accepting or offering a bribe, gifts or other favors under circumstances that indicate that the gift or favor was intended to influence an employee's decision-making.

C. Disclosing to other persons the purchasing/bidding activities engaged in, or contemplated by the District in order to give any entity, person or business an unfair advantage in the bid process.

D. Causing the District to pay excessive prices or fees where justification is not documented.

E. Unauthorized destruction, theft, tampering or removal of records, furniture, fixtures or equipment.

F. Using District equipment or work time for any outside private business activity.

IV. Any perceived fraud that is detected or suspected by any staff member or other person shall be reported immediately to Human Resource Services for guidance as to whether pursuit of an investigation is warranted. The obligation to report fraud includes instances where an employee knew or should have known that an incident of fraud occurred. Any investigation required shall be conducted without

regard to the suspected wrongdoer's length of service, position/title, or relationship. Investigations shall be conducted in a confidential manner.

V. Violation of this policy may result in disciplinary action, termination of employment, termination of contract or legal action.

VI. The Superintendent or designee shall develop procedures to implement this policy. Procedures shall include but not be limited to

A. Employee notification and education;

B. Self-assessment of risk of fraud;

C. Reporting suspected or detected fraud;

D. Investigation of fraud;

E. Consequences and disciplinary action.

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

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

HISTORY: **ADOPTED: 12/05/2006**
REVISION DATE(S): 8/07/2012
FORMERLY: NEW

CHAPTER 7.00 - BUSINESS SERVICES

PURCHASING AND BIDDING 7.70*

The School Board recognizes that maximum economy and efficiency are best achieved through a centralized purchasing function, which includes warehousing and distribution. All purchases of materials, supplies, equipment and services that are paid from School District funds shall be the responsibility of the Director of Purchasing under the general supervision of the Superintendent. All Florida Statutes, State Board of Education rules, School Board rules and administrative procedures shall be carefully observed in making any purchases. The District shall recognize purchasing terms as defined by law and rule. The payment of any unauthorized purchases shall be the sole responsibility of the person placing the order.

I. Purchases

All purchases made from School District funds, including approved state online procurement, shall be in accordance with all applicable Florida Statutes, State Board of Education rules, State Department of Agriculture and Consumer Services rules, School Board rules, and administrative procedures. In case of emergency, the Director of Purchasing is authorized to take necessary steps to procure the materials, supplies, equipment and services as necessary after appropriate administrative approval.

Emergency purchases exceeding the dollar limit for formal bids must be accompanied by written authorization from the Superintendent and must be submitted to the School Board for review at its next regular meeting.

II. Competitive Bids

The Director of Purchasing shall be responsible for continually estimating the needs of the school system and making quantity purchases accordingly. Standard lists of supplies and equipment shall be developed in all areas possible. All purchases where the item or group of items exceeds the amount stipulated in State Board of Education rules shall be made on the basis of competitive sealed bids, except in emergencies as provided herein.

III. Quotations

When deemed appropriate, the Director of Purchasing will obtain multiple competitive quotations for items costing two thousand dollars ($2,000.00) or

more, and less than the amount specified in State Board of Education rules with every effort being made to ensure competitive pricing on all materials and services regardless of cost.

IV. Standard Bid Procedures

Purchases made through bids shall be based upon justification and specifications which are clear, complete and 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 best possible price for the highest quality product or service which best meets the needs of the School District. Specifications shall be as open as possible. Invitations to bid shall include, but not be limited to, the following:

A. Date, time and place of bids;

B. Procedures for presenting bids;

C. Conditions and terms for receiving bids;

D. Procedures to be followed in opening bids and making recommendation to the School Board; and,

E. The amount of the bid bond or good faith deposit, if any.

V. Conditions for Awarding Contracts Based on Standard Bid Procedures

A. Bids shall be opened at the time and place specified within the bid documents. At the designated time, the person presiding over the bid opening shall announce the time and ask if all bids have been turned in. No other bids shall be accepted or withdrawn after the deadline. Bids by telegram or other means of delivery that do not qualify as a sealed bid shall not be accepted. Bids received by mail shall be stamped with the time and date received. Alterations written on the outside of a bid shall not be accepted. All bid openings shall be open to the public.

B. The Superintendent or his designee shall have the responsibility for soliciting the assistance of the District administrative and instructional staff and the school employees who use the products to assist in the preparation of specifications and evaluation of bids.

C. The Purchasing Department shall maintain a list of active bidders, which will be updated as needed to add or delete vendors.

D. Bids shall be requested from at least three (3) appropriate sources for each authorized purchase. All bids shall be signed in ink or indelible pencil.

E. No bid may be withdrawn after submission except with Board approval based on the written recommendation of the Superintendent. Such written recommendation shall specify the basis for allowing the withdrawal. After formal award by the Board, no bid may be withdrawn by a bidder except for a material error, as determined by the Board.

F. Recommendations to the Board for action shall be determined on the basis of the lowest responsible qualified bid which meets specifications with consideration being given to the specific quality of the product, its conformity to the specifications, its suitability to District needs, the delivery terms, and the service and past performance of the vendor.

G. The District may award contracts to the lowest, responsible bidder as the primary awardee and to the next lowest and responsible bidder(s) as alternate awardees provided that the awarding of multiple contracts is clearly stated in the bid solicitation documents.

H. Sealed bids, proposals or replies in response to a competitive solicitation shall be exempt from public inspection or copying as provided in §119.071, F.S. When documents are no longer exempt, they may be inspected and copied. In no case may the original copies be removed from the custody of the purchasing department.

I. Any recommendation by the Superintendent of other than low bid shall be accompanied by a written statement prepared by the Superintendent giving the reasons and justifications for such action. Single items or combinations of items may be considered in determining the recommendation. The Superintendent may recommend to the Board the

name of any firm which has proven to be unreliable or unqualified for exclusion from the bid list.

J. Final action on any bid or the letting of any bid shall be the decision of the Board in open session.

K. Approval of/use of any funds which are not already budgeted shall be made by the Board prior to the issuance of any contract or award of any bid.

L. The Board, in its sole discretion, may waive minor irregularities in bids or may reject all bids.

VI. Electronic Bidding

A. Electronic bidding may be utilized when it is determined to be in the best interest of the District. All requirements for advance notification of bid specifications and date and time of bidding shall be met.

B. 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 and service, and past performance of the vendor.

C. Multiple awards may be made provided that the solicitation documents clearly state this option.

D. 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.

E. Documentation of the bid process shall be maintained for audit purposes.

VII. Hearings, Exhibits, or Demonstrations by Vendors

A. The Superintendent or his designee shall be responsible for the arrangement of hearings, exhibits, or demonstrations by vendors interested in presenting their products. Employees of the school system shall not extend favoritism to any vendor or salesman.

B. Contracts for providing supplies, equipment and services by any member of the School Board, Superintendent or School Board employee are prohibited.

C. No employee or school official may make purchases for personal use through a school or the District office.

D. No employee shall apply for or receive personal services from commercial sources through a school or the District office.

E. Employees may participate in District surplus sales; provided, that there is no preferential treatment of an employee.

VIII. Exemptions

All items exempt from bid and quotation procedures by Florida Statutes and State Board of Education rules shall be exempt from School Board purchasing and bidding rules. State or other governmental agency purchasing contracts or approved state online procurement may be used in lieu of bids when it is to the advantage of the School Board. Purchases may be made from the Florida Division of Corrections without competitive bidding for items authorized by general or special law.

IX. Identical Bids

When two or more vendors submit identical lowest and/or best bids meeting specifications, and all other terms and stipulations are equal, the School Board

may, in its sole discretion, use one of the following methods to determine the successful bidder unless the option of multiple awards has been announced:

A. Preference to Local Bidder - Bidders in the District would be given preference over bidders from outside the County. If there were no local

bidders, preference would be given to bidders from within the State over those from other states.

B. By Drawing - If two or more vendors involved in a tie bid have equal status with regard to location, a public drawing will be conducted to determine which vendor will be awarded the bid.

X. Emergency Situations

A. 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 with at least two (2) vendors 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.

B. If the Superintendent determines in writing that the time required to obtain pricing information will enhance the emergency situation, the emergency purchase may be made without quotations.

XI. 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.

XII. Informal Quotations

Informal quotations for purchases within limits established by Florida Statutes or State Board of Education rules are permitted. Quotations shall be solicited from

at least three (3) sources, except as provided in section XIV. herein, prior to issuing a purchase order for materials, services, or equipment established limits.

XIII. Purchase of Foods and Nonfood Items for the Food Service Department

The Superintendent shall develop and prescribe a Competitive Procurement Plan or approved state online procurement for purchasing food and nonfood 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 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 Department of Agriculture and Consumer Services rules.

C. Purchases of equipment items and professional services shall be excluded from the Plan and shall be subject to procedures for purchases described herein.

XIV. Government and Agency Bids

Subject to provisions of law, the Superintendent may authorize purchase based upon bids approved by the state of Florida, other government agencies, or educational consortia.

XV. 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, 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 7.71, Selecting Professional Services.

B. Contracts or commitments exceeding limits established by Florida Statutes or State Board of Education rule for educational services or

professional services, other than those described in subsection XV.A herein, shall be approved by the School Board prior to execution.

XVI. Single Source Commodities or Contractual Services

A commodity or contractual service that is available from a single source may be exempted from requirements for competitive solicitation provided that the District posts notice of its intent to purchase a specific item or service and subsequently posts notice of its intent to enter a single source contract.

XVII. 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.

XVIII. Multi-year Purchase Agreements

No obligation shall be created by contract, purchase order, maintenance agreement, lease-purchase agreement, lease agreement, or other instrument that exceeds a period of twelve (12) months. The Superintendent shall develop and prescribe a uniform termination clause that shall be incorporated in and made a part of any multi-year obligation agreement or contract. Bids may be carried forward if it is in the best interest of the District.

XIX. Internal Accounts

All contracts for purchases made at the school level from internal accounts shall be initiated by the principal and shall follow the same procedures prescribed for purchasing in this policy.

XX. Bid Protest

A. A bidder who wishes to file a bid protest, must file such notice and follow procedures prescribed by Section 120.57, 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 120.57(3)(b), F.S., shall post at the time of filing the formal written protest, a bond payable to the Holmes County School Board in an amount equal to one percent (1%) 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, he/she 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, F.S., shall constitute a waiver of proceedings under Chapter 120, F.S.

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

LAW(S) IMPLEMENTED: **112.312, 119.071, 120.57, 212.0821, 255.04, 274.02, 287.017, 287.057, 1001.421, 1001.43, 1010.01, 1010.04, 1013.47, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.012, 6A-1.085, 6A-1.087**

STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES RULE(S): **5P-1.003**

HISTORY: **ADOPTED: 12/05/2006**
REVISION DATE(S): 3/04/2008; 8/03/2009; 8/17/2010; 8/07/2012; 5/21/2013
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

BID PROTEST RESOLUTION 7.701

The following procedures shall govern the resolution of protests from contract bidding procedures prior to initiation of formal or informal proceedings pursuant to Chapter 120, Florida Statutes.

I. The School Board shall provide notice of its decision or intended decision concerning a bid solicitation or contract award as follows:

   A. For bid solicitation, notice of a decision or intended decision shall be sent 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 seventy-two (72) hours after the posting of the bid tabulation or after receipt of the notice of the Board's decision or intended decision, and a formal written protest within ten (10) days after the date he/she filed the notice of protest. Failure to file a formal written protest shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

III. Upon receipt of a notice of protest which has been timely filed, the Board shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved by final School Board action, unless the Board sets forth in writing particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process without delay to avoid an immediate and serious danger to the public health, safety or welfare.

IV. The Board, on its own initiative or upon the request of a protestor, shall provide an opportunity to resolve the protest by mutual agreement between the parties within seven (7) days of receipt of the formal written protest.

   A. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there are not

disputed issues of material fact, an informal proceeding shall be conducted pursuant to section 120.57, Florida Statutes, and rules related to administrative hearings.

B. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there is a disputed issue of material fact, the Board shall refer the matter to the Division of Administrative Hearings of the Department of Administration for a formal hearing pursuant to section 120.57, Florida Statutes, and rules related to administrative hearings.

