Agenda

December 8, 2022
School Board of Manatee County
Workshop - 9:00 AM
Walter Miller School Support Center
Board Room

Times Indicated are Approximate

I. CALL TO ORDER

II. WORKSHOP

1. Health Insurance Overview
2. Review and Board Discussion of Proposed Bylaw and Amendments to Bylaws and School Board Policies
3. Discussion of Board Procedures and Workflow

III. PUBLIC COMMENTS

Public comment is not an open forum to discuss matters unrelated to education, to support or oppose candidates for public office, or to engage in commercial speech attempting to sell a service or product to the School Board or public. Also, public comment is not a forum to attack individual school system employees or Board Members. Any such complaints should be submitted in writing to the Superintendent for appropriate handling. Finally, this is not a forum for addressing issues involving individual students. Because of privacy concerns, such issues should be submitted in writing to the Superintendent for appropriate handling. Each speaker is allowed three minutes to address the Board. Speakers must stand at the podium and not approach the dais.

This is a business meeting of the School Board and the public expects that we conduct it in an orderly, efficient, effective and dignified manner. We request that speakers keep this in mind when making your comments. We also request that the audience keep that in mind and not demonstrate approval or disapproval of what a speaker has said by clapping or booing. The Board appreciates the public's input and will listen attentively, consider each comment, and usually will not respond, enter into debate, or answer questions during comments on agenda items or during the public comments section.

PUBLIC INPUT INSTRUCTIONS:
1. Before you begin speaking, please provide any handouts to the Agency Clerk.
2. Please identify yourself only by your full name for the record.
3. You have no more than three minutes to speak. Please stop speaking when the bell rings.
4. Florida Law requires all citizens to conduct themselves in an orderly fashion at public meetings.
5. **WARNING:** Any individual who interferes with the expeditious or orderly process of a School Board meeting, will be subject to removal from the meeting pursuant to Section 1001.372(3) Florida Statutes at the discretion of the Chair. Orderly fashion is deemed as, at a minimum (1) no profanity

(2) no vulgar language (3) no discourteous, disrespectful, or disparaging conduct.

IV. ADJOURNMENT

AGENDA ITEM NO. II.1

School Board of Manatee County
December 8, 2022 - Workshop

Title
Health Insurance Overview

Executive Summary
Mr. Doug Wagner, Deputy Superintendent of Operations, will provide an overview of the District's health insurance.

Contact
Submitting Department: Operations
Initiated By: Doug Wagner

Attachments:
Health Insurance Presentation

School District of Manatee County

Employee Benefits Health Plan Review

December 2022

Fully vs Self Insured Benchmark

Fully Insured	Self Insured	
Hardee	Charlotte	Highland
Hillsborough	Citrus	Indian River
Marion	Collier	Lee
	DeSoto	Pasco
	Glades	Pinellas
	Hendry	Polk
	Hernando	Sarasota

*Source: https://www.floir.com/

Fully-Insured vs Self-Funded

	Fully-Insured	Self-Funded
Cash Flow	Premium paid to Carrier. Carrier holds reserves for termination.	Employer holds cash until claims are paid through bank account. Employer holds reserve for termination run out liability
Benefits	Benefits subject to state mandate	More plan design flexibility
Additional Programs and services	Limited to insurance company programs	Flexibility to add third party best in class services
Wellness / On-site Clinics	Savings have the potential to impact future premium rates	Savings go directly to Client in the form of lower claims
Claim Liability	Fixed cost, based on projections	Client pays for actual claims costs as incurred
State Premium Tax	Entire premium subject to state premium taxes	Premium taxes assessed on stop loss premium only. Approximate savings of 2.5%
Cancellation or termination	Claim run out is insurance company's responsibility	Claim run out is employer's responsibility
Plan Fiduciary	Insurance company	Employer. ASO can be claims fiduciary
112.08 Require105(h) non-discrimination	Does not apply	Required to test and pass annually

Health Insurance Committee "HIC"

- The Health Insurance Committee (HIC) is comprised of 12 stakeholders that help manage the health plan with guidance from our agent broker Aon. HIC has equal representation including 3 members from MEA, 3 members from AFSCME, and 6 members from the District.

- The Committee meets monthly with our Aon consultants to review performance and management of all employee benefits, with large focus on health care plans, and makes recommendations to the Superintendent.
- Premiums (costs) and benefits are negotiated between the two unions: MEA and AFSCME.
- Manatee Education Association (MEA) represents teachers and paraprofessionals who work a minimum of 20 hours per week. American Federation of State, County and Municipal Employees (AFSCME) are represented by Local 1584 and work a minimum of 30 hours per week.
- Current committee members include:

  – Pat Barber, MEA
  – Dawn Walker, MEA
  – Melanie Newhall, MEA
  – Deanna Howell, AFSCME
  – Alfreda Mitchell, AFSCME
  – Matthew Cole, AFSCME
  – Doug Wagner, SAMP – Non-Bargaining, Acting Chair
  – Richard Bailey, SAMP – Non-Bargaining
  – Tracy Moore, SAMP – Non-Bargaining
  – Gina Maliniak, SAMP – Non-Bargaining
  – Catherine Miley, SAMP – Non-Bargaining
  – Joseph Ranaldi, SAMP – Non-Bargaining

Premium Contribution Schedule

Bronze – 1,887 enrolled	Total Monthly Rate	Employer Contribution	Employee Contribution	EE % of Total
Employee Only	$525	$493	$32	6%
Employee + Spouse	$1,156	$767	$389	34%
Employee + Child(ren)	$947	$787	$160	17%
Family	$1,576	$1,061	$515	33%

Silver – 3,325 enrolled	Total Monthly Rate	Employer Contribution	Employee Contribution	EE % of Total
Employee Only	$571	$507	$64	11%
Employee + Spouse	$1,256	$781	$475	38%
Employee + Child(ren)	$1,027	$737	$290	28%
Family	$1,712	$1,011	$701	41%

Gold – 2,901 enrolled	Total Monthly Rate	Employer Contribution	Employee Contribution	EE % of Total
Employee Only	$607	$505	$102	17%
Employee + Spouse	$1,335	$779	$556	42%
Employee + Child(ren)	$1,092	$724	$368	34%
Family	$1,820	$998	$822	45%

Contributions have remained unchanged since 2016

9

2021 Revenue Snapshot and Expense Analysis

Enrollment Numbers		
	Average Employees	4749
	Average Dependents	3836
	Total Members	8585

	Premiums Collected		
Revenue	Board Share	(71.7%)	$34.8M
	ESSER (Covid reimbursement)		$2.6M
	Employee Share	(28.3%)	$13.6M
	Total Collected		$51M

Total Net Claims	Medical and Pharmacy	$52M
Expense Administrative Costs	Fees and Expenses	$3M
	Total Plan Costs	$55.7M
Fund Balance Health Fund Balance		$8.7M

F.S. 112.08 requires public entities hold 60 days of claim reserves by June 30th annually
9M is the estimated amount based on claims.

New Health Delivery Models – MCR Health Clinic



Thank You

AGENDA ITEM NO. II.2

School Board of Manatee County
December 8, 2022 - Workshop

Title
Review and Board Discussion of Proposed Bylaw and Amendments to Bylaws and School Board Policies

Executive Summary
The Board will review the proposed new Bylaw and proposed amendments to Bylaws and School Board Policies in advance of the December 13, 2022 Public Hearing.

Contact
Submitting Department: Administration
Initiated By: Kevin Chapman

Attachments:
Proposed Bylaw and Policy Amendments for December 13, 2022 Public Hearing
Proposed Policy Amendments for December 13, 2022 Public Hearing

Bylaws and School Board Policies for December 13, 2022 Public Hearing

Bylaw 0144 - Term (Revised)

- Bylaw 0144 has been revised to include language from HB 1467 limiting the term of office for school board members to 12 consecutive years.

Bylaw 0172 - Evaluation (Revised)
Bylaw 0172.1 - Evaluation of the Three (3) Direct Reports (Revised)

- Technical Change

Bylaw 0172 - Visitation of Schools by Individual School Board Members and Legislators (New)
Policy 9150 - School Visitors (Revised)

- SB 758 revised F.S. 1001.4205 (Individuals Authorized to Visit Schools) to specify that in addition to school board members, a member of the Legislature may visit any public school in the legislative district of the member. The proposed adoption of Bylaw 0172 and proposed revisions to Policy 9150 is to incorporate the amendments to F.S. 1001.4205.

Policy 1120 - Employment of Administrators (Revised)
Policy 3120 - Employment of Instructional Staff (Revised)
Policy 4120 - Employment of Support Staff (Revised)

- SB 2524 amended F.S. 1012.315 (Screening Standards) to include additional grounds upon which a person is ineligible for educator certification or employment in any position that requires direct contact with students in a school district, a charter school, or a private school that participates in a state scholarship program under F.S. Chapter 1002. These policies have been revised to incorporate the statutory revisions.

Policy 2416 - Student Privacy and Parental Access to Information (Revised)

- HB 1557 requires, among other things, that before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, a school district must provide the questionnaire or form to the student's parent and obtain permission from the parent. Policy 2416 has been updated to incorporate this requirement.

Policy 2460 - Exceptional Student Education (Revised)

- HB 255 amended F.S. 1003.572 (Collaboration of Public and Private Instructional Personnel) by including registered behavior technicians to the list of approved private instructional personnel. Policy 2460 reflects the amendment.

Policy 2623 - Student Assessment (Revised)

- SB 1048 revised the deadline for school districts to provide teachers and parents with a student's performance results on district-required local assessments from thirty (30) days to one week. The bill also requires that the results be made available online through the school district's student information system or in printed format if requested by a student's parent.

Finally, the bill limits the amount of total school hours in a school year that the district may administer the coordinated screening and progress monitoring system under F.S. 1008.25. The proposed revisions to Policy 2623 implement these changes.

Policy 3129 - Conflict of Interest (Revised)
Policy 3129.01 - Tutoring (Revised)

- SB 2524 includes a number of provisions addressing New World Reading Scholarship Account services, including the location and times during which such services may be provided on campus. The revisions to these policies incorporate the statutory revisions and specify that providing New Worlds Reading Scholarship Account services are not a form of "remedial tutoring."

Policy 3410 - Compensation (Revised)

- SB 2524 amended F.S. 1012.22 (Public School Personnel; Powers and Duties of the District School Board) by addressing how compensation for longevity of service must be handled for instructional personnel. The revisions to Policy 3410 incorporate these changes.

Policy 5111.01 - Homeless Students (Revised)

- Revised to update current FLDOE guidelines.

Policy 5335 - Care of Students with Chronic Health Conditions (Revised)

- HB 173 created new F.S. 1006.0626 (Care of Students with Epilepsy or Seizure Disorders). To address the new statute, we have revised Policy 5335 to add epilepsy and seizure disorders to the list of chronic health conditions addressed by the policy.

Policy 6320 - Purchasing and Contracting for Commodities and Contractual Services (Revised)

- HB 7049 created F.S. 50.0311 (Publication of Advertisements and Public Notices on a Publicly Accessible Website and Governmental Access Channels) which sets forth the requirements for publishing advertisements and notices online and on governmental access channels.

0144 - **TERM**

School Board members shall be elected by the general election in November for staggered terms of four (4) years arranged so that, of five (5) members, three (3) members shall be elected at one general election and two (2) members shall be elected at the ensuing general election.

The term of office of Board members shall begin on the second Tuesday following the general election in which such member is elected.

A person may not appear on the ballot for reelection to the office of Board member if, by the end of their current term of office, the person will have served, but for resignation would have served, in that office for twelve (12) consecutive years. Service of a term of office which commenced before November 8, 2022 will not be counted toward the limitation imposed by F.S. 1001.35.

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0175~~2~~ - **EVALUATION**

The School Board shall follow best practice standards of Board governance and annually shall conduct a self-evaluation, utilizing procedures and forms from such entities as (but not limited to) the Florida School Board Association (FSBA) and/or Board source or other similar recognized and certified entity.

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0175~~2~~.1 - **EVALUATION OF THE THREE (3) DIRECT REPORTS**

The School Board shall evaluate annually the superintendent, legal counsel, and the internal auditor.

Revised 4/13/21

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0172 - **VISITATION OF SCHOOLS BY INDIVIDUAL SCHOOL BOARD MEMBERS AND LEGISLATORS**

An individual School Board member may, on any day and at any time at their pleasure, visit any school in the District. A member of the Legislature may visit any public school in the legislative district of the member. An individual visiting a school pursuant to this policy must sign in and sign out at the school's main office and wear his/her identification badge at all times while present on school premises. The Board, the school, or any other person or entity, including, but not limited to, the principal of the school, the Superintendent, or any other Board member, may not require an individual visiting the school pursuant to this policy to provide notice before visiting the school. The school may offer, but may not require, an escort to accompany an individual visiting the school pursuant to this policy during the visit. Another Board member or an employee, including, but not limited to, the Superintendent, the school principal, or their designee, may not limit the duration or scope of the visit or direct an individual visiting the school pursuant to this policy to leave the premises. No policy or practice may prohibit or limit the authority granted to an individual under this policy.

Following a visit to a school, a Board member may have suggestions and feedback regarding the visit. Recognizing that the Superintendent directs the work of staff, pursuant to F.S. 1001.51 and 1012.27(7), the Board member's feedback should be directed to the Superintendent, who will share it with staff, as appropriate. (See Bylaw 0149.3 *Board-Staff Communication*)

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9150 - **SCHOOL VISITORS**

The School Board welcomes and encourages visits to school by parents, other adult residents of the community, and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to invoke visitor controls.

The control of the school is vested in the Principal who has the ultimate responsibility for the administrative and supervision of all decisions and activities on the school campus. The Principal has the authority to prohibit the entry of any person to a school of this District or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the school. If such an individual refuses to leave the school grounds or creates a disturbance, the Principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual. The Principal also has the right to control the time of day, length of the visit, and to determine if the parent/visitor is to be accompanied.

Unauthorized presence on school premises is strictly prohibited. All visitors desiring access to school premises must first receive permission from the Principal, sign in and out at the school office, and wear a visitor's nametag while present on school premises. Persons desiring to meet with a teacher or student on school premises must arrange for an appointment through the Principal.

Except for animals in the classroom as regulated by Policy 8400, canines brought on the premises by law enforcement personnel for law enforcement purposes, or service animals required for use by a person with a disability, no other animals may be on school premises at any time.

Parents and guardians desiring to visit their child during the school day on school premises must follow the procedures set forth above. Non-custodial parents may not remove the child from the school without the lawful consent of the custodial parent or guardian or legal authorization in the form of an order or judgment of a court of competent jurisdiction.

Observation of a teacher's class by a parent or guardian shall be allowed only after receiving the building principal's consent and providing a twenty-four (24) hour notice unless the teacher to be observed agrees to less notice.

The Superintendent shall promulgate such administrative procedures as are necessary for the protection of students and employees of the District from disruption to the educational program or the efficient conduct of their assigned tasks.

Rules regarding entry of persons other than students, staff, and faculty upon school grounds or premises shall be posted conspicuously at or near the entrance to such grounds or premises if there are no formal entrances, and at the main entrance to each school building. In addition, the rules shall be posted in a central location in each school and made available to students, upon request.

Visitation by Board Members and Legislators

Individual Board members may visit a District school at any time. A member of the Legislature may visit any public school in the legislative district of the member. Board members **and legislators** may not be required to give prior notice of the visit. Another Board member or District employee may not limit the duration or scope of the visit or direct a visiting Board member **or legislators** to leave the premises. In keeping with Board bylaws, such Board member visits shall not be considered to be official unless designated as such by the Chairman.

~~**The**~~ Board **members and legislators** ~~**member**~~ must sign in and sign out at the school's main office and wear **their** ~~**his/her Board**~~ identification badge at all times while present on school premises. The Board member **or legislator** shall be visiting as an interested individual in a similar capacity to any parent or citizen of the community. These visits should not be considered to be inspections nor as supervisory in nature.

Pursuant to Bylaw 0172, if, during a visit to a school or program, a Board member observes a situation or condition which causes concern, s/he should discuss the situation first with the Superintendent as soon as convenient or appropriate.

Revised 8/13/19
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1120 - **EMPLOYMENT OF ADMINISTRATORS**

The School Board recognizes that it is vital to the successful operation of the District that administrative positions created by the Board be filled with highly qualified and competent personnel.

Administrators include District personnel who perform management activities such as developing broad policies for the School District and executing those policies through direction of all personnel throughout the District, and who supervise the resources, operations, and management of school(s) and/or department(s) and meet established qualifications. Pursuant to F.S. 1012.01, administrative personnel include District-based instructional administrators, District-based non-instructional administrators, and school administrators.

To be eligible for employment in an administrative position requiring certification, an individual must be of good moral character and hold a valid certificate issued pursuant to Florida law and the rules of the State Board of Education. A copy of the certificate shall be filed with the District.

The Superintendent shall recommend candidates for employment, compensation, and term of employment to the Board.

Any administrative staff member's misstatement of fact material to qualifications for employment or the determination of salary shall be considered to constitute grounds for dismissal.

A candidate shall be disqualified from employment in any administrative position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315.

A person is ineligible for educator certification or employment in any position that requires direct contact with students if the person is on the disqualification list maintained by the department pursuant to F.S. 1001.10(4)(b), is registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C), **would be ineligible for an exemption under F.S. 435.07(4)(c),** or has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to any of the felony offenses listed in F.S. 1012.315.

In addition, the Board shall allow an individual with a temporary certificate in educational leadership to be eligible for administrative positions for which State certification in educational leadership is required. Pursuant to State law and rules adopted by the State Board of Education, an individual must earn a passing score on the Florida Educational Leadership Examination, document three (3) years of successful experience in an executive management or leadership position, and hold a bachelor's degree or higher from an accredited institution of higher learning to qualify for a temporary certificate in educational leadership. A person who is employed under a temporary certificate in educational leadership must be under the mentorship of a State-certificated school administrator during the term of the temporary certificate.

The Superintendent shall also conduct employment history checks of all candidates for administrative positions. The employment history check shall include, but not be limited to, contacting any previous employer and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

The Board may establish reciprocal certification agreements with other Florida school districts whose employment and/or certification requirements are comparable to those of the School District.

The Board shall require a candidate for employment with an out-of-district certificate not comparable to the District Certification to complete all requirements for initial employment and certification.

F.S. 1012.33 states that "the first ninety-seven (97) days of an initial principal's or supervisor's contract is a probationary period. During the probationary period, the employee may be dismissed without cause or may resign from the contractual position without breach of contract." This statement means that individuals who are appointed into their initial administrative positions in the State of Florida will have a ninety-seven (97) day probationary period.

All administrators shall become familiar with the policies of the Board and other policies, regulations, memoranda, bulletins, and handbooks that pertain to their duties in the District. Any administrator employed by the Board who shall be guilty of any willful violation of the policies of the Board shall be subject to discipline up to and including termination.

General Knowledge Examination Assistance

Any employee who does not achieve a passing score on any subtest of the general knowledge examination will be provided information regarding the availability of State-level and District-level supports and instruction to assist him/her in achieving a passing score. Such information will include, but is not limited to, State-level test information guides, School District preparation resources, and preparation courses offered by State universities and Florida college system institutions.

Revised 7/27/21
Revised 5/24/22

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3120 - **EMPLOYMENT OF INSTRUCTIONAL STAFF**

The School Board recognizes that it is vital to the successful operation of the District that positions created by the Board be filled with certified and competent personnel.

For purposes of this policy, instructional staff is defined as written in F.S. 1012.01.

The Superintendent shall also conduct employment history checks of all candidates for instructional staff positions. The employment history check shall include, but not be limited to, contacting any previous employer, reviewing each affidavit of separation from previous employers pursuant to FS 1012.31, and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

Any instructional staff member's misstatement of fact material to qualification for employment or the determination of salary shall be considered to constitute grounds for dismissal.

A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315, or if the candidate has been terminated or resigned in lieu of termination for sexual misconduct with a student.

A person is ineligible for educator certification or employment in any position that requires direct contact with students if the person is on the disqualification list maintained by the department pursuant to F.S. 1001.10(4)(b), is registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C), **would be ineligible for an exemption under F.S. 435.07(4)(c),** or has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to any of the felony offenses listed in F.S. 1012.315.

The Board shall approve employment, upon recommendation of the Superintendent.

Upon Board approval of employment, each instructional staff member shall execute a written contract as required by State law and Policy 3128 - Contracts: Instructional Personnel.

INSTRUCTIONAL PERSONNEL

Qualifications of instructional personnel shall be as required by law and Florida Administrative Code. To be eligible for appointment in any position in the District, a person must be of good moral character; must have attained the age of eighteen (18) years; and must, when required by law, hold a certificate or license issued under rules of the state Board of Education or the Department of Children and Family Services, except when employed pursuant to F.S. 1012.55 or under the emergency provisions of F.S. 1012.24. Previous residence in this State shall not be required in any school of the state as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

Any employee who does not achieve a passing score on any subtest of the general knowledge examination will be provided information regarding the availability of State-level and District-level supports and instruction to assist him/her in achieving a passing score. Such information will include, but is not limited to, State-level test information guides, School District preparation resources, and preparation courses offered by State universities and Florida college system institutions.

CERTIFICATION

A. State Certification

For purposes of this policy, "primary instructor" refers to any instructional employee of a Florida public school district who provides direct support in the learning process by planning, delivering, and evaluating instruction, including through virtual or blended environments, for all students during the entire class period.

Teachers who teach in classes for which FEFP funds are earned shall be certified teachers as defined in F.S. 1012.56 and the Florida State Board of Education Administrative Rule, F.A.C. 6A-1.0503 and 6A-1.0502.

B. In-Field

To be considered "in-field", a primary instructor must meet one of the following qualifications:

1. the teacher is assigned to a course covering subject matter for which the teacher holds a certificate per F.S. 1012.55; or

2. demonstrates sufficient subject matter expertise as determined by F.A.C. 6A-1.0503 (2ah).

F.S. 1012.42

C. District Certification

Nondegreed Vocational Certificate: It is the intent of the Board that nondegreed vocational instructional personnel possess the credentials, knowledge, and/or expertise necessary to provide quality education in the School District. The purpose of District certification is to provide evidence of instructional qualifications in order to protect the interest of students, parents, and the public. The requirements for District certification may be found in the Board Nondegreed Vocational Employment and Certification Procedures.

D. Adjunct Teaching Certificate:

The District may issue an adjunct teaching certificate to an instructional applicant who meets the requirements of s. 1012.56 (2) (a)-(f) and (10) and who has expertise in the subject area to be taught as evidenced by passing a subject area test.

Each adjunct teaching certificate is valid through the term of the annual contact between the educator and the District. An additional annual certification and an additional contract may be awarded by the District at the District's discretion but only if the applicant is rated effective or highly effective during each year of teaching under the adjunct teaching certificate.

The District may issue an adjunct teaching certificate for a part-time or full-time teaching position; however, an adjunct teaching certificate issued for a full-time teaching position is valid for no more than three (3) years and is nonrenewable.

The District will post requirements on its website for the issuance of an adjunct teaching certificate, including the subject area test through which an applicant demonstrates subject area mastery, and shall annually report to the FLDOE the number of adjunct teaching certificates issued for part-time and full-time teaching positions pursuant to this provision.

The Board may revoke a District certificate for cause. The application fee for the District Vocational Certificate and the Adjunct Teaching Certificate shall be the same as a State-issued Educator's Certificate.

CERTIFICATED PERSONNEL

Any person employed in a position requiring certification shall possess a valid certificate issued pursuant to Florida law or issued by the Board and shall file said certificate with the Superintendent.

ALTERNATIVE CERTIFICATION

The alternative certification program is a competency-based program designed to expand the pool of educators to include non-education majors committed to making a positive impact on student achievement. The procedures for this program may be found in the District Alternative Certification Program.

LICENSED PERSONNEL

Speech pathologists, occupational therapists, physical therapists, and audiologists will receive contracts, salary, and benefits. To be eligible for employment these individuals must hold a license to practice in the State of Florida.

ADDITIONAL REQUIREMENTS FOR CORE AREA TEACHERS

All core area teachers employed by the District shall be certified in field. Core area teachers are defined in State and Federal law to include English, reading or language arts, mathematics, science, foreign languages, civic and government, economics, arts, history, and geography. This also includes Exceptional Student Education teachers who teach core area subjects.

Pursuant to Federal law, the specific requirements to attain in-field certification are established by the Florida Department of Education and are set forth in AP 3120.

The District must have a plan and show annual progress towards meeting these teacher qualification requirements.

Revised 12/10/19
Revised 7/27/21
Revised 5/24/22

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4120 - **EMPLOYMENT OF SUPPORT STAFF**

Pursuant to F.S. 1012.01, educational support staff are employees whose job functions are neither administrative nor instructional, yet whose work supports the educational process.

The employment, transfer, promotion, resignation, or dismissal are governed by Federal and State law, School Board policy, State Board rules, and the provisions of the collective bargaining agreements.

A regular employee is a person employed in a continuing position whose duties require twenty (20) or more hours in each normal working week after having completed a ninety (90) workday probationary period. Extensions to this period may be granted by mutual written consent of the employee and the immediate supervisor. Employees who have not completed such period of employment may be discharged without recourse and shall not be subject to the provisions of the grievance procedure for bargaining unit employees.

The Superintendent shall conduct employment history checks of all candidates for educational support staff positions. The employment history check shall include, but not be limited to, contacting any previous employer and reviewing each affidavit of separation from previous employers pursuant to F.S. 1012.31, and screening the candidate through the use of the screening tools described in Florida law. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

Any educational support staff member's misstatement of fact material to qualification for employment or the determination of salary shall be considered to constitute grounds for dismissal.

A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315, or if the candidate has been terminated or resigned in lieu of termination for sexual misconduct with a student.

A person is ineligible for employment in any position that requires direct contact with students if the person is on the disqualification list maintained by the Florida Department of Education pursuant to F.S. 1001.10(4)(b), is registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C), **would be ineligible for an exemption under F.S. 435.07(4)(c),** or has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to any of the felony offenses listed in F.S. 1012.315.

The employment of support staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in District operations. Employment shall be recommended to the Board no later than the month following employment.

The Superintendent shall also conduct employment history checks of all candidates for support staff positions. The employment history check shall include, but not be limited to, contacting any previous employer. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315.

The Board shall approve employment, upon recommendation of the Superintendent.

Any support staff member's misstatement of fact material to qualifications for employment or the determination of salary shall be considered to constitute grounds for dismissal.

All support personnel shall become familiar with the policies of the Board and other such policies, regulations, memoranda, bulletins, and handbooks that pertain to their duties in the District. Any support staff member employed by the Board who shall be guilty of any willful violation of the policies of the Board shall be guilty of gross insubordination and shall be subject to dismissal or such other lesser penalty as the Board may prescribe.

REQUIREMENTS FOR INSTRUCTIONAL PARAPROFESSIONALS

All paraprofessionals employed by the District to provide instructional support services in Title I schoolwide programs and instructional paraprofessionals paid with Title I, Part A funds in targeted assistance programs shall be "highly qualified".

The requirements to be considered a "highly qualified" instructional paraprofessional are established by the Florida Department of Education. Accordingly, one of the following requirements must be met:

A. an associate's or higher degree;

B. two (2) years of study at an institution of higher education; or

C. a rigorous State or local assessment of knowledge of and the ability to perform the following duties

    1. assist in instruction in reading, writing, and mathematics or reading, writing, and mathematics; or

    2. assist in instructing reading readiness, writing readiness, and mathematics readiness, as appropriate.

Instructional paraprofessionals working for a Title I supported program may be assigned to duties as follows:

A. providing one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;

B. assisting with classroom management, such as organizing instructional and other materials;

An Individual Paraprofessional Development Plan (IPDP) (Form 4120 F1) and an Agreement to Meet Qualifications (Form 4120 F2) shall be on file for each paraprofessional employed by the District to provide instructional support services in Title I schoolwide programs or instructional paraprofessional paid with Title I, Part A funds in targeted assistance programs who does not meet the criteria to be considered "highly qualified". The IPDP shall require the paraprofessional to make annual progress towards "highly qualified" status. Failure to satisfactorily complete the IPDP are subject to re-assignment or termination, consistent with provisions in any applicable collective bargaining contract.

AUTHORIZED ACTIVITIES FOR NON-INSTRUCTIONAL PARAPROFESSIONALS

The activities to which non-instructional paraprofessional may be assigned include the following:

A. personal care services;

B. parent involvement activities;

C. food service;

D. playground/cafeteria supervision;

E. bus aides/bus attendants;

F. clerical duties

G. non-instructional computer assistance;

H. non-instructional media center/library supervision;

I. translators (not providing instructional support).

General Knowledge Examination Assistance

Any employee who does not achieve a passing score on any subtest of the general knowledge examination will be provided information regarding the availability of State-level and District-level supports and instruction to assist him/her in achieving a passing score. Such information will include, but is not limited to, State-level test information guides, School District preparation resources, and preparation courses offered by State universities and Florida college system institutions.

Revised 7/24/18
Revised 7/27/21
Revised 5/24/22

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2416 - **STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION**

The School Board respects the privacy rights of parents and their children. No student shall be required, as a part of the school program or the District's curriculum, without prior written consent of the student (if an adult or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

A. political affiliations or beliefs of the student or his/her parents;

B. mental or psychological problems of the student or his/her family;

C. sex 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 and analogous relationships, such as those of lawyers, physicians, and ministers;

G. religious practices, affiliations, or beliefs of the student or his/her parents; or

H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The Superintendent shall establish procedures whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation.

Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building principal.

Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the District will provide the questionnaire or form to the parent and obtain the permission of the parent.

Restricted student information shall routinely be redacted from any survey prior to public release.

Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student or used in a research or experimentation program in which the student is engaged. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building principal. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

The Superintendent is directed to provide notice directly to parents of students enrolled in the District of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent is directed to notify parents of students in the District, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the items described in A through H above are scheduled or expected to be scheduled.

Parents have the right to inspect, upon request, any instrument used in the collection of personal information before the instrument is administered or distributed to the student. The parent will have access to the instrument within a reasonable period of time after the request is received by the building principal.

The term "personal information" means individually identifiable information including: a student or parent's first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; and a Social Security identification number.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following: (1) college or other postsecondary education recruitment, or military recruitment; (2) book clubs, magazines, and programs providing access to low-cost literary products; (3) curricular and instructional materials used by elementary and secondary schools; (4) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments; (5) the sale by students of products or services to raise funds for school-related or education-related activities; and (6) student recognition programs.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

F.S. 1001.42
F.S. 1002.22
20 U.S.C. 1232g
20 U.S.C. 1232h
34 C.F.R. Part 98

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2460 - **EXCEPTIONAL STUDENT EDUCATION**

The School Board, as an expression of its commitment to provide a free, appropriate, public education for students with disabilities in accordance with State and Federal laws, rules, and regulations, shall develop and implement Special Programs and Procedures for Exceptional Students and the Manatee County Plan for Exceptional Student Education. These documents shall include at least the components listed below, shall provide administrative procedures for Exceptional Student Education Programs, and shall be revised when required by the Florida Department of Education (FLDOE), readopted, and submitted to the FLDOE.

A. **Child Identification**

The District will make ongoing efforts to identify, locate, and evaluate students below twenty-two (22) years of age, who reside within the District and have a confirmed or suspected disability in accordance with all Federal regulations and State standards.

B. **Procedural Safeguards**

A child with a disability and his/her parent shall be provided with safeguards, as required by law, throughout the identification, evaluation, and placement process, and the provision of a free, appropriate, public education to the student.

C. **Multifactored Evaluation**

A student may not be given special instruction or services as an exceptional student until after s/he has been properly evaluated and found eligible as an exceptional student in the manner prescribed by rules of the State Board of Education.

The District will provide a multifactored evaluation for students with disabilities by ensuring that:

1. children are assessed in their native language or other mode of communication;
2. tests are used for their validated purposes;
3. children are evaluated in all areas related to their suspected disability;
4. testing is conducted by a multidisciplinary team;
5. testing materials and procedures are not racially or culturally biased;
6. tests are administered by trained personnel qualified in accordance with all Federal regulations and State standards;
7. tests are administered in conformance with the instructions provided by the producer;
8. medical evaluation, when required as part of the multifactored evaluation, shall be provided at no cost to the parent by a licensed physician designated by the Superintendent or his/her designee, when other no-cost resources are not available.

The parent of an exceptional student evaluated and found eligible or ineligible shall be notified of each such evaluation and determination. Such notice shall contain a statement informing the parent that s/he is entitled to a due process hearing on the identification, evaluation, and eligibility determination or non-determination.

D. **Individual Educational Plan**

The District will develop an individual educational plan (IEP) for each child with a disability who needs special education and related services. The IEP shall be designed to meet the unique educational needs of the child and shall be developed in meetings with the child's designated IEP Team. At the initial meeting of a student's IEP team, the District will provide parents with

information about the amount of funding the District receives for each of the five (5) exceptional student education support levels for a full-time student.

Parents of the child shall be strongly encouraged to participate in all planning conferences and IEP Team meetings. The school will provide written notice of an IEP meeting to the parent at least ten (10) days before the meeting, indicating the purpose, time and location of the meeting and who, by title or position, will attend the meeting. The IEP Team meeting requirement may be waived by informed consent of the parent after the parent receives the written notice.

The District will utilize FLDOE parental consent forms for the following actions in a student's IEP:

1. administer to the student an alternate assessment pursuant to F.S. 1008.22 and provide instruction in the State standards access points curriculum; and

2. place the student in an exceptional student education center.

The District will not implement a change as it relates to the actions described above in D.1. and D.2. without parental consent unless the District documents reasonable efforts to obtain the parent's consent and the child's parent has failed to respond, or the District obtains approval through a due process hearing.

The child's IEP shall be reviewed and revised as often as necessary, but at least annually.

District personnel will collaborate with private instructional personnel who are hired or contracted by parents in compliance with F.S. 1003.572.

"Private instructional personnel" include only the following:

1. individuals certified under F.S. 393.17 or licensed under Chapter 490 or Chapter 491 for applied behavior analysis services as defined in F.S. 627.6686 and 641.31098;

2. **registered behavior technicians who have a nationally recognized paraprofessional certification in behavior analysis and who practice under the supervision of individuals licensed under F.S. 393.17 or licensed under F.S. Chapter 490 or Chapter 491 by assisting such individuals in the provision of applied behavior analysis services;**

   To provide services under this paragraph, a registered behavior technician must be employed by an enrolled Medicaid provider.

3. speech-language pathologists licensed under F.S. 468.1185;

4. occupational therapists licensed under part III of 379 Chapter 468;

5. physical therapists licensed under Chapter 486;

6. psychologists licensed under Chapter 490; and

7. clinical social workers licensed under Chapter 491.

Private instructional personnel who are hired or contracted by parents to collaborate with public instructional personnel will be permitted to observe the student in the educational setting, collaborate with instructional personnel in the educational setting, and provide services in the educational setting only if the following requirements are met:

1. the student's public instructional personnel and principal consent to the time and place; and

2. the private instructional personnel satisfy the requirements of F.S. 1012.32 or 1012.321.

E. **Least Restrictive Environment**

The education of students with disabilities will occur in the least restrictive environment through appropriate special education programs and services designed to meet the unique needs of each disabled student. District personnel will use the regular school facilities and adapt them to the needs of exceptional students to the maximum extent appropriate. To the extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who are not disabled. Segregation of exceptional students will occur only when the nature or severity of the exceptionality is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

F. **Confidentiality of Data**

The confidentiality of personally-identifiable data relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction; one official of this District shall be assigned the responsibility for protecting the confidentiality of personally-identifiable data. The District follows all Federal regulations and State standards related to the confidentiality of data. (See Policy 8330 - Student Records)

G. **Due Process**

The District will use procedures to allow differences of opinion between parents and this District or between agencies and this District, to be aired and resolved. The procedures shall provide for case conferences and impartial hearings on the District's proposal or refusal to initiate or change the identification, evaluation, eligibility, or educational placement of the child, or the provision of FAPE to the child.

The impartial hearings shall be conducted by an administrative law judge (ALJ) from the Florida Division of Administrative Hearings (DOAH) and shall be final. However, any party who does not agree with the findings and decision in the due process hearing, including a hearing relating to disciplinary procedures, has the right to bring a civil action with respect to the matter that was the subject of the due process hearing. The action may be brought in a State court of competent jurisdiction or in a district court of the United States without regard to the amount in dispute. In the alternative, in hearings conducted on behalf of a student who is identified as gifted, any party aggrieved by the decision of the ALJ has the right to request a review of the order by the District Court of Appeal as provided in F.S. 120.68.

During the pendency of a due process hearing or appellate proceeding regarding a due process complaint, the student shall remain in his/her current educational assignment, unless the parent and the Board otherwise agree. School personnel may, however, remove a student to an interim alternative educational setting (determined by the student's IEP team) for up to forty-five (45) school days, if the student: 1) carries a weapon to school or has a weapon at school, on school premises, or at a school function under the jurisdiction of the Department of Education or a school district; 2) knowingly has or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the Department of Education or a school district; or 3) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the Department of Education or a school district.

H. **Surrogate Parent**

It shall be the policy of the District that whenever the parent or a person who acts in a parental role to a child with a disability or a child suspected of having a disability is determined to be legally unavailable, the child's rights shall be protected through the assignment of a surrogate parent. A surrogate parent means an individual appointed by the Superintendent and/or the court to act in place of a parent in educational decision making and in safeguarding a child's rights under the Individuals with Disabilities Education Act. The surrogate parent shall not be an employee of the

Department of Education, the School District, a community-based care provider, the Department of Children and Family Services, or any other public or private agency involved in the education or care of the child. The surrogate parent shall meet all statutory requirements and attend the required training to be appointed. The Superintendent shall appoint a surrogate not more than thirty (30) days after the District determines a particular student is in need of a surrogate.

I. Testing Programs

In accordance with F.S. 1008.22(3), all students enrolled in public schools are required to participate in the Statewide standardized assessment program. The Florida Standards Alternate Assessments (FSAA) is designed for students whose participation in the general Statewide assessments is not appropriate, even with accommodations, and it implements the requirements of F.S. 1008.22.

The decision for a student with a disability to participate in the Statewide alternate assessment is made by the IEP team and recorded on the IEP. The following criteria must be met:

1. The student has a significant cognitive disability.
2. Even with appropriate and allowable instructional accommodations, assistive technology, or accessible instructional materials the student requires modifications as defined in F.A.C. 6A-6.03411(1)(z) to the grade-level general State content standards pursuant to F.A.C. 6A-1.09401.
3. The parent must sign consent in accordance with F.A.C. 6A-6.0331(10).

Exceptional students with disabilities shall have access to testing sites.

A student for whom the IEP team determines that the Statewide standardized assessment cannot accurately measure the student's abilities, taking in to consideration all allowable accommodations, may have the Statewide mandated assessment requirement waived for the purpose of receiving a standard high school diploma. To be considered for a Statewide standardized assessment results waiver, the following criteria must be met:

1. The student must be identified as a student with a disability as defined in F.S. 1007.02.
2. The student must have an IEP.
3. The student must have taken the Statewide standardized assessment with appropriate allowable accommodations at least once.
4. In accordance with F.S. 1008.22(3)(c)2., the IEP team must make a determination of whether a Statewide standardized assessment accurately measures the student's abilities, taking into consideration all allowable accommodations for students with disabilities.

The IEP team may meet at any time to verify that the criteria have been met and/or document the team's determination and information analyzed in making the decision.

Further, pursuant to State law, the IEP team may determine that end-of-course assessment cannot accurately measure the abilities of the student and may, therefore, waive the use of the results of the end-of-course assessment for purposes of determining the student's course grade and middle school promotion or award of high school credits.

F.S. 1008.212 establishes two (2) determinations that guide the IEP team in determining whether a student with a disability needs an extraordinary exemption from Statewide standardized assessments.

A student with a disability who has a circumstance, defined according to F.S. 1008.212, may be eligible for an extraordinary exemption from participation in the Statewide assessment. Circumstance is defined as a situation in which accommodations allowable on a Statewide standardized assessment are not offered to a student during the current year's assessment administration because of technological limitations in the testing administration program that lead to results that reflect the student's impaired sensory, manual, or speaking skills rather than the student's achievement of the benchmarks assessed by a Statewide standardized assessment.

A student with a disability who has a condition may be eligible for an extraordinary exemption from participation in the Statewide standardized assessment. A condition is defined according to F.S. 1008.212 to mean an impairment, whether recently acquired or longstanding, that affects a student's ability to communicate in modes deemed acceptable for Statewide standardized assessments, even if appropriate accommodations are provided. The impairment creates a situation in which the results of administration of a Statewide standardized assessment would reflect the student's impaired sensory, manual, or speaking skills rather than the student's achievement of the benchmarks assessed by the Statewide standardized assessment.

A learning, emotional, behavioral, or significant cognitive disability or the receipt of services through the homebound or hospitalized program in accordance with F.A.C. 6A-6.03020 is not, in and of itself, an adequate criterion for granting an extraordinary exemption.

A parent who disagrees with the Commissioner's denial of a requested extraordinary exemption may request an expedited hearing before DOAH pursuant to F.S. 1008.212.

J. **Right to be Accompanied at Meetings Pertaining to Students with Disabilities**

Parents of students with disabilities, or eligible students with disabilities, may be accompanied by another person of their choice at a meeting with District personnel. Such meetings include, but are not limited to, meetings related to the eligibility for exceptional student education or related services; the development of an individual family support plan (IFSP); the development of an individual education plan (IEP); the development of a 504 accommodation plan issued under Section 504 of the Rehabilitation Act of 1973; the transition of a student from early intervention services to other services; the development of postsecondary goals for a student with a disability and the transition services needed to reach those goals; and other issues that may affect the student's educational environment, discipline, or placement of a student with a disability.

District personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means, parents or an eligible student, from inviting another person of their choice to attend a meeting. Parents, eligible students, or other individuals invited to attend such meetings by parents of students with disabilities or eligible students with disabilities on school grounds shall sign-in at the front office of such school as a guest.

Parents of students with disabilities, or eligible students with disabilities, and District personnel shall sign PEER Form "Meeting Participants", v.1415.2 at the meeting's conclusion which states whether or not any District personnel have prohibited, discouraged or attempted discourage the parents, or eligible student, from inviting a person of their choice to the meeting pertaining to their child's, or their own, educational environment, placement, or discipline.

Placement by the Department of Children and Family Services

After the Department of Children and Family Services provides written notification to the District that an exceptional student has been placed in a private residential care facility, the receiving school district shall, within ten (10) business days, review the student's individual education plan (IEP) and shall:

A. provide educational instruction to the student;

B. contract with another provider to provide the educational instruction;

C. contract with the private residential care facility in which the student resides to provide the educational instruction; or

D. decline to provide or contract for educational instruction, in which case the school district in which the legal residence of the student is located shall provide or contract for the educational instruction of the student.

The Superintendent shall administer the local implementation of these State procedures, in accordance with State and Federal laws, rules, and regulations, which shall ensure fulfillment of this policy.

Revised 11/14/17

F.S. 1001.41
F.S. 1001.42
F.S. 1002.20
F.S. 1003.01(3)
F.S. 1003.4156
~~F.S. 1003.428~~
F.S. 1003.57
F.S. 1003.5715
F.S. 1003.572
F.S. 1008.212
F.S. 1008.22
F.S. 1008.24
Statewide Assessment for Students with Disabilities, F.A.C. 6A-1.0943
Florida Alternate Assessment Requirements, F.A.C. 6A-1.09430
Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities, F.A.C. 6A-6.03311
Procedural Safeguards for Exceptional Students Who Are Gifted, F.A.C. 6A-6.03313
Surrogate Parents, F.A.C. 6A-6.0333
Definitions, ESE Policies and Procedures, and ESE Administrators, F.A.C. 6A-6.03411
20 U.S.C. 1400 et seq.
20 U.S.C. 1401 et seq.
34 C.F.R. Part 300

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2623 - **STUDENT ASSESSMENT**

The School Board shall assess student achievement and needs in all program areas in compliance with the law and rules of the State Board of Education. The purpose will be to determine the progress of students and to assist them in attaining student performance objectives and the educational achievement goals of this District. Each student must participate in the Statewide standardized assessment program and the local assessment program as required by law.

Student performance data shall be used in developing objectives for the school improvement plan, evaluating instructional personnel and administrative personnel, assigning staff, allocating resources, acquiring instructional materials and technology, implementing performance-based budgeting, and promoting and assigning students to educational programs. The analysis of student performance data will identify strengths and needs in the educational program and trends over time, and be used in conjunction with budgetary planning and development of remediation programs.

The Board shall require the following:

A. mandatory participation by all eligible students as defined by State Board of Education rules;

B. Statewide assessments offered by the State be made available to all Florida Virtual School students in the District;

C. industry certification examinations, national assessments, and Statewide assessments be taken at the student's regularly assigned school unless an alternative site is mutually agreed to by the District and the Florida Virtual School or authorized contractor;

   The school will notify FLVS of the date and time of the administration of each examination or assessment.

D. parents be informed of the testing program of the schools and of the Statewide, standardized tests or the local assessments that are to be administered to their children;

E. data regarding individual test scores on either the Statewide, standardized tests or the local assessments be entered on the student's cumulative record, where it will be subject to the policy of this Board regarding student records;

F. school and District test results will be reported to the public annually;

G. the Superintendent has procedures in place for the annual assessment of Kindergarten through 10th grade students on their reading proficiency and identify those students who are reading below grade level. S/He shall ensure that each student's teacher is involved in the assessment and in the identification of those students who are reading below grade level.

   The school will notify the parent of each student who exhibits a deficiency in reading, shall consult with the parent in the development of a progress monitoring plan, and will provide intensive reading instruction to the student until the deficiency is corrected.

Statewide Standardized Assessment

The School District shall administer the Statewide, standardized tests to students at the grade levels and for the subjects at the times designated by the Florida Commissioner of Education. The Statewide standardized assessment program consists of Statewide, standardized comprehensive assessments, end-of-course (EOC) assessments, Kindergarten Readiness Screener, ACCESS for ELLs, and the Florida Standards Alternate Assessment.

A Statewide standardized EOC assessment must be used as the final cumulative examination for its associated course. No additional final assessment may be administered in a course with a Statewide standardized EOC assessment. A District-required local assessment may be used as the final cumulative examination for its associated course in accordance with Board policy.

Local Assessments

The District will provide a student's performance results on District-required local assessments to the student's teachers and **parent within one (1) week** ~~parents no later than thirty (30) days~~ after administering such assessments unless the superintendent determines in writing that extenuating circumstances exist and report the extenuating circumstances to the Board. **Results will be made available through a web-based portal as part of the District's student information system and in a printed format upon request by a student's parent.**

Local Assessment Committees

The Superintendent is authorized to convene local assessment committees to evaluate the assessments that are available to measure the performance of the District's students in all subjects and grade levels not measured by Statewide, standardized assessments, and to recommend to the Superintendent the assessment that would be most appropriate for the purpose required by State law. In so doing, these committees shall consider item banks, facilitating the sharing of developed tests with other school districts, acquiring assessments from State and national curriculum-area organizations, and providing technical assistance in best professional practices of test development based upon State-adopted curriculum standards, as well as established protocols for Statewide, standardized assessments concerning administration, scoring, and security.

Upon approval of the Superintendent of the specific type of assessment to be used at each grade level and for each subject not measured by a Statewide, standardized assessment, these committees shall then be responsible for the selection and/or development of each specific assessment, the development of the protocols that will govern the administration of the assessment, the protocols to be used in the scoring of each local assessment, and any protocols necessary for test security. The committee shall also be responsible for recommending to the Superintendent the method for collecting assessment results.

During the development of the local assessment program, progress reports may be made to the Board about the work of the local assessment committees, and when development of the local assessment program for each grade level and subject area has not been completed.

The Superintendent may charge the local assessment committees with the responsibility of annually reviewing and analyzing the performance results of the students at each grade level or subject for which they developed the local assessment instrument.

The local assessment committee will also be responsible for analyzing the reliability and validity of the assessment instrument, and making revisions to the instrument, if need be. The Superintendent may provide technical assistance to the committees in determining the reliability and validity of the assessment instrument.

Scheduling of Assessments

A. The State establishes the schedules for the administration of any Statewide standardized assessments and the Board approves the schedules as an agenda item at a Board meeting. The District will publish the testing schedules on its website using the Department of Education's uniform calendar with the information required by State law.

   The Board will submit the schedules to the Department of Education by October 1st of each year. Each District will publish the schedules for Statewide, standardized assessments and District-required assessments on its website using the uniform calendar.

B. The Board will not schedule more than five percent (5%) of a student's total school hours in a school year to administer Statewide standardized assessments**, the coordinated screening and progress monitoring system under F.S. 1008.25(8)(b)2.,** and District-required local assessments. The Board will secure written consent from a student's parent before administering District-required local assessments that, after applicable Statewide standardized **assessments and coordinated screening and progress monitoring** are scheduled, exceed the five percent (5%) test administration limit for that student. The five percent (5%) test administration limit for a student may be exceeded if necessary to provide test accommodations that are required by an IEP or are appropriate for an English language learner who is currently receiving services in the District's English language learner program.

Assessment Preparation

No school in this District may suspend the regular program of curricula to administer practice assessments or engage in other assessment-preparation activities for a Statewide standardized assessment. However, the Board authorizes schools to:

A. distribute to students sample assessment books and answer keys that are published by the Florida Department of Education;

B. provide individual instruction in assessment taking strategies without suspending the school's regular program of curricula for a student who scores at Level 1 or Level 2 on a prior administration of the Statewide assessment;

C. provide individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curriculum for a student who scores at Level 1 or Level 2 on a prior administration of the Statewide assessment or a student who, through a diagnostic assessment administered by the District is identified as having a deficiency in the content knowledge and skills assessed; and

D. administer a practice assessment or engage in other assessment preparation activities for the Statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the assessment items, and the assessment directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education.

Students with Disabilities

A. **Participation in Statewide Standardized Assessments with or without Accommodations**

All students with disabilities will participate in the Statewide standardized assessment program based on State standards, pursuant to F.A.C. 6A-1.09401, without accommodations unless the student's individual educational plan (IEP) team, or the team that develops the plan required under Section 504 of the Rehabilitation Act, determines and documents that the student requires allowable accommodations during instruction and for participation in a Statewide standardized assessment.

"Accommodations" are defined as adjustments to the presentation of the Statewide standardized assessment questions, methods of recording examinee responses to the questions, scheduling for the administration of a Statewide standardized assessment to include amount of time for administration, settings for administration of a Statewide standardized assessment, and the use of assistive technology or devices to facilitate the student's participation in a Statewide standardized assessment. Accommodations that negate the validity of a Statewide standardized assessment are not allowable.

The provision of accommodations for students with disabilities shall be provided in accordance with section 4 (a) through (e) of F.A.C. 6A-1.0943 and applicable State and Federal laws.

B. **Florida Standards Alternate Assessment**

A student with a disability, as defined in F.S. 1007.02(2), for whom the IEP Team determines that the Statewide standardized assessments cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such a waiver shall be designated on the student's transcript. The statement of waiver shall be limited to a statement that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.

The alternative assessment program is designed for a student with a significant cognitive disability and includes the Florida Standards Alternate Assessment (FSAA) - Performance Task and the FSAA - datafolio assessments. The decisions of whether a student is eligible to participate in the alternative

assessment program and whether the student should participate in the FSAA - Performance Tax or FSAA - data folio assessments is determined by the student's IEP team and delineated on the student's IEP. Such determination must be in accordance with the criteria set forth in Florida law including, but not limited to, F.A.C. 6A-1.0943 and 6A-1.09430.

C. **Extraordinary Exemptions**

A student with a disability for whom the IEP team determines is prevented by a circumstance or condition, as those terms are defined in F.S. 1008.212, from physically demonstrating the mastery of skills that have been acquired and are measured by the Statewide standardized assessment, a Statewide standardized end-of-course assessment, or an alternate assessment pursuant to F.S. 1008.22(3)(c) shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability or the receipt of services through the homebound or hospitalized program is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption.

Once an IEP Team determines that a student with a disability is prevented by a "circumstance" or "condition" as defined in F.S. 1008.212 from physically demonstrating the mastery of skills that have been acquired and are measured by the Statewide standardized assessment, a Statewide standardized end-of-course assessment, or an alternate assessment under F.S. 1008.22(3)(c), the IEP Team, which must include the parent, may submit to the superintendent a written request for an extraordinary exemption from the administration of the assessment pursuant to F.S. 1008.212.

The written request for an extraordinary exemption may be made at any time during the school year but not later than sixty (60) days before the first day of the administration window of the assessment for which the request is made. The request must include the following information:

1. A written description of the student's disabilities, including a specific description of the student's impaired sensory, manual, or speaking skills.
2. Written documentation of the most recent evaluation data.
3. Written documentation, if available, of the most recent administration of Statewide standardized assessments.
4. A written description of the circumstances' or conditions', as defined above, effect on the student's participation in Statewide standardized assessments.
5. Written evidence that the student has had an opportunity to learn the skills being tested.
6. Written evidence that the student has been provided appropriate instructional accommodations.
7. Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the administration of a Statewide standardized assessment.
8. Written evidence of the circumstance or condition as defined above.
9. The name, address, and phone number of the student's parent.

The superintendent will recommend to the Commissioner of Education whether the request should be granted or denied, and the Commissioner will grant or deny the requested exemption within thirty (30) calendar days of receipt of the superintendent's request. A copy of the District's procedural safeguards as required in F.A.C. 6A-6.03311 shall be provided to the parent. If the parent disagrees with the IEP Team's recommendation, the dispute resolution methods described in the procedural safeguards shall be made available to the parent.

D. **Exemption Options for Students with a Medical Complexity**

In addition to the exemption option available under F.S. 1008.212, a student with a medical complexity as defined in F.S. 1008.22 may be exempt from participating in Statewide standardized assessments, including the Florida Alternate Assessment. If a parent consents in writing and the student's IEP team determines that the student should not be assessed based on medical documentation that confirms that the student meets the criteria of medical complexity, the parent may select from the assessment exemption options set forth in F.S. 1008.22.

Test Administration and Security

The District may contract with qualified contractors to administer and proctor Statewide standardized assessments or local assessments required under State law. Assessments may be administered or proctored by qualified contractors at sites that meet criteria established by rules of the State Board of Education and adopted pursuant to State law to implement these contracting requirements.

The District may use District employees, such as education paraprofessionals, to administer (with teacher certification) and proctor Statewide standardized assessments or assessments associated with Florida approved course under F.S. 1003.499. District employees will be trained according to rules of the State Board of Education before performing such duties.

The Board shall take appropriate and necessary actions against any employee who knowingly and willfully violates test security rules adopted by the FLDOE for any Statewide standardized assessments.

The Superintendent shall develop administrative procedures for test security that will maintain and ensure the integrity of District and State assessments.

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3129 - **CONFLICT OF INTEREST - PRIVATE PRACTICE**

The proper performance of school business is dependent upon high standards of honesty, integrity, impartiality, and professional conduct by School Board employees. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence. For these reasons, the Board adopts the following procedures to assure that conflicts of interest do not occur. These procedures are not intended to be all inclusive, nor to substitute for good judgment on the part of all District Board members, employees, officers, and agents.

A. No employee, officer, or agent shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts with the employee's job duties and responsibilities in the school system.

B. No employee, officer, or agent shall engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the District.

   Included, by way of illustration rather than limitation are the following:

   1. the provision of any private lessons or services for a fee;

   2. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through access to District records;

   3. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration to the employee;

   4. the requirement of students or clients to purchase any private goods or services provided by an employee or any business, or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.

C. No employee, officer, or agent shall make use of materials, equipment, or facilities of the District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

Notwithstanding parts A through C of this policy, the District does not prohibit instructional personnel from providing New World Reading Scholarship Account services as outlined in F.S. 1002.411 on the instructional personnel member's school campus outside regular work hours. Such services are subject to Board policies related to the safety and security operations to protect students, instructional personnel, and educational facilities. Any other exceptions ~~Exceptions~~ to this policy shall be approved by the Superintendent consistent with State law.

Employees, officers, or agents may not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Employees, officers, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Nothing in this policy is intended to limit the solicitation and acceptance of gifts or donations by the District.

To the extent that the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the School District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the School District is unable, or appears to be unable, to be impartial.

Employees, officers and agents must disclose any potential conflict of interest which may lead to a violation of this policy to the School District. Upon discovery of any potential conflict of interest, the School District will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The District will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery, or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

Employees, officers and agents found to be in violation of this conflict of interest policy will be subject to disciplinary action up to and including termination, consistent with substantive and procedural due process and as permitted by applicable Board policy, State law, and/or applicable provisions of the collective bargaining agreement.

F.S. 112.312
F.S. 112.313
F.S. 1002.411
F.S. 1006.32
2 C.F.R. 200.112
2 C.F.R. 200.113
2 C.F.R. 200.318

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3129.01 - **TUTORING**

As set forth in Policy 3210, no instructional staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his/her duties in the public interest.

Instructional staff members who tutor students within their school unit and receive compensation for this work shall have prior approval of their principal.

Staff members may not accept fees for remedial tutoring of students currently enrolled in one (1) or more of their classes for which a grade is given. **For purposes of this policy, "remedial tutoring" does not include New Worlds Reading Scholarship Account services permitted under Policy 3129.**

In accordance with this policy, Board facilities and materials shall not be utilized for such tutoring.

F.S. 1002.411

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Salaries of all instructional staff members shall be determined by the School Board and shall be authorized by the following salary schedules adopted by the Board upon the recommendation of the Superintendent:

A. grandfathered salary schedule for instructional staff who have continuing contracts or professional service contracts and were hired before July 1, 2014; or

B. the performance salary schedule for instructional staff who were hired after July 1, 2014, or who held annual contracts as of July 1, 2014.

The base salary set forth in these salary schedules, as well as the amounts provided for adjustments and supplements shall be subject to collective bargaining.

If budget constraints in any given year limit the Board's ability to fully fund all adopted salary schedules, the performance salary schedule shall not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the District. **Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by, and in accordance with, F.S. 1012.22.**

Grandfathered Salary Schedule for Instructional Staff

The grandfathered salary schedule for instructional staff shall be used as the basis for paying instructional personnel hired before July 1, 2014, who have a continuing contract or a professional service contract. Each year instructional staff members who were hired before July 1, 2014 and who have a continuing contract or a professional service contract will have the opportunity to move from this salary schedule to the performance salary schedule for instructional staff.

A portion of each employee's compensation paid pursuant to the grandfathered salary schedule for instructional staff shall be based on demonstrated performance as evaluated in accordance with State law and Policy 3220, Evaluation of Instructional Personnel.

Pursuant to statutory requirements and subject to negotiation, the grandfathered salary schedule for instructional staff shall provide for differentiated pay for based upon the following District-determined factors:

A. additional responsibilities;

   The list of additional responsibilities for which instructional staff members shall receive differentiated pay is set forth in the collective bargaining agreement.

   The Principal shall submit to the Superintendent a list of staff members who are assigned one (1) or more of the additional responsibilities on the list that is set forth in the collective bargaining agreement.

   By the first Board meeting in October, the Superintendent will authorize payment of the salary adjustment specified in the Board adopted annual salary schedule for instructional staff to the instructional staff members who are assigned these additional responsibilities.

   At a subsequent regular meeting of the Board, the list of instructional staff members who will receive this salary adjustment shall be provided to the Board members.

B. school demographics;

   By September 1st, the Principal shall submit to the Superintendent a list of instructional staff members who are assigned to schools that have the demographics that were approved by the Board for the current school year.

   By the first Board meeting in October, the Superintendent will authorize payment of the amount

specified in the Board adopted salary schedule for instructional staff as a salary adjustment for assignment to a school that has the demographics listed above.

At a subsequent regular meeting of the Board, the list of instructional staff members who will receive this salary adjustment shall be provided to the Board members.

C. critical shortage areas;

By the first Board meeting in October, upon the recommendation of the Superintendent, the Board shall approve any instructional staff positions that the District has identified as critical shortage areas.

The Principal shall submit to the Superintendent a list of staff members assigned to positions that have been identified as critical shortage areas by the State Board of Education or the District.

Following the first Board meeting in October, the Superintendent will authorize payment of the amount specified in the annual salary schedule for instructional staff as an adjustment to the compensation of the staff members assigned in critical shortage areas.

At a subsequent regular meeting of the Board, the list of instructional staff members who will receive this adjustment shall be provided to the Board members.

D. level of job performance difficulties;

The list of job performance difficulties for which instructional staff members shall receive differentiated pay are set forth in the collective bargaining agreement.

The Principal shall submit to the Superintendent a list of instructional staff members whose assignment is characterized by the job performance difficulties.

By October 1st, the Superintendent shall authorize payment of the amount specified in the grandfathered salary schedule for instructional staff as a salary adjustment to the instructional staff members eligible as a result of these job performance difficulties inherent in their assignment.

At a subsequent regular meeting of the Board, the list of instructional staff members who will receive this adjustment shall be provided to the Board members.

The amount paid for each of these District-determined factors shall be subject to collective bargaining.

Further, as provided by law, these annual salary adjustments become part of the instructional staff member's base salary for the next school year.

Salary Supplements

In addition to the annual salary adjustments described above, the Board shall also award salary supplements that are annual additions to the instructional staff member's salary. Salary supplements shall be paid to all instructional staff members who were hired before July 1, 2011 for any advanced degree held, and to all instructional staff members hired after July 1, 2011 but before July 1, 2014 for advanced degrees earned in their area of responsibility.

A. By September 15th, the Principal shall submit to the Superintendent a list of instructional staff members who are eligible for the additional compensation provided by the annual salary schedule for all instructional staff members who were hired before July 1, 2011 for any advanced degree held, and to all instructional staff members hired after July 1, 2011 but before July 1, 2014 for advanced degrees earned in their area of responsibility.

B. By October 1st, the Superintendent will authorize payment of the amount specified in the grandfathered salary schedule for instructional staff as a salary adjustment to the instructional staff members eligible for advanced degrees held.

C. At a subsequent regular meeting, the list of instructional staff members who will receive this supplement shall be provided to the Board.

As provided by law, these annual salary supplements shall not become part of the instructional staff member's permanent base salary.

Performance Salary Schedule for Instructional Staff

Beginning July 1, 2014, the performance salary schedule shall be the basis for paying instructional staff members new to the District, returning to the District after a break in service without an authorized leave of absence, or appointed for their first time to an instructional staff position in the District.

The performance salary schedule shall also be the basis for paying instructional staff members on annual contract as of July 1, 2014.

Additionally, the performance salary schedule shall be the basis for paying instructional staff members with a continuing contract or a professional service contract who opt out of the grandfathered annual salary schedule and into the performance salary schedule.

The base salary for instructional staff members who opt into the performance salary schedule or who are required by State law to move to the performance salary schedule must be the salary paid in the prior year, including adjustments only.

The annual salary adjustment under the performance salary schedule for an instructional staff member rated as "highly effective" must be greater than the highest annual salary adjustment available to an instructional staff member of the same classification through any other salary schedule adopted by the Board.

The performance salary schedule must not provide an annual salary adjustment for an instructional staff member who receives a rating other than highly effective or effective for the year.

Salary Supplements

The performance salary schedule for instructional staff shall provide for the following salary supplements:

A. assignment to a Title I eligible school;

   The Principal will submit to the Superintendent a list of staff members who are assigned to a Title I school.

   The Superintendent will authorize payment of the supplement specified for assignment to a Title I school.

   At a subsequent regular meeting, the list of staff members who will receive this supplement shall be provided to the Board.

B. assignment to a school that received an "F" or three (3) consecutive grades of "D" pursuant to the school grading system established by State law;

   The Principal will submit to the Superintendent a list of staff members who were assigned to a school that improved by at least one grade level for the previous school year.

   By October 1st, the Superintendent will authorize payment of the supplement specified in the collective bargaining contract for one (1) year following improved performance in the school regardless of whether or not the teacher assignment is at the school that improved.

   At a subsequent regular meeting, the list of staff members who will receive this supplement shall be provided to the Board.

C. certification and teaching in the critical teacher shortage areas identified by the State Board of Education and/or District pursuant to State law;

   Upon the recommendation of the Superintendent, the Board shall approve any instructional staff positions that the District has identified as critical shortage areas.

   The Principal shall submit to the Superintendent a list of staff members assigned to positions that

have been identified as critical shortage areas by the State Board of Education or District.

By October 1st, the Superintendent will authorize payment of the supplement specified in the collective bargaining contract for the staff members assigned in critical shortage areas.

At a subsequent regular meeting, the list of staff members who will receive this supplement shall be provided.

D. assignment of additional academic responsibilities;

The list of additional academic responsibilities for which instructional staff members shall receive salary supplements are set forth in the collective bargaining agreement.

Each Principal shall submit to the Superintendent a list of staff members assigned additional academic responsibilities.

By October 1st, the Superintendent will authorize payment of the supplement specified in the collective bargaining contract for the staff members assigned additional academic responsibilities. At a subsequent regular meeting, the list of staff members who will receive this supplement shall be provided to the Board.

E. advanced degree in the area of certification.

By September 15th, the Principal shall submit to the Superintendent a list of instructional staff members who have earned advanced degrees in their area of certification.

By October 1st, the Superintendent will authorize payment of the supplement specified in the collective bargaining contract for the staff members who have earned advanced degrees in their area of certification.

At a subsequent regular meeting, the list of staff members who will receive this supplement shall be provided to the Board.

The amount paid for each of these salary supplements shall be subject to collective bargaining.

Bonuses and/or Severance Pay

If the Board provides bonuses and/or severance pay to instructional staff that are not included in an individual employment contract and/or pursuant to a collective bargaining contract, those bonuses and/or severance pay are subject to negotiations, but must strictly comply with the provisions of F.S. 215.425 that pertain to such bonuses and/or severance pay.

Instructional staff members should refer to the current collective bargaining agreement for more information regarding compensation.

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5111.01 - **HOMELESS STUDENTS**

Definitions

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the District. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The District shall regularly review and revise its policies, including school discipline policies that impact homeless students, including those who may be a member of any of the protected classes (Policy 2260).

Homeless children and youth, including "certified homeless youth" under State law, are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include children and youth who meet any of the following criteria:

A. share the housing of other persons due to loss of housing, economic hardship, or similar reason

B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations

C. live in emergency or transitional shelters

D. are abandoned in hospitals

E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or

F. live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.

Enroll/Enrollment: enroll and enrollment include attending classes and participating fully in school activities (s. 725(1)).

Designated Receiving School: designated receiving school includes the next level school, elementary from prekindergarten, middle from elementary, high from middle, that a homeless child or youth, whose homelessness continues into the next school year, may attend when that next level school is the district designated school for those students in the homeless student's school of origin (s. 722(g)(3)(I)(ii)).

Eligible School: the school of origin, the school zoned for the address where the student is temporarily residing, or another school which students residing in that attendance zone are eligible to attend (s. 722(g)(3)(A)).

NOTE: According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see *Education for Homeless Children and Youth Programs, Non-Regulatory Guidance,* U.S. Department of Education (ED), for factors to consider when determining whether a child or youth is living in "substandard housing".

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth ~~**under the age of twenty-one (21) and**~~ not in the physical custody of a parent or guardian. Under State law an unaccompanied homeless youth who is sixteen (16) years of age or older and found to be an unaccompanied homeless youth eligible for services under Federal law shall be issued a certificate by the District's Liaison for Homeless Children on District letterhead documenting his/her status which is to be accepted by medical providers and the courts.

Additionally, pursuant to Federal and State law, children or youth who are experiencing homelessness also include migratory children who are living in circumstances described in A-F above.

Services to Homeless Children and Youth

The District will provide services to homeless students that are comparable to other students in the District, including:

A. transportation services;

B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:

1. **Title 1 (s. 722(g)(4)(B);**

2. programs for children with disabilities **(Exceptional Student Education (ESE));**

3. programs for English learners (ELs) (i.e., students with Limited English Proficiency (LEP));

4. programs in career and technical education;

5. programs for gifted and talented students;

6. school nutrition programs; and

7. before - and after-school programs.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. **In addition, the Liaison will coordinate with housing authorities, and (s. 722(g)(5)(B).** For more information on the role of the Liaison, refer to AP 5111.01.

School Stability

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the District must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors.

The District must:

A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or

B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth, or the family of the child or youth, is actually living are eligible to attend.

When determining a child or youth's best interest, the District must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if he or she is an unaccompanied youth. The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the District must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The District also considers the school placement of siblings when making this determination.

If the District finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the District must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

Immediate Enrollment

The District has an obligation to remove barriers to the enrollment and retention of homeless students. If a school other than the student's school of origin is chosen on the basis of a best interest determination, the homeless student must be immediately enrolled, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate, or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness, fails to meet uniform or dress code requirements, or has outstanding fines or fees.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records**. Academic or other records must be obtained to provide appropriate credit for full or partial coursework satisfactorily completed by homeless children and youth while attending a prior school**. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian or unaccompanied youth to the Liaison, who will help obtain the immunizations, screenings or other required health records.

Records will be treated as a student education record, and shall not be deemed to be directory information, under section 444 of the General Education Provisions Act (GEPA)

These records include**:**

1. immunization or other required health records**;**~~,~~
2. academic records**:**
3. birth certificates**:**
4. guardianship records, and**:**
5. evaluations for special services or programs.

Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or district **and held confidential in a manner consistent with section 444 of the General Education Provisions Act (GEPA)**. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, it shall be the District's responsibility to make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available). **Unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for postsecondary education.**

Transportation

The District shall promptly provide homeless students with transportation services that are comparable to those available to non-homeless students. At the request of the parent or guardian, or the liaison in the case of an unaccompanied youth, the District shall provide, or arrange for, transportation to and from the student's school of origin.

A. If the homeless student continues to live in the District, transportation shall be provided, or the District shall arrange for the student's transportation, to/from his/her school of origin.

B. If the homeless student resides in another school district, but the best interest determination is that the student should continue his/her education at the school of origin in the District, the District and the school district in which the student now resides shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin.

   If there is not agreement, the District shall assume responsibility to transport the student from the

district of residence to the school of origin in the District. Since Federal law requires that the responsibility and costs to be shared equally, the district of residence shall be invoiced for their share of the cost for transportation.

C. If the homeless student resides in the District, but the best interest determination is that the student should continue his/her education at the school of origin in another district, the District and the school district in which the student's school of origin is located shall agree upon a method to equitably apportion responsibility and costs for transportation to the school of origin.

   If there not agreement, the District shall assume responsibility to transport the student to the school of origin in the other district. Since Federal law requires the responsibility and costs for transportation services to be shared equally, the district in which the school or origin is located shall be invoiced for their share of the cost for transportation.

D. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The mode of transportation shall be determined in consultation with the parent or guardian and shall be based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The District will work with the State to resolve transportation disputes with other districts. Until the Districts reach agreement, the responsibility and costs for transportation shall be shared equally costs for transportation are to be shared equally.

If the disputing district is in another State, the District will turn to the State for assistance as Federal guidance says that both states should try to arrange an agreement for the districts.

Dispute Resolution

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the District must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the District will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to Federal and State law, State Board rule, and this policy, the District will provide the parent, guardian, or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the District, along with a written explanation of appeal rights.

The District's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including the following:

A. a description of the proposed or refused action by the school;

B. an explanation of why the action is proposed or refused;

C. a description of other options the school considered and why those options were rejected;

D. a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources; and

E. an appropriate timeline to ensure deadlines are not missed.

The District's notice and written explanation shall include contact information for the Liaison and the State Coordinator, and a brief description of the roles of each. The District's notice and written explanation shall

also inform the parent, guardian, or unaccompanied youth that the Liaison is responsible for providing information describing the State-level dispute resolution process and distributing the appropriate forms to all parties wanting to file an appeal.

To initiate the State-level appeals process, within ten (10) working days after receiving written notification of the District-level or inter-district decision, the parent, guardian, or unaccompanied youth may file an appeal with the Liaison, who must provide it to FLDOE. Upon receipt of an appeal, the Liaison is required to notify FLDOE of the State-level appeal and provide that appeal to the FLDOE. The local liaison also must log incidents of State-level appeals in the FLDOE Online Dispute Resolution Tracking System.

The FLDOE and the Commissioner of Education will render a decision on any appeal and provide a copy of such decision to the parties.

All decisions and notices shall be drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities.

For children and youth and/or parents or guardians who are English learners or whose dominate language is not English, the District will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to Federal laws.

The District will also provide electronic notices via email if the parent, guardian or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

The child or youth will either remain enrolled in the student's school of origin or shall be immediately enrolled in the eligible school in which enrollment is sought, either the school zoned for the address where the student is residing or another school which students residing in that attendance zone are eligible to attend, pending final resolution of the dispute including all available appeals (s. 722(g)(3)(E)(i).

Homeless Children in Preschool

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the District. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the District takes into account the same factors as it does for any student, regardless of age. It also considers pre-school age specific factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The District must also provide transportation services to the school of origin for a homeless child attending preschool. It is the District's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the District moves to another district that does not provide widely available or universal preschool.

Public Notice

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the District shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

Records

The local liaison will assist the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-

Vento Act, information regarding a homeless student's living situation is not considered directory information and must be provided the same protections as other non-directory personally identifiable information (PII) contained in student education records under FERPA. The District shall incorporate practices to protect student privacy as described in AP 5111.01, AP 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

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5335 - **CARE OF STUDENTS WITH CHRONIC HEALTH CONDITIONS**

Students with chronic health conditions will be provided with a free appropriate public education. If their impairment does not require specially designed instruction for them to benefit educationally, they will be eligible for accommodations/modifications/interventions of the regular classroom, curriculum, or activity (i.e. the school setting) so that they have the same access to an education as students without disabilities. Such accommodations/modifications/interventions may be provided pursuant to a Section 504 Plan (Form 2260.01 F13).

Chronic health conditions, for the purposes of this policy, shall include but not limited to:

A. "peanut" and other food allergies;

B. allergies;

C. asthma;

D. diabetes.

E. **epilepsy and seizure disorders (see AP 5335 which relates to the care of students with epilepsy or seizure disorders)**

All information regarding student identification, health care management, and emergency care shall be safeguarded as personally identifiable information in accordance with Policy 8330 and Policy 8350.

The District will coordinate school health practices for management of a chronic health condition and shall provide for:

A. identification of individuals with chronic health conditions;

B. development of individual health care action plans;

C. coordination of health care management activities by school staff;

D. communication among school staff who interact with children with chronic health conditions;

E. development of protocols to prevent exposure/episodic reactions;

F. awareness and training of school staff regarding School Board policy and procedures on acute and routine management of chronic health conditions, information on signs and treatment of chronic health conditions, medication and administration, and emergency protocols for dealing with reactions in "unusual" situations such as field trips.

School health practices shall provide students with chronic health conditions the opportunity for:

A. full participation in physical activities when student are well;

B. modified activities as indicated by the student's health care action plan 504 plan, or Individualized Education Plan (IEP);

C. access to preventative medications before activity (as prescribed by their medical providers) and immediate access to emergency medications during activity;

D. communication regarding student health status between parents, physicians, teachers (particularly physical education teachers), and coaches.

Healthcare management activities shall include:

A. procedures to obtain, maintain, and utilize written individualized health care plans or physicians orders for students with a chronic health condition;

B. a standard emergency protocol in place for students experiencing a distress reaction if they do not have a written health care action plan on site;

C. established communication strategies for students to use to tell an adult they may be having a health-related problem;

D. procedures for students to have appropriate access to medications in accordance with Policy 5330 and AP 5330 that allow students to self-care and self-administer medications, inhalers, and Epi-pens, as prescribed by a medical professional and approved by parents/guardians;

E. prevention strategies to avoid causal elements;

F. case management for students with frequent school absences, school health office visits, emergency department visits, or hospitalizations due to chronic health conditions;

G. management and care of the student's chronic health condition in the classroom, in any area of the school or school grounds, or at any school-related activity or event;

Staff will be trained at least annually about chronic health conditions and their control in each school in which there is a student with a chronic health condition.

Designated staff who have responsibility for specialized services such as giving inhaler treatments or injections, or conducting glucose and/or ketone tests shall be provided training specific to the procedures by a licensed health professional.

The school nurse shall maintain a copy of the training program and the records of training completed by school employees.

Administrative procedures shall provide guidance for the implementation of this policy.

Emergency Allergy Treatment Educational Training Programs

Educational training programs in the District pertaining to emergency allergy treatment required by State law must be conducted by a nationally recognized organization experienced in training laypersons in emergency health treatment or an entity or individual approved by the Department of Health. The curriculum must include at a minimum:

A. recognition of the symptoms of systemic reactions to food, insect stings, and other allergens; and

B. the proper administration of an epinephrine auto-injector.

Revised 10/23/18

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6320 - **PURCHASING AND CONTRACTING FOR COMMODITIES AND CONTRACTUAL SERVICES**

Any School Board employee who has purchasing authority shall consider first the interests of the Board in all purchases and seek to obtain the maximum value for each dollar expended; not solicit or accept any gifts or gratuities from present or potential suppliers which might influence or appear to influence purchasing decisions; and refrain from any private business or professional activity that might present a conflict of interest in making purchasing decisions on behalf of the Board.

No person, unless authorized to do so under this policy, may make any purchase or enter into any contract involving the use of school funds.

Purchases may be made through an online procurement system, an electronic auction service, or other efficient procurement tool.

Scope

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

A. employment contracts;

B. acquisition of architectural, engineering, landscape architectural, construction management at risk, registered surveying and mapping, or other services;

C. acquisition of auditing services pursuant to F.S. 218.391;

D. contracts which are exempted, in whole or in part, from this policy's requirements, as set forth below;

E. proposals and agreements for public-private partnerships with private entities for qualifying projects pursuant to F.S. 287.05712.

Definitions

A. "Competitive solicitation" means purchasing made through the issuance of an invitation to bid, request for proposals, and invitation to negotiate. Competitive solicitations are not required for purchases made through the pool purchase provisions of F.S. 1006.27.

B. "Invitation to bid" means a written or electronic solicitation for competitive sealed bids. The invitation to bid is used when the District is capable of specifically defining the scope of work for which a contractual service is required or when the District is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is publicly posted.

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

D. "Proposer" means those vendors submitting bids or responses to a competitive solicitation.

E. "Request for proposals" means a written or electronically posted solicitation for competitive sealed proposals. The request for proposals is used when it is not practicable for the District to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the District is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A written solicitation includes a solicitation that is publicly posted.

F. "Superintendent" means the "Superintendent or designee".

G. "Request for Quotations" means an informal process to solicit three (3) or more price quotes on commodities or contractual services with standard specifications and valued under the threshold requiring formal competitive solicitations. Quotations may be obtained verbally or via facsimile or e-mail.

H. "Request for Information" means an informal process to solicit information from vendors on items, commodities, or services. Participation in an RFI does not preclude a vendor from consideration of contract award.

Standards and Specifications

Before making any purchase of commodities or contractual services which the Superintendent is authorized by the Board to make or before recommending any purchase to the Board, the Superintendent shall, insofar as possible, propose standards and specifications. S/He shall see that the commodities or contractual services conform to those standards and specifications, and shall take such other steps as are necessary to see that the maximum value is being received for any money expended.

Pre-Purchasing Review of Available Purchasing Agreements and State Term Contracts for Nonacademic Commodities and Contractual Services

Before purchasing nonacademic commodities and contractual services, the Board authorizes the Superintendent to review the purchasing agreements and State term contracts available under F.S. 287.056 to determine whether it is in the Board's economic advantage to use the agreements and contracts.

Each bid specification for nonacademic commodities and contractual services must include a statement indicating that the purchasing agreements and State term contracts available under F.S. 287.056 have been reviewed. The Board may use the cooperative State purchasing programs managed through the regional consortium service organizations pursuant to F.S. 1001.451. This policy does not apply to services that are eligible for reimbursement under the Federal E-rate program administered by the Universal Service Administrative Company.

Competitive Solicitation Requirements for Commodities and Contractual Services Other Than Construction Contracting

Except as authorized by law or policy, competitive solicitations shall be requested from three (3) or more sources for the purchase of any authorized commodities or contractual services in an amount greater than $50,000.00.

The procurement of commodities or contractual services may not be divided so as to avoid this monetary threshold requirement.

A. Authority

The Superintendent is authorized to issue competitive solicitations.

B. Publication

Notice of competitive solicitations shall be published **on the publicly accessible District website and may be otherwise issued** electronically, by direct delivery, or other means which are appropriate under the circumstances. The required bid return date is to be announced at the time of the bid offering and shall not be less than five (5) working days from the bid offering date.

All advertisements and public notices published on a website as provided in F.S. Chapter 50 must be in a searchable form and indicate the date on which the advertisement or public notice first appeared on the website.

C. Bid Responses

If fewer than two (2) responses are received in regard to a request for competitive solicitations, the

director is empowered by F.S. 287.057 to recommend acceptance of the proposal received and/or open negotiations with a firm or individuals or request new proposals.

D. Bid Opening

Bids will be opened in the office designated in the bid advertisement with the Superintendent's designee and at least one (1) other District employee present.

E. Bid Rejection

The Board may reject any or all bids.

F. Bid Award

In acceptance of responses to invitations to bid, the Board may accept the proposal of the lowest responsive, responsible proposer. The Board may choose to award contracts to the lowest responsive, responsible bidder as the primary awardee of a contract and to the next lowest responsive, responsible bidder(s) as alternate awardees, from whom commodities or contractual services would be purchased, should the primary awardee become unable to provide all of the commodities or contractual services required by the Board during the term of the contract. Nothing herein is meant to prevent multiple awards to the lowest responsive and responsible bidders when such multiple wards are clearly stated in the bid solicitation documents.

For a bidder to be considered responsive, the proposal must respond to all solicitation specifications in all material respects. Any irregularities or deviations from the bid specifications must be clearly stated in the bidder's response. The District, at its own discretion, may find any response nonresponsive.

For a bidder to be deemed responsible, the Board may request evidence from the bidder concerning:

1. the experience (type of product or service being purchased, etc.) of the bidder;
2. the financial condition;
3. the conduct and performance on previous contracts (with the District or other agencies);
4. the bidder's facilities;
5. management skills;
6. the ability to execute the contract properly;
7. a signed affidavit ensuring that neither the bidder nor any subcontractor has entered into an agreement with any labor organization regarding the public improvement project;
8. additional information that may be determined to best economic advantage to the District.

Award of a competitive solicitation shall not create a binding obligation on the Board, and no obligation shall be created or imposed on the District until such time as the Board Chair/designee executes a contract.

Identical/Tie Low Bids

Identical (tie) bids is defined as two (2) or more bid proposals or proposals received by the District in response to a bid package that are equal in every respect as to terms, conditions, price, quality, and service. Award of tie bids proposals, except for preferences that may be outlined in Board policy, shall generally be determined by lot (e.g., coin toss) or on factors deemed to serve the best interest of the District.

Exception to Competitive Bidding Requirements

Notwithstanding anything in this policy to the contrary, the Board may make certain purchases without the requirement for competitive solicitations under the following conditions:

A. In lieu of requesting competitive solicitations from three (3) or more sources, the Board may make purchases from contracts awarded by other Federal, State, city or county governmental agencies, other school boards, community colleges, or State university system cooperative bid agreements when the proposer awarded a contract by another entity will permit purchases by the District at the same terms, conditions, and at above or below unit prices (or below such prices) awarded in such contract, and such purchases are to the economic advantage of the District. Contracts containing cooperative language shall be identified as "cooperative agreements".

B. Purchases made from prices established by the Department of Management Services, Division of Purchasing through its State negotiated agreement price schedule.

C. Competitive solicitations are required for pool purchases made as provided in F.S. 1006.27.

D. Purchase of professional services which shall include, without limitation, artistic services; academic program reviews; lectures by individuals; auditing services not subject to F.S. 218.391; legal services, including attorney, paralegal, expert witness, court reporting, appraisal or mediator services; and health services involving examination, diagnosis, treatment, prevention, medical consultation or administration; provided nothing herein shall be deemed to authorize the superintendent to acquire professional consultant services without Board approval as required by Board policy.

E. The purchase of educational services and any type of copyrighted materials including, without limitation, educational tests, textbooks, printed instructional materials, computer software, films, filmstrips, videotapes, DVDs, disc or tape recordings, digital recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where such materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or a recognized educational institution.

F. The requirements for requesting competitive solicitations for making purchases for commodities and contractual services as set forth in this section are hereby waived as authorized by F.S. 1010.04(4)(a), when the following conditions have been met by the Board:

    1. Competitive solicitations have been requested in the manner prescribed by this policy.

    2. The District has made a finding that no valid or acceptable firm proposal has been received within the prescribed time.

    When such a finding has been officially made, the District may enter into negotiations with suppliers of such commodities and contractual services and may execute contracts with such vendors under whatever terms and conditions as the Board determines to be in its best interests.

G. If fewer than two (2) responsive proposals for commodity or contractual services are received, the District may negotiate on the best terms and conditions or decide to reject all proposals. The District shall document the reasons that negotiating terms and conditions with the sole proposer is in the best interest of the District in lieu of re-soliciting proposals.

H. Acquisition of information technology resources, whether by purchase, lease, lease with option to purchase, rental, or otherwise as defined in F.S. 282.0041(15), may be acquired by competitive solicitation or by direct negotiation and contract with a vendor or supplier as best fits the needs of the District.

I. Purchases of insurance, risk management programs, or contracting with third party administrators for insurance-related services may be through competitive solicitation or by direct negotiation and contract with a vendor or supplier.

J. The Board may dispense with requirements for competitive solicitation for the emergency purchase of commodities or contractual services when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the District

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

K. Commodities or contractual services available only from a single source may be exempted from the competitive solicitation requirements. When the District believes that commodities or contractual services are available only from a single source, the Purchasing Department will electronically post a description of the commodities or contractual services sought for a period of at least seven (7) business days. The description will include a request that prospective vendors provide information about their ability to supply the commodities or contractual services described. If it is determined in writing by the Purchasing Department, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the department shall provide notice of its intended decision to enter a single source contract in the manner specified in Policy 6326 - Bid Protests, and may negotiate on the best terms and conditions with the single source vendor.

L. The Board may make purchases of construction project materials directly from vendors, on behalf of the awarded construction manager, directly from vendors to take advantage of the District's "sales tax" exempt status.

M. A contract for commodities or contractual services may be awarded without competitive solicitations if State or Federal law, a grant or a State or Federal agency contract prescribes with whom the Board must contract or if the rate of payment is established during the appropriations process.

N. A contract for regulated utilities or government franchised services may be awarded without competitive solicitations.

Contract

Each District contract for services must be reviewed by the Director of Purchasing and include a provision that requires the contractor to comply with public records laws, specifically to:

A. keep and maintain public records that ordinarily and necessarily would be required by the District in order to perform the service under the contract;

B. provide the public with access to its public records on the same terms and conditions as the District would provide the records and at a cost that does not exceed the cost provided in Policy 8310 - Public Records;

C. ensure that any of its public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law;

D. meet all requirements for retaining public record and, upon termination of the contract, transfer to the District, at no cost, all public records in its possession and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements;

   All records stored electronically must be provided to the District in a format that is compatible with the District's information technology systems.

E. the contractor shall furnish a copy of any public records request or request for records in any way relating to the District immediately upon receipt of the District's Director of Purchasing request.

Each contract must also include the following statement, in substantially the following form, identifying the contact information of the District's custodian of public records in at least fourteen (14) point boldface type: "IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF F.S. CHAPTER 119 TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE

CUSTODIAN OF PUBLIC RECORDS AT 215 Manatee Avenue W. Bradenton, Florida 34205, (941) 708-8770, publicrecords@manateeschools.net.

Other governmental agencies and nonprofit tax exempt organizations may purchase warehouse items, fuel, and print shop services provided they pay full cost of service plus all overhead cost as determined by the Finance Department.

All contracts for the purchase of goods and contractual services shall be presented to the Director of Purchasing for review and approval. The Director of Purchasing shall have the authority to enforce the use of District bid contracts.

All purchases of services delivered on District-owned sites require a contract.

Contracts shall be approved and executed as follows:

A. Superintendent/Designee Authority

The Superintendent is authorized to approve and execute contracts on behalf of the District involving expenditure of public funds in an amount no greater than $49,999.99, so long as the obligation created does not exceed the applicable appropriation within the District budget and the contract is otherwise in compliance with applicable District procedures, policies, and law. For purposes of this policy, any group of contracts purchase orders to the same provider that are connected in terms of time, location and services such that a reasonable person would view them as a single contract shall be deemed to be a single contract. The Superintendent shall not divide the procurement of commodities or contractual services so as to avoid the monetary cap imposed by this policy. Delegations of contracting authority by the Superintendent to the deputy superintendents shall be in writing and shall specify the maximum obligation permitted up to $25,000. Delegations of contracting authority by the Superintendent to the Director of Purchasing shall be in writing and shall specify the maximum obligation permitted up to $15,000.

B. Emergency Purchases

Notwithstanding the general limit on the Superintendent's authority to enter into contracts involving expenditure of public funds in an amount no greater than $49,999.99, the Superintendent is authorized to approve and execute contracts on behalf of the District involving expenditure of public funds and in accordance with F.A.C. 6A-1.012 may dispense with the requirements for competitive solicitation when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the School District requires emergency action.

C. Board Approval

Except as expressly provided herein, the Board shall approve and execute all contracts on behalf of the District involving expenditure of public funds in an amount of $50,000.00 or more. When practical, contracts will provide a "not to exceed" amount. If subsequent events require an increase in the contract amount, a contract amendment will be submitted for Board approval. **The Board must approve additional funding before incurring expenses that exceed a Board-approved contract amount.**

The Superintendent is authorized to approve and execute modification to Board-approved contracts up to an involving an additional expenditure of public funds in an amount no greater than $49,999.99.

Purchase Order Approval

A. Bids/Exceptions

The Superintendent is authorized to issue purchase orders in accordance with bids awarded without further action of the Board so long as the obligation created does not exceed the Board-approved contract amount and does not exceed applicable appropriation within the District budget.

B. Contracts

The approval of a contract in accordance with this policy authorizes the Superintendent to approve and issue any purchase order required to fulfill the District's obligation under the approved contract without further action of the Board.

No contract for providing supplies, equipment, or services shall be entered into with any individual or business entity in which any member of the Board or the Superintendent has any financial interest.

No Board employee may directly or indirectly purchase or recommend the purchase of goods or services from any business organization in which the employee, his/her spouse, or child has a material interest as defined by F.S. Chapter 112.

Debarment

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

A. Cause of Debarment

The term "debar" or "debarment" means to remove a vendor from bidding on District work. Causes for debarment include, but are not limited to the following:

1. conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or sub-contract, or in performance of such contract

2. conviction under State or Federal statutes for embezzlement, theft, forgery, bribery, falsification or destruction of records, or receiving stolen property, or any other offense indicating lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a vendor

3. conviction under State or Federal anti-trust statutes arising out of submission of bids or proposals

4. violation of contract provisions, including:

    a. deliberate failure, without good cause, to perform in accordance with specifications or within the time limits provided in the contract(s); and

    b. a recent record of failure to perform, or of unsatisfactory performance, in accordance with the terms of one (1) or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment

5. refutation of an offer by failure to provide bonds, insurance or other required certificates within the time period as specified in bid/RFP response

6. refusal to accept a purchase order, agreement, or contract, or to perform thereon, provided such order was issued timely and in conformance with the offer received

7. presence of principals or corporate officers in the business of concern who were principals within another business at the time when the other business was suspended within the last three (3) years under the provisions of this section

8. violation of the ethical standards set forth in State law

9. providing or offering to provide anything of value, including, but not limited to, a gift, loan, reward, promise of future employment, favor, or service to any employee to influence the

award of contract or purchase items from a contractor

10. existence of unresolved disputes between the contractor and the District arising out of or relating to prior contracts between the District and the contractor, work performed by the contractor, or services or products delivered

11. any other cause the Director of Purchasing determines to be so serious and compelling as to affect credibility as a District vendor, including debarment by another governmental entity for any cause listed in this policy

B. Notice of Recommended Decision

The Director of Purchasing or designee shall issue a notice letter that advises the party that it is debarred or suspended. The letter shall:

1. state the reason(s) for the action taken;

2. inform the vendor of its right to petition the Board for reconsideration; and

3. notify the Board of recommended decision.

C. Right to Request a Hearing

Any person who is dissatisfied or aggrieved with the notification of the determination to debar or suspend must, within ten (10) calendar days of such notification, appeal such determination to the Board.

D. Hearing Date

The Board shall schedule a hearing at which time the person shall be given the opportunity to demonstrate why the debarment/suspension by the Director of Purchasing should be overturned. All parties shall be given notice of the hearing date.

F.S. 50.0311
F.S. 119.0701
F.S. 255.05
F.S. 255.0516
F.S. 255.0518
F.S. 282.0041
F.S. 287.056
F.S. 287.084
F.S. 287.087
F.S. 287.132
F.S. 287.133
F.S. 295.187
F.S. 1001.43
F.S. 1001.451
F.S. 1010.04
F.S. 1010.07(2)
F.S. 1010.48
F.A.C. 6A-1.012, Purchasing Policies
F.A.C. 5P-1.003, Responsibilities for the School Food Service Program

Revised 11/14/17
Revised 8/11/20
Revised 11/9/21

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Policies for December 13, 2022 Public Hearing

Policy 1232/3232/4232 - Political Activities (Revised)
Policy 6480 - Expenditures (Revised)

- HB 921 amended F.S. 106.113 (Expenditures by Local Governments) to further limit the expenditure or acceptance of public funds for communications sent to electors concerning an issue, referendum, or amendment, including any state question, that is subject to a vote of the electors. These amendments are addressed through the proposed revisions to Policies 1232, 3232, 4232, and 6480.

Policy 6233 - District Budget (Revised)

- SB 2524 amended statutory language regarding the type of categorical fund expenditures that are permitted when a school board determines appropriations are urgently needed to maintain board-specified academic classroom instruction or to improve school safety. The revisions to Policy 6233 reflect these statutory amendments.

Policy 8405 - School Safety and Security (Revised)

- HB 1421 requires that the Superintendent certify to the Florida Department of Education by July 1 of each year that at least 80% of school personnel in elementary, middle, and high schools received youth mental health awareness and assistance training.

Policy 8407 - Safe-Schools Officers (Revised)

- The revisions to Policy 8407 are the result of HB 1421. HB 1421 modified language in F.S. 1006.12 (Safe-School Officers at Each Public School) related to school resource officer training, crisis intervention training, the power of school safety officers to make arrests on certain property, notification responsibilities related to safe-school officer misconduct, discipline, and firearm discharge.

Policy 8420 - Emergency Management, Emergency Preparedness, and Emergency Response Agencies (Revised)

- HB 1421, among other things, amended various requirements related to the duties of school boards to manage various emergencies. The proposed revisions to Policy 8420 now specify that the school board's emergency management-related procedures and various emergency drills must meet the requirements of State Board of Education rules. With respect to active assailant emergency drills and in accord with HB 1421, Policy 8420 states that law enforcement officers responsible for responding to schools in the event of an active assailant emergency must be physically present on campus and directly involved in the execution of active assailant emergency drills. The school district's School Safety Specialist is also required to notify law enforcement at least 24 hours before conducting an active assailant emergency drills at which law enforcement officers are expected to attend.
- The amendments to F.A.C. Rule 6A-1.0018 also required that Policy 8420 be revised to incorporate provisions related to Alyssa's Alert/a Mobile Panic Alert System.

Policy 8660 - Alternative Transportation Methods (Revised)

- SB 2524 amended F.S. 1006.22 (Safety and Health of Students Being Transported) to modify the specifications for the type of vehicles that can be utilized when transportation of students is provided in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by a school district.

1232 - **POLITICAL ACTIVITIES**

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

Pursuant to State law and Board Policy 6480, administrative staff members may not expend public funds (that is, any funds under the jurisdiction or control of the District) for a political advertisement or any other ~~electioneering~~ communication sent to electors concerning an issue, referendum, or amendment, including State questions that are subject to a vote of the electors.

Pursuant to F.S. 106.011:

A. "Political advertisement" means a paid expression in a "communications medium," whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:

   1. a statement by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization;

   2. editorial endorsements by a newspaper, a radio or television station, or any other recognized news medium.

B. "Communications medium" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, printers, direct mail, advertising agencies, the Internet, and telephone companies; but with respect to telephones, an expenditure is deemed to be an expenditure for the use of communications media only if made for the costs of telephones, paid telephonists, or automatic telephone equipment to be used by a candidate or a political committee to communicate with potential voters but excluding the costs of telephones incurred by a volunteer for use of telephones by such volunteer; however, with respect to the Internet, an expenditure is deemed an expenditure for use of communications media only if made for the cost of creating or disseminating a message on a computer information system accessible by more than one person but excluding internal communications of a campaign or of any group.

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

A. ~~refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate, but is susceptible to no reasonable interpretation other than an appeal or against a specific candidate;~~

B. ~~is made within thirty (30) days before a primary or special primary election or sixty (60) days before any other election for the office sought by the candidate; and~~

C. ~~is targeted to the relevant electorate in the geographic area the candidate would represent if elected.~~

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

Administrative staff who declare themselves candidates for an elective office shall notify the Superintendent immediately upon qualifying for election. They shall submit to the Superintendent a written explanation of how they will conduct their campaign so that it will be in accord with the requirements of State law and this policy.

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

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

An administrative staff member who is a successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

F.S. 104.31
F.S. 106.113
F.S. 110.233
F.A.C. 60L-36.002

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3232 - **POLITICAL ACTIVITIES**

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

Pursuant to State law and Board Policy 6480, instructional staff members may not expend public funds (that is, any funds under the jurisdiction or control of the District) for a political advertisement or **any other** ~~electioneering~~ communication **sent to electors** concerning an issue, referendum, or amendment, including State questions that are subject to a vote of the electors.

Pursuant to F.S. 106.011:

A. **"Political advertisement" means a paid expression in a "communications medium," whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:**

   1. **a statement by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization;**

   2. **editorial endorsements by a newspaper, a radio or television station, or any other recognized news medium.**

B. **"Communications medium" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, printers, direct mail, advertising agencies, the Internet, and telephone companies; but with respect to telephones, an expenditure is deemed to be an expenditure for the use of communications media only if made for the costs of telephones, paid telephonists, or automatic telephone equipment to be used by a candidate or a political committee to communicate with potential voters but excluding the costs of telephones incurred by a volunteer for use of telephones by such volunteer; however, with respect to the Internet, an expenditure is deemed an expenditure for use of communications media only if made for the cost of creating or disseminating a message on a computer information system accessible by more than one person but excluding internal communications of a campaign or of any group.**

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

A. ~~**refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate, but is susceptible to no reasonable interpretation other than an appeal or against a specific candidate;**~~

B. ~~**is made within thirty (30) days before a primary or special primary election or sixty (60) days before any other election for the office sought by the candidate; and**~~

C. ~~**is targeted to the relevant electorate in the geographic area the candidate would represent if elected.**~~

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

Instructional staff who declare themselves candidates for public office for an elective office shall notify the Superintendent immediately upon qualifying for election. They shall submit to the Superintendent a written explanation of how they will conduct their campaign so that it will be in accord with the requirements of State law and this policy.

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

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

An instructional staff member who is a successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

F.S. 104.31
F.S. 106.113
F.S. 110.233
F.A.C. 60L-36.002

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4232 - **POLITICAL ACTIVITIES**

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

Pursuant to State law and Board Policy 6480, support staff members may not expend public funds (that is, any funds under the jurisdiction or control of the District) for a political advertisement or **any other** ~~electioneering~~ communication **sent to electors** concerning an issue, referendum, or amendment, including State questions that are subject to a vote of the electors.

Pursuant to F.S. 106.011:

A. **"Political advertisement" means a paid expression in a "communications medium," whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:**

   1. **a statement by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization;**

   2. **editorial endorsements by a newspaper, a radio or television station, or any other recognized news medium.**

B. **"Communications medium" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, printers, direct mail, advertising agencies, the Internet, and telephone companies; but with respect to telephones, an expenditure is deemed to be an expenditure for the use of communications media only if made for the costs of telephones, paid telephonists, or automatic telephone equipment to be used by a candidate or a political committee to communicate with potential voters but excluding the costs of telephones incurred by a volunteer for use of telephones by such volunteer; however, with respect to the Internet, an expenditure is deemed an expenditure for use of communications media only if made for the cost of creating or disseminating a message on a computer information system accessible by more than one person but excluding internal communications of a campaign or of any group.**

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

A. ~~**refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate, but is susceptible to no reasonable interpretation other than an appeal or against a specific candidate;**~~

B. ~~**is made within thirty (30) days before a primary or special primary election or sixty (60) days before any other election for the office sought by the candidate; and**~~

C. ~~**is targeted to the relevant electorate in the geographic area the candidate would represent if elected.**~~

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

Support staff who declare themselves candidates for an elective office shall notify the Superintendent immediately upon qualifying for election. They shall submit to the Superintendent a written explanation of how they will conduct their campaign so that it will be in accord with the requirements of State law and this policy.

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

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

A support staff member who is a successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

F.S. 104.31
F.S. 106.113
F.S. 110.233
F.A.C. 60L-36.002

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6480 - **EXPENDITURES**

Expenditures from District and all other funds available for the public school program shall be authorized by law and procedures prescribed by the School Board. The Board may permit expenditures to exceed the amount budgeted by function and object, provided the expenditure complies with F.S. 1011.09(4). Such an expenditure may be approved so long as the Board amends the budget and provides a full explanation of any amendments at the next scheduled Board meeting.

Furthermore, pursuant to State law, the District, or any person acting on behalf of the District, may not expend public funds (that is, any funds under the jurisdiction or control of the District) for a political advertisement or **any other** ~~**electioneering**~~ communication **sent to electors** concerning an issue, referendum, or amendment, including State questions, that is subject to a vote of the electors.

This statutory prohibition **applies** ~~**does not apply**~~ to **a communication initiated by the District, irrespective of whether the communication is** ~~**electioneering communications that are**~~ limited to factual information **or advocates for the passage or defeat of an issue, referendum, or amendment**.

A. Accounts Payable

The payment of purchase orders, contracts, invoices, and utilities shall be made in accordance with the approved budget and pursuant to State statutes.

B. Payroll

1. No payment shall be made except to properly authorized and approved personnel and shall begin at the time employment is authorized.
2. Payments shall be based upon a Board-adopted salary schedule for each position.
3. Employees shall be paid in accordance to their work calendar and the payroll schedule.
4. Salary adjustments shall be paid on a subsequent payroll period.
5. Principals and department heads shall be responsible for submitting accurate payroll records in accordance with established time schedules and procedures.
6. Employees shall be paid by direct deposit.

C. Overtime Payment

Authorization to work overtime must be by prior approval of the department head or principal.

If any financial conditions exist as set forth in Policy 6233, the Board will not make expenditures for travel outside of the District or for cellular phones, cellular phone service, personal digital assistants, or any other mobile wireless communication device or service, including text messaging, whether through purchasing, leasing, contracting, or any other method, while the financial conditions exist.

Revised 11/9/21
Revised 1/25/22

F.S. 1001.43
F.S. 1001.51
F.S. 1011.051
F.S. 1011.06
F.S. 1011.09
F.S. 1012.22
F.A.C. 6A-1.014
~~**F.A.C. 6A-1.057**~~

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6233 - **DISTRICT BUDGET**

A. Preparation

The budget shall be prepared and administered in accordance with Florida statutes and in accordance with Policy 6220.

B. Implementation of Budget

Implementation of the official District budget shall give appropriations and reserves therein the force and effect of fixed appropriations and reserves, and the same shall not be altered, amended, or exceeded except as authorized.

The School Board shall monitor the budget on a monthly basis.

Expenditures may exceed the amount budgeted by function or object provided the Board approves the expenditures and amends the budget no later than the annual due date established by the State Department of Education for submitting the District's annual financial report.

Pursuant to State law, if the Board finds and declares in a resolution adopted at a regular meeting of the Board that the funds received for any of the following categorical appropriations are urgently needed to maintain Board specified academic classroom instruction, or improve school safety the Board may consider and approve an amendment to the School District operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. funds for student transportation;
2. funds for supplemental academic instruction allocation as provided in F.S. 1011.62(1, f);
3. ~~**funds for research-based reading instruction; but only if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the District pursuant to F.S. 1011.62(9, a);**~~
4. funds for the guaranteed allocation related to exceptional education students as provided in F.S. 1011.62(1, e)2;
5. funds for library media;
6. funds for instructional materials **if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1st;**

   Funds available after March 1st may be used to purchase computers and device hardware for student instruction that comply with the requirements of F.S. 1001.20(4)(a)1.b.
7. class size reduction as provided in F.S. 1001.685.
8. ~~**digital classrooms allocation as provided in F.S. 1011.62(12);**~~
9. guaranteed allocation
10. Federally connected students supplement as provided in F.S. 1011.62(**10**~~**13**~~).

The Board shall monitor the budget on a monthly basis.

C. General Fund Ending Fund Balance

The Constitution of the State of Florida requires that the District operate under a balanced budget. The Board understands that there may be unforeseen circumstances that can result in

increases or decreases in revenue and/or expenditures. These circumstances would thereby impact the financial stability of the District.

An adequate fund balance reserve is necessary to cover unforeseen events (e.g., revenue short falls, student enrollment under projections, etc.). The Board shall maintain a general fund reserve of ending fund balance not classified as restricted, committed, or nonspendable of up to five percent (5%) of recurring general fund revenues, but no less than three percent (3%). The additional two percent (2%) will be assigned by the Board as a contingency fund to be used only for fiscal short falls.

1. If at the end of any fiscal year the General Fund Reserve ending fund balance not classified as restricted, committed, or non-spendable falls below three percent (3%) of actual revenues, excluding transfers, the Superintendent shall develop and submit to the Board for approval a plan to restore the ending fund balance to three percent (3%) of projected general fund revenues.

2. The Superintendent shall provide written notification to the Board and the Commissioner of Education if the portion of the general fund's ending fund balance not classified as restricted, committed, or nonspendable in the District's approved operating budget is projected to fall below three percent (3%) of projected general fund revenues during the current fiscal year.

The Superintendent shall submit to the Board for approval a plan to avoid a financial emergency as determined pursuant to F.S. 218.503.

If such a financial condition exists for two (2) consecutive fiscal years, the Superintendent will reduce the District's administrative expenditures reported pursuant to F.S. 1010.215 in proportion to the reduction in the general fund's ending balance or the reduction in student enrollment, whichever is greater, as part of the plan submitted to the Board to avoid a financial emergency as determined pursuant to F.S. 218.503.

The Superintendent shall also submit to the Commissioner of Education the Board-approved plan to avoid a financial emergency as determined pursuant to F.S. 218.503.

D. Loans to Schools

The Board may authorize loans from the General Fund to schools subject to the following provisions:

1. The purpose for which loans are made shall be for valid public education purposes.

2. Such loans shall be for the direct benefit of students.

3. All requests for loans must be made by the Principal and approved by the Superintendent and Associate Superintendent of Finance.

4. The Principal shall be directly responsible for the expenditure and repayment of such loans. If a payment is missed, the principal shall be given a period of one (1) calendar year from the date the payment is due to make said payment plus six percent (6%) interest on the amount due. No more than one (1) such annual payment may be allowed to be in arrears at one time.

5. The expenditure of loan proceeds shall be in accordance with all applicable laws, rules, regulations, and procedures.

Revised 8/11/20
Revised 7/27/21

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8405 - SCHOOL SAFETY AND SECURITY

The School Board is committed to maintaining a safe, secure, and drug-free environment in all of the District's schools.

School crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of District personnel, law enforcement agencies, first responders, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school.

The Superintendent, in conjunction with the School Safety Specialist, shall develop a *School Safety and Security Plan* with input from representatives of the local law enforcement agencies; the local Fire Marshall(s) or his/her designee(s); representative(s) from emergency medical services; commissioned school safety officers; and/or school guardians.

Included within the District's School Safety and Security Plan shall be a District Active Assailant Response Plan (DAARP). The DAARP shall include, at a minimum, procedures addressing the following:

A. security assessments;

B. roles and responsibilities of District personnel;

C. roles and responsibilities of Safe-School Officers (Policy 8407 - *Safe-School Officers*);

D. information sharing;

E. training of District personnel and exercises/drills, including training standards;

F. identification of Safe Spaces and Command Posts;

G. response to the threat of an active assailant, including the following three (3) strategies: evading or evacuating, taking cover or hiding, and responding to or fighting back;

H. response to the presence of an active assailant on school grounds;

I. communication with law enforcement prior to and after law Enforcement arrives on school grounds;

J. responsibilities prior to law enforcement arrival;

K. responsibilities when law enforcement arrives on school grounds;

L. communication with the public; and

M. post-incident recovery.

The District will adopt its initial DAARP by October 1.

Further, by October 1st of each year, the Superintendent shall certify to the Office of Safe Schools and document in the Florida Safe Schools Assessment Tool that all school personnel has received annual training on the procedures contained in the District's DAARP.

School Safety Specialist

The Superintendent is responsible for designating the District's School Safety Specialist. The School Safety Specialist must be a school administrator employed by the District or a law enforcement officer employed by the Manatee County Sheriff's Office. Prior to appointing a law enforcement officer to serve as the School Safety Specialist, the Superintendent must verify that the law enforcement officer has met all statutory requirements and has been authorized and approved by the Manatee County Sheriff's Office to serve as the School Safety Specialist.

By August 1 of each year, the District will submit the School Safety Specialist's name, phone number, and email address to the Office of Safe Schools at SafeSchools@fldoe.org. The District will notify the Office of Safe Schools within one (1) school day whenever there is a change related to the contact information for the School Safety Specialist.

A. Training

Within thirty (30) calendar days of appointment, the District's School Safety Specialist must complete and thereafter maintain certificates of completion of the following online Federal Emergency Management Agency Independent Study courses: Multi-Hazard Planning for Childcare; Introduction to the Incident Command System, ICS 100; Preparing for Mass Casualty Incidents: A Guide for Schools, Higher Education, and Houses of Worship; Multi-Hazard Emergency Planning for Schools; and Planning for the Needs of Children in Disasters.

Within one (1) year of appointment, and annually thereafter, the District School Safety Specialist must earn a certificate of completion of school safety specialist training provided by the Office of Safe Schools.

The District's School Safety Specialist shall earn, or designate one (1) or more individuals to earn, certification as a youth mental health awareness and assistance trainer as set forth in F.S. 1012.584.

B. Responsibilities

The School Safety Specialist is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the District including at charter schools. The School Safety Specialist's responsibilities include, but are not limited to, the following:

1. reviewing at least annually District and charter school policies and procedures for compliance with Florida law and applicable rules, as provided by F.S. 1006.07 (6)(a)1., including the District's timely and accurate submission of school environmental safety incident reports to the Department pursuant to F.S. 1001.212;

2. providing necessary training and resources to students and staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security;

3. serving as the District liaison with local public safety agencies and national, State, and community agencies and organizations in matters of school safety and security;

4. conduct annually on or before October 1, in collaboration with the appropriate public safety agencies, a school security risk assessment at each District school using Florida Safe Schools Assessment Tool developed by the Office of Safe Schools;

   The District will report to FLDOE by October 15th of each year that all public schools within the District have completed the assessment using the Florida Safe Schools Assessment Tool. For purposes of this section, "public safety agencies" means a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services.

   The District will ensure the accuracy of current school listings within the Florida Safe Schools Assessment Tool application, including school name, address, and MSID number. The District will report to the Office of Safe Schools via e-mail within five (5) school days of a school opening or closing, or when any other change occurs that impacts the accuracy of the District-provided information in the Florida Safe Schools Assessment Tool.

5. coordinating with appropriate public safety agencies, as defined in F.S. 365.161, that are designated as first responders to a school's campus to conduct a tour of such campus once every three (3) years and to provide recommendations related to school safety. Completion of such tours and any recommendations must be documented in each school's security risk

assessment within the Florida Safe Schools Assessment Tool;

Any changes related to school safety, emergency issues, and recommendations provided by the public safety agencies will be considered as part of the recommendations by the School Safety Specialist to the Board.

6. providing, or arranging for the provision of, youth mental health awareness and assistance training to all school personnel as set forth in F.S. 1012.584;

   By July 1st of each year, the Superintendent shall certify to the FLDOE, in a format determined by the FLDOE, that at least eighty percent (80%) of school personnel in elementary, middle, and high schools have received the training required under this paragraph.

   The training program shall include, but is not limited to, the following:

   a. an overview of mental illnesses and substance abuse disorders and the need to reduce the stigma of mental illness;

   b. information on the potential risk factors and warning signs of emotional disturbance, mental illness, or substance use disorders, including, but not limited to, depression, anxiety, psychosis, eating disorders, and self-injury, as well as common treatments for those conditions and how to assess those risks; and

   c. information on how to engage at-risk students with skills, resources, and knowledge required to assess the situation, and how to identify and encourage the student to use appropriate professional help and other support strategies, including, but not limited to, peer, social, or self-help care.

7. coordinating with charter schools to address charter school safety requirements as set forth under Florida law and F.A.C. 6A-1.0018;

   The School Safety Specialist must coordinate with charter school personnel to allow input access to the Florida Safe Schools Assessment Tool. Where input access is restricted to District personnel, the School Safety Specialist is responsible for gathering information from charter schools so that Florida Safe Schools Assessment Tool reporting requirements, including those for FortifyFL, threat assessment teams and active assailant response plans, include data from charter schools.

8. completing surveys provided by the Office of Safe Schools regarding Safe-School officer assignment;

9. investigating and responding to notices from the Office of Safe Schools containing suspected deficiencies at a District school and at or by a charter school.

C. Identification of and Corrections to Instances of Noncompliance with Florida Laws and Rules Relating to Safety

The School Safety Specialist is responsible for identifying and correcting instances of noncompliance with F.A.C. 6A-1.0018 or any other Florida laws or rules relating to safety at any District school. Such actions may include, but are not limited to, the following:

1. resolving deficiencies relating to Safe-School officer coverage by no later than the next school day;

2. notifying the Office of Safe Schools within twenty-four (24) hours at SafeSchools@fldoe.org of any deficiencies relating to Safe-School officer coverage and any instance of noncompliance that is determined to be an imminent threat to the health, safety, or welfare of students or staff. The notification must contain particularized facts beyond noncompliance with rules or Florida Statutes that explain the imminent threat;

3. notifying the Office of Safe Schools within three (3) days at SafeSchools@fldoe.org of any instance of noncompliance not corrected within sixty (60) days.

4. the School Safety Specialist shall identify any instances of noncompliance through their duties identified throughout this policy;

   If the School Safety Specialist identifies, or is made aware of an instance of noncompliance by an employee, the School Safety Specialist shall investigate the alleged noncompliance and, if it is determined that there was an instance of noncompliance, the School Safety Specialist shall develop a written plan of correction no later than seven (7) days following their investigation. Alleged noncompliance that creates an imminent threat to the health, safety, or welfare of students or staff shall be addressed immediately and in accordance with subsections (1) through (3) above.

D. Response to Notice of Suspected Deficiency from the Office of Safe Schools

The School Safety Specialist is responsible for notifying the Superintendent immediately and no later than the same day of receipt of any notice of suspected deficiency the School Safety Specialist receives from the Office of Safe Schools.

When the notice of suspected deficiency concerns a failure to have a Safe-School officer established or assigned at each school facility, as required by F.S. 1006.12, the School Safety Specialist must respond in writing and verify to the Office of Safe Schools that the school(s) identified in the notice have a Safe-School officer on site by the next school day. In all other cases, the School Safety Specialist must respond in writing to the Office of Safe Schools within five (5) school days and verify that the District or school has corrected the suspected deficiency, or within that same time period, submit a written plan describing how the District will bring the identified school(s) into compliance. The plan must include an estimated date of completion and an explanation of alternate security measures designed to maintain a safe learning environment.

Recommendations of the School Safety Specialist

Based on the findings of the school security risk assessment, the School Safety Specialist must provide recommendations to the Superintendent and Board which identify strategies and activities that the Board should implement in order to address the findings and improve school safety and security. The School Safety Specialist's report to the Board shall also include school safety recommendations made by public safety agencies. The Board will review the school security risk assessment findings and the recommendations of the School Safety Specialist at a publicly noticed Board meeting to provide the public an opportunity to hear the Board members discuss and take action. The *School Safety and Security Plan* is, however, confidential and is not subject to review or release as a public record.

The School Safety Specialist shall report the school security risk assessment findings and recommendations and the Board's action(s) to the Office of Safe Schools no later than thirty (30) days after the Board meeting and prior to November 1 of each year.

The School Safety Specialist shall also submit a best-practices assessment in the Florida Safe Schools Assessment Tool.

As a part of the *School Safety and Security Plan*, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include (see also, Form 8330 F15 entitled Checklist of Policies and Guidelines Addressing No Child Left Behind Act of 2001):

A. safety and security best practices;

B. appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;

C. security procedures at school and while students are on the way to and from school;

D. prevention activities that are designed to maintain safe, disciplined and drug-free environments;

E. a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:

1. allows a teacher to communicate effectively to all students in the class;

2. allows all students in the class the opportunity to learn;

3. has consequences that are fair, and developmentally appropriate;

4. considers the student and the circumstances of the situation; and

5. is enforced accordingly.

Mental Health Coordinator

The Board shall identify a mental health coordinator for the District. The mental health coordinator shall serve as the District's primary point of contact regarding the District's coordination, communication, and implementation of student mental health policies, procedures, responsibilities, and reporting. The mental health coordinator is responsible for:

A. **Coordinating with the Office of Safe Schools, established pursuant to F.S. 1001.212.**

B. **Maintaining records and reports regarding student mental health as it relates to school safety and the mental health assistance allocation under F.S. 1011.62(14).**

C. **Facilitating the implementation of District policies relating to the respective duties and responsibilities of the District, the Superintendent, and District Principals.**

D. **Coordinating with the School Safety Specialist on the staffing and training of threat assessment teams and facilitating referrals to mental health services, as appropriate, for students and their families.**

E. **Coordinating with the School Safety Specialist on the training and resources for students and District staff relating to youth mental health awareness and assistance.**

F. **Reviewing annually the District's policies and procedures related to student mental health for compliance with Florida law and alignment with current best practices and make recommendations, as needed, for amending such policies and procedures to the Superintendent and the Board.**

Safety and Security Best Practices

The Superintendent shall develop administrative procedures for the prevention of violence on school grounds, including the assessment and intervention with individuals whose behavior poses a threat to the safety of the school community.

The Board shall adopt, in coordination with local law enforcement agencies and local governments, a family reunification plan to reunite students and employees with their families in the event that a school is closed or unexpectedly evacuated due to a natural or man-made disaster. The reunification plan must be reviewed annually and updated, as applicable.

Persistently Dangerous Schools

The Board has set forth the rules with regard to expected behavior in Policy 5500 - Student Conduct and has established the consequences for violating the policy on student conduct in Policy 5600 - Student Discipline. The Board recognizes that not only Federal, but also State law requires that the District report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity, as well as those incidents that would be a Gun-Free Schools Act violation. It is further understood that the Florida Department of Education will then use the data for the offenses identified in the Department’s Unsafe School Choice Option Policy to determine whether or not a school is considered "persistently dangerous".

Pursuant to the Board's stated intent to provide a safe school environment, school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceeds the threshold number established in State law, the Superintendent shall discuss this at the annual meeting for the purpose of reviewing the *School Safety and Security Plan* so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year and/or convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, the Superintendent shall offer parents and eligible students the opportunity to transfer to another school within the District that serves the same grades. If there is another school within the District serving the same grades, the transfer shall be completed in a timely manner. If there is not another school within the District that serves the same grades, then parents and eligible students will be advised that, although Federal and State law provides for an opportunity to transfer, they will be unable to do so.

In addition, the Superintendent shall discuss this at the annual meeting for the purpose of reviewing the *School Safety and Security Plan* so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year and/or convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

If a school in a neighboring district is identified as persistently dangerous and there is not another school or public school academy in that district, the District will admit students from that school in accordance with Board Policy 5113.

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State laws the parents or the eligible student shall be offered the opportunity to transfer to another school within the District that serves the same grades. If there is another school serving the same grades, the transfer shall be completed in a timely manner. If there is not another school serving the same grades, the parents or eligible student will be advised that, although they have the right to transfer, they will be unable to do so.

Threat Assessment Teams

The purpose of the threat assessment team is to establish a process focusing on behaviors that pose a threat to school safety while serving as a preventative measure to identify needs and provide support to students. This process is also known as a care assessment. Threat assessment teams are responsible for the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies and procedures developed by the Office of Safe Schools which addresses early identification, evaluation, early intervention, and student support.

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

A. Location and Membership

1. Threat assessment teams are located at each school in the District and composed of individuals with expertise in counseling, instruction, school administration, and law enforcement. **All members of the threat assessment team must be involved in the threat assessment process and final decision-making.**

    a. The counseling team member must be a school-based mental health services provider who is able to access student mental health records.

    b. The law enforcement team member must be a sworn law enforcement officer, as defined by F.S. 943.10, including a School Resource Office, school-safety officer, or other active law enforcement officer. At a minimum, a law enforcement officer serving on a threat assessment team must have access to local Records Management System information, the Criminal Justice Information System, and the Florida Crime Information Center and National Crime Information Center 0databases. Officers serving on school-based threat assessment teams must also have clearance to review Criminal Justice Information and Criminal History Record Information.

2. The Board authorizes the Superintendent to create procedures for the purpose of:
    a. identifying team participants by position and role;

    b. designating the individuals (by position) who are responsible for gathering and investigating information; and

    c. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

B. Responsibilities and Activities of Threat Assessment Teams

The responsibilities and activities of threat assessment teams include, but are not limited to, the following:

1. identification of individuals in the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self;

2. utilizing the Department's behavior threat assessment instrument developed pursuant to F.S. 1001.212;

3. consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts or the severity of an act, that would pose a threat to school safety;

4. consult with law enforcement when a student commits more than one (1) misdemeanor to determine if the act should be reported to law enforcement;

5. if a preliminary determination is made by the threat assessment team that a student poses a threat of violence or physical harm to himself/herself or others, the threat assessment team will report its determination to the Superintendent;

    The Superintendent shall immediately attempt to notify the student's parent or legal guardian. However, nothing in this paragraph shall preclude District personnel from acting immediately to address an imminent threat.

6. if a preliminary determination is made by the threat assessment team that a student poses a threat of violence to himself/herself or others or exhibits significantly disruptive behavior or need for assistance, authorized members of the threat assessment team may obtain criminal history record information as pursuant to F.S. 985.04(1);

    Members of the threat assessment team may not disclose any criminal history record information obtained pursuant to this paragraph or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment

team.

7. create procedures related to engaging behavioral health crisis resources.

All reported threats, even those determined not to be a threat, must be documented by the threat assessment team. Documentation must include the evaluation process and any resultant action.

C. Sharing of Information

The District and other agencies and individuals that provide services to students experiencing, or at risk of, an emotional disturbance or a mental illness and any service or support provider contracting with such agencies may share with each other records or information that are confidential or exempt from disclosure under F.S. Chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others.

D. Immediate Mental Health or Substance Abuse Crisis

If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. Behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention shall provide emergency intervention and assessment, make recommendations, and refer the student for appropriate services. Onsite school personnel shall report all such situations and actions taken to the threat assessment team, which shall contact the other agencies involved with the student and any known service providers to share information and coordinate any necessary follow-up actions. Upon the student's transfer to a different school, the threat assessment team shall verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services.

E. Behavior Threat Assessment Instrument Training

All threat assessment team members must be trained on the Department's behavior threat assessment instrument in accordance with Florida law.

F. Office of Safe Schools Reporting

Each threat assessment team shall report quantitative data on its activities to the Office of Safe Schools, including all activities during the previous school year, and shall utilize the threat assessment database developed pursuant to F.S. 1001.212. The School Safety Specialist will report this information to the Office of Safe Schools. Additionally, the School Safety Specialist must report the following information utilizing the Florida Safe Schools Assessment Tool by October 1 of each year:

1. For the 2021-2022 school year, the total number of threat assessments conducted, the number of transient threats, and the number of substantive threats; and,

2. Beginning in the 2022-2023 school year, the number of threat assessments conducted, the number of transient threats, and the number of substantive threats as well as the gender, race, and grade level of all students assessed by the threat assessment team.

Referral to Mental Health Services

All school personnel who receive training pursuant to F.S. 1012.584 shall be notified of the mental health services that are available in the District.

School Environmental Safety Incident Reporting

The superintendent is responsible for ensuring the accurate and timely reporting of incidents related to school safety and discipline in accordance with Florida law and rules promulgated by FL DOE.

Parents of District students have a right to access school safety and discipline incidents as reported pursuant to F.S. 1006.07 (9) and will be timely notified of threats, unlawful acts, and significant emergencies pursuant to F.S. 1006.07 (4) and (7).

Student Crime Watch Program

The Board shall implement a Student Crime Watch Program to promote responsibility among students and improve school safety. Through a Board resolution, the Board will require each Principal to distribute information (including a reference to Policy 8406) at their respective schools notifying students and the community as to how they can anonymously relay information concerning unsafe and potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials.

Promotion of School Safety Awareness

In furtherance of Policy 8406 (*Reports of Suspicious Activity and Potential Threats to Schools*), the Board shall promote the use of the Florida Department of Education's mobile suspicious reporting tool ("FortifyFL") on the District's website, in newsletters, on school campuses, and in school publications. FortifyFL shall also be installed on all mobile devices issued to students and bookmarked on all computer devices issued to students.

Records Related to Compliance with F.A.C. 6A-1.0018

The District and all school staff will retain records demonstrating that the requirements of F.A.C. 6A-1.008 are met and provide such records to the Office of Safe Schools upon request.

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Revised 7/27/21
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8407 - **SAFE-SCHOOL OFFICERS**

For the protection and safety of students, school personnel, visitors, and property, the District shall partner with local law enforcement agencies to establish or assign one or more safe-school officers at each school facility in the District, including charter schools. A Safe-School officer shall be present, at a minimum, during the school day when the school facility is open for instruction as defined by the approved school calendar (See, Policy 8210 - *School Calendar*).

Definitions

"Safe-School officer" means a school resource officer, a school-safety officer, a school guardian, or a school security guard, as identified in F.S. 1006.12.

"School facility" means a public K-12 school, including a charter school, with a Master School Identification Number (MSID) number as provided under F.A.C. 6A-1.0016, with the following exceptions:

A. Schools with separate MSID numbers that are located at the same physical location and are co-located with each other are a single school facility.

B. Schools that are located at separate physical locations and are not co-located, but share one MSID number are separate school facilities.

C. A school facility does not include:

1. schools without a physical location for instruction of students, such as virtual schools, virtual instruction programs, virtual course offerings, franchises of the Florida Virtual School and virtual charter schools;

2. settings where instruction is provided in a county jail or state prison, in a Department of Juvenile Justice facility or program, in a hospital, or while a student is homebound;

3. schools that provide only prekindergarten or adult education;

4. technical centers under F.S. 1004.91; and

5. private schools, regardless of whether or not their students receive State scholarship funds under F.S. Chapter 1002.

Training

Safe-School officers must complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training shall improve officers' knowledge and skills as first responders to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

Limitations

An individual must satisfy background screening, psychological evaluation, and drug test requirements and be approved by the Manatee County Sheriff before participating in any training required by F.S. 30.15(1)(k) which may be conducted only by a sheriff.

School Resource Officers

The School Board will enter into cooperative agreements with law enforcement agencies for the provision of school resource officers. School resource officers must be certified law enforcement officers as defined in F.S. 943.10(1) and employed by a law enforcement agency as defined in F.S. 943.10(4). School resource officers shall:

A. undergo criminal background checks, drug testing, and a psychological evaluation; **and**

B. abide by Board policies and consult with and coordinate activities through school principals.

With respect to matters relating to employment, school resource officers shall be responsible to their law enforcement agency, subject to agreements between the Board and law enforcement agency. Activities conducted by school resource officers which are part of the regular instructional program of schools shall be under the direction of school principals.

The powers and duties of law enforcement officers shall continue throughout school resource officers' tenure.

School Guardians (The Coach Aaron Feis Guardian Program)

The Board utilizes school guardians pursuant to The Coach Aaron Feis Guardian Program.

The Superintendent shall be responsible for appointing school guardians. Prior to appointing school guardians, the Superintendent must verify through evidence provided by the Manatee County Sheriff that potential school guardians have met all the requirements set forth in F.S. 30.15.

School guardians do not have the power of arrest or the authority to act in any law enforcement capacity except to the extent necessary to prevent or abate an active assailant incident.

In support of school-sanctioned activities for purposes of F.S. 790.115, the following individuals may serve as a school guardian:

A. a District employee or personnel as defined under F.S. 1002.01 who volunteers to serve as a school guardian in addition to his/her official job duties; or

B. a District employee who is hired for the specific purpose of serving as a school guardian.

Prior to appointing school guardians, the Superintendent must provide the Board with evidence from the Manatee County Sheriff demonstrating that potential school guardians have met all the requirements set forth in F.S. 30.15.

Notification of Incidents Involving Safe-School Officer Discipline, Dismissal or Discharge of a Firearm

A. Discharge of a Weapon

"Discharge" means to fire a gun or firearm.

The Superintendent must notice the Office of Safe Schools when a Safe-School officer assigned to any school facility in the District discharges a firearm in the exercise of Safe-School officer duties, other than for training purposes, as provided in F.S. 1006.12 (5). Notification must be made no later than seventy-two (72) hours of the incident by submitting Form SSON-2021 to SafeSchools@fldoe.org.

The Superintendent is also responsible for notifying the Manatee County Sheriff immediately after, but no later than seventy-two (72) hours after, a Safe-School Officer discharges their firearm in the exercise of their duties other than for training purposes. the occurrence of the following:

B. Dismissal or Discipline

"Dismissal" means a Safe-School officer is permanently relieved of their position. Dismissal or termination is involuntary and initiated by the employer, including firings or other discharges for cause. "Discipline" means a Safe-School officer received a behavior-related official reprimand.

The Superintendent must notify the Office of Safe Schools when a Safe-School officer assigned to a school facility in the District has been disciplined for misconduct or has been dismissed from their duties as a Safe-School officer by their employer, including in cases where the officer is reassigned or moved to another school location, whether by a school district, charter school, law enforcement agency, or private security company, as provided F.S. 1006.12 (5). Notification must be made no later than seventy-two (72) hours of the dismissal or disciplinary action by submitting Form SSON-

2021 to SafeSchools@fldoe.org.

C. The Superintendent must notify the Office of Safe Schools when there is an allegation of misconduct that results in a Safe-School officer being placed on administrative leave or reassigned pending completion of an investigation using the procedure set forth in F.A.C. 6A-1.0018 (18)(b)1. Within fifteen (15) days of completion of the investigation, updated information regarding the result of the investigation must be provided to the Office of Safe Schools.

The Superintendent is also responsible for notifying the Manatee County Sheriff immediately after, but no later than seventy-two (72) hours after, a Safe-School Officer is dismissed for misconduct or disciplined.

D. The Superintendent shall adopt and implement procedures to verify that charter schools, law enforcement agencies, and private security firms employing or contracting with Safe-School officers timely report discipline and dismissal of Safe-School officers and any discharge of an officer's weapon outside of training activities, so that the District can meet the reporting requirements under Florida law.

Crisis Intervention Training

Each Safe-School Officer who is also a sworn law enforcement officer must complete mental health crisis intervention training using a curriculum developed by a national organization with expertise in mental health crisis intervention. The training must improve the officer's knowledge and skills as a first responder to incidents involving students with emotional disturbance or mental illness, including de-escalation skills to ensure student and officer safety.

Each Safe-School Officer who is not a sworn law enforcement officer must receive training to improve the officer's knowledge and skills necessary to respond to and de-escalate incidents on school premises.

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8420 - **EMERGENCY MANAGEMENT, EMERGENCY PREPAREDNESS, AND EMERGENCY RESPONSE AGENCIES**

Emergency Management and Emergency Preparedness

The School Board recognizes that its responsibility for the safety of students and staff requires that it formulate and prescribe in consultation with appropriate public safety agencies emergency management and emergency preparedness procedures for all public schools in the District, including emergency notification procedures for life-threatening emergencies, including, but not limited, fires; natural disasters; bomb threats; weapon-use, hostage and active assailant situations; hazardous materials or toxic chemical spills; weather emergencies, including hurricanes, tornadoes, and severe storms; and exposure as a result of a manmade emergency and that such emergencies are best met by preparedness and planning. **Such procedures shall meet the requirements of the State Board of Education rules.**

The active assailant situation training for each school must engage the participation of the School Safety Specialist, threat assessment team members, faculty, staff, and students and must be conducted by the law enforcement agency or agencies that are designated as first responders to each school's campus.

Pursuant to Policy 8405 - School Safety and Security, the Superintendent (in conjunction with the School Safety Specialist) shall develop, and revise as necessary, a School Safety Plan to provide for the safety and welfare of the students and staff, as well as a system of emergency preparedness and accompanying procedures that provide for the following:

A. a listing of the commonly used alarm system response for specific types of emergencies and verification by each school that drills have been provided as required by law**, State Board of Education rules,** and fire protection codes (such drills shall include accommodations conducted at exceptional student education centers);

B. the health and safety of students and staff are safeguarded;

C. embraces a collaborative effort with community emergency responders;

D. the time necessary for instructional purposes is not unduly diverted;

E. minimum disruption to the educational program occurs;

F. students are helped to learn self-reliance and trained to respond sensibly to emergency situations;

G. the system is supported by ongoing training that will include practical application and appropriate "drills" as required by F.S. 1001.42;

H. evacuation drills should represent actual emergencies, including, but not limited to firearm, natural disasters, and bomb threats;

I. emergency egress and relocation drills (including, but not necessarily limited to, fire drills) in accordance with the requirements of the Florida Fire Prevention Code, the Fire Code (NFPA 1), and the Life Safety Code (NFPA 101);

J. drills for active assailant and hostage situations must ~~shall~~ be conducted in accordance with developmentally appropriate and age-appropriate procedures as specified in State Board of Education rules ~~at least as often as emergency drills and fire drills required by the Florida Fire Prevention Code, as adopted by the State Fire Marshall;~~ and

Law enforcement officers responsible for responding to the school in the event of an active assailant emergency, as determined necessary by the sheriff in coordination with the District's School Safety Specialist, must be physically present on campus and directly involved in the execution of active assailant drills. The District's School Safety Specialist must notify law enforcement officers at least twenty-four (24) hours before conducting an active assailant emergency drills at which such law enforcement officers are expected to attend.

K. floor plans of each school must be provided to all community emergency responders in support of evacuation procedures.

All threats to the safety of District facilities, students, and staff shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness. Any aspect of the emergency preparedness plan and/or procedures that are included in the School Safety Plan shall remain confidential and exempt from public records disclosure in accordance with State law.

The Superintendent, as part of the development of the emergency preparedness plan and procedures, shall establish a schedule to test the functionality and coverage capacity of all emergency communication systems and determine if adequate signal strength is available in all areas of school campuses.

Completion of emergency drills shall be documented at all school facilities in the District.

Alyssa's Alert/Mobile Panic Alert System

In accordance with the requirements of F.S. 1006.07, the District shall implement a mobile panic alert system. The District will select a system under contract with FL DOE or procure a different system. The District will maintain current listings of mobile panic alert systems implemented by all public schools, including charter schools, within the District. Such list shall include the school name, address, and MSID number, and vendor or application implemented. The list will be provided to the Office of Safe Schools via-email by August 1, 2022, and will be updated within five (5) school days of a school opening or closing, or when any other change occurs that impacts the accuracy of District-provided information.

The District's mobile panic alert system will include mobile devices placed throughout each school campus. In determining the number and placement of devices needed to afford all staff members the ability to silently and easily activate a panic alert in the event of an on-campus emergency, the District will consider using a combination of fixed panic alert buttons, mobile and desktop applications, landline phone capabilities, and wearable panic alerts (such as on a lanyard).

The District's policies and procedures related to Alyssa's Alert/Mobile Panic Alert Systems will be developed in consultation with the County 911 authority and local emergency management office to ensure that the system integrates with local public safety answering point (PSAP) infrastructure to transmit calls and mobile activations.

Parents of District students will be timely notified pursuant to procedures adopted by the Superintendent of threats and the following unlawful acts and significant emergencies that occur on school grounds, during school transportation, or during school-sponsored activities:

A. weapons possession or use when there is intended harm toward another person, hostage, and active assailant situations;

B. murder, homicide, or manslaughter;

C. sex offenses, including rape, sexual assault, or sexual misconduct with a student by school personnel;

D. natural emergencies, including hurricanes, tornadoes, and severe storms.

E. exposure as a result of a manmade emergency.

The information in this section shall be part of the School Safety and Security Plan, and, therefore, confidential.

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Revised 5/24/22

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8660 - **ALTERNATIVE TRANSPORTATION METHODS** ~~**TRANSPORTING STUDENTS BY PRIVATE VEHICLES**~~

Regular Transportation - In School Buses

The School Board shall use school buses, as defined in Florida statutes, for all regular transportation of students, pre-kindergarten through grade 12.

For purposes of this policy, "regular transportation" or "regular use" means transportation 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 - In Other Vehicles

Regular transportation of students in motor vehicles other than school buses may occur only under the following conditions:

A. when transportation is for physically handicapped or isolated students and the Board has elected to provide for the transportation of the student through written or oral contracts or agreements

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 the transportation is for trips to and from school sites or agricultural education sites or for trips to and from agricultural education-related events or competitions but is not customary transportation between a student's residence and such sites; and

E. when the transportation is for trips to and from school sites ~~**to allow students to participate in a career education program that is not offered at the high school in which such students are enrolled**~~ but is not customary transportation between a student's residence and such sites.

When the **regular** transportation of students is provided, as authorized **above** ~~**in this policy**~~, in a vehicle other than a school bus that is owned, operated, rented, contracted, or leased by the District, the following provisions shall apply:

A. The vehicle must be ~~**a passenger car or multipurpose passenger vehicle or truck, as defined in 49 C.F.R. Part 571,**~~ designed to transport fewer than ten (10) students **or be a multifunction school activity bus, as defined in 49 C.F.R. Part 571.3, if it is designed to transport more than ten (10) persons**. Students must be transported in designated seating positions and must use the occupant crash protection system provided by the manufacturer unless the student's physical condition prohibits such use.

B. An authorized vehicle may not be driven by a student on a public right-of-way. An authorized vehicle may be driven by a student on school or private property as part of the student's educational curriculum if no other student is in the vehicle.

C. The driver of an authorized vehicle transporting students must maintain a valid driver license and must comply with the requirements of the School District's locally adopted safe driver plan, which includes a review of driving records for disqualifying violations.

Transportation by Private Vehicles

Except as provided above, 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 non-emergency circumstances and

1. the school has been unable to contact the student's parent or guardian, or such parent, guardian, or responsible adult designated by the parent or guardian is not available to provide the transportation; and

2. proper adult supervision of the student is available at the location to which the student is being transported; and

3. the transportation is approved by the school principal or designee; and

4. if the school had been unable to contact the parent or guardian prior to the transportation, the school continues to attempt to contact the parent or guardian until the school is able to notify the parent or guardian 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 Board passenger car; and

3. each student's parent or guardian 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.

Any private vehicle 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 Board employee, parent, or other adult wishing to transport students in a private vehicle will request approval by submitting his/her driver's license, vehicle registration, and insurance ID card along with the completed Form 8660 F1 to the principal in a reasonable amount of time before the planned travel. The principal will follow the established procedure to determine whether approval of the request to transport students in a private vehicle is appropriate.

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 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.

Insurance/Liability

Board 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.

Parents or other adults are not covered by the Board's liability program when they are transporting students and, therefore, must have adequate insurance during the time that the vehicle is being used to transport students.

Emergency Threat to Student Health or Safety

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.

Transporting Students in Private Vehicles for Field Trips or School-Related Events Policy

The transportation of students in privately owned motor vehicles for educational field trips or school-sponsored or related events is prohibited except with the approval of the Superintendent, or as provided below.

Transportation of students by an approved charter vehicle shall be permitted when such travel is for activities authorized by the Board and if the charter company has been approved by the Superintendent. The Superintendent shall develop procedures for the use of District-owned passenger cars to transport students.

Charter Vehicles

Schools wishing to rent or use charter vehicles for the transportation of students must choose from a list of charter companies approved by the Superintendent. Charter vehicles may be used only when such travel is for activities approved by the Board. Employee drivers of leased vehicles must meet the same requirements as outlined for the use of District-owned vehicles.

Use of District Owned Passenger Cars for Student Transportation

The School Bus Transportation Department is authorized to permit the use of District-owned motor vehicles for transporting students when it is determined a school bus is unnecessary or impractical. The District-owned motor vehicles shall be operated by a Board employee and no more than six (6) passengers shall be transported in any one (1) vehicle.

The following requirements must be met:

A. students must be placed in designated seating positions;

B. student and driver must use the occupant crash protection system provided by the vehicle manufacturer, unless the student's physical condition prohibits such use;

C. Any Board employee transporting students must have a valid Florida driver's license and must have completed a D.D.C.-4 (Defensive Driving Course) and hold a valid Certificate of Completion.

D. The only passengers authorized to ride in the District-owned vehicles are students who are an official part of the activity or an adult chaperone. Family members and friends are not authorized.

When Transportation is not Provided by the School

For purposes of this part, parents are responsible for the transportation of students to and from school practice sessions or contests for school-related events, including athletics. Parents are responsible for the transportation of students to and from extra-curricular activities, including athletic events, unless the principal determines the school will provide transportation. Factors such as the number of students involved and the proximity of the event will be among the factors considered by the principal when making such a determination. School personnel are not permitted to assist in arranging or providing transportation when the school does not provide transportation and the School District has no liability when transportation is not provided by the school.

Use of District-Owned Vehicles

Personal use of District-owned vehicles is prohibited except as approved through procedures established by the Superintendent. The use of school buses owned by the Board is subject to the provisions outlined in the Transportation Department Standard Operating Procedures Manual. When District-owned vehicles are issued to employees for use in District activities, drivers are required to sign acknowledging receipt and review of the Rules for Proper Use of District Owned Vehicles.

Any violation of this policy may subject an employee to discipline up to and including termination from employment.

Revised 7/27/21

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AGENDA ITEM NO. II.3

School Board of Manatee County
December 8, 2022 - Workshop

Title
Discussion of Board Procedures and Workflow

Executive Summary
The Board will discuss Board procedures and workflow processes.

Contact
Submitting Department: School Board