

HARDEE COUNTY SCHOOL BOARD POLICY MANUAL

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CHAPTER I.00 - THE DISTRICT SCHOOL SYSTEM

Part I – The School Board

RULE 1.01

DEFINITIONS

School District	Hardee County shall constitute a school district and shall be known as “The School District of Hardee County, Florida.”
School Board	The governing body of the School District of Hardee County is constituted a body incorporated in the name of “The School Board of Hardee County, Florida” and hereinafter referred to as “the Board” or “the School Board.”
Superintendent	The responsibility for the administration of the schools and the supervision of instruction in the district is vested in the Superintendent who shall also be Secretary and Executive Officer of the Board.
Principal	The term “principal” shall apply to the administrative head of any school.
School	The term “school” shall mean any educational facility operated by the Board.
Pupil or student	“Pupil” or “student” shall mean any person enrolled in an educational facility operated by the Board.
He, his, or him	The term “he”, “his” or “him” as used herein shall be interpreted to include both the male and female gender.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.30, 1001.31, 1001.32, 1001.33, F.S.

History:

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Part I – The District School Board

RULE 1.02

MEMBERSHIP OF THE BOARD

POLICY

The School Board of Hardee County consists of five members elected by the qualified electors from the entire school district. One member is elected from each of the five School Board member's residence areas. Each member is elected for a term of four years. Two members are elected at the presidential general election and three members are elected at the gubernatorial general election.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.34, 1001.35, 1001.36, F.S.

History:

CHAPTER I.00 - THE DISTRICT SCHOOL SYSTEM

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RULE 1.03

RESPONSIBILITY

POLICY

The School Board is responsible for the organization and control of the public schools of the district and is empowered to determine the policies necessary for the effective operation and general improvement of the school system. The School Board shall limit its actions to establishing policy and to meeting the requirements prescribed by law and rules of the State Board of Education. Board members have authority only when the Board is meeting in official session and a quorum is present. The School Board shall not be bound in any way by any statement or by any action on the part of an individual Board member or an employee except when such statement or action is in compliance with the action of the School Board. School Board members are encouraged to visit the schools and all departments of the school system in order to be better informed concerning all phases of the district school system.

General Statutory Authority: 1001.41, 1001.42, F. S.

Specific Statutory Authority: 1001.31, 1001.372 (1), 1001.363, 1001.395, 1001.41, 1001.43, 1003.02, F.S.

History:

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Part I – The District School Board

RULE 1.04	ORGANIZATION AND OFFICERS
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POLICY

- (1) A chairman and vice-chairman shall be elected by the Board at its organizational meeting held on the third Tuesday after the first Monday in November of each year; provided, that if a vacancy should occur in the chairmanship, the Board shall proceed to elect a chairman at the next ensuing regular or special meeting.
- (2) The chairman shall preside at all meetings of the Board, appoint all committees, and perform such other duties as may be prescribed by law or by action of the Board. The vice-chairman shall preside in the absence of the chairman and shall perform such other duties of the chairman as circumstances make necessary. The chairman and vice-chairman shall be bonded in the manner and to the extent prescribed by the State Board of Education.
- (3) At any organizational meeting, the Superintendent shall act as chairman until the organization of the Board is completed. The Superintendent may call upon the various personnel employed by the Board for such information and data relative to their work as he may require in the performance of his duties as secretary and executive officer of the School Board.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.371, 1001.41, 1001.48, 1001.51, F.S.

History:

CHAPTER I.00 – THE DISTRICT SCHOOL SYSTEM

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RULE 1.05	ORIENTATION OF BOARD MEMBERS
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POLICY

As soon as possible after the election or appointment of a new Board Member, the Superintendent should provide copies of Florida School Laws, State of Florida Education Rules, School Board rules and the current budget of the district school system. It is recommended that each new member attend the state orientation following each general election.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.51, F.S.

History: Revised 04/14/11

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RULE 1.06 PARTICIPATION IN ORGANIZATIONAL ACTIVITIES

POLICY

Each member of the Board is encouraged to participate in the activities and programs conducted by the state, regional and national associations of school Boards. The Superintendent shall include an amount in each proposed annual budget to cover expenses of participation in such activities by Board members.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.41, F.S.

History:

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RULE 1.07

BOARD MEETINGS

POLICY

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

- (1) **Regular meetings.** A regular meeting of the School Board will be held on the second Thursday of each calendar month. The time of all regular meetings shall be established at the organization meeting in November. The date of a regular meeting may be changed by action of the Board at any previous meeting, provided that every member is notified either by letter or by the distribution of the minutes carrying a record of the change. When a meeting date is changed the Superintendent shall take appropriate steps to inform the public.
- (2) **Special meetings.** Special meetings may be called at any time by the Superintendent, either upon his own initiative or upon the request of the chairman or a majority of the membership of the Board. If the Superintendent should refuse to call such a meeting upon request of a majority of the Board, the majority may, by giving written notice to the Superintendent and all members of the Board in the manner prescribed by law, call a special meeting.
- (3) **Place of meetings.** Unless changed in the manner prescribed herein, all meetings of the School Board will be held in the Board Room of the district office in Wauchula, Florida. As provided by law, any regular or special meeting may be held in any appropriate place in the district by giving prior public notice or at least forty-eight hours; when such a meeting is scheduled or rescheduled at a location other than the regular meeting.
- (4) **Order of business.** The order of business at a regular meeting of the Board shall be as follows:
 - (a) Call to Order
 - (b) Invocation and flag salute
 - (c) Roll call of members
 - (d) Agenda

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- (e) Review and approval of minutes of the prior meeting or meetings
- (f) Announcements, Recognitions and Presentations
- (g) Reports from staff, committees, School Board
- (h) New business
- (i) Public comments

- (5) **Rules of Order.** In the absence of any specific procedural rule adopted by the Board, all meetings shall be governed by and conducted in accordance with

Roberts' Rules of Order, with the exception that the chairman may make or second any motion before the Board.

- (6) **Agenda.** The Superintendent shall prepare and distribute an agenda for each regular and special meeting in time to be received at least seven days prior to the scheduled date of the meeting. The agenda shall contain all items to be considered by the Board in the order of their presentation, and shall be made available to any person upon request. After public distribution the agenda may not be changed except for good cause as determined by the chairman and stated in the record. Any request for an item to be placed on the Board agenda must be submitted to the Superintendent's office not later than four-thirty of the afternoon ten working days prior to the meeting at which consideration is desired. This policy shall not preclude the right of any citizen to address the Board; however, except for good cause as provided herein, the Board will not take action on any substantive proposal until such matter has been formally paced on a Board agenda. When items are adopted under the consent agenda they must be approved unanimously by the Board.

- (7) **Quorum.** A majority shall constitute a quorum for any meeting of the School Board. No business may be transacted unless a quorum is present, except a minority may adjourn the meeting from time to time until a quorum is present.

- (8) **Voting interpretation.** The vote will be unanimous if all members audibly vote "yes" or otherwise indicate an affirmative vote. Where a split vote occurs, the minutes shall show the vote of each member on the question. Each member who is present must vote on each decision, ruling or official act which is taken or adopted by the Board, unless there is or appears to be a conflict of interest under the provisions of Sections 112.311, 112.313, 112.314, 112.3151, or 112.316, Florida Statutes. In such cases the member may abstain but must comply with the disclosure requirements of Sections 112.313, Florida Statutes.

- (9) **Minutes.** The official minutes of the Board shall be kept as prescribed by law. The minutes shall be kept in a safe place by the Superintendent and shall be made available by him to any citizen desiring to examine the minutes during the time the office is open. Only motions, resolutions and necessary information

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related thereto, the name of the person making the motion or submitting the resolution, the name of the person who seconds the motion, and the vote thereon shall be recorded. If any member of the Board or the Superintendent wishes any of his statements recorded, he may request that such become a part of the official minutes. Any other matter may be a part of the official minutes by direction of the chairman or by a majority vote of the Board. Lengthy material, such as pupil assignments, etc., may be maintained in record books which are separate from, but supplemental to the basic record of minutes. When and where possible, meetings shall be audibly recorded for supplemental information to the written minutes official minutes. Any other matter may be a part of the official minutes by direction of the chairman or by a majority vote of the Board. Lengthy material, such as pupil assignments, etc., may be maintained in record books which are separate from, but supplemental to the basic record of minutes. When and where possible, meetings shall be audibly recorded for supplemental information to the written minutes

General Statutory Authority: 1001.41, 1001.42, 1001.43, F.S.

Specific Statutory Authority: 1001.372, F.S.
Chapter 112, 120.525, 120.53, 286.0105,
286.011, 286.0111, 286.012, 447.605, F.S.

History: Revised 4/14/11

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RULE 1.08

AMENDMENTS TO RULES

POLICY

These rules may be amended or any rule may be repealed as hereinafter prescribed:

- (1) Regular actions
 - (a) If the Superintendent or a member of the School Board wishes to propose the adoption of a new rule or the amendment or repeal of an existing rule, he shall have the proposed action placed on the agenda for a regular or special meeting in the manner prescribed by Section 1.07(6).
 - (b) At the meeting the Board shall consider the proposed and either reject or tentatively approve the proposal, with or without modification. Following tentative approval the Board shall direct the Superintendent to give public notice of the Board's action.
 - (c) The Superintendent shall provide a copy of a notice of the approved proposal to all persons named in the proposed rule, to all persons who have made requests for advance notice of such actions, and to each school principal for placement on the school bulletin Board. In addition, the Superintendent shall advertise the notice in the newspaper of general circulation in the county and shall also take such action as he deems appropriate to specifically advise any particular class of persons to whom the proposed rule is directed. If such notice does not contain a copy of the complete text of the proposed rule, each person shall be advised as to the location where a copy of the text may be examined or obtained. The publication, mailing and posting of such notice shall precede the date of intended action by at least fourteen days.
 - (d) Any person who is substantially affected by the proposed rule may, within twenty-one days following such filing, request an administrative determination of the validity of the proposal on the grounds and in the manner prescribed by Section 120.54(3), Florida Statutes.
 1. If such hearing is granted by the state Division Of Administrative Hearings, the Board is precluded from taking any final action on the proposed rule pending the final decision of the hearing examiner.
 2. The hearing examiner may declare all or any part of the proposed

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rule to be invalid. No proposal or portion of a proposal so declared invalid will be adopted by the Board.

- (e) Following the final decision of the hearing examiner, or following a twenty-one day waiting period after notice if no hearing is requested, the Board may take action on the final adoption of the rule.
 - (f) Following final adoption the Superintendent shall file a certified copy of the new rule, amendment or repeal in the district office complete with the data, and in the form, required by applicable portions of Section 120.54(8), Florida Statutes.
- (2) Emergency action
- (a) If the Board finds at any time that an immediate danger to the public health, safety, or welfare requires emergency action, a rule may be adopted, modified, or repealed without the necessity of following the procedure outlined in subsection (1).
 - (b) However, if any such action is taken, the Board must set forth in its minutes at that time the specific facts and reasons upon which its action was based. The Superintendent shall provide a copy of these findings along with a copy of the adopted rule to each person set forth in subsection (1)(c).
 - (c) An emergency rule, adopted in the manner prescribed herein, shall not be valid for a period of time in excess of 90 calendar days.
- (3) Copies of this compilation of rules shall be assigned by number to the various positions in the district school system. As rules are added, amended, or repealed, a copy of such changes or amendments shall be available by the Superintendent to all holders of the compilation. The holder of the compilation shall enter all changes in his book.
- (4) This compilation of rules shall take effect on _____ and shall supersede all other rules in conflict therewith. Any subsequent rule or policy adopted by the Board shall become effective upon adoption or on a later date if so specified in the rule.
- (5) In the event that any provision of a collective bargaining agreement, ratified by the Board either prior to or subsequent to the effective date of any rule herein, conflicts with all or part of any such rule, the provisions of the agreement shall be controlling and the rule shall be deemed to be amended to the extent of the

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conflict during the term of the agreement only insofar as it is applicable to members of the bargaining unit covered by the agreement.

- (6) Any employee or other person who is, or may be substantially affected by a rule or statute administered by the Board shall, upon written request directed to the Superintendent, be provided a declaratory statement as to the applicability of any rule or statutory provision administered by the Board.
 - (a) Upon such a request the Superintendent shall prepare a written statement of interpretation clarifying the application of the particular statute or rule to the individual.
 - (b) The statement shall be transmitted to the individual and to each member of the Board. Either the individual or any member of the Board may, within ten days, request an appeal of the statement to the entire Board.
 - (c) If an appeal is requested the superintendent shall place the matter on the agenda of the next regular meeting of the Board. The Board shall review the superintendent's findings and either approve or modify such findings.
 - (d) In the event no appeal is requested within a ten-day period, the statement of the superintendent shall be considered final and binding on both the individual and the Board.
- (7) Any person substantially affected by an existing rule may petition the division of administrative hearings of the Florida Department of Administration to conduct a hearing on the validity of the rule in the manner prescribed by Section 120.56, Florida Statutes. Any decision of a hearing examiner which is adverse to the Board may, upon appeal of the Board, be judicially reviewed.
- (8) Any person regulated by the Board or having a substantial interest in a rule may petition the Board to adopt, amend, or repeal a rule at any time.
 - (a) Such petition shall be presented to the Superintendent with complete supportive data, including an exact text of the proposal and a justification for the requested action.
 - (b) The Superintendent shall place the item on the agenda of the next regular or special Board meeting. At such meeting the Board shall either vote to initiate procedures to adopt the proposal, or to deny the petition.

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- (c) If the petition is denied, the Superintendent shall notify the individual within three days, providing a written statement of the Board's reasons for such denial.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 120.52, 120.54, 120.55, 120.56, 120.565, F.S.

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part I – The District School Board

RULE 1.09

BOARD COMMITTEES

POLICY

A special committee may be appointed by the chairman when deemed necessary. The duties of any such committee shall be outlined at the time of appointment and the committee shall be automatically dissolved upon acceptance by the Board of its final report. Each member of the Board shall be notified of all committee meetings, but he shall have no vote unless he serves as a member of the committee. All meetings of Board committees shall be open to the public.

General Statutory Authority: 1001.41, 1001.43, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER I.00 – THE DISTRICT SCHOOL SYSTEM

Part I – The District School Board

RULE 1.10

LEGAL COUNSEL

POLICY

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

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER I.00 – THE DISTRICT SCHOOL SYSTEM

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RULE 1.11 SCHOOL BOARD MEMBER COMPENSATION

POLICY

Each member of the district School Board shall receive a base salary based on the population of the county the district School Board serves as prescribed by Sections 145.19 and 1001.395, Florida Statutes. The salary of each district School Board member shall be the amount calculated pursuant to 1001.395(1) F. S., or the district's beginning salary for teacher who hold baccalaureate degrees, whichever is less. District School Board members may reduce their salary rate on a voluntary basis. This annual compensation shall be calculated for each fiscal year (July 1 – June 30).

General Statutory Authority: 1001.395, 145.19, F.S.

Specific Statutory Authority: 1001.395, 1001.41, F.S.

History:

Adopted	11/19/02
Revised	04/14/11
Formerly	6Gx25-10B-6.00

CHAPTER 1.00 - THE DISTRICT SCHOOL SYSTEM

Part II – The Superintendent

RULE 1.20

RESPONSIBILITIES

POLICY

The Superintendent shall be the chief executive and administrative officer of the Board and shall have, in addition to the powers and duties specifically imposed by law, all executive and administrative powers and duties in connection with the conduct of the schools which are not required by statute to be exercised directly by the Board or some other officer. It shall be the duty of the Superintendent to complete all executive and administrative transactions not required by law or resolution to be brought before the Board and to prepare all other matters of administrative procedure or policy for Board approval. The enumeration in this section, or elsewhere in these rules, of specific powers and duties shall not be construed to derogate from the generality of duties hereby imposed.

- (1) **General supervisory duties.** It shall be the responsibility of the Superintendent to direct and supervise the work of all the schools, offices, and employees of the Board; all such employees shall be subordinate to the Superintendent in all matters, including those specifically assigned by these rules to a particular department, division, or official.
- (2) **Administrative duties.** The Superintendent shall be directly responsible for the administrative duties of his office. In cooperation with the principals, directors and supervisors, the Superintendent shall assign teachers to their respective teacher duties and shall appraise the qualities of their respective services; the Superintendent shall assist principals with the organization and internal operation of their respective schools; the Superintendent shall assist in securing facilities, personnel, and materials necessary to permit effective functioning of the educational programs.
 - (a) The Superintendent shall supervise the collecting, recording, and disbursing of all funds collected within the several schools in accordance with the policies of the Board.
 - (b) As chief executive officer of the School Board, the Superintendent is responsible for representing the Board in matters of collective negotiations with certified bargaining agents of employee organizations. In fulfilling this responsibility the Superintendent may designate annually, upon approval by the Board, one or more persons to represent him in collective negotiations sessions.

Part II – The Superintendent

- (3) **Other duties.** It shall be the duty of the Superintendent to enforce the rules of the Board, to prepare and submit the annual budget for adoption by the Board, to approve and direct all expenditures within the appropriations adopted by the Board, to submit the annual calendar for adoption by the Board; to make continuous study of the development and needs of the schools to prepare reports to the Board on the conditions and needs of the schools, receive resignation from personnel and acquaint the public with the activities and needs of the schools.
- (4) **Staff communication.** It shall be the policy of the School Board to request the Superintendent to conduct periodic meetings between school and county staff members for the purpose of providing adequate communication between schools and county staff.

General Statutory Authority: 1001.49, F.S.

Specific Statutory Authority: 1001.51, F.S.

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part II – The Superintendent

RULE 1.21	DIRECTIVES, PROCEDURES, ADMINISTRATIVE MANUALS
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POLICY

The Superintendent shall have authority to issue such directives and to prescribe such procedures as may be necessary to carry out the purpose of School Board rules.

- (1) The Superintendent shall issue such administrative manuals or booklets of instruction as he may deem necessary for the effective administration of the schools and shall distribute them to the employees directly concerned. Insofar as the provisions of such manuals are not inconsistent with officially adopted rules of the Board, the provisions thereof shall be binding upon all employees.

General Statutory Authority: 1001.42, F.S.

Specific Statutory Authority: 1001.33, F.S.

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part II – The Superintendent

RULE 1.22

EMERGENCIES

POLICY

- (1) In case of emergency, the Superintendent may suspend any part of these rules; provided that he shall report the fact of the reason for such suspension promptly to the School Board; and provided further, that the suspension shall expire at the next meeting of the Board unless continued in effect by action of the School Board.
- (2) In case of an emergency, the Superintendent may close any or all schools. The members of the Board shall be informed immediately of any event or conditions which require the closing of a school or the schools of the district.
- (3) In any case not covered by these rules, the Superintendent shall base the decision on his best judgment.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.33, 1001.51, F.S.

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part II – The Superintendent

RULE 1.23

DELEGATION OF AUTHORITY

POLICY

When it becomes expedient for the Superintendent to delegate authority, he shall assume full responsibility for the execution and satisfactory completion of any activity resulting from such delegated authority. The Superintendent may not delegate authority in any matter requiring the exercise of independent judgment which, by statute or by terms or resolution of the Board, is his direct responsibility. As a general rule all reports and recommendations to the Board from any employee under the direction and supervision of the Superintendent shall be made through the office of the Superintendent, or, at the discretion of the Board, in conjunction with the Superintendent.

- (1) Any official communication between the Board and its employees shall be directed through the office of the Superintendent.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.33, 1012.27, F.S.

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part II – The Superintendent

RULE 1.24

COMPENSATION

POLICY

The compensation of the Superintendent shall be adjusted at the beginning of each fiscal year in a manner prescribed by law, and upon each anniversary date of election or appointment as prescribed herein. The total compensation shall include:

- (1) The amount prescribed by Sections 145.19 and 1001.47, Florida Statutes, and
- (2) A supplement as authorized by law to insure that the Superintendent's salary is not less than fifteen percent greater than the next highest salary in the Hardee School district.
- (3) An additional \$2,000 provided the Superintendent has satisfied all requirements of Section 1001.47 Florida Statutes, Paragraph (4)(a)(b)(c).

General Statutory Authority: 1001.51, F.S.

Specific Statutory Authority: 1001.47, F.S.

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part III – The District Staff

RULE 1.30

THE ADMINISTRATIVE STAFF

POLICY

The district administrative staff shall be responsible for the planning, administration and supervision of the total instructional program, and for all supporting services such as maintenance, transportation, school food service, personnel, purchasing, federal programs, payrolls, and all other responsibilities as directed by the Superintendent.

(1) The administrative staff shall be composed of positions indicated on the organizational chart:

(a) District-wide instruction administrators.

Those personnel responsible for the over-all development, supervision and improvement of the instructional program of the district. These responsibilities include in-service education, evaluation of the teaching process, development of curriculum guides, educational specifications for instructional programs, federal programs, the comprehensive educational plan for the district. Personnel are responsible for working with teachers and other members of the instructional staff in the improvement of instruction, and shall perform other responsibilities as directed by the Superintendent.

All personnel must hold a Florida teaching certificate covering supervision in the area to which he is assigned, and must have five years of successful administrative or supervisory experience, two of which must have been completed in the five year period preceding initial appointment.

(b) Principals. Those personnel assigned direct and primary responsibility as administrative and supervisory heads of school centers. Each principal is responsible for enforcement of state laws, State Board of Education rules, rules of the School Board, and directives of the Superintendent. The principal, under the direction of the Director of Curriculum, is responsible for implementing a continuous program of curriculum development and revision in the school to which he is assigned. Each principal must have a maximum of three years of full-time teaching experience in a public or non-public school, and hold a valid Rank II or higher Florida teaching certificate covering the area of administration and supervision at the level to which he assigned.

Part III – The District Staff

Persons employed as principals prior to January 1, 1957, who hold a Rank III certificate covering administration are exempt from this requirement.

- (c) Special area administration. Those personnel assigned responsibility as administrative and supervisory heads of support departments or divisions, such as maintenance, transportation, purchasing, finance, school food service, personnel, federal programs, and others requiring a professional level of training.

- (d) The qualification for the positions listed on the organizational chart are considered very desirable; however, they may be waived by mutual consent of the Board and Superintendent as permitted by law. (See The School Board of Hardee County Job Description.)

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.49, 1012.01(3)(a)(b)(c), 1012.22, F.S.

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part III – The District Staff

RULE 1.31	THE INSTRUCTIONAL STAFF
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POLICY

The instructional staff shall be composed of those certified personnel who are assigned direct responsibility for the supervision, instruction, classroom contact, and evaluation of students in disciplines which promote growth, and development of the individual as a person and as a member of society. All members of the instructional staff shall hold a valid Florida teacher certificate, and shall include the following personnel:

- (1) Teachers. Personnel assigned primary responsibility for the direct instruction and evaluation of students.
- (2) Librarians. Personnel assigned primary responsibility for the operation of a school library or media center.
- (3) Special service personnel. Personnel assigned primary responsibility for testing, counseling and other special needs of students, including counselors, school psychologists, visiting teachers and deans.
- (4) Assistant administrators. Personnel, regardless of title (deans, assistant principals, etc.) who are assigned to assist the principal in administration of the school, and who are required by law or rules of the State Board of Education to hold a valid Florida teaching certificate. Each assistant administrator must hold a valid Rank II or higher Florida teaching certificate covering the area of administration and supervision at the level to which he is assigned.
- (5) The qualification for the positions listed above are considered very desirable; however, they may be waived by mutual consent of the Board and Superintendent as permitted by law.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.01(2)(a)(b)(c), 1012.22, F.S.

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part III – The District Staff

RULE 1.32	THE NON-INSTRUCTIONAL STAFF
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POLICY

The non-instructional staff includes all clerical, maintenance, custodial, transportation, school food service, paraprofessionals, and all other non-professional employees, not required to hold a teaching certificate for the position held. Their responsibility is to provide back-up services to broaden and enhance scholastic experiences.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1012.01(6)(7), 1012.22, F.S

History:

CHAPTER 1.00 – THE DISTRICT SCHOOL SYSTEM

Part III – The District Staff

RULE 1.33	RESPONSIBILITIES AND DUTIES OF DISTRICT PERSONNEL
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POLICY

Under the Superintendent, as executive officer of the School Board, the school system shall be organized as indicated by the organization chart on the following page. The Superintendent shall develop a handbook containing job responsibilities for each position or class of positions in the school district, and annually submit an updated version of the handbook to the School Board for review and approval.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.33, 1012.22, F.S.

History:

RULE 1.34

**ORGANIZATION OF THE HARDEE COUNTY SCHOOL
DISTRICT**

CHAPTER 2
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CHAPTER 2
GENERAL ADMINISTRATION

(Continued)

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CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.01	PUBLIC INFORMATION
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POLICY

Whereas the schools belong to the people who created them by consent and who support them by taxation, it is the declared intent of the School Board:

- (1) To keep the citizens adequately informed through all channels of communication on all policies, programs, problems, and the planning of the school system and to carry out this policy through its own efforts and the office of the Superintendent.
- (2) To seek the advice and opinion of the people of the school district at all times and especially at regular and special meetings of the Board.
- (3) To require each school and the district staff members to cooperate in keeping the public informed of all newsworthy events which would be of interest or concern to the citizens of the district and which would promote the welfare of the school system. All news releases pertaining to schools or district activities shall be approved by the Superintendent.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.43(5), F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.02 SCHOOL CALENDAR

POLICY

By May 1 of each year, the School Board shall be presented for review and adoption a school calendar for the subsequent school year. The proposed calendar shall be developed cooperatively by the district administrative staff and approved by the Superintendent prior to submission to the School Board.

- (1) Except as directed by the School Board in case of an emergency, the school holidays, vacation periods, school days for students and the working days for all personnel of the schools system will be incorporated in the school calendar.
- (2) District personnel may make suggestions for the calendar through their school principal.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42 (4)(f)(g) F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.03 HOLIDAYS DEFINED

POLICY

All school employees shall be given the holidays approved annually in the school calendar or salary schedule adopted by the Board.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42(4)(f)(g), F.S.

History:

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RULE 2.05

FLAG PLEDGE AND DISPLAY

POLICY

- (1) The form of pledge of the flag of the United States which shall be taught and used daily in the public schools shall be that approved by the Congress of the United States.
- (2) Display of Flag:
 - (a) Outside – the flag of the United States shall be displayed daily when weather permits on a suitable flag staff located on the grounds of the school. The state flag shall be displayed in a similar manner below the flag of the United States.
 - (b) In classroom - each classroom and each auditorium shall display the flag of the United States.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1000.06, 1003.44, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.06	POLITICAL ACTIVITIES OF SCHOOL BOARD EMPLOYEES
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POLICY

- (1) An employee of the School Board who offers himself as a candidate for public office shall notify the Superintendent immediately upon qualifying for election. He shall file a written resume of how he plans to conduct his campaign so as not to interfere in fulfilling his obligation to the district School Board.
- (2) Any such candidate for public office may take personal leave for thirty days prior to the election as provided in Sections 3.27 and 4.12 of these rules.
- (3) Such candidate will adhere strictly to Section 104.31, Florida Statutes, regarding political activity on the part of public officials and employees, including teachers.
- (4) A successful candidate for an office requiring part-time responsibility shall report to the Superintendent immediately after the election and thereafter when deemed necessary by the Superintendent or Board to evaluate the compatibility of the dual responsibility.
- (5) No employee of the School Board shall solicit support for any political candidate during regular work hours.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.07 EMERGENCY CLOSING OF SCHOOLS

POLICY

No school shall be dismissed prior to the regular daily dismissal hour without the approval of or by the direction of the Superintendent. If the Superintendent cannot be contacted and an extreme emergency exists affecting the health, safety, or welfare of the pupils, the principal may dismiss the school. Any such early dismissal shall be reported immediately by the Superintendent to the School Board together with the reason therefore.

- (1) In the event of a declared state of emergency, control of pupils shall be retained by the school personnel until the pupils are released from school or in the case of transported pupils, until the students depart from the school bus.
- (2) The principal shall cooperate with Civil Defense and Red Cross authorities in the event of a natural or man-made disaster. In the event of a riot or similar condition, the principal shall cooperate with the law enforcement authorities.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1001.51, F. S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.08 PERSONAL BUSINESS ON SCHOOL TIME

POLICY

No employee of the School Board may conduct personal business on school time except for emergencies approved by the principal or Superintendent. School Board equipment or supplies shall not be used to conduct personal business or any other activity not connected with the school system.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.27, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

Rule 2.09 SCHOOL VISITATION BY PATRONS AND MEMBERS OF THE PRESS

POLICY

Patrons and professional representatives of the press are encouraged to visit the schools.

- (1) Any request for visitation shall be made to the principal of the school prior to the visit. Any visitation about which the principal has a question shall be referred to the Superintendent.
- (2) No visitation shall be permitted to interfere with the operation of the school or to cause undue interruption of classroom procedures.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.10

LEGAL SERVICES FOR EMPLOYEES

POLICY

The School Board will provide legal services for any employee who is charged civilly or criminally, with any action arising out of or in the course of his employment; provided, that in the opinion of the Board the employee was at his assigned post of duty and was not guilty of willful neglect of duty, gross negligence, or a violation of law or rules of the Board.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.43, 1012.26, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.10.1 LEGAL SERVICES, PROFESSIONAL LIABILITY PROTECTION INSURANCE, INDEMNIFICATION

POLICY

Part I. It is the policy of the School Board of Hardee County, Florida, that legal services, professional liability protection, insurance and indemnification, shall be afforded to present or former: School Board members, the Superintendent of Schools, and the School Board Attorney. Legal services, professional liability protection, insurance and indemnification shall include all actions taken by the School Board members, the Superintendent of Schools and the School Board Attorney while serving in their respective offices and shall include actions against them, individually or collectively, civil or criminal, in their personal, individual, or official capacities and shall include orders or judgments for all compensatory or punitive damages, and all fees, all costs, all expenses regarding legal services, professional liability protection, insurance, and indemnification or litigation. Provision of legal services, professional liability protection, insurance, and indemnification under this Part I of the Rule is specially and affirmatively authorized and requires no further action by the School Board.

Part II. Is the policy of the School Board of Hardee County, Florida, that legal services be afforded officers, employees, and present or former members or agents of the School Board who are charged with civil or criminal actions arising out of and in the course of the performance of assigned duties and responsibilities.

The School Board may authorize for its officers, employees, and present or former, members or agents:

- a. coverage by legal liability insurance; or
- b. provision of legal services by the School Board Attorney, or special counselor; or
- c. reasonable expenses including costs and fees of legal services for defense, or
- d. indemnification;
- e. all, or a combination of the above (a) through (d) above.

However, in any case in which the officer or employee pleads guilty or nolo contendere or is found guilty of any such action as affirmatively determined by the School Board, the officer or employee shall reimburse the School Board for any legal services supplies pursuant to this section.

CHAPTER 2.00 – General Administration

The policy of the School Board is that upon affirmative action of the Board, officers, employees and present or former agents may be indemnified or reimbursed for any judgment which may be granted against him or her in a civil action, and for punitive or compensatory damages, costs, and attorney's fees.

Part III. Defense of the legal actions governed by this policy shall include but not be limited to, any civil rights lawsuit seeking relief personally against such officers, employees, present or former agents, School Board members, Superintendent of Schools, and School Board Attorney, under color of state law, custom, or usage. Any personal final judgment including compensatory or punitive damages, costs, and attorney's fees may be paid unless it has been affirmatively determined by the School Board and the final judgment that the harm was caused intentionally.

Part IV. In the event the School Board provides legal liability protection or insurance, it is the policy of the School Board that:

- a. the provisions of an insurance policy providing for legal services and indemnification, shall also pertain to and be available for School Board members, Superintendent of Schools, School Board Attorney, officer, employees, and present or former members of agents, in the circumstances set forth in (b) immediately following.
- b. The School Board shall provide legal services, professional liability protection, and indemnification for any "gap" caused by any deductible provision in any legal liability insurance policy; and legal services, professional liability protection, insurance and indemnification for all areas of exclusions from coverage set forth in such an insurance policy.

General Statutory Authority: 111.07, 111.071, 111.072, 1001.32, 1001.42, 1001.51, F.S.

Specific Statutory Authority: 1001.43, 1012.26, F.S

History: Adopted 3/28/91

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.11 GRIEVANCE PROCEDURES FOR PERSONNEL

POLICY

The Hardee County School Board and the Superintendent recognize that good morale among its employees is maintained, as problems arise, by sincere efforts of all persons concerned to work toward constructive solutions of such problems in an atmosphere of courtesy and cooperation. Whenever an employee or prospective employee feels that he/she has a complaint, including alleged discrimination on the basis of race, sex, national origin, marital status, handicap or religion, every effort should be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done he/she can resort to the more formal procedures as provided herein.

- (1) Definitions:
 - (a) “Grievance” shall mean any dispute or disagreement involving the interpretation or application of any existing Board rule or practice.
 - (b) “Grievant” shall mean any employee, or group of employees or prospective employees directly affected by the alleged misinterpretation or violation, filing a grievance.
 - (c) “Employer” shall mean the School Board or its representatives.
 - (d) “Day” shall mean a calendar day.
- (2) Time Limits. The number of days indicated at each level is to be considered the maximum. Time limits may be extended by mutual agreement between the parties.
- (3) Released Time. The grievance procedure will normally be carried out during the non-work time. If, however, the Board elects to carry out such procedures during work time, the grievant shall lose no pay.
- (4) Grievance procedure:
 - (a) Informal discussion. If an employee believes there is a basis for grievance, he shall discuss the grievance with his immediate supervisor within ten days of the occurrence of the alleged violation.
 - (b) Level one. If the grievant is not satisfied with the informal resolution he/she may, within five days, file a formal grievance on the proper form and deliver it to his immediate supervisor. The supervisor shall

CHAPTER 2.00 – General Administration

communicate his answer in writing to the grievant within ten days after receipt of the grievance. Class grievances involving an administrator above the building level may be filed by the grievant at level two.

- (c) Level two. If the grievant is not satisfied with the resolution at level one he may within ten days of the answer, file a copy of the grievance with the Superintendent. Within five days of receipt of the grievance, the Superintendent or his designee shall indicate his disposition in writing to the grievant.
- (d) Board appeal. If the grievant is not satisfied with the resolution by the Superintendent, and if the grievance is not subject to arbitration under the terms of a collective bargaining contract, he shall have the right to appeal the Superintendent's decision to the School Board.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 447.401, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.12	PROCEDURES FOR MAKING PRESENTATION TO BOARD
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POLICY

- (1) Any person or group desiring to address the Board shall file with the Superintendent, at least ten working days prior to a meeting, a written request to be placed on the agenda. Such request shall contain the following information:
 - (a) The name and address of the person making the request.
 - (b) The organization or group, if any, represented.
 - (c) Content of the information to be presented. If written material is to be passed out, a copy of such material shall accompany the request.
 - (d) Specific questions to be asked or the specific action desired of the Board.
 - (e) Any charges to be made against an individual shall be in affidavit form. If any information is to be presented that is in the form of a statement or charges that might be considered derogatory or of a serious nature, such shall be presented in writing and shall specifically state the charges in the form of an affidavit.
- (2) The Superintendent shall respond verbally or in writing to any person or group requesting to be placed on the agenda. In the event the agenda for the next ensuing meeting is unduly long, the Superintendent shall place the presentation request of the agenda for the next regular meeting. If a question should arise in regard to the granting of a request, the Superintendent and the chairman shall confer and make a decision.
- (3) The Superintendent shall furnish an exact copy of the request to each Board member in time to permit him to study the matter prior to the Board meeting.
- (4) The Superintendent shall promptly investigate the subject matter of the request and shall furnish each Board member with a report of his findings and recommendations in time to allow the Board member ample time to review the matter prior to the Board meeting.
- (5) No subject shall be allotted more than 30 minutes time at any Board meeting. Ten minutes shall be allocated to the proponent of the request and ten minutes

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shall be allocated to an opponent, if any. The remaining ten minutes shall be for questions by the Superintendent and Board.

- (6) A private citizen presenting a grievance to the School Board and Superintendent will receive a verbal or written response from the Superintendent's office by the conclusion of the next regular Board meeting.

- (7) Any person or representative of any organization or group not having made arrangements as herein before prescribed may be heard, at the discretion of the Board; provided that the information prescribed in subsections (1), (3), and (4) have been furnished the chairman in writing prior to or during the meeting.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.13

RECORDS AND REPORTS

POLICY

All employees of the School Board shall faithfully and accurately keep such records and make such reports as may be required by law, State Board Rules and rules of the School Board or as the Superintendent may deem necessary for the effective administration of the school system. Such records shall include pupil attendance, property inventory, school funds and other types of information. Reports shall be submitted on forms prescribed for such purposes at designated intervals or on specified dates. All such reports may be made by the designated time. The Superintendent may withhold warrant due an employee who is delinquent in filing a report until the required report is submitted in an acceptable form.

- (1) All reports are to be officially checked and brought up-to-date before a teacher or other employee who resigns receives final pay.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42(11), F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.14 REPORTS AND FORMS MANAGEMENT

POLICY

- (1) Any form which imposes any requirement or solicits any information not specifically required by state or by an existing rule is included within the definition of a “Rule” and the rule making adoption procedure of the Administrative Procedure Act therefore applies. In order to assure compliance with the rule making procedure of Chapter 120 and Section 1008.385, Florida Statutes, and to provide efficient, timely, accurate, and valid information and data gathering, Reports and Forms Control Management System is established.
- (2) The objective of the system shall be to:
 - (a) Ensure maximum coordination and efficiency of data collection.
 - (b) Simplify reporting requirements and reporting formats of data collection forms.
 - (c) Consolidate or eliminate data collection and all other types of forms in order to minimize duplication of effort.
 - (d) Aid data collectors in locating data readily available which meet their needs.
- (3) The system shall function under the direction of a committee recommended by the Superintendent and appointed by the Board
- (4) All reports and forms used in the Hardee County School System which are solely within the purview of the Board shall be subject to clearance and approval procedures which shall include, but not be limited to, justification criteria, content criteria, design criteria, and cost effectiveness criteria. The Superintendent shall establish the criteria which shall be based on accepted administrative and management standards. After review and approval, each report or form shall be assigned a unique number and a date of issue. A copy of each reporting requirement and form shall be entered in a file which shall include any instructions for their use if necessary and shall be a part of this rule.
- (5) Any report or form that does not contain the unique number and issue date shall not be used.

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General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 120.53, 1008.385, F.S.

History:

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RULE 2.15	INDEBTEDNESS CREATED AGAINST A SCHOOL OR THE SCHOOL BOARD
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POLICY

Any school employee shall be personally liable for creating any bill or indebtedness against a school or against the School Board unless authority exists under duly adopted rules of the School Board or unless he is authorized in writing by the Superintendent. Any person violating the provisions of this rule shall be subject to the cancellation of his contract or dismissal from employment.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1010.04, 1011.06, 1011.07, F.S.
6A-1.012, SBER

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.16

DRIVER EDUCATION CARS, PROCUREMENT AND USE

POLICY

The principal of a high school in which driver education is taught shall be responsible for the cars provided by automobile dealers and the Superintendent shall see that the following requirements are observed:

- (1) No requests shall be approved to permit the use of the car for field trips, extended trips, or for any other purpose. A driver education car shall be used only for driver training purposes and no exceptions may be allowed.
- (2) The car shall be taken for a service check when required by the dealer.
- (3) The driver training instructor shall keep the car clean in appearance at all times. Cleaning the car or cars shall be incorporated in the instructional phase of cars and maintenance.
- (4) The principal shall notify the Superintendent of the date on which the car is returned in order that the insurance may be canceled on that date.
- (5) The use of a driver-training car shall be limited to driver training instructors on regular school days.
- (6) Neither the driver training students nor the instructor shall participate in the consumption of food or liquids while in a driver training car.
- (7) The Superintendent or his designee shall sign the agreement required for the procurement of a driver education car or cars. If two signatures are required for the school district, the chairman of the Board shall also sign the agreement.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.48, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.17

AUTOMOTIVE EQUIPMENT

POLICY

All district owned automotive equipment shall be assigned to the Director of Transportation and it shall be his responsibility to see that proper care and repair is maintained at all times.

- (1) The failure of the operator of any piece of automotive equipment to notify the Director of Transportation as to any mechanical defect shall be cause for the operator's dismissal.
- (2) All mechanical defects of equipment, where repairs are needed, are the responsibility of the Director of Transportation and repairs shall be made as soon as possible. The Board will not assume any financial responsibility for purchases or contracts for repairs on any automotive equipment or tractor equipment without first having the approval of the Director of Transportation or the Superintendent.
- (3) The Director of Transportation shall be responsible for inspecting all equipment at regular intervals. If repairs are needed, the equipment will be scheduled for repairs or service.
- (4) Under no condition will equipment be repaired by private shop or private individuals unless approval is given by the Director of Transportation or the Superintendent.
- (5) Automotive equipment shall be used exclusively for school business and shall not be used at any time for the operator's private use or convenience. Violation of this condition shall be cause for action by the School Board. It shall be the duty of the Director of Transportation to report to the Superintendent for immediate action any unauthorized use of such equipment.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.22, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.18

CHAPERONES FOR SCHOOL FUNCTIONS

POLICY

All school functions and activities such as picnics, parties, excursions and similar activities under the sponsorship of the school shall be chaperoned by adults. Activities sanctioned by the Florida High School Activities Association shall be governed by the regulations of that association. Activities of vocational student organizations will be governed by rules of the State Board of Education.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.31, 1006.07, F.S.

History:

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RULE 2.19

NEPOTISM

POLICY

- (1) Two or more close relatives may not work in the same administrative unit except by special permission of the Superintendent. The provisions of this rule apply to all personnel – administrative, instructional and non-instructional.
- (2) Close relatives are defined as mother, father, son, daughter, brother, sister, spouse and in-laws of the same.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.23, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.20 CONDUCT AT OFF CAMPUS SCHOOL FUNCTIONS

POLICY

- (1) All school functions, whether at or away from school, have equal standing and the usual rules of behavior or conduct shall apply with equal force at school, while in transit, or at the location of the function.
- (2) The usual rules of behavior shall apply to any visiting students.
- (3) The duly authorized sponsors shall be responsible for enforcing the rules of proper conduct.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.31, 1006.07, F. S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.21

ADVERTISING

POLICY

The facilities, the staff, and the students in school shall not be employed in any manner to advertise or promote otherwise the interest of any commercial, political, non-school agency, individual or organization except that:

- (1) A salesman with the permission of the principal may demonstrate and show only that equipment which can be used to improve the educational program of the school. Any deviation from this policy must be cleared by the principal and must be done before or after regular school hours.
- (2) The schools may use suitable films or educational materials bearing only simple mention of the producing firm or agency after carefully evaluating them for classroom use and ascertaining their freedom from undesirable propaganda. This discretionary authority demands careful consideration on the part of the principal.
- (3) The Superintendent may, at his/her discretion, announce or authorize to be announced, or post or authorize to be posted, any notice of a lecture or community activity having educational value or merit.
- (4) The schools may, with the approval of the Superintendent cooperate with any governmental agency in promoting activities in the general public interest provided such activities are nonpartisan and noncontroversial and promote the education or best interests of the pupils.
- (5) The schools may cooperate in promoting the work of any nonprofit community-wide social service agency; provided that such cooperation does not restrict or interfere with the educational program of the schools.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.22

FUND RAISING ACTIVITIES BY SCHOOLS

POLICY

All fund raising projects and activities by the schools or groups within the school shall contribute to the educational experience of pupils and shall not be in conflict with the overall instructional program as administered by the Superintendent.

- (1) Funds derived from any school fund raising projects or activity shall be deposited in the school's internal funds account and shall be disbursed as prescribed by School Board Rules and rules of the State Board of Education.
- (2) Each school shall continuously evaluate its fund raising projects and activities as they relate to the supplementary needs of the school program, the promotion of educational experience, the time involved for students and teachers, and the additional demands made on the school community.
- (3) The determination of the fund raising activities for a school shall be the responsibility of the principal and his staff and shall conform to the following conditions and such other administrative directives as may be issued by the Superintendent.
 - (a) Fund raising activities and projects within a school shall be kept within a reasonable limit by the principal who shall require full justification of the need and an explanation of the manner in which the funds will be expended before being approved.
- (4) A parent-teacher association or any other organization connected with the school may sponsor fund raising activities provided school work and time are not affected. Such activities shall be conducted in accordance with established policies. Raffles, bingo, lotteries and any other non-lawful activity shall not be permitted by any school group or on school property.
- (5) Individuals and businesses shall not be subjected to excessive annoyances from the solicitation of funds by school groups or school personnel. Where possible all necessary money shall be raised for school needs without recourse to any solicitation away from school and the superintendent shall approve a solicitation activity only when, in his opinion, funds cannot be raised otherwise. This rule does not preclude private and volunteer contributions for athletic and other purposes.

CHAPTER 2.00 – General Administration

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22, 1010.04, 1011.06, 1011.07, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.23 AGENTS, SOLITICTORS, AND SALESMEN

POLICY

When classes are in session, the principal shall refuse to allow any form of canvassing of teachers, pupils and school committees for any business not specifically authorized by the Superintendent in writing. The principal shall use his judgment in regard to calls at other times when the teacher is on duty.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1001.51, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.24 PUBLIC APPEARANCES OF SCHOOL GROUPS

POLICY

The principal is the administrative head of the school and any matters pertaining to school organizations within his jurisdiction shall be referred to him.

- (1) A request for the school band or a school organization of any type to make a trip or to make a personal appearance shall be made to the principal of the school and not to the teacher or sponsor of the particular organization or group.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.25	ALCOHOL, ALCOHOLIC BEVERAGES AND NON-PRESCRIPTIVE MOOD MODIFIERS
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POLICY

No person shall be permitted to use, be in possession of or to be under the influence of items listed above while on school property, at school sponsored activity or while on a school trip.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.07(2), F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.25.2

DRUGS

POLICY

In compliance with the Drug-Free Workplace Act of 1988, the School Board shall provide a drug-free workplace by publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited (also includes unlawful use of alcohol).

- (1) Drug-Free Awareness Program: The School Board shall establish a drug-free awareness program to inform employees as follows:
 - (a) The dangers of drug abuse in the workplace and at school activities;
 - (b) The School Board's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance program; and
 - (d) The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace and at school activities.
- (2) Employee Violation: An employee violating the foregoing policy shall be immediately suspended by the Superintendent of Schools.
 - (a) Penalties: The Superintendent is hereby directed to immediately report any such violation to the School Board for further action:
 1. Termination, or
 2. Requiring such employee to satisfactorily participate in a drug-abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
 - (b) Failure to Report: Failure by an employee of this Board to report a known violation of the foregoing policy would constitute an act of insubordination and willful neglect of duty.

CHAPTER 2.00 – General Administration

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.51, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.26

SAFETY

POLICY

The Superintendent, principal, bus drivers, teachers, school food and nutrition service personnel and custodians shall strive to protect the physical welfare of each student. The Superintendent shall be responsible for insuring that a safety inspection consistent with rules of the State Board of Education is made annually for each school facility.

- (1) The principal shall remove hazards to safety where possible and shall report in writing to the superintendent all other known hazards. Barbed wire shall not be used on school grounds except by authorization of the School Board.
- (2) The principal, in cooperation with the faculty, the non-instructional staff, the police, and the fire departments, shall initiate a safety program in an effort to prevent accidents to pupils.
- (3) In the event of an accident, an accident report shall be made immediately to the office of the superintendent.
- (4) The principal, in cooperation with appropriate law enforcement authorities, may organize a school patrol.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.07, 1013.12, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.27 EMERGENCY EVACUATION DRILLS

POLICY

- (1) The principal shall hold one emergency drill during each calendar quarter with the first drill being held within the first five days of school.
- (2) The principal, teachers, and the non-instructional staff shall formulate a base emergency evacuation and fire exit plan designed to familiarize the occupants with all means of exit, particularly emergency exits that are not habitually used during the normal occupancy of the building.
 - (a) Diagrams shall be posted in each pupil occupied area clearly indicating fire exits and alternate evacuation routes
- (3) The principal shall plan and assign personnel the responsibility for the prompt and orderly evacuation of the school building in accordance with the requirements of State Board of Education Rules.
- (4) The principal shall identify and report hazardous areas requiring corrective measures to the School Board through the Superintendent.
- (5) The Superintendent shall make available to each principal a copy of appropriate State Board of Education Rules and any changes made by the State Board relating to emergency evacuation drills.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1013.12, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.28

CAMPUS DISORDERS

POLICY

Florida law provides a criminal penalty for persons who, without legitimate reasons, enter a school campus or facility and create a disturbance or refuse to leave when directed to do so by the principal or person in charge. In such cases of disruptive activity, or refusal to leave school grounds, the principal shall contact appropriate law enforcement officials and take such action as may be necessary to have the offender punished in the manner prescribed by law. The Superintendent shall be promptly notified of any such action.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.145, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.29

CHILDREN, UNDER AGE AT SCHOOL

POLICY

No employee of the School Board will be permitted to care for any child under school age at the school during the hours of a regular school day or at evening sessions; moreover, no employee shall allow his children to interfere with his duties during working hours.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.51(7), F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.30

PHYSICAL EXAMINATIONS

POLICY

The employee, at the expense of the Board, shall upon the request of the School Board, at any time during his/her term of employment, submit to a physical or psychiatric examination by a qualified physician or physicians to be selected by the employee from a list consisting of not less than three names approved by the Board. The employee shall allow the report of the physician or physicians to be submitted to the School Board, with a copy being forwarded to the employee.

General Statutory Authority: 1001.41, 1012.22, F.S.

Specific Statutory Authority: 1001.43(11), 1012.32, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.31	HEALTH SERVICES
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POLICY

The Superintendent and staff shall cooperate with the county health unit in providing professional medical supervision in all school health matters.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 120.54(1), 402.3025, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.32

ADVERTISING FOR LEGAL PURPOSES

POLICY

All legal advertising by the school district shall be in a newspaper of general circulation in the district.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 120.54 (1), F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.33 RULES, APPLICATION AND DISTRIBUTION

POLICY

- (1) All administrative, instructional and non-instructional personnel shall become familiar with the rules of the School Board and such other policies, regulations, memoranda, bulletins, and handbooks as pertain to their duties in the school system.
- (2) Any person employed by the School Board who willfully violates any rule of the School Board shall be subject to dismissal or such lesser penalty as the Board may prescribe.
- (3) In all cases not clearly covered by these rules, the Superintendent shall make a decision on the basis of the most nearly related provisions.
- (4) The Superintendent shall cause to be distributed to each school and office copies of the rules and copies of any amendments thereto in sufficient quantity to be readily accessible to each regular employee. In lieu of the distribution of the complete rules, the Superintendent may prepare a special edition for any specific class of employees and omit therefrom those rules which do not have a direct bearing upon the work of that class of employees; provided, that any such special editions shall contain a clear statement of where the complete rules are available.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 120.53, 1001.42, 1012.53, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.34 CERTAIN FEES AND CHARGES PROHIBITED

POLICY

- (1) Except in adult education courses and summer enrichment programs, no school may charge a Florida student any fee as a condition of enrolling or participating in any school course, program, or activity which constitutes a part of the regular school program.
- (2) Upon approval of the Superintendent, parents may be asked to make contributions to defray the cost of workbooks and other consumable classroom teaching supplies. However, if any parent is unable to make such contribution, the child must be provided with the same materials provided those who did contribute.
- (3) When, as a result of misuse or abuse by a student, school property is damaged or destroyed, the student or his parents shall be assessed a charge appropriate to cover the cost of repair or replacement.

General Statutory Authority: 1001.41, F.S.

**Specific Statutory Authority: 1000.04, F.S.
6A-1.09983 SBER**

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.35 COMPLAINTS AGAINST EMPLOYEES

POLICY

Any complaint against any employee which arises within the membership of the Board or which comes to the attention of the Board (except through the Superintendent) shall be referred to the Superintendent for investigation and appropriate action. In case the employee or the complainant is not satisfied with the decision of the Superintendent, an appeal may be taken by either party, through the Superintendent, to the School Board for a final decision. No complaint shall be considered by the Board in any other manner.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.27, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.36

WORKER'S COMPENSATION

POLICY

The School Board carries Worker's Compensation on all employees as well as school volunteers. This assures that employees who are injured on the job will have an income until such time as they are able to return to work. It also provides the payment for medical expenses for injuries sustained while on duty.

- (1) Illness-in-the-line-of-duty leave may be used pursuant to Sections 3.35 and 4.16 of these rules.
- (2) When an employee who is eligible for Worker's Compensation, but is being paid a salary by the Board due to extended sick leave receives a check from Worker's Compensation for the time missed from work, the employee must endorse the check and make it payable to the School Board.
- (3) Accident reports for Worker's Compensation must be made immediately to the building principal or his designee who in turn will report monthly to the office of the Superintendent.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.695, 440.02, F. S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.37 LISTS OF NAMES AND ADDRESSES OF PESONNEL

POLICY

List of the names and addresses of personnel shall not be compiled for any person or agency outside the district school staff without the approval of the School Board or the Superintendent.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.38

FIELD TRIPS

POLICY

Field trips are defined as the extension of a classroom activity to serve as a laboratory experience. Parents shall be notified prior to any field trip that such trip is planned. The notice shall give the place to be visited, the date, the time of departure and the estimated time of return to the school. A permit slip signed by the parent or guardian of each child shall be required. Any trip outside of the immediate community requires a written request approved by the Superintendent.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.22, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

- 2.39** The Hardee County School Board in its hiring practices will give veterans preference in employment.
- 2.40 MERIT PAY.** Yearly increments on the salary schedule shall be construed as merit increases.
- 2.41 PROMOTIONS.** The Board encourages employees to upgrade skills and to broaden certification areas so as to allow them to seek promotions when positions become available. Promotions shall be made without discrimination on the basis of race, national origin, sex, handicap, marital status or religion.

General Statutory Authority: 1001.42, F.S.

Specific Statutory Authority: 1012.225, F.S

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.43

NON-DISCRIMINATION

POLICY

The Hardee County School Board adheres to a policy of non-discrimination in educational programs, activities, benefits, and employment practices and strives affirmatively to provide equal opportunity for all as required by the following:

- (1) No person shall, on the basis of race, national origin, sex, handicap, color, religion, age, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity, or in any employment conditions or practices of the Hardee County School Board.

General Statutory Authority: 120.52, 120.53, 120.54, 120.55, 1001.41, 1001.42, 1000.05, F.S.

Specific Statutory Authority: Title VI of the Civil Rights Act 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1967; Sec. 1000.05 F. S.

History: Revised 12/12/91

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.44	RISK MANAGEMENT INSURANCE FOR DISTRICT SCHOOL BOARD
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POLICY

Section 1001.41, 1001.42, Florida Statutes was amended by the 1985 Legislature to authorize district school boards to enter into risk management insurance programs managed by the District School Board in consortium with other school boards, school related associations or insurance companies or to have a combination thereof in any area and to the extent that the Board is either authorized or required, by law, to contract for insurance coverage.

- (1) When considering risk management programs to be recommended to the Board, the Superintendent shall consider all options available as provided for in 1001.41 1001.42 F.S. The Superintendent shall recommend the insurance program that is in the best interest of the school district.

General Statutory Authority: 1001.42, F.S.

Specific Statutory Authority: 1001.41, 1001.42, F. S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.45 HIGH SCHOOL AND SECONDARY SCHOOL SECURITY PROGRAMS

POLICY

The 1985 Legislature amended Section 228.088, Florida Statutes, relating to district high school and secondary school security programs.

- (1) Each high school and secondary school shall develop and implement a school security program to be in effect during school operating hours. The security program shall be consistent with the requirements of Section 6A-1.0403, State Board of Education Rules.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.43, 1001.52 F.S., 6A-1.0403 SBER

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.46

OPEN HOUSE FOR SCHOOLS

POLICY

Each school shall plan and hold an “Open House” at some time during the first fifteen days of school. Principals are encouraged to coordinate the times and dates of Open House.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1001.41(2), F.S.

History: Revised 04/14/11

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.47

SCHOOL VOLUNTEER PROGRAM

POLICY

The School Volunteer Program exists to provide assistance and enrichment in classrooms and non-instructional support areas of the school plant. The supervisor of the Volunteer Program shall be responsible for the direction of the Volunteer Program, its compliance with all district and state requirements pertaining to volunteers, and shall include the responsibilities of recruitment, training, and evaluation of the Volunteer Program. A volunteer is a non-paid person functioning under appointment by the School Board and at the direction of the responsible administrator. Regular school volunteers, registered at their school, shall be appointed by the principal acting as the School Board's designee, and shall be covered by liability insurance and worker's compensation while performing volunteer duties.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.01, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.48	HUMAN IMMUNODEFICIENCY VIRUS STAGE I THROUGH IV
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POLICY

- (1) There have been enacted a broad array of Federal and State laws governing the rights, treatment, and protections of public employees who are infected with the Human Immunodeficiency Virus, Stage I through Stage IV. E.g., Ch. 88-380, Laws of Florida, also known as Florida's Omnibus AIDS Act; Ch. 89-350, Laws of Florida, Ch. 90-210, Laws of Florida; Chapter 90.292, Laws of Florida; whose provisions have been codified throughout the Florida Statutes; and the Americans with Disabilities Act of 1990, Public Laws 101-336, 104 Stat. 327 (1990), whose provisions are codified in sections of the United States Code.
- (2) The purpose of this rule is to implement the Federal and State laws, and applicable regulatory rules pertaining to the rights, treatment, and protections of public employees who are infected with the Human Immunodeficiency Virus, Stage I through Stage IV.
- (3) The various Federal and State laws and applicable regulatory rules use differing terms to describe the condition of persons who are infected with the Human Immunodeficiency Virus, Stage I through Stage IV. This rule uses the terminology set forth in Florida Statutes, but covers similar conditions described in other Federal and State laws and applicable regulatory rules, and as described in the U.S. Centers for Disease Control Case Definition of AIDS.
- (4) Determination of whether a public employee is infected, and if so, the extent of infection and manifestation of the Human Immunodeficiency Virus, Stage I through Stage IV, shall be in accordance with the mandatory provisions set forth in Federal and Florida laws, and applicable regulatory rules; and, pertinent protocols established by recognized medical authorities or medical and public health agencies.
- (5) Records relating to the medical conditions of public employees infected with the Human Immunodeficiency Virus, Stage I through Stage IV, shall be administered, and confidentiality required, in accordance with the provisions of Federal and Florida laws, and applicable regulatory rules.

CHAPTER 2.00 – General Administration

- (6) It is the rule of this School Board that a person may not fail or refuse to hire or discharge any individual, segregate or classify any individual in any way which would deprive or tend to deprive that individual of employment opportunities or adversely affect his or her status as an employee, or otherwise discriminate against any individual with respect to compensation, terms, conditions, or privileges of employment on the basis of the fact that the individual is infected with Human Immunodeficiency Virus except in accordance with the provisions of Federal and Florida laws, and applicable regulatory rules.
- (7) This rule incorporate the applicable and pertinent Federal and Florida Laws, and applicable regulatory rules, as amended from time-to-time, by reference and as if fully set forth herein.

General Statutory Authority: 120.52, 120.53, 120.54, 120.55, 1001.41(2), F.S. Chapter 88-380, Laws of Florida, also known as Florida's Omnibus AIDS Act, Ch. 89-350, Laws of Florida; Ch. 90-210, Laws of Florida; Ch. 90-292, Laws of Florida; whose provisions have been codified throughout the Florida Statutes; and the Americans with Disabilities Act of 1990, Public Laws 101-336, 104 Stat.327 (1990), whose provisions are codified in sections of the United States Code

Specific Statutory Authority: 1001.41, F.S.

History: Adopted 11/14/91

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.49 POLICIES AND PROCEDURES RE: SEX OR GENDER BASED DISCRIMINATION

POLICY

(1) Statement of Policy

It is the policy of the Hardee County School Board that every employee and student should be able to work in an environment free of any form of harassment based on race, color, religion, age, sex, pregnancy, national origin, disability or marital status.

(2) Definitions

To help ensure that none of its employees or students ever feel they are being subjected to harassment, and in order to create an appropriate educational and work environment, the Hardee County School Board prohibits any offensive physical, written or spoken conduct regarding any of these items, including conduct based on gender or of a sexual nature. The following forms of harassment are explicitly prohibited:

- (a) Unwelcome or unwanted advances, including sexual advances. This means patting, pinching, brushing up against, hugging, cornering, kissing, fondling; sexually oriented kidding, teasing or jokes. Any verbal abuse or kidding which includes comments about race, national origin, disability or appearance is also prohibited. Such conduct toward a student or an employee is specifically prohibited.
- (b) Creating an educational or work environment that is hostile, abusive or offensive because of unwelcome or unwanted conversations, suggestions, requests, demands physical contacts or attentions, whether sexually oriented or otherwise related to a prohibited form of harassment.

(3) Procedures Re Harassment

- (a) Verbal or physical conduct of a sexual nature will constitute sexual harassment where the allegedly harassed individual has indicated that is unwelcome.
- (b) An individual who has initially accepted such conduct by active participation must give specific notice to the alleged harasser that such conduct is no longer welcome in order for any such subsequent conduct to be deemed unwelcome.

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- (c) Any suggestions or demands that pertain to sexual involvement accompanied by implied or explicit threats concerning one's employment or academic standing will also be considered sexual harassment.
 - (d) Any conduct of a sexual nature directed toward a student or any employee is strictly prohibited and a violation of this policy.
- (4) **Complaints: In General**
In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of conduct and the context in which the alleged occurred will be investigated. The Superintendent or his designee, or at the school level the principal, has the responsibility of investigating and resolving complaints of sexual harassment.
- (5) **Complaints and Penalties re Students**
- (a) All complaints against students shall be resolved under the Equity/Discrimination Complaint Procedure found in the Student Handbook.
 - (b) All complaints against students should be resolved at the school level by the principal or guidance counselor.
 - (c) All victims of gender based discrimination or sexual harassment are required to report such activity.
 - (d) A substantiated charge against a student shall subject that student to disciplinary action outlined in the Student Handbook.
- (6) **Complaints and Penalties re Employees**
- (a) All victims of gender based discrimination or sexual harassment are required to report such activity.
 - (b) The Superintendent or his designee shall be the District's contact person for all matters dealing with gender-based discrimination or sexual harassment pertaining to employees.
 - (c) Filing or reporting a complaint of discrimination or harassment will not affect the complainant's employment status or future employment.
 - (d) Any employee found to have engaged in gender based discrimination or sexual harassment shall be subject to discipline including but not limited

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- to: warning, suspension or termination, subject to applicable procedural requirements.
- (e) Copies of records on all employees complaints of gender based discrimination or sexual harassment, including the results of the investigation, the findings as to the charge, and the action taken as a result of the complaint shall be maintained in the office of the superintendent.
- (7) Confidentiality
- (a) The right to confidentiality of the complainant and the accused will be respected consistent with the school district's legal obligations, and with the necessity to investigate allegations of misconduct and take corrective action when misconduct has occurred.
- (b) The school district retains the right, in some cases, to contact legal authorities.
- (c) This policy specifically prohibits reprisals or retaliations as a result of reporting charges of harassment. Any such attempted reprisals may result in discipline including termination or expulsion.
- (8) Appeal Procedures
- (a) The Complainant or the Respondent has the right to appeal a finding of discrimination.
- (b) The appeal of a school level finding of discrimination or harassment shall be made to the superintendent.
- (c) The appeal of a district level finding of discrimination or harassment shall be made to the School Board.
- (d) If the finding of discrimination or harassment carries a recommendation for discipline: (a) the appeal re students shall be pursuant to the student discipline procedures; and (b) the appeal re employees shall be pursuant to employees discipline procedures.

General Statutory Authority: Sec. 120.52, 120.53, 120.54(6), 120.55, 1001.41(2), 1001.42, F.S.

Specific Statutory Authority: 120.54(6), 1001.42, 1000.05, F.S.

History:

CHAPTER 2.00 – GENERAL ADMINISTRATION

RULE 2.50 INSTRUCTIONS IN OPERATION OF MOTOR VEHICLES

POLICY

- (1) The Superintendent of Schools shall promulgate an Internal Management Memorandum prescribing course standards for the instruction in the operation of motor vehicles and standards for teaching this course to the instructional personnel directly employed by the School Board.
- (2) The Internal Management Memorandum shall be presented to the School Board for review and approval.

Specific Law Implemented: 1003.48, F.S.

Citation of Legal Authority: Sections 120.536, 120.54, 120.81, 1001.41(2), 1001.43 et seq, 1001.51 et seq, 1012.23, F.S.

History: Adopted 11/8/07

CHAPTER 2 – GENERAL ADMINISTRATION

RULE 2.55 COMPREHENSIVE TOBACCO-FREE POLICY

Rational: The Hardee County School Board recognizes that the use of tobacco products is a health, safety, and environmental hazard for students, employees, parents, visitors, and school facilities. The School Board believes that the use of tobacco products on school grounds, in school buildings and facilities, on school property, in district-owned vehicles or at school-related or school-sponsored events is detrimental to the health and safety of students, employees, and visitors. Smoking and other tobacco products are detrimental to health and a significant contributor to medical issues and death for both users and non-users. The School Board acknowledges that adult staff and visitors serve as role models for students and therefore seeks to promote a district that is tobacco-free. Thus, the purpose of this policy is to establish a school district-wide tobacco-free environment, provide notification to the public and to school district employees and students, provide education and resources to tobacco users, and to provide an explanation of the disciplinary action that will be taken with those that abuse this policy.

Application of Policy: This policy applies to students, employees, volunteers, parents, spectators, and visitors.

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

- A. *At any time* is defined as during normal school and non-school hours: 24 hours a day, seven days a week, 365 days a year.
- B. *Electronic cigarette (e-cigarette)* means any oral device that provides a vapor of liquid nicotine, lobelia, and/or other substance and the use of inhalation of which stimulates smoking. The term shall include any such devices, whether they are manufactured, distributed, marketed or sold as e-cigarette, e-cigars, e-pipes, or any other product name or descriptor.
- C. *Tobacco product* is any lighted or unlighted cigarettes, cigars, clove cigarette, blunts, bidis, pipes, hookah, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products.
- D. *Off-campus, school-sponsored event* means any event sponsored by the school or school district that is not on school property, including, but not limited to, sporting events, day camps, field trips, seminars, dances or theatrical productions.

Policy Statement: No student, employee, volunteer, contractor, or school visitor is permitted to use tobacco products of any kind or e-cigarettes.

- A. In any building, facility, or vehicle that is owned, leased, or rented by the school district.

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- B. On any district-owned, leased, rented, or chartered grounds and property including all schools, district offices, athletic fields, practice fields, playgrounds, parking lots, administrative offices, maintenance or transportation areas.
- C. At any off-campus, school-sponsored event.

Notification of Policy and Implementation: Appropriate signage will be posted in a manner and location on and surrounding all school district property that adequately notify employees, students, parents, visitors, and the public of this policy. Communication via announcements, memos, presentations, meetings and letters will also be utilized.

Tobacco Promotion and Sponsorship Prohibited: Tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.

Educational and Cessation Program: The school district will consult with Student Services, the Hardee County Health Department, the American Lung Association, and other appropriate health organizations to identify and provide programs or opportunities for students to gain a greater understanding of the health hazards of tobacco use and the impact of tobacco use as it relates to providing a safe, orderly, clean and inviting school environment, and to provide students and employees with information and access to support systems, tobacco use cessation programs, and services to encourage them to abstain from the use of tobacco products.

Responsibility of School Administrators:

- A. Communicate this policy verbally to students, employees, family members, volunteers, and visitors at school events through signage and school handbooks.
- B. Treat violators who are students or employees with disciplinary actions consistent with school district policies.
- C. Ensure that family members, volunteers, or visitors who violate the policy discontinue using the tobacco product or e-cigarette or leave the premises. Law enforcement officers may be contacted to escort the person off the premises or cite the person for trespassing if the person refuses to leave the school property.
- D. The expectation of this prohibition will be enforced in contracts with outside groups who utilize school buildings and other facilities.

Disciplinary Actions for Student or Employee Violators

- A. *Students:* Consequences for students engaging in the prohibited behavior will be provided in accordance with the school's Code of Student Conduct.

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B. *Employees*: Consequences for employees who violate the tobacco use policy will be in accordance with the school district's Standards of Conduct.

Effective Date of Policy: This policy shall take effect in full on January 1, 2014

Policy Evaluation: This policy shall be assessed by the school district annually to determine whether policies, policy enforcement, communication, education, staff training, and cessation programs are effective. Policies and programs shall be updated and revised accordingly.

General Statutory Authority: 1001.42, 1001.43, F.S.

Specific Statutory Authority: 1001.51, 1001.42, 1001.43, F.S.

History: Adopted: 01/09/14

CHAPTER 3
ADMINISTRATIVE AND INSTRUCTIONAL
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3.52	Safety and Health Loss Program
3.53	Employee Overpayments Collections
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CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.01 INSTRUCTIONAL STAFF DEFINED

POLICY

The instructional staff shall be composed of those personnel, other than principals and directors, who are assigned direct responsibility for the supervision, instruction and evaluation of students, and shall specifically include the following:

- (1) Teachers. Those certified personnel assigned primary responsibility for the direct instruction and evaluation of students.
- (2) Librarians. Those certified personnel assigned primary responsibility for the operation of a school library or media center.
- (3) Special teaching service personnel. Those certified personnel assigned primary responsibility for special instructional services provided to teachers and students, including counselors, psychologists, deans, visiting teachers and occupational and placement specialists.
- (4) Assistant administrators. Those certified personnel, regardless of title, who are assigned to assist the principal in administration of the school.
- (5) Non-certificated specialists. Those non-certificated personnel, employed pursuant to the provisions of Section 6A-1.0502, State Board of Education Rules to render instructional services to students.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.01, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.02

ADMINISTRATIVE STAFF DEFINED

POLICY

The administrative staff shall be composed of all personnel responsible for the planning, administration and supervision of the total instructional program, and for supporting services such as maintenance, transportation, school food service, personnel, purchasing, federal programs, payrolls and all other responsibilities as directed by the Superintendent. The administrative staff specifically includes the following:

- (1) District-wide instructional administrators. Those personnel responsible for the over-all development, supervision and improvement of the instructional program of the district. These responsibilities include in-service education, evaluation of the teaching process, the comprehensive educational plan for the district, accreditation requirements and other responsibilities as directed by the Superintendent.
- (2) Directors of instruction. Those personnel responsible for working with teachers and other members of the instructional staff in the improvement of instruction in specially assigned areas of instruction. Each director of instruction must hold a valid Florida teaching certificate covering supervision in the area to which he is assigned, and must have five years of successful administrative or supervisory experience, two of which must have been completed in the five year period immediately preceding initial appointment.
- (3) Principals. Those personnel assigned direct and primary responsibility as administrative and supervisory heads of school centers. Each principal must have a minimum of three years of full-time teaching experience in a public or non-public school, and hold a valid Florida teaching certificate covering the area of administration and supervision at the level to which he is assigned.
- (4) Special areas administrators. Those personnel assigned responsibility as administrative supervisory heads of support department or divisions, such as maintenance, transportation, purchasing, finance, school food service, personnel, federal programs, and others requiring a professional level of training.

General Statutory Authority: 1001.41(2), 1001.42(5), F.S.

Specific Statutory Authority: 1012.01(3), F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.03 EMPLOYMENT OF INSTRUCTIONAL STAFF

POLICY

The School Board recognizes that is vital to the successful operation of the District that creations created by the Board be filled with highly qualified and competent personnel. Any person employed in an instructional position requiring certification shall possess a valid certificate issued pursuant to Florida law and shall file the certificate with the District.

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

For purposes of this policy, instructional staff includes any K - 12 staff member whose function includes the provision of direct instructional services to students. Instructional personnel also include K – 12 personnel whose functions provide direct support in the learning process of students. Included in the classification of instructional personnel are the following:

- ❖ *Classroom Teachers:* Classroom teachers are staff members assigned the professional activity of instructing students in classroom situations including basic instruction, exceptional student education, career education and adult education.
- ❖ *Student Personnel Services:* Student personnel services include staff members responsible for advising students with regard to their abilities and aptitudes, educational and occupational opportunities, personal and social adjustments, providing placement services, and performing educational evaluations and similar functions. Included in this classification are guidance counselors, social workers, career specialists, and school psychologists.
- ❖ *Librarians and Media Specialists:* Librarians and media specialists are staff members responsible for providing school media services. These employees are responsible for evaluating, selecting, organizing, and managing media and technology resources, equipment, and related systems; facilitating access to information resources beyond the school; working with teachers to make resources available in the instructional programs; assisting teachers and

CHAPTER 3.00 – Administrative and Instructional Personnel

students in media productions; and instructing students in the location and use of information resources.

- ❖ *Other Instructional Staff:* Other employees who are part of the instructional staff but are not classified in one of the previous listed categories. Included in this classification are primary specialists, learning resource specialists, and instructional trainers and coaches.

The Board shall require a candidate for employment as a non-degreed technical instructional staff member with an out-of-district certificate not comparable to the District certification to complete all requirements for initial employment and certification.

The Superintendent shall also conduct employment history checks of all candidates for instructional 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 previous employers 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.

The employment of instructional 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 by the Superintendent and approved by the Board no later than the month following the employee's effective date of employment.

Upon the Superintendent's recommendation and Board approval of employment, each instructional staff member shall execute a written contract as required by State Law.

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 any District school, a person must be of good moral character, must have attained the age of 18 years; and must, when required

CHAPTER 3.00 – Administrative and Instructional Personnel

by law, hold a certificate of 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.

CERTIFICATION

A. State Certification

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. District Certification

It is the intent of the Board that non-degreed technical instructional personnel possess the credentials, knowledge, and/or expertise necessary to provide quality education in the 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 Board may revoke a District certificate for cause.

NON-CERTIFICATED INSTRUCTIONAL PERSONNEL

The Superintendent is hereby authorized to select and recommend non-certificated instructional personnel for appointment, pursuant to State Board of Education Rule F.A.C. 6A-1.0502, in a critical teacher shortage area as identified by the Board. To be eligible for employment under this provision, such individuals must hold a Bachelor's or higher degree and possess expert skill in or knowledge of a particular subject or talent, but not hold a Florida teaching certificate. Instructional personnel employed under this policy will not be entitled to receive a contract and shall be governed by the criteria found in the Board's non-certificated instructional personnel procedures.

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.

CHAPTER 3.00 – Administrative and Instructional Personnel

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.

LICENSED PERSONNEL

Licensed personnel must hold a current license to practice in the State of Florida.

REQUIREMENTS FOR TEACHERS PURSUANT TO “NO CHILD LEFT BEHIND”

All teachers employed by the District shall be “Highly Qualified”

“Highly Qualified” is defined as the following:

A. Full State certification as a teacher or passed the State teacher licensing exam and holds current license to teach; certification or license requirements may not be waived on emergency, temporary, or provisional basis

B. For elementary school teachers new to the profession also requires:

- ❖ A bachelor’s degree
- ❖ Passing of a rigorous State test on subject knowledge and teaching skills in reading, writing, math, and other areas of elementary curriculum (State certification test may suffice).

C. For secondary or middle school teachers new to the profession also requires:

- ❖ A bachelor’s degree
- ❖ Passing a rigorous State test in each of the subject areas the candidate will teach (State certification test may suffice), or
- ❖ For each academic subject taught, having an academic major, course work equivalent to an undergraduate major, a graduate degree, or advanced certification or credentialing

D. For elementary, middle, or secondary teachers with prior experience, this also requires:

- ❖ A bachelor’s degree
- ❖ Meets standards for new teachers, or

CHAPTER 3.00 – Administrative and Instructional Personnel

- ❖ Demonstrates competence in all academic subjects he/she teaches based on a uniform State standard of evaluation (standard for academic subject matter and teaching skills set by the State)

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

General Statutory Authority: 1012.01, 1012.32, 1012.24, 1012.315, 1012.42, 1012.55, 1012.56 F.S.

Specific Statutory Authority: 6A-1.0502, 6A-1.0503 F.A.C.

History:	Revised	6/9/2011
	Revised	7/9/2015

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

Rule 3.03(6)	DRUG-FREE SCHOOLS AND DRUG-FREE WORKPLACE RE: CONDUCT OF JOB APPLICANTS AND EMPLOYEES
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POLICY

- (a) Unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcoholic beverage is prohibited in the Hardee County School Board schools, workplace, or as part of any of its activities.
- (b) In order to ascertain whether applicants are currently illegally using drugs, all job applicants must submit to drug/and or alcohol testing to be considered for employment. Refusal by a job applicant to submit to drug and/or alcohol testing or a positive confirmed drug test are bases for refusal to hire the job applicant. The illegal use of drugs does not include drugs taken under supervision of a licensed health care professional.
- (c) Job applicants and employees of the Hardee County School Board shall refrain from engaging in conduct sufficiently notorious to bring the individual concerned into public disgrace or disrespect and impair the individual's service in the community or to the School Board.
- (d) Any job applicant or employee convicted of a controlled substance violation as defined in Chapter 893, F.S., or 21 USC 812 et. seq., occurring in the workplace, shall notify the Superintendent of Schools of such conviction within five days thereafter.
- (e) Job applicants who violate this policy shall be denied employment. Employees who violate this policy of the Hardee County School Board shall be subject to discipline up to and including dismissal, or at the discretion of the Superintendent of Schools, may be required to satisfactorily participate in a drug abuse or rehabilitation program as a condition of continued employment.

General Statutory Authority: 1001.51 (7), 1001.42, F.S.
Chapter 893, F.S.

Specific Statutory Authority: 34 CRF 85, Subpart F, 6B 4.009, FAC
1001.41, 1012.795, F.S.

History: Adopted