V. Construction bids protested shall be in accordance with 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, 120.57, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 8/17/2010; 1/20/2015
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

SELECTING PROFESSIONAL SERVICES 7.71

When it is determined that the School Board may need to contract for the professional services of an architect, professional engineer, or registered land surveyor, the procedures prescribed herein shall be followed:

I. Definition - The term *firm* means any firm, partnership, corporation, association, individual, or other legal entity entitled to practice architecture, engineering, or land surveying in the state of Florida.

II. Pre-qualification - The Superintendent shall, by letter, inform not less than five (5) firms of the type of service desired by the School Board and shall determine whether or not such firms have an interest in qualifying to render such services when needed. The Superintendent shall continue his efforts until at least three (3) firms have indicated an interest. There shall be a list of pre-qualified firms for each of the specialized areas of professional services enumerated in Florida Statutes.

A. Upon receipt of notice of interest, the Superintendent shall request the firm to furnish the following information:

1. A full and complete statement of qualifications and capabilities;

2. Number of years in business;

3. Location of firm's office nearest the county seat;

4. The membership of the firm's staff and the special qualifications of the person or persons who would render the type of service desired; and,

5. The names and address of at least three (3) school boards or other agencies for whom similar services have been performed within the last five (5) years and the date and the specific service rendered in each case.

B. Within thirty (30) days following indication of interest, the Superintendent shall complete the file on each firm. In addition to the information filed by the agency or firm, the Superintendent shall obtain a written evaluation from at least three (3) agencies for which such service has been rendered. Any firm which pre-qualifies under this rule shall file an annual statement of qualifications and performance data and thereby keep its file current.

C. Any firm which has furnished the information prescribed in this subsection shall be sent a copy of the legal notice when service in the firm's area of specialty is to be contracted.

III. Public Notice and Applications - Where the Board by official action determines that it will enter into a contract for such professional services, the Superintendent shall cause to be published once each week for three (3) successive weeks in the local newspaper a public notice stating the type of professional services desired, giving a general description of the project, and stating how an interested firm may apply and the deadline for applications.

A. Each firm which pre-qualifies, as provided in section II. of this rule, shall be sent a copy of the public notice together with a request that an application be filed if the firm desires to be considered.

B. Each firm which files an application and which has not pre-qualified shall be required to complete the information required in section II. of this rule within ten (10) days following the deadline for making applications.

IV. Rating of Applications - Based on the data filed by each applicant firm and the follow up data obtained by the Superintendent, the School Board will determine the order in which the applicants will be arranged for negotiation purposes.

A. To facilitate the selection process, the Superintendent shall prepare a full and complete summary report on each applicant firm.

B. Based on data available and its best judgment, the School Board will select the three (3) firms most qualified to perform the desired professional services and will rate them as first, second, and third most qualified for negotiation purposes.

V. Negotiations - Subsequent to the above determination, the School Board will notify the firm rated as first most qualified and establish a date for the firm to make its presentation and to enter into negotiations with the Board for the professional services.

A. If the Board cannot obtain a fair, reasonable and competitive price for which the professional services will be rendered by such firm, negotiations shall be formally terminated by the Board. The Board will then undertake negotiations with the firm rated second most qualified. If an accord cannot

be reached with this firm, negotiations will be formally terminated, and the Board will then undertake negotiations with the firm rated third most qualified.

B. If the Board is unable to negotiate an acceptable contract with any one (1) of the first three (3) firms, it will select from among the remaining applicants in the order of competence and qualifications and continue its negotiations, provided, that such firms are considered competent to perform the services desired.

VI. Special Assistance - Where the professional service contract will require a fee in excess of twenty-five thousand dollars ($25,000), the Department of Transportation or the Department of General Services will be requested to provide assistance in selecting a consultant for professional services; provided that the School Board after three (3) attempts has not obtained a reasonable, fair, and competitive price.

VII. Contracts - Any contract entered into by the School Board for professional services, as provided herein, shall include a prohibition against contingent fees.

VIII. Single Source Contractual Services - A contractual service that is available from a single source may be exempted from requirements for competitive solicitation provided that the District posts notice of its intent to purchase a specific service and subsequently posts notice of its intent to enter a single source contract.

IX. The Superintendent or designee may authorize outside consultants to provide professional reviews, assistance or training.

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

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

LAW(S) IMPLEMENTED: **287.055, 1001.43, 1001.51, 1011.06, F.S.**

STATE BOARD OF EDUCATION RULE(S): **6A-1.012, 6A-2.0010**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/2004; 8/17/2010
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

ACQUISITION, USE AND EXCHANGE OF SCHOOL PROPERTY 7.72

I. Acquisition

A. All property purchased through District funds, internal funds, or donations from outside sources shall be acquired using District purchasing procedures.

B. All property, including vehicular equipment, shall be under the full control and name of the School Board.

C. All property with a value consistent with the provisions of this policy manual, acquired through internal accounts or donations, shall be reported immediately by the principal or work site supervisor to the designated property records office on the prescribed forms.

D. Principals and work site supervisor shall be responsible for determining that all property is identified and accounted.

II. Exchange - Each principal and work site supervisor shall determine the property needs for his/her school or department. The principal or District department head shall declare any property which is not needed, upon approval of the designated property control office, and may requisition additional property through proper procedures.

A. Surplus property shall be reported on proper forms to the designated Property Records office which shall be responsible for acquiring and storing the surplus property.

B. Property items with a value as established in I.C above may be exchanged between schools and District departments when approval is granted by the designated Property Records office and subsequently by the appropriate District department head. Notification of each approval shall be filed in writing with the designated property records office to adjust property records of schools and District departments.

C. School Board equipment may be used by employees away from School Board property under certain conditions when prior approval is obtained from the principal or District department head. These conditions include familiarization with the equipment for instructional purposes or improvement of job performance.

D. School Board equipment shall not be used for gainful outside employment or private use of employees or by any outside group or organization.

III. Acquisition of real property is not included under this policy.

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

LAWS IMPLEMENTED: **274.01; 274.02; 1001.43; 1011.06, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003; 6/21/04; 12/19/2005
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

ACQUISITION OF REAL PROPERTY 7.73

I. A determination by the School Board that real property is needed for school use shall be based on approved master planning data. Two (2) or more proposed locations shall be considered for each acquisition unless extenuating circumstances preclude such consideration. Extenuating circumstances shall be as follows:

   A. Availability of alternate locations because of prior land use commitments; the need to acquire land adjacent to an existing school site for purpose of expanding said site; or the purpose of establishing a new school center adjacent to an existing school center for implementation of programs that may be suitably carried out through common use of facilities for more than one (1) school.

   B. Joint use of land, as part of a master plan, for educational purposes and community recreational and cultural purposes.

II. The Superintendent or designee may negotiate with the owner and determine the purchase price of the land, if such is determined to be in the best interest of the School Board.

III. If it is determined to be in the best interest of the School Board, two (2) independent, qualified real estate appraisers shall be appointed to provide a standard narrative form of appraisal complete with supporting data. Final settlement shall not exceed the amount of the highest appraisal.

IV. If negotiations with the owner are not successful, the School Board may exercise its right of eminent domain, and proceedings shall be filed in a court having jurisdiction and a date of value established on which to base the market value of the property.

V. Topographical surveys and legal descriptions shall be obtained, including metes and bounds description of all real property considered for purchase.

VI. Upon decision of the School Board to acquire real property, a title search shall be initiated by a competent, legal consultant or a title search company, and a policy of title insurance will be required upon completion of acquisition proceedings secured by surety satisfactory to the School Board.

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

LAWS IMPLEMENTED: **1001.43; 1001.44; 1013.13; 1013.14, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

LEASE AND LEASE-PURCHASE OF LAND, FACILITIES AND EQUIPMENT 7.74

The Superintendent shall make recommendations to the School Board regarding any offer received from a person or entity for the lease or lease-purchase of any land owned by the District.

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

II. The Superintendent's recommendation shall include:

A. The location and description of the land and its present use.

B. The long-range plan for its use.

C. The stated use of the land by the prospective lessee.

D. The fair market value of the parcel, as determined pursuant to State Board of Education rules, when the land is to be released by a lease to purchase agreement.

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: **1001.42; 1001.42, F.S.**

LAWS IMPLEMENTED: **1001.43; 1013.15; 1013.19, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04
FORMERLY:

SALE, TRANSFER OR DISPOSAL OF PROPERTY 7.75*+

Subject to law and regulations of the State Board of Education, the School Board may sell, transfer or dispose of any school real or tangible property, including instructional materials, which is declared by resolution of the Board to be unnecessary or unsuitable for school purposes because of location, condition or other cause.

The Superintendent shall develop procedures for disposing of property declared surplus by the Board.

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

LAWS IMPLEMENTED: **1001.43; 1006.41; 1013.28, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/19/2005
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

LOST OR STOLEN PROPERTY 7.76*

I. The principal or designee shall notify the following individuals when any school property has been vandalized, stolen, or lost:

   A. The proper law enforcement agency immediately to provide such information as may be available if the property is believed to have been stolen;

   B. The District office.

II. The custodian of the property records shall prepare a written report and recommendations to the Superintendent if the property is not recovered within thirty (30) days.

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

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

STATE BOARD OF EDUCATION RULE: **6A-1.087**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

INVENTORIES AND PROPERTY RECORDS 7.77*

The Superintendent or designee shall maintain an adequate and accurate record of all tangible personal property of the District. The record shall indicate the date of acquisition, the fund from which purchased, identification number, and property record number, and shall be consistent with all requirements of Florida Statutes and the rules of the Auditor General. School inventories shall be verified by the District administration at the Superintendent's direction.

All equipment shall be listed that has a value or cost of seven hundred and fifty dollars ($750.00) or more. The principal shall notify the District office of all removals, transfers, and receipt of donated or purchased property that meets criteria for being recorded as a fixed asset in order to update records and new equipment.

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.

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.

The principal shall also be responsible for taking inventories of properties not covered in subsection 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.

The Superintendent shall prescribe the procedures for the accountability of property as defined in Florida Statutes.

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.

The principal shall keep an inventory of all equipment in his/her school on forms provided by the property control officer.

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.

The Superintendent shall report to the School Board any property that has been lost or stolen if recovery is not made by the next regular School Board meeting after the discovery of the loss or theft. Such report shall include a recommendation for inactivation of the property record and information concerning possible personal liability which may be appropriate as the circumstance of the loss or theft may indicate.

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

LAWS IMPLEMENTED: **CHAPTER 274, 1001.43, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-1.087**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/19/2005; 8/17/2010
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

RISK MANAGEMENT INSURANCE 7.80

The Superintendent shall recommend annually to the School Board insurance programs, including property, liability, worker's compensation and motor vehicle insurance that provide the best protection against loss to the District.

The Superintendent or designee is authorized to approve claim payments against the School Board up to deductible amounts specified in District risk insurance programs approved by the School Board. Claims payments in favor of the School District shall be accepted by the Superintendent or designee and shall be reflected in appropriate budget amendments brought to the School Board for approval.

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

LAWS IMPLEMENTED: **1001.57; 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 7.00 - BUSINESS SERVICES

EDUCATION FOUNDATION 7.90

The Holmes County School Board authorizes the District to establish a foundation fund in the name of Holmes County Education Foundation subject to the provisions of Florida Statutes.

The Board of Directors of the Holmes County Education Foundation shall be approved by the School Board.

The Board of Directors is allowed to use the property, facilities, and personnel services of the District; however, such use must be in keeping with the District's policies regarding the use of facilities and grounds.

The School Board shall oversee the activities of the organization and shall provide for budget and audit review.

Such organization must be organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to, or for the benefit of, programs of the Holmes County School District.

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

LAWS IMPLEMENTED: **1001.43; 1001.453, F. S.**

STATE BOARD OF EDUCATION RULE: **6A-1.0013**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

CHAPTER 8.00:

AUXILIARY SERVICES

CHAPTER 8.00 - AUXILIARY SERVICES

SAFETY 8.10* +

I. The safety of pupils, employees and visitors shall be the responsibility of the authorized person in charge of each site owned or operated by the School Board. The supervisor of each site or facility shall cause to be established a safety committee which shall be responsible for the promotion of a safety education and accident prevention program for that site.

II. Schools shall cooperate with the police, sheriff's department, fire department and other agencies promoting safety education.

III. To assist in carrying out the responsibilities for safety, each principal shall appoint a member of the staff as school safety coordinator.

IV. No person shall bring on any School Board premises or have in his/her possession or in his/her vehicle on School Board property, any firearm, weapon or destructive device unless such weapon is required as part of his/her regular job responsibilities.

V. Nonmedical School District personnel shall not perform invasive medical services that require special medical knowledge, nursing judgment and nursing assessment including, but not limited to, sterile catheterization, nasogastric tube feedings, cleaning and maintaining a tracheotomy and deep suctioning of a tracheotomy. Nonmedical assistive personnel can perform health related services upon successful completion of child-specific training by a registered nurse, a licensed practical nurse, a physician or a physician assistant. These procedures, which include but are not limited to clean intermittent catheterization, gastrostomy tube feedings, monitoring blood glucose and administering emergency injectable medications, must be monitored by a nurse. A registered nurse, licensed practical nurse, physician or physician assistant shall determine if nonmedical School District personnel shall be allowed to perform any other invasive medical services not listed above.

VI. A child under the age of sixteen (16) shall wear appropriate headgear as required by law for any equine activity on a public school site. Students shall wear appropriate headgear when participating in an off campus, school sponsored equine activity as required by law.

VII. The Superintendent shall develop and present to the Board for approval appropriate emergency management and emergency preparedness plans.

VIII. The District shall annually conduct a self-assessment of safety and security practices. Based upon this self-assessment and other concerns, if applicable, the Superintendent shall present appropriate recommendations to the School

Board for increasing safety and security and the School Board shall take such actions as it deems necessary and appropriate to address safety and security in the District or at individual sites.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003, 6/21/04, 12/05/06; 8/17/2010
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

SAFETY PROGRAM 8.11+

The Board recognizes the necessity of a comprehensive Risk Management Safety Program designed to provide for the safety and health of its employees, students and the protection of its physical facilities and environment. This program shall ensure compliance with all applicable local, state and federal rules, regulations and procedures as they pertain to the safety and health of employees and students, and to the security of district facilities. The Code of Federal Regulations (CFR) as adopted by the state of Florida, for enforcement in all public sector employment locations, shall be strictly adhered to; in addition, the provisions relating to safety and health as contained in Chapter 442.007, Florida Statutes.

This comprehensive program shall provide for the following:

I. Safety requirement for employees, students and visitors

II. Loss prevention/safety training

III. Work site safety inspections

IV. Reporting of hazards

V. Work site safety committees

VI. Accident/incident reports

VII. Security

A.Planning

B.Security of personnel

C.Security of facilities

D.Monitoring

VIII. Contractor safety requirements.

STATUTORY AUTHORITY: **1001.42(6), F.S.**

LAWS IMPLEMENTED: **316.614; 1006.062(3); 1006.07, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

TOXIC SUBSTANCES IN SCHOOL WORK AREAS 8.12+

The Superintendent shall develop and implement a program to ensure School Board employees are provided information concerning the nature of toxic substances which are used in the workplace. The program shall include, but not be limited to,

I. Notification of School Board employees of where to direct requests for information on such substances;

II. An orientation session, within thirty (30) days of employment, for all new School Board employees to advise them of any adverse health effects which may occur as a result of contact with toxic substances; and,

III. Distribution of information regarding the use of any toxic substances in the District school system to the local fire department.

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

LAWS IMPLEMENTED: **1001.43, 1013.49, F.S.**
20 CFR 1910.1200

HISTORY: **ADOPTED: 08/03/2009**
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

INFECTION CONTROL GUIDELINES 8.13

School Board employees who handle students' body secretions shall adhere to the following procedures which emphasize avoidance of direct contact of employees' skin and mucous membranes with blood and other body secretions or wastes of persons who may have a communicable disease:

I. Rubber or latex gloves shall be worn and discarded after one (1) use.

II. Body secretions or blood shall be removed by using a freshly prepared disinfectant solution as prescribed in approved District operating procedures. All soiled surfaces shall be cleaned with this mixture by using disposable towels, whenever possible. Any substitute disinfectant solution shall be approved by the appropriate District officer.

III. All soiled articles shall be disinfected and discarded in red bags pursuant to approved guidelines.

IV. Mops and other cleaning implements shall be thoroughly rinsed in the disinfectant solution.

V. Hands shall be washed thoroughly with soap and water after removing gloves or if bare hands accidentally contact any body secretions.

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

LAWS IMPLEMENTED: **1001.43; 1012.23, F.S.**

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/19/2005
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

INSPECTIONS 8.14*

I. All school buildings shall be inspected at least once during each school fiscal year by a person who is certified by the designated state agency. Such inspection shall be conducted to determine compliance with State Board of Education rules and shall include, but not be limited to, wiring, plumbing, structural parts, safety hazards, and general repair needs. A copy of such inspection report(s) shall be submitted to the principal, Superintendent, and School Board.

II. The Superintendent shall report to the designated state agency the results of initial measurements on the level of indoor radon in all district school buildings and any facility housing students.

A. Procedures for determining the level of indoor radon shall conform to measurement procedures established by the designated state agency.

B. Repeated measurements on the level of indoor radon shall be performed and reported to the designated state agency at five (5) year intervals subsequent to the initial measurement if required.

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

LAWS IMPLEMENTED: **404.056; 1001.43; 1013.12, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04; 8/17/2010
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

FACILITY FIRE SAFETY INSPECTION 8.15*

When an authorized agent under the Florida Fire Prevention Code conducts a fire safety inspection as authorized in Florida Statutes, and it is determined that a serious fire safety hazard exists which poses an immediate danger to the public health safety, or welfare, the authorized agent and Superintendent are permitted to issue a joint order to vacate the facility in question, which order shall be effective immediately. The Superintendent shall immediately notify the School Board members about such an order.

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

LAWS IMPLEMENTED: **125.56; CHAPTER 633, 1001.43; 1013.12, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

SANITATION AND PREVENTIVE MAINTENANCE 8.20

I. The Board shall strive to provide well-maintained schools and facilities which are safe from hazards, are sanitary, and are properly equipped, and adequately lighted and ventilated. The Superintendent shall be responsible for maintenance and upkeep of school plants.

II. 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.

III. The principal shall report, in writing, to the Facilities Department any needed repairs to any buildings or the grounds. Any emergency repairs shall be reported to the Department by telephone and confirmed in writing.

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

LAWS IMPLEMENTED: **1001.42, 1001.43, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003, 6/21/04
FORMERLY: 8.20, 8.21

CHAPTER 8.00 - AUXILIARY SERVICES

VANDALISM AND MALICIOUS MISCHIEF 8.22

The principal or designee shall report any vandalism immediately to the Superintendent and to the proper law enforcement agency giving all available information.

I. A student who willfully damages school property shall be properly disciplined and his/her parent(s), as defined by Florida Statutes, if the student is a minor, shall be requested, in writing, to restore or to replace any damaged property in accordance with the true value as determined by the principal, the responsible District department head, or in extreme cases the Superintendent and/or School Board. In extreme cases of vandalism, a student shall be subject to suspension or expulsion from school under the charge of serious misconduct. The *Code of Student Conduct* shall identify disciplinary procedures for students who abuse school property. An adult student involved in the destruction of school property shall be held solely responsible for the damages.

II. A civil action against the student's parent(s) may be instituted by the School Board in an appropriate action to recover damages in an amount not to exceed the limit prescribed by Florida Statutes if vandalism or theft of school property is known to have been committed by a minor and the parent(s) refuses to restore or replace the property.

III. In any case of willful or negligent damage to school property by a person other than a student, the user or the person responsible for the damage shall replace the property or pay the damages in accordance with the true value as determined by the Superintendent.

IV. Each organization which is granted a permit for the use of public property shall be responsible for any damage to the buildings, equipment, or grounds beyond that which would be considered normal wear and tear and shall pay for any such damage in accordance with the true value as determined by the Superintendent. Failure to comply with a request for payment of such assessed damages shall result in the individual, group, or organization being ineligible for further use of school property and such legal action as the School Board deems proper to recover the amount of damages.

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

LAWS IMPLEMENTED: **741.24; 806.13; 1000.21, 1001.43; 1013.10, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06

CHAPTER 8.00 - AUXILIARY SERVICES

FORMERLY:

PURPOSE AND FUNCTIONS OF THE TRANSPORTATION PROGRAM 8.30*+

I. The transportation program shall be administered to provide safe and efficient services at the lowest possible cost. Transportation funds shall be used primarily to provide transportation of students to and from the nearest appropriate school as determined by the School Board and in accordance with Florida Statutes.

II. The Superintendent or designee shall be responsible for supervising, administering, investigating, and resolving problems of the District's transportation system. This shall include determination that all School Board employees involved with the transportation system are knowledgeable of applicable Florida Statutes and State Board of Education rules.

III. The District shall provide for reciprocal policies and agreements related to transportation services with adjacent districts.

IV. The Superintendent or designee shall develop a handbook which sets forth guidelines, responsibilities, directions and procedures for the District's transportation system. The handbooks and modifications to it shall be subject to School Board approval.

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

LAW(S) IMPLEMENTED: **1006.21(5), 1001.43, 1006.21, 1006.22, 1006.23, 1011.68, F.S.**

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

HISTORY: **ADOPTED: 6/18/01**
REVISION DATE(S): 3/4/2008
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

INSURANCE ON MOTOR VEHICLES 8.301*

All vehicles owned by the School Board shall be insured against fire, theft, property damage, and personal injury claims.

The Superintendent shall recommend the necessary insurance to be purchased as required by Florida Statutes and consistent with the risks involved for all School Board owned school buses and other vehicles.

The Superintendent shall request technical assistance from the State Department of Education's consultant on insurance to determine that the School Board is carrying adequate insurance at the most economical rate. The findings shall be submitted to the School Board. Such a report shall be made to the School Board at intervals not to exceed once every three (3) years.

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

LAWS IMPLEMENTED: **1006.24, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-3.017(1)(D); 6A-3.018**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

USE OF SCHOOL BUSES FOR PUBLIC PURPOSES 8.302*

I. The School Board may enter into agreements with the governing body of municipal, county, and state agencies for transporting the disadvantaged as defined in Section 427.011, Florida Statutes, with non-profit corporations and nonprofit civic associations and groups for transporting school-age children for activities sponsored by such associations or groups. The following provisions shall apply when agreements are entered with the School Board.

A. Reimbursement for bus usage shall be at a rate at least equal to the cost incurred.

B. The agency, association, or group shall indemnify and hold harmless the District from any and all liability of the District by virtue of bus usage.

C. Liability insurance coverage, in the amounts specified in Section 234.211, Florida Statutes, shall be provided by nonprofit corporations and nonprofit civic associations and groups.

D. The Superintendent and the requesting agency, association, or group shall sign a contract prior to usage.

II. The Superintendent shall submit semi-annual reports to the community transportation coordinator and the vehicles for Department of Education to describe the availability of district owned transporting the disadvantaged and to specify the district's participation in the joint-use program for transporting the disadvantaged.

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

LAWS IMPLEMENTED: **1006.21; 1006.261; 1006.24, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

BUS STORAGE AND USE 8.303*

Bus drivers shall park buses at locations designated by the Transportation Director. If feasible, the location will be within 3 miles of their last student drop off, and should not extend into a different school transportation zone. Drivers shall not vary from the designated parking area. When the driver parks his/her bus at the end of the route, it shall not be opened for public use. Under no conditions shall the bus be used for a personal or private purpose or for the driver's convenience.

STATUTORY AUTHORITY: 1001.41, F. S.

LAWS IMPLEMENTED: 1006.21; 1006.24, F.S.

STATE BOARD OF EDUCATION RULES: 6A-3.017(1)(D); 6A-3.018

HISTORY: ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

USE OF SCHOOL-OWNED VEHICLES 8.304*

Only School Board personnel or other persons authorized by the Superintendent shall drive district owned vehicles.

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

LAWS IMPLEMENTED: **1006.21; 1006.24, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-3.017(1)(D); 6A-3.018**

HISTORY:
ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

STUDENT TRANSPORTATION 8.31*

Each student who is transported shall be entitled to free transportation provided he/she abides by the rules of safety and behavior necessary to operate the District's transportation system. Serious infraction of these rules may result in the loss of the student's privilege. The student's parent(s), as defined by Florida Statutes, shall be responsible for making sure the student abides by the rules or for providing the student's transportation. Suspension from a bus shall not affect the attendance laws and rules.

I. Any student who resides two (2) or more miles from his/her designated school by the most direct traveled route is eligible to ride the school bus to and from that school. These students shall be reported for funding purposes. Under the following conditions, students who reside within two (2) miles of the designated school may be eligible to ride the school bus.

   A. Special authorization is granted by the School Board.

   B. An exceptional student not requiring special care may ride a school bus regardless of distance from home to school upon furnishing a statement from the director of exceptional students or designee certifying that the student is handicapped and is unable to walk to school.

II. A student who is eligible for transportation and resides beyond the accessibility of a school bus may be provided transportation by payment from the School Board to the parent(s) for use of a private automobile or other conveyance for this purpose.

III. The School Board may cooperate with other school districts to provide transportation for students.

   A. When it is practical to extend a school bus route to serve any territory located in another school district, the School Board shall enter into an agreement with the School Board of the other district to provide transportation services to students residing in the adjacent school district. Any such agreement shall be recorded in the official School Board minutes of each school board. The agreement shall state in detail the responsibility of each school board for operating the school bus and maintaining a daily schedule.

   B. Whenever a school bus crosses a school district line, all rules of the School Board shall apply to students transported by the said school board unless otherwise stated in the agreement between the school boards.

IV. Only a student who is regularly enrolled as a transported student and whose name appears on the bus driver's handbook for that bus shall be permitted to ride such bus while it is being operated on a regular school bus route except upon the written request of the transportation supervisor. Such approval may be granted only when the student's welfare is involved due to an emergency condition in the home. When an emergency condition exceeds five (5) school days, the Superintendent's approval shall be required. Approval shall not be allowed for:

A. Student visitation, unless duly authorized; or

B. A student to obtain transportation to his/her regular place of employment.

V. No person shall be eligible for transportation on a field trip or extracurricular school trip unless he/she is authorized by the principal or designee.

VI. Maximum regard for the safety of students and due consideration for the protection of health of all students transported shall be primary requirements in the routing of buses, establishing student stops, appointing drivers, and in providing and operating transportation equipment.

VII. A student who arrives early or remains late because of transportation service shall be under school supervision at all times and shall, if practicable, have a planned schedule of activities. The principal shall be responsible for providing such supervision.

VIII. Each route shall be planned and adjusted as nearly as possible to the bus capacity. Travel each morning and afternoon shall be considered in planning and establishing bus routes and, so far as practical, not exceed fifty (50) minutes for elementary students and sixty (60) minutes for secondary students.

IX. Periodically student transportation routes and student walking conditions shall be reviewed to determine if hazardous conditions exist. Appropriate requests for designation of hazardous conditions shall be provided as required by state law or State Board of Education rules.

STATUTORY AUTHORITY: **100.41; 1001.42, F.S.**

LAWS IMPLEMENTED: **1000.21; 1006.21; 1006.22; 1006.23; 1011.68, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-3.001; 6A-3.0171**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003, 12/05/06
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

USE OF DISTRICT OWNED PASSENGER CARS FOR STUDENT TRANSPORTATION 8.311

The Superintendent or designee is authorized to permit the use of district-owned passenger cars for transporting students when it is determined a school bus is unnecessary or impractical. The district owned passenger car shall be operated by a School Board employee. No more passengers may be transported than the number the vehicle is designed for and students shall be placed in designated seating positions. District –owned vans shall not be used for transporting students unless they meet appropriate standards for transporting passengers.

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

LAWS IMPLEMENTED: **1006.21; 1001.43; 1006.21; 1011.68, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-3.001; 6A-3.017**

HISTORY:

ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

BUS ROUTES 8.32

I. Designation of Bus Routes - The School Board shall delegate to the Superintendent authority to designate the route to be traveled regularly by each school bus. Each such route shall meet the following requirements:

A. The route shall be planned, scheduled, and adjusted to the capacity of the bus to serve students whose homes are beyond a reasonable walking distance from the school center to which they are assigned, except as otherwise provided by Florida Statutes and State Board of Education rules. The routing and scheduling of buses shall be planned to eliminate the necessity for students to stand while the bus is in motion. In emergency situations where the number of transported students in a bus exceeds the rated seating capacity, the bus shall proceed at such a reduced rate of speed to maximize students' safety.

B. Designated school bus routes shall be restricted to those areas where road conditions, bridge capacities, and the number of transported students allow such service to be economically feasible and practicable.

C. A route shall not be extended for the purpose of accommodating students whose homes are within a reasonable walking distance by a shorter or more economical route which is available to serve the students.

D. School bus routes shall, insofar as possible, be restricted to main routes and county-maintained roads.

E. A suitable turning area shall be available for any route requiring a bus to be turned around.

F. Only one (1) bus shall be assigned students on any given route unless the school schedules necessitate a dual assignment of buses.

G. Student loading and unloading stops shall be established at least one quarter of a mile (1,320 feet) apart; provided, however, stops may be closer than one quarter of a mile when students' safety and welfare 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 otherwise permitted by controlling regulations.

V. As a bus route becomes available, a bus operator who is already employed with the Holmes District School system will be given first consideration to transfer to that route based on number of years of experience and continuous service in Holmes County.

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

LAW(S) IMPLEMENTED: **947.1405, 1001.43, 1006.21, F.S.**

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

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08; 8/07/2012
FORMERLY:

BUS EMERGENCY EVACUATION DRILLS AND INSTRUCTION IN SAFETY PRACTICES 8.33

The Superintendent or designee shall instruct bus operators in the procedures to be followed while conducting a bus emergency evacuation drill. Initial instruction for bus operators shall be provided during the first 20 days of school for students.

The Superintendent or designee shall direct that each bus serving a school conduct an emergency evacuation drill during the first 20 days of each semester.

The member of the transportation department or principal shall inform the bus operators 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 transportation member or principal shall record the process.

A practice emergency evacuation drill shall be held at a point in which the least possible danger exists from traffic.

Any bus operator serving more than one (1) school shall report for instruction to the school as determined by the transportation department.

The record of the drill shall be filed in the appropriate District office.

All transported students shall be provided instruction on safe practices on and off the bus during the first 20 days of the first semester of the school year. The principal and 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(S): **6A-3.0171**

HISTORY: **ADOPTED:** 8/17/2010
REVISION DATE(S):
FORMERLY: 8.34

CHAPTER 8.00 - AUXILIARY SERVICES

STUDENT TRANSPORTATION SAFE DRIVER PLAN 8.341*+

SCHOOL BUS SAFE DRIVER PLAN

The Department of Education Florida Administrative Code 6A-3.0141, Employment of School Bus Drivers, section (8) requires that each school district establish by school board policy a safe driver plan that specifies which infractions of the traffic code deem an applicant unqualified for hire and which causes any employee to be subject to a prescribed follow-up action. The Superintendent is authorized to develop procedures to implement this policy.

Rules:

I. Operation of a School Bus

Any employee, who would operate a school bus for any reason in the course of their employment for the School Board, shall be required to possess and maintain at minimum a Class B Commercial Driver's License (CDL) with a passenger transport and air brake endorsement.

II. Operation of a School Bus Transporting Students

Any employee who would operate a school bus for the purposes of transporting students in addition to the required CDL shall:

A. Successfully complete the Florida Department of Education prescribed School Bus Operator Training Program.

B. Submit to an annual School Bus Operator's Physical Examination by the School Board designated Medical Examiner and possess a valid Medical Examiners Certificate. This annual physical examination will be considered final for the purpose of operating a Holmes County school bus.

C. Submit to a pre-employment and random drug and alcohol testing.

III. Applicants for the position of School Bus Operator

A. Shall have five (5) years minimum driving experience.

B. Shall have a valid appropriate CDL or a valid State of Florida driver's license and be capable of acquiring a CDL permit.

C. Shall not exceed five (5)-accumulated points on their Motor Vehicle Record (MVR) for moving violations in the past five- (5) years.

D. Shall not have been convicted of any violations involving drugs or alcohol.

E. **Review of Driving Record:** The applicant's driving record will be reviewed for the purpose of determining an applicant's acceptability or unacceptability to drive a school bus for the School Board of Holmes County with particular emphasis placed on record entries during the previous five- (5) years from the date of record check.

F. **Pre-Employment Point System:** Points will be assessed for each moving traffic violation listed on the applicant's transcript of Motor Vehicle Record in accordance with the School Board's Pre-Employment Point System as outlined below:

#	Moving Violations	Points
1	Following too closely	2
2	Speed of 15 MPH or less over the posted speed limit	3
3	Driving too fast for conditions	3
4	Careless driving	3
5	Failure to yield right of way	3
6	Improper passing	3
7	Improper turn	3
8	Improper lane change	3
9	Crossing private property to avoid traffic light or stop sign	3
10	Driving on the wrong side of the road	3
11	Failure to have vehicle under control	3
12	Improper backing	3
13	Failure to properly use driver's seat belt and/or shoulder harness	3
14	Speed in excess of 15 MPH over the posted speed limit	4-6
15	Speeding in a school zone	4
16	Failure to observe a traffic device (stop sign, traffic light, etc.)	5
17	Unlawful speed resulting in an accident	6
18	Leaving the scene of an accident (no injuries)	6
19	Reckless driving/erratic driving	6
20	Leaving the scene of an accident (resulting in injuries)	10
21	Driving without a valid CDL/DOE medical exam certificate	10
22	Driving while intoxicated	10
23	Driving while impaired	10
24	Driving while under the influence of drugs	10
25	Failure to properly observe a Railroad Crossing	10
26	Revocation or suspension of driver's license for reasons other than temporary lapse of insurance or financial responsibility	10

G. **Other Traffic Violations:** Other violations not covered in the Pre-Employment Point System as outlined above may be assessed one (1) to five (5) points as deemed necessary by the reviewing administrator.

H. **"Adjudication Withheld":** An applicant who accepts the court ruling of "adjudication withheld" will be assessed points according to the Pre-Employment Point System.

IV. Safe Driver Plan for Existing Employees:

The safe driving plan shall apply to all employees who drive a school bus transporting students. Those employees who were employed to drive a school bus prior to the implementation of this policy will be "grandfathered" into the Safe Driver Plan. ("Grandfathered" is defined in this paragraph meaning that all bus operators employed prior to the effective date of this policy will be exempt from any existing points on his or her MVR under the Safe Driving Plan. Any points accumulated after the effective date of this policy shall be counted and posted in the Student Transportation database and points and penalties shall apply.)

A copy of this policy will be provided to all transportation employees who operate a school bus transporting students.

A. **Point System for Existing Bus Operators:** Points will be assessed against existing bus operators by the Superintendent or his/her designee using the School Bus Safe Driver Plan as outlined below.

#	Violations	Points
1	Following too closely	2
2	Speed of 15 MPH or less over the posted speed limit	3
3	Driving too fast for conditions	3
4	Careless driving	3
5	Failure to yield right of way	3
6	Improper passing	3
7	Improper turn	3
8	Improper lane change	3
9	Crossing private property to avoid traffic light or stop sign	3
10	Driving on the wrong side of the road	3
11	Failure to have vehicle under control	3
12	Improper backing	3
13	Failure to properly use driver's seat belt and/or shoulder harness	3
14	Failure to leave the bus ignition key turned on or the engine running while reprimanding a student or talking with a parent at a bus stop.	3-4
15	Speed in excess of 15 MPH over the posted speed limit	4-6
16	Speeding in a school zone	4
17	Failure to observe a traffic device (stop sign, traffic light, etc.)	5
18	Unlawful speed resulting in an accident	6
19	Leaving the scene of an accident (no injuries)	6
20	Reckless driving/erratic driving	6
21	Leaving the scene of an accident (resulting in injuries)	10
22	Driving without a valid CDL/DOE medical exam certificate	10
23	Driving while intoxicated	10
24	Driving while impaired	10
25	Driving while under the influence of drugs	10
26	Failure to properly observe a Railroad Crossing	10
27	Revocation or suspension of driver's license for reasons other than temporary lapse of insurance or financial responsibility	10
28	Failure to observe any other established driving law or regulation (points will be established using the above schedule as a guide to determine the number of points according to similar severity.	1-10
29	During the post–trip inspection, Holmes District requires the bus operator to complete a walk-through of the bus to indicate that it has been thoroughly checked for children. If the driver exits the bus without completing the walk-through, the alarm in the rear of the bus will sound until the bus operator completes the walk-through and manually turns the bus alarm off. The District requires the bus operator to complete a walk-through every time the bus is parked and exited.	1-10

B. **Court Disposition of Traffic Citations:** Points shall not be assessed against an employee under the Safe Driver Plan until court disposition of a traffic citations is completed at which time the employee shall notify his/her terminal supervisor and the Director of Student Transportation of the court disposition. Points, if applicable, shall be counted and posted in the Student Transportation database and points and penalties shall apply.

C. **Defensive Driving School:** A bus operator who elects or is directed to attend a defensive driving school, when that is a permissible option for settlement of a traffic citation, shall not have points assessed against him or her under the Safe Driver Plan. This waiver of points may not be used more than once in a three-year period under the Safe Driver Plan.

D. **Serious Violations:** A bus operator whose violations are serious in nature (assessment of 6 to 10 points) will not be allowed to have Safe Driver Plan points waived by attending a defensive driving school.

E. **Any Points Accumulated** on the MVR shall be recorded in the Student Transportation MVR database file.

F. **Written Notification:** Before an employee is assessed points, he or she shall receive written notification of the number of points, the infraction, the date of the infraction, and the date the points were accumulated.

G. **Appeal Procedures:** All appeals will be filed according to established District procedures.

H. **"Adjudication Withheld":** A bus operator who accepts the court ruling of "adjudication withheld" will be assessed points according to the Safe Driving Plan. The plan shall be recorded in the Student Transportation MVR database.

I. **Reporting Responsibility:** It shall be the responsibility of the employee to report the following events to his or her immediate supervisor or designee on the next scheduled employee work day:

Accident: Any accident in which the employee was involved as an operator of a motor vehicle regardless of the ownership of the vehicle and regardless of whether the employee was deemed to be at fault (any accident, no matter how minor, involving a School Board-owned vehicle will be reported immediately to the Transportation Terminal Office.)

Citation or Adjudication of Guilt: Issuance of or adjudication of guilt for any traffic citation excluding parking violations.

Invalid Driver's License: The expiration, suspension or revocation of the employee's Commercial Driver's License.

J. **Corrective Action:** An accumulation of points on a bus operator's MVR may result in recommendations for corrective action as indicated below:

K. **Written Warning:** A bus operator who has accumulated three (3) to five (5) points within one (1) year shall receive a written warning.

L. **Driving Class:** A bus operator who has accumulated five (5) to eight (8) points within one (1) year must successfully complete a National Safety Council Defensive Driving Class (Remedial Training).

M. **Termination of Driving Privilege:** A bus operator who has accumulated nine (9) or more points within one (1) school year will be recommended for suspension or possible termination.

1. 15 points within two (2) years will be recommended for suspension or possible termination.
2. 20 points within three (3) years will be recommended for suspension or termination.
3. 25 points within four (4) years will be recommended for suspension or possible termination
4. 30 points within five (5) years will be recommended for suspension or possible termination.

N. **A District Employee Who Knowingly Operates** a school bus with a suspended or revoked license will be recommended for termination.

O. **DUI** citation or driving while license is suspended or revoked notice to appear and/or arrest will result in suspension until outcome of court ruling or clearance by the clerk of the court.

A **bus operator** who is convicted of driving while under the influence of a controlled substance or driving with an unlawful blood or breath alcohol level shall be prohibited from operating a School Board-owned vehicle and shall be recommended for termination.

P. **Training:**

1. **School Bus Operator:** Once approved for employment, all school bus operators shall be instructed in safe driving techniques during training as required by law.

2. **Remedial Training:** A bus operator shall be required to attend remedial training if he or she demonstrates deficiencies in driving skills in any school year. The cost of the remedial training will be borne by the employee. Such remedial training will be achieved during non-work hours.

Q. **Deletion of Points:** Points assessed under the Safe Driver Plan will be deleted five (5) years following the date the points were assessed.

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

LAWS IMPLEMENTED: **1006.21(3), F.S.**

STATE BOARD OF EDUCATION RULES: **6A-3.0141; 6A-3.0151; 6.3017**

HISTORY: **ADOPTED: 7/2/2002**
REVISION DATE(S): 6/21/04; 8/17/2010
FORMERLY:

EXITING THE SCHOOL BUS 8.35

No student shall leave the school bus on his/her way to or from school without the student's parent(s), as defined by the Florida Statutes, and the principal or designee's authorization except at the customary destination of the bus which shall be either the school or the assigned stop.

STATUTORY AUTHORITY: 100.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1000.21; 1006.21; 1006.22, F. S.

STATE BOARD OF EDUCATION RULES: 6A-3.0171

HISTORY: ADOPTED: 6/18/2001
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

TRANSPORTING STUDENTS IN PRIVATE VEHICLES 8.36

I. The Board will normally use school buses, as defined in Florida Statutes, for all regular transportation of students, prekindergarten through grade 12. *Regular transportation* or *regular use* means to and from school or school-related activities which are part of a scheduled series or sequence of events to the same location. Regular transportation of students in motor vehicles other than school buses may occur only under the following conditions:

A. When transportation is for a physically handicapped or isolated student and the Board has entered into a written agreement for the transportation of the student.

B. When the transportation is part of a comprehensive contract for a specialized educational program between the Board and a service provider for instruction, transportation and other services.

C. When the transportation is provided through a public transit system.

D. When transportation is for trips to and from school sites or agricultural education sites.

E. When transportation is for trips to and from agriculture related events or competitions.

II. Except as provided in section I., the transportation of students in private vehicles may be authorized by the principal on a case-by-case basis only under the following conditions:

A. When a student is ill or injured and must be taken home or to a medical treatment facility under nonemergency circumstances and

1. The school has been unable to contact the student's parent, as defined by Florida Statutes, or the parent or responsible adult designated by the parent is not available to provide the transportation;

2. Proper adult supervision of the student is available at the location to which the student is being transported;

3. The transportation is approved by the school principal or designee; and

4. If the school has been unable to contact the parent prior to the transportation, the school continues to attempt to contact the parent until the school is able to notify the parent of the transportation and the circumstances.

B. When the transportation is in connection with a school function or event in which the school has undertaken to participate and

1. The function is a single event which is not part of a scheduled series or sequence of events to the same location, such as, but not limited to, a field trip, recreational outing, a competitive or cooperative event, or an event connected to an educational program; and

2. Transportation is not available, as a practical matter, using a school bus or school board passenger car; and

3. Each student's parent is notified in writing about the transportation arrangement and gives written consent before a student is transported in a private vehicle.

C. When Board employees are required to use their own vehicle to perform duties of employment, and such duties include the occasional transportation of students.

III. A private vehicle used to transport students shall be a passenger car or multipurpose passenger vehicle or truck, as defined by federal law, designed to transport fewer than ten (10) students.

IV. Any private vehicles used to transport students under this policy shall be currently registered in the state of Florida, be insured for personal injury protection and property damage liability in at least the minimum amounts required by law, and be in good working order. A person wishing to transport students in a private vehicle will request approval by submitting his/her driver's license, vehicle registration and insurance identification card, to the principal in a reasonable amount of time before the planned travel. The principal will examine the driver's license, vehicle registration and insurance card, and determine that the driver meets the requirements of the District safe driver plan. The principal may, in his or her discretion, give approval for the transportation of students in the private vehicles as requested.

V. Student transportation in private vehicles may only be authorized for trips within the state of Florida. When transportation is authorized in a private vehicle, students may only be transported in designated seating positions and shall be required to use the occupant crash protection system provided by the vehicle manufacturer. A student who is transported to an activity in a private vehicle approved under this policy shall return from the activity in the same vehicle, unless the student is released to his/her parent.

VI. Employees will be covered by the Board's liability program when they are transporting students as part of their assigned or related duties. Benefits due from private vehicle insurance will be primary, except for workers' compensation, in accordance with state law.

VII. Notwithstanding any other provision of this policy, in an emergency situation which constitutes an imminent threat to student health or safety, school personnel may take whatever action is necessary under the circumstances to protect students.

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

LAW(S) IMPLEMENTED: **1000.21, 1006.21, 1006.22, 1006.24, F.S.**

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

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08
FORMERLY:

TRANSPORTATION LIABILITY 8.361

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.**

LAWS IMPLEMENTED: **1001.43, 1006.21, 1006.24, F.S.**

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

CHAPTER 8.00 - AUXILIARY SERVICES

SEAT BELTS 8.37

I. The operator and each passenger of a motor vehicle who are conducting School Board business or a school-related activity shall be restrained by a safety belt when the vehicle is in motion. This provision is applicable to all vehicles as defined in Florida Statutes, except for the following:

A. A school bus;

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 passengers of a vehicle shall not exceed the number of safety belts which were installed by the manufacturer.

III. School bus drivers shall wear a seat belt when operating a school bus.

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

LAWS IMPLEMENTED: **316.003; 316.614; 1006.21, F.S.**

STATE BOARD OF EDUCATION RULE: **6A-3.017**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

AUTOMOTIVE EQUIPMENT 8.38

All automotive equipment owned by the School Board shall be assigned to the Superintendent or designee for proper care and maintenance.

I. Automotive equipment shall be used exclusively for school business. It shall not be used for unauthorized purposes.

   A. The Superintendent shall report any unauthorized equipment usage to the School Board.

   B. Violation of this rule shall be cause for disciplinary action.

II. Failure of the operator to notify the transportation supervisor as to any mechanical defect of any piece of automotive equipment may be cause for disciplinary action by the School Board.

III. All mechanical defects of equipment, where repairs are needed, shall be the Superintendent's or designee's responsibility and repairs shall be made immediately; provided that the vehicle may be withdrawn from use by the Superintendent until the repairs are made. The School Board shall not assume any financial responsibility for purchases or contract for repairs unless prior approval is obtained from the Superintendent or designee.

IV. The transportation supervisor shall determine that all equipment is inspected at regular intervals. The equipment shall be placed in the District's garage(s) for repairs or service if needed.

V. Under no conditions shall equipment be repaired by a private shop or private individual without approval of the Superintendent or transportation supervisor.

VI. The person who is assigned a vehicle on a full-time basis shall be responsible for delivering the vehicle to the District's garage for inspection as prescribed by the transportation supervisor.

VII. The operator of any vehicle with a gross vehicle weight rating of 8,500 pounds and with a heavy-duty diesel engine shall adhere to the requirements for the reduction of heavy-duty idling.

STATUTORY AUTHORITY:	**1001.41; 1001.42, F.S.**
LAWS IMPLEMENTED:	**1006.21; 1006.22, F.S.**
STATE BOARD OF EDUCATION RULE:	**6A-3.017**
DEPARTMENT OF ENVIRONMENTAL PROTECTION RULES:	**62-285.420**
HISTORY:	**ADOPTED: 6/18/2001** **REVISION DATE(S):8/03/2009** **FORMERLY:**

CHAPTER 8.00 - AUXILIARY SERVICES

VEHICLE MAINTENANCE PROGRAM 8.39

I. All transportation equipment shall be maintained in safe operating condition. The transportation supervisor shall be responsible for a planned program of maintenance to keep all vehicles running safely and efficiently. This program shall include

A. Instructing bus 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 thirty (30) working days that the bus is in operation. Any school bus which does not comply with the requirements of Florida Statutes and State Board of Education rules shall be withdrawn immediately from use until it meets such requirements.

III. Only School Board or government-owned vehicles may be repaired or serviced in the school bus garage.

IV. The School Board shall maintain appropriate school bus replacement programs to assure appropriate maintenance of the bus fleet.

STATUTORY AUTHORITY: **1001.41, 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: 6/18/01**
REVISION DATE(S): 6/21/04; 3/4/08
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

GENERAL FOOD SERVICE REQUIREMENTS 8.40*+

I. The school food service program shall operate according to requirements set forth in Florida Statutes and State Department of Agriculture and Consumer Services rules. The school food service program shall include the federally reimbursed lunch program, *ala carte* food, beverage offerings, and sale of food and beverage items offered through vending machines or other methods to students at all school facilities during the school day and may include the federally reimbursed breakfast program.

II. The District shall participate in the Florida Farm Fresh Schools Program.

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 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 and Florida State Department of Agriculture and Consumer Services.

VI. School food and nutrition service funds shall not be considered or treated as internal funds of the local school, but shall be a part of the district school funds. School food and nutrition service funds shall be subject to all the requirements applicable to the District fund such as budgeting, accounting, reporting, and purchasing and such additional requirements as set forth in the written procedures manual authorized in this policy.

VII. USDA commodities shall be acquired, stored, and utilized in accordance with United States Department of Agriculture and related State Board of Education rules.

VIII. The Superintendent or designee shall develop a written procedures manual to govern school food and nutritional services programs.

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

LAWS IMPLEMENTED: **570.98, 570.981, 1001.43, F.S.**

STATE BOARD OF EDUCATION RULES: **6A-7.040; 6A-7.041; 6A-7.0411; 6A-7.045**

STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES RULE(S) : **5P-1.003**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04; 12/05/06; 8/07/2012; 5/21/2013
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

MEAL PATTERNS 8.41*

All schools with grades K-12 shall participate in the National School Lunch Program and shall serve student lunches according to meal patterns established by the United States Department of Agriculture. Schools may participate in the National School Breakfast Program; breakfast shall be served to students according to meal patterns established by the United States Department of Agriculture.

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

LAWS IMPLEMENTED: **570.981,F.S.,6A-7.040,F.A.C.**

STATE BOARD OF EDUCATION RULE: **5P-1.001,F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):5/21/2013
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

FREE AND REDUCED PRICE MEALS 8.42*

Free or reduced price meals shall be served to all students who are unable to pay the full price of meals and who qualify based on eligibility criteria approved by the School Board.

I. The income Eligibility Guidelines for free or reduced price meals shall be in accordance with the scales provided by the Florida Department of Agriculture and Consumer Services 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 Agriculture and Consumer Services and the United States Department of Agriculture.

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

LAW(S) IMPLEMENTED: **570.98, 570.981, F.S.**

STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES RULE(S): **5P-1.004**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 5/21/2013
FORMERLY:

SUMMER NUTRITION PROGRAM 8.44+

I. The District shall develop a plan to sponsor a summer nutrition program. One (1) site shall be within five (5) miles of an elementary school at which fifty percent (50%) of the students qualify for free or reduced price school meals and shall operate for thirty-five (35) consecutive days. The remaining sites shall be within ten (10) miles of each elementary school at which fifty percent (50%) of the students qualify for free or reduced price school meals. The Superintendent may collaborate with governmental agencies and not-for-profit entities in implementing this plan.

II. The School Board may seek an exemption from sponsoring a summer nutrition program as provided by law. Annually the School Board shall reconsider the decision to be exempt from providing a summer nutrition program. The School Board shall notify the commissioner within ten (10) days of the decision to continue the exemption.

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

LAW(S) IMPLEMENTED: **570.981, 570.982, 1001.43, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 5/21/2013
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

SCHOOL BREAKFAST PROGRAM 8.45

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. 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, 1001.42, F.S.**

LAW(S) IMPLEMENTED: **570.981, 1001.43, F.S.**

STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES RULE(S): **5P-1.001, 5P-1.002, 5P-1.003, 5P-1.005**

HISTORY: **ADOPTED: 08/03/2009**
REVISION DATE(S): 8/17/2010;5/21/2013
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

SCHOOL CONSTRUCTION BIDS 8.50*

I. All school construction bids shall be the immediate responsibility of the Superintendent or designee. All applicable Florida Statutes, State Board of Education rules, and School Board rules shall be observed in school construction bid procedures.

II. The Superintendent or designee shall be responsible for preparing the legal notice for bids and shall determine that such notice meets the requirements of Florida Statutes and State Board of Education rules and contains the information needed by the prospective bidders to include the following:

A. Date, time and place relating to submitting of bids;

B. Pre-qualifications of bidder;

C. Procedures for presenting bids;

D. Conditions and terms for receiving bids;

E. Procedures to be followed in opening and presenting bids to the School Board; and,

F. Conditions for awarding contracts based on bids.

III. The advertisement for bids shall be published in at least one (1) local newspaper having circulation in the district. Such advertisement shall be published at least once each week for three (3) consecutive weeks and the last notice shall appear at least one (1) week prior to the opening of bids.

IV. 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.

V. Bid bonds shall be required on new construction and any renovations or remodeling exceeding twenty-five thousand dollars ($25,000.00).

VI. 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.

VII. The specifications for construction bids may not be written to limit any purchase of systems or materials to a specific brand or a single source of supply, unless the School Board, after consideration of all available alternative materials and system, determines that the specifications of a sole material or system is justifiable, based upon its cost interchangeability.

VIII. All bid requests shall include a notification to bidders that failure to file a bid protest within the time and in the manner prescribed by School Board rule shall constitute a waiver of any further right to protest such bid award.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 255.04; 287.055; 287.057; 1001.43: 1013.46 - .48, F.S.

HISTORY: ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

PROTESTS OF CONSTRUCTION CONTRACT BIDS 8.501

I. The School Board shall provide notice of its decision or intended decision concerning a bid solicitation or a contract award for construction projects as follows:

A. For a bid solicitation, notice of a decision or intended decision shall be given by United States mail or by hand delivery.

B. For any other School Board decision, 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 United States mail, return receipt requested. The notice required by this paragraph shall contain the following statement: "Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes., shall constitute a waiver of proceedings under chapter 120, Florida Statutes."

II. Any person who is affected adversely by the School Board's decision or intended decision shall file a notice of protest in writing with the Superintendent within seventy-two (72) hours after the posting of the bid tabulation or after receipt of the notice of the School Board decision or intended decision and shall file a formal written protest within ten (10) days after the date of filing of the notice of protest. Failure to file a notice of protest or failure to file a formal written protest shall constitute a waiver of proceedings under Chapter 120, F.S. Bid protest shall be accompanied by a bond as prescribed in 337.11(5)(a), F.S.

III. Upon receipt of a notice of protest which has been timely filed, the School Board shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved by final agency action, unless the School 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 in order to avoid an immediate and serious danger to the public's health, safety, or welfare.

IV. The School Board, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the parties within seven (7) days of receipt of a formal written protest.

A. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to Section 120.57(2), F.S., and applicable agency rules before a person whose qualifications have been prescribed by rules of the agency.

B. If the subject of a protest is not resolved by mutual agreement within seven (7) days of receipt of the formal written protest, and if there is a disputed issue of material fact, the agency shall refer the protest to the division for proceedings under Section 120.57, F.S.

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

LAWS IMPLEMENTED: **120.53(5); 120.57; 337.11(5)(a); 1001.43; 1013.02, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

PREQUALIFICATION OF CONTRACTORS FOR EDUCATIONAL FACILITIES CONSTRUCTION 8.502

The School Board shall pre-qualify contractors for a one year period or for a specific project in accordance with the following:

I. Criteria

Contractors shall be pre-qualified on the basis of the following criteria and any additional criteria specific to the project under consideration:

a. Proof that the contractor holds a contractor's license which authorizes the contractor to supervise work within the scope of the construction project.

b. Evidence that the applicant has financial resources to start up and follow through on projects and to respond to damages in case of default as shown by written verification of bonding capacity equal to or exceeding the amount of any project for which the contractor seeks prequalification. The written verification must be submitted by a licensed surety company rated excellent ("A-" or better) in the current A.M. Best Guide and qualified to do business within the State. In the absence of such written verification, the Board may require the applicant to submit any audited financial information necessary to evaluate an applicant's financial ability to perform the project and to respond to damages in the event of default.

c. Evidence of experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects, and building codes for similar or less cost or scope projects of similar size within the past five (5) years.

d. Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or similar size within the five (5) years preceding the submission of the application. Any claim against a contractor shall be deemed to have been satisfactorily resolved if final judgment is rendered in favor of the contractor or any final judgment rendered against the contractor is satisfied within ninety (90) days of the date the judgment becomes final.

e. Type of work for which the contractor is licensed.

II. Procedures

The Board shall hold a public hearing to discuss the Board's intent to pre-qualify contractors and the proposed policies, procedures and rules.

The Board shall publish two (2) notices of the public hearing in a local newspaper having general circulation throughout the district and at least thirty (30) days and again seven (7) days prior to the hearing. The notice shall contain at least the purpose, date, time, and place of the hearing.

It is the policy and procedure of the Board to provide for open competition which shall not prevent the submission of a bid, nor prohibit the consideration of a bid submitted by a prequalified contractor. Those standards which the Board applies when soliciting bids for goods and services generally shall be applied equally to the solicitation of bids from prequalified contractors.

It is the policy of the Board to allow for prequalification of any responsible contractor who, through its submittal to the Board, meets the uniform criteria established by the State Requirements for Educational Facilities and incorporated in Section 1 of this policy whether such contractor is a resident or non-resident of the geographical area served by the Board.

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.

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.

These prequalification procedures shall not supersede any small business, woman-owned, or minority-owned business enterprise preference program adopted by the Board.

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.

The Board shall receive and either approve or reject each application for prequalification within sixty (60) days after receipt by the Board's administrator. Approval shall be based on the criteria and procedures established in this policy.

III. Application

Each contractor, firm, or person requesting prequalification shall submit separate applications that include the following:

Detailed information on Board prescribed forms setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a Public Entity Crimes Statement, and references.

Audited financial information current within the past twelve (12) months, such as a balance sheet and statement of operations, and bonding capacity. The requirement for financial information may be satisfied by the contractor providing written verification of the contractor's bonding capacity.

General information about the contractor company, its principals, and its history, including state and date of incorporation.

Contractor trade categories and information regarding the state and local license and license numbers held by the applicant.

A list of projects completed within the past five (5) years, including dates, clients, approximate dollar value, and size.

Certificates of insurance confirming current worker's compensation, public liability and property damage insurance as required by law.

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.

The completed application and financial information shall be attested to and signed by an authorized officer of the company, the owner, or sole proprietor, as appropriate. The signature shall be notarized.

EXCEPTION: When two (2) or more prequalified contractors wish to combine their assets for a specific project, they may do so by filing an

affidavit of joint venture. Such affidavit shall be valid only for that specific project.

IV. Issuance of Certificate. The Board shall issue to all prequalified contractors a certificate valid for one (1) year or for the specific project. That certificate shall include the following:

A statement indicating that the contractor may bid for projects during the time period specified.

A statement establishing the type of work the contractor will be permitted to provide.

A statement establishing the total dollar value of work the contractor will be permitted to have under contract with the Board at any one time as determined by the contractor's bonding capacity or ten (10) times the net quick assets.

A statement establishing the maximum dollar value of each individual project the contractor will be permitted to have under contract with the Board at any one time. The maximum value of each project may be up to twice the value of the largest project previously completed, but shall not exceed the contractor's bonding capacity or ten (10) times the net quick assets.

The expiration date of the certificate.

V. Renewal of Certificate**.** Certificates not for a specific project shall be renewed annually.

Financial statements or written verification of bonding capacity on file with the Board shall be updated annually. Failure to submit a new statement or verification of bonding capacity, after at least thirty (30) days written notice by the Board, shall automatically revoke a prequalification certificate.

Prequalified contractors may request a revision of their prequalifications status at any time they believe the dollar volume of work under contract or the size or complexity of the projects should be increased if experience, staff size, staff qualifications, and other pertinent data justify the action.

VI. Delinquency**.** The decision to declare a contractor delinquent may only be made by the superintendent and must be ratified by the Board at its next regular meeting following the decision by the superintendent. Should the contractor be determined to be delinquent, after notice and an opportunity for a fair hearing, the Board shall notify the contractor and his surety, in writing, that the contractor is disqualified from bidding work with the Board as long as the delinquent status exists. A delinquent condition may be determined to be in effect when one (1) or more of the following conditions occur without justifiable cause:

1. A substantial or repeated failure to comply with contract documents after written notice of such non-compliance.

2. A substantial or repeated failure to provide supervision and coordination of subcontractor's work after written notice of such failure.

3. Substantial deviation from project time schedules after written notice of noncompliance.

4. Substantial or repeated failure to pay subcontractor's after the Board has paid the contractor for the work performed by the subcontractors and in accordance with approved requisitions for payment.

5. Substantial or repeated failure to provide the quality of workmanship compatible with the trades standards for the community after written notice of such failure.

6. Substantial or repeated failure to comply with the warranty requirements of previous contracts after written notice of such failure.

7. 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 6 above.

G. Contractor's license becomes suspended or is revoked.

H. No longer meets the uniform prequalification criteria established in this policy.

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:

The aggrieved contractor may, within ten (10) days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of appeal.

The Board shall act upon the contractor's request within thirty (30) calendar days after the filing and shall notify the contractor of its action to adhere to, modify, or reverse its original action. The Board may require additional information to justify the reconsideration.

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

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

STATE BOARD OF EDUCATION RULE: **6A-2.001**

HISTORY: **ADOPTED: 6/3/2003**
REVISION DATE(S): 6/21/04, 12/19/2005; 8/17/2010
FORMERLY: 4.70

RENOVATIONS OR REMODELING OF FACILITIES 8.51

I. The Superintendent when recommending the preliminary school budget, or any amendments thereto relating to capital outlay projects may, after evaluation, recommend to the School Board that suitable projects costing two hundred thousand dollars ($200,000.00) or less be provided on a day labor basis.

II. Parent groups, school staff and civic associations often raise funds to make improvements to various School Board facilities. Such changes are regulated by building codes, Florida State Department of Education rules, School Board rules and Florida Statutes. In addition, these changes often have cost implications on maintenance, energy usage and inhibitions to future site construction. The change or addition always poses questions regarding Board liability for the facilities as any deviation from state regulations would be a factor in a damage suit, if the change in facility was related to a personal injury.

III. When a project is being considered at any existing facility, the following procedures shall be followed:

A. A description of the proposed project, including an approximation of the expected cost, shall be submitted to the school principal for review and approval on the Request for Change(s) to School Board Facility form.

B. Full funding for the design costs, construction and any other related costs must be identified.

C. If the principal is in agreement, he/she shall request approval from the Superintendent to submit the request.

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.

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 facilities supervisor. The content of this request shall include a detailed project description and a statement regarding the method of funding. Plans and/or specifications will be reviewed by the facilities and maintenance departments.

1. Upon completion of the plans and specifications, such must be submitted for review for compliance with State Board of Education Regulations with consideration given to the impact upon the maintenance and energy usage of the facilities and inhibitions to future site construction. A minimum of ten (10) days is required and must be provided for review of plans and specifications, plus time to prepare an agenda item to present to the School Board if judged appropriate by the Superintendent.

2. After approval by the School Board, plans may require submission to the Department of Education for approval which will take approximately two (2) to three (3) months.

3. Upon Department of Education approval, (if required), the project must either be formally advertised and bid, in accordance with State Board of Education rules or a minimum of three (3) sealed proposals must be obtained to ensure compliance with the Construction Documents. The bids must contain a work schedule to facilitate inspections by the reviewing department.

   Projects funded by booster clubs, PTA or other school affiliated groups, will also be handled by the respective group during the bid/proposal process. It is recommended proposals be sealed when submitted and opened at a designated time, in the presence of at least the school principal, the president of the parent group, a representative of the purchasing department, facilities department, or maintenance department, and the designing architect/engineer, if applicable.

E. In the event the project cost is expected to exceed ten thousand dollars ($10,000.00), a registered architect/registered professional engineer must be engaged to design, prepare, and “seal” the necessary construction documents in accordance with State Board of Education rules. The project cost shall include all materials and labor, production design fees, reproductions, testing and surveys.

F. All bids or proposals, including work schedules, must then be submitted to the facilities supervisor for review and determination of the low bidder's compliance with the projects' contract documents. The project's originating group must make a recommendation regarding acceptance of the low bidder.

G. When compliance has been established, PTA, booster club, or other school affiliated group will receive written authorization to proceed from the Superintendent.

H. Depending on the scope of work involved, supplemental, periodic inspections may be made by the maintenance department as determined by the facilities supervisor.

I. Upon completion of the work the facilities supervisor must be contacted for final inspection prior to acceptance of the School Board at one of its regularly scheduled meetings.

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

LAWS IMPLEMENTED: **1001.43; 1013.01; 1013.35; 1013.45, F.S.**

STATE BOARD OF EDUCATION RULE: **6-2.001**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/21/04, 12/19/2005
FORMERLY:

CHANGE ORDERS 8.512

The Superintendent is authorized to approve construction change orders which will not increase the contract amount more than six thousand dollars ($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 six thousand dollars ($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.**

LAWS IMPLEMENTED: **1001.43; 1013.48, F.S.**

STATE BOARD OF EDUCATION RULE: **6-2.001**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003, 6/21/04, 12/19/2005
FORMERLY: 8.52

NAMING OR RENAMING SCHOOLS AND SCHOOL FACILITIES

8.55+

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 Holmes 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 broad 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 standing Facility Names 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. A member shall serve a three (3) year term. Ending dates of committee members shall be staggered.

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 elected by the members of the standing committee.

D. The committee shall consider all suggested names and submit a name to the Superintendent for School Board consideration.

E. 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.**

LAWS IMPLEMENTED: **1001.42; 1001.43, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S):
FORMERLY:

IMPROVEMENTS TO SCHOOL PLANTS AND GROUNDS 8.53

Any group, including the parent-teacher organization, which desires to improve the school site, to add facilities, or to install equipment, shall submit a written proposal to the principal and Superintendent for approval. Any such improvement or addition shall become the property of the School Board. Permanent structures shall have utilitarian value in the operation of the school or may be erected in memory of some individual or group that has been associated with the school either as a student or School Board employee or an organization which has made some outstanding contribution to the school or District school system.

I. Articles of equipment donated to schools by individuals, groups, or organizations may be accepted if they contribute to the operation of the school program. Donors shall be notified that the title of this gift shall be in the name of the School Board.

II. All property, acquired, moved, or transferred which require alterations to the buildings or grounds for utilization of the facilities, shall be submitted for the Superintendent or designee's approval or disapproval. The request shall include a description and method of financing the property. Any agreement in which District funds are to supplement installation shall require prior written approval. All installations, including air conditioners, shall be in compliance with the overall plan for the building and its maintenance.

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

LAWS IMPLEMENTED: **1001.42; 1001.43; 1013.37; 1013.371; 1013.372, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

Computer accessibility has enabled people all over the world to communicate via the Internet. With this access comes the availability of material that may not be considered to be of educational value in the context of the school setting. There may be some material, individual contacts, or communications which are not suitable for school-aged children. The Holmes District School Board views information retrieval from the network in the same capacity as information retrieval from reference materials identified by schools. Specifically, the Holmes District School Board supports those which will enhance the research and inquiry of the learner with directed guidance from faculty and staff. On a global network it is impossible to control all materials, and an industrious user may discover inappropriate information. At school, each student's access to and use of the network will be under the teacher's direction and monitored as a regular instructional activity. If the student uses the network outside the sponsoring teacher's class, the teacher will not be held accountable for inappropriate network use.

The network facilities are to be used in a responsible, efficient, ethical, and legal manner in accordance with the mission of the Holmes District School Board. Failure to adhere to these guidelines may result in the suspending or revoking of the offender's privilege of access.

This policy will provide guidelines for the Holmes District Schools' participation in and use of telecommunication services and networks for administrative and instructional purposes. District use of such networks is intended to advance and promote a world class public education in Holmes County for all students. Telecommunication services and networks permit access and exchange of information between and among schools, school offices; and members of the Holmes global community. Collaboration and exchange of information between and among students/teachers/expert resources statewide, nationally, and world-wide; the Florida Department of Education, and other state, national and international educational entities; and electronic bulletin boards are also a part of this service.

I. District participation in any telecommunication services networks shall provide for the following elements:

   A. Electronic messaging services, file transfer, and electronic conferencing capabilities to public school and district employees and authorized students;

   B. Intuitive, graphical user interfaces;

   C. Accessibility for the user via properly equipped microcomputers from a range of vendors;

D. Opportunities for wider networking (interstate and international) by promoting appropriate access and use of full Internet and other telecommunication services where economically feasible;

II. All use of telecommunication services and networks shall be consistent with the mission, goals, policies, and priorities of the school district. Successful participation in a network requires that its users regard it as a shared resource and that members conduct themselves in a responsible, ethical, and legal manner while using the network.

A. Holmes County Schools' accounts shall be used only by the authorized users of the accounts for the purposes specified. Misuse shall result in the removal of participant access rights and authorization. Authorized users shall be ultimately responsible for all activity under their account and password.

B. Any use of telecommunications services or networking for illegal, inappropriate, or obscene purposes, or in support of such activities, shall be prohibited. Illegal activities shall be defined as a violation of local, state, and/or federal laws. Inappropriate use shall be defined as a violation of the intended use of the district's mission, goals, policies or procedures. Obscene activities shall be defined as a violation of generally accepted social standards for use of a publicly owned and operated communication vehicle.

C. Any use of telecommunications services or network for commercial purposes, product advertisement or political lobbying shall be prohibited.

D. No use of telecommunications services or networks shall serve to disrupt the use of the network by other users.

E. Unlimited and open-ended use of the telecommunications services or networks in terms of access time cannot be accommodated inasmuch as supportive financial resources remain finite. Users shall exercise prudence and "fairness" in the shared use of limited resources.

F. All communications and information accessible via the telecommunications services or networks shall be assumed to be private property. No guarantee can be made for the privacy of any communication on the network; however, authorized system administrators may access private correspondence and files if a user is believed to be in violation of this policy.

G.

H. All network users shall adhere to the rules of copyright regarding software, information and the attribution of authorship. Reposting personal communications without the author's permission or bulletin board messages without proper attribution shall also be prohibited.

I. All members of the Holmes County Schools community shall be granted free and equal access to as many network services as school resources and availability of technology may permit.

J. To the extent reasonably possible, users of school sponsored telecommunications services and networks shall be protected from harassment or unsafe, unwanted or unsolicited contact. Users shall be made aware, and shall acknowledge their awareness that the designers of the network cannot eliminate, or in some cases properly restrict the possibility of unwanted access to users. Nor can users be completely prevented from accessing services or information that is offensive to or inappropriate for certain groups of users. Individual users must be responsible for their own access and conduct in using telecommunications services and networks. This responsibility and accountability for such conduct will be clarified through the access authorization forms and training.

K. Public school student use of the telecommunications services or networks through school equipment or authorization shall be properly supervised and shall require prior written approval from parents/guardians.

III. The superintendent or his/her designee shall be responsible for authorizing use of telecommunications services or networks in accordance with this policy.

L. Specific procedures for school and district individual staff, student or parent use of telecommunication services and networks shall be developed and periodically reviewed for effectiveness at the district level.

M. Each school or site administrator shall designate a person responsible for distributing access forms, authorizing access and maintaining all appropriate documentation.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.41; 1001.43, F.S.

HISTORY: ADOPTED: 6/18/2001
REVISION DATE(S):
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

INTERNET SAFETY 8.601

It is the intent of the Holmes County School Board to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the **Children's Internet Protection Act (CIPA)** [Pub. L. No. 106-554 and 47 USC 254(h)].

I. **Definitions -** Key terms are as defined in the **Children's Internet Protection Act (CIPA).***

A. TECHNOLOGY PROTECTION MEASURE**.** The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

B. OBSCENE, as that term is defined in section 1460 of title 18, United States Code;

C. CHILD PORNOGRAPHY, as that term is defined in section 2256 of title 18, United States Code; or

D. HARMFUL TO MINORS, as that term means any picture, image, graphic image file, or other visual depiction that

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

3. Taken as whole, lacks serious literary, artistic, political, or scientific value as to minors.

E. SEXUAL ACT; SEXUAL CONTACT**.** The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

II. **Access to Inappropriate Material**

A. To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

B. Specifically, as required by the **Children's Internet Protection Act**, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

C. Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

III. Inappropriate Network Usage

A. To the extent practical, steps shall be taken to promote the safety and security of users of the Holmes County School Board online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

B. Specifically, as required by the **Children's Internet Protection Act**, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

IV. Supervision and Monitoring

A. It shall be the responsibility of all members of the Holmes County School Board staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the **Children's Internet Protection Act.**

B. Procedures for the disabling or otherwise modifying of any technology protection measures shall be the responsibility of the District Technology Coordinator.

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

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

HISTORY: **ADOPTED: 6/17/2002**
REVISION DATE(S): 7/2/2002; 8/17/2010
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

TELECOMMUNICATIONS PLAN AND INTERNET USE 8.61+

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, including use of telephone lines to support technology. School personnel shall be informed of this system.

B. Staff shall not utilize the School Board telephone system for conducting personal business.

II. Internet Use

The Superintendent shall develop procedures for employee and student use of the Internet.

III. Social Media

A. The District recognizes the use of social media for communication and e-learning; however, only those networks sponsored by the District may be used for classroom instruction or school sponsored activities without prior written approval of the Superintendent.

B. The Superintendent shall develop standards and procedures for the use of social media.

IV. Sexting shall be prohibited. All acts of alleged sexting shall be reported to the appropriate legal authority.

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

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

HISTORY: **ADOPTED:**
REVISION DATE(S): 6/03/2003; 12/05/2006; 8/17/2010; 8/07/2012
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

MANAGEMENT INFORMATION SYSTEM 8.70+

The District shall develop and maintain an integrated information system for educational management. The Superintendent or designee shall 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(S): **6A-1.0014**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

RECORDS RETENTION AND DISPOSAL 8.80+

I. The School Board shall establish and maintain a system for the retention and destruction of District school records in order to reduce the space required for record storage and to permit the Superintendent to administer the affairs of the District more efficiently.

II. Pursuant to public records laws and rules of the Florida Department of State, the management information services office shall develop a records retention schedule for each records series 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 (3) years old and other records, papers, and documents over three (3) years old which are on the retention schedule approved by the Division of Archives, provided such records do not serve as an agreement or understanding or have value as permanent records. However, commodity records are to be maintained five (5) years.

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

LAWS IMPLEMENTED: **119.01; 119.041; 257.37; 1001.43; 1001.52, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/19/2005
FORMERLY:

CHAPTER 8.00 - AUXILIARY SERVICES

CONSERVATION OF RESOURCES 8.90+

The School Board of Holmes 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.

Each school shall annually report all recycled materials as required by law.

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: **403.7032, 1001.43, 1013.23, 1013.44, F.S.**

STATE BOARD OF EDUCATION RULE(S) **6A-2.0010**

HISTORY: **ADOPTED: 3/4/08**

REVISION DATE(S): 8/07/2012

HOLMES COUNTY SCHOOL BOARD

POLICY MANUAL

CHAPTER 9.00:

SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS 9.10

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.**

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

PUBLIC INFORMATION 9.20

Because the schools belong to the people who created them by consent and who support them by taxation, it is the declared intent of the School Board:

I. To keep the citizens adequately informed through appropriate channels of communication on policies, programs, problems, needs and the planning of the school system and to carry out this policy through its own efforts and the Office of the Superintendent.

II. To seek advice and opinion of the people of the School District.

III. To require each school and the District staff members to cooperate in keeping the public informed of all newsworthy events which would be of interest or concern to the citizens of the District and which would promote the welfare of the school system; provided, that any news release by a particular school be approved by the principal, and that any release relating to the District as a whole shall be approved by the Superintendent.

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

LAWS IMPLEMENTED: **1001.43; 1001.51, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

SCHOOL REPORTS 9.21+

I. Each school shall make available annually, to parents and the community, school reports required by federal and state laws and State Board of Education rules.

II. Reports shall follow a uniform District-wide format that is easy to read and understand.

III. Schools may include other information in the report about the school's progress and other related school information.

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

LAW(S) IMPLEMENTED: **1000.21, 1001.11, 1008.25, 1008.345, F.S.**

HISTORY: **ADOPTED: 12/05/06**
REVISION DATE(S): 3/4/08
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

USE OF FACILITIES 9.30*+

The principal may approve the use of school property, facilities, and equipment for any group provided herein. The use of school property, facilities and equipment shall not interfere with the educational program of the school. The principal shall be responsible for safeguarding the school property, facilities, and equipment, enforcing and informing groups of School Board rules, executing proper forms, and collecting payments.

I. Use of School Property Without Charge. The Superintendent may authorize the use of school facilities without charge, except as may be required for supervision or clean-up. If the principal is unsure about the eligibility of the organization to use facilities without charge, the matter shall be referred to the Superintendent for resolution. School facilities may be made available to:

A. National youth groups (e.g., Boy Scouts of America) operating under the sponsorship of a county organization provided the group is properly supervised. District use agreements may be executed with the community organization for all schools or for an individual school.

B. The Supervisor of Elections for voting precincts in any election provided the election does not interfere with the school's operation.

C. Any governmental or community agency when specifically approved by the School Board as being in the public interest.

II. Use of Facilities With a Charge. The principal may permit the use of school facilities by a civic, religious, or other organization for non-school activities on a specific, temporary, or short-term basis. The following conditions shall apply:

A. The payment of the fee shall be in accordance with subsection (3) herein.

B. School Board approval, upon the Superintendent's and principal's recommendations, shall be required for repetitious use for a period of more than six (6) months.

C. Sufficient supervision and adequate custodial service of the school facility shall be determined by the principal.

D. The use of the cafeteria shall require permission from the principal. The use of school food service facilities shall require that the kitchen be operated by a food service employee(s) or School Board employee.

III. Fees. If the facility or equipment is being used for commercial or private gain and an admission or attendance fee is being charged, a rental fee will be charged for the use of the facility and equipment. The amount of rental fee will be based on a schedule of fees approved by the Board upon the recommendation of the Superintendent.

IV. Payment of Required Fees. Fees as specified in subsection (3) herein shall be paid in advance for use of facilities. Full reimbursement for custodial, supervisory, and other required services or for damages to the facility, furnishings, or equipment shall be paid within ten (10) days of billing. Checks shall be made payable to the individual school.

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 one million dollars ($1,000,000.00) naming the School Board as an additional insured; and,

C. Execute a form of indemnity agreement as prescribed by the Superintendent.

VI. Prohibited Uses of School Facilities. School property, facilities, and equipment shall not be used for the following purposes:

A. Programs involving any form of gambling or other illegal activity;

B. Private teaching for personal gain, unless specifically approved in advance by the School Board;

C. Programs in violation of Florida Statutes or School Board rules; and,

VII. Special Provisions. The following special provisions shall apply:

A. Restrooms shall be made available for all organizations using the school facilities.

B. Any school or community event sponsor or vendor who uses school facilities shall notify the local public health unit not less than three (3) days prior to a scheduled school carnival, fair, or other celebration involving the sale or preparation of food or beverages.

C. If a principal has a request from a group which he feels may be controversial, he may require this group to present their request to the Superintendent to be included in an agenda for a regular school board meeting for consideration by the School Board.

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: **1001.42, F. S.**

LAWS IMPLEMENTED: **106.15; 509.032; 509.232; 1001.33; 1001.43; 1001.51; 1013.10, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

ADVERTISING IN SCHOOLS 9.40

School facilities shall not be used for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency; or individual organization; nor shall School Board employees or students be employed in such a manner. Advertising on school buses shall be prohibited. The following are exceptions:

I. School officials, with the Superintendent's approval, may cooperate with any governmental agency in promoting activities in the general public's interest or may cooperate in furthering the work of any non-profit community-wide social service agency; provided that such cooperation does not restrict or interfere with the educational program of the school and is non-partisan and non-controversial.

II. A school may use film or other educational materials which contain advertising. The film or material shall be carefully evaluated by the school principal for classroom use to determine whether the film or material contains undesirable propaganda.

III. The Superintendent may announce or authorize to be announced any lecture or community activity of particular educational merit.

IV. Demonstrations of educational materials and equipment shall be permitted with the principal's approval.

V. Schools may utilize athletic facilities for commercial advertising to support school programs. The principal shall maintain approval rights on the content and form of such advertising. Money collected from these commercial advertisements shall be deposited into the proper internal account.

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

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

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

DISTRIBUTION OF LITERATURE AND MATERIALS TO STUDENTS 9.50

I. Materials originating from sources outside the District for posting shall not be displayed without the principal's written approval.

II. Material or literature from non-school sources shall not be distributed to residential areas by students without the Superintendent's written approval.

III. Literature of a denominational, partisan, or sectarian nature shall not be distributed in any school. This restriction does not apply to the development and use of the Bible in classes for reference, literary, historical, and other non-religious purposes.

IV. Commercial advertising shall not be permitted except where reference is only an incidental part of a program or film and is approved by the principal.

V. The circulation of petitions to be signed by students is prohibited except upon the Superintendent and School Board's approval.

VI. Literature intended to spread propaganda, to foster membership in an organization, or to solicit funds is prohibited unless it is controlled and supervised by the School Board.

VII. Materials pertaining to a school bond or other school elections shall not be distributed to students.

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

LAWS IMPLEMENTED: **1001.43; 1006.08, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

VISITORS 9.60

Any person entering the premises of a school shall report to the principal or his/her supervisory designee and make known the purpose of the visit.

I. This policy does not apply to routine deliveries or scheduled maintenance visits.

II. A student not enrolled in the school or a student not accompanied by a parent, as defined by Florida Statutes, is prohibited from visiting a school unless otherwise approved by the principal.

III. Parents are invited to visit the schools. To avoid interrupting the daily program, the parent should request a conference for after school hours or during a teacher's conference period. Parents are encouraged to plan such conferences with teachers and shall sign in at the principal's office and be issued a visitor's badge at the time they arrive on the campus.

IV. Any person who enters or remains upon District property without legitimate purpose may be found to be trespassing and, therefore, in violation of Florida Statutes and subject to arrest and penalties as defined by statutes.

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

LAWS IMPLEMENTED: **1000.21; 1006.07; 1006.145, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 12/05/06
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

CHILDREN, UNDER AGE AT SCHOOL 9.61

School Board employees shall not be permitted to care for any child under school age while on duty; moreover, no employee shall allow his/her child(ren) to interfere with his/her duties during working hours, except when an emergency arises.

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

LAWS IMPLEMENTED: **1012.22, F.S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S):
FORMERLY:

CHAPTER 9.00 - SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

RELATIONS WITH GOVERNMENTAL AUTHORITIES 9.70

I. When possible, the Board will cooperate with local, state and federal organizations or agencies; however, such cooperation shall not be at the expense of district level or local school programs.

II. The Superintendent may initiate or accept proposals and 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; 1001.42, F.S.**

LAWS IMPLEMENTED: **1001.51; 1013.33; 1013.36, F. S.**

HISTORY: **ADOPTED: 6/18/2001**
REVISION DATE(S): 6/3/2003; 8/17/2010
FORMERLY:

COMMUNITY SERVICE 9.75+

I. The Superintendent shall develop a program of community involvement to enable students to meet the community service requirement for the Florida Academic Scholars award or other scholarship program.

II. A community service activity shall be a service or benefit provided by the student to meet an identified need in the community. The activity should also provide a learning opportunity for the student.

III. An activity must be

A. fulfilled in a safe environment;

B. conducted outside the time allotted for the instructional program on a school day; and

C. approved in advance by the school principal.

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

LAW(S) IMPLEMENTED: **1001.43, 1009.534, F.S.**

HISTORY: **ADOPTED: 8/17/2010**
REVISION DATE(S):
FORMERLY:

SCHOOL CONCURRENCY 9.80+

The School Board shall adopt and maintain a school concurrency system in conjunction with the county and local municipalities. The role of public school concurrency is to ensure that the capacity of schools is adequate to support growth and development at the adopted levels of service. Concurrency provides coordination of the planning and building of new schools with land development.

I. Interlocal Agreement

The School Board shall enter into an Interlocal agreement with Holmes 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 include but not be limited to the following:

A. Coordinated procedures for implementing school concurrency;

B. A public schools 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 setting 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.

I. Application for School Concurrency Determination

A. The District shall establish procedures for a developer to submit an application for school concurrency determination. The impact of the residential development on the school system shall be evaluated.

B. The application shall be forwarded to the local government to determine if the proposed project is appropriate in relation to the local government's comprehensive plan and land development regulations.

II. Concurrency Review Fees

A. The School Board shall establish fees to offset the cost of reviewing the impact of proposed residential developments for school concurrency. The nonrefundable fee shall be paid to the School Board of Holmes 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.**

LAWS IMPLEMENTED: **1001.43; 1013.33; 1013.35, 163.3164, 163.3180, 163.3177, 163.31777, F. S.**

HISTORY: **ADOPTED: 8/03/2009**
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FORMERLY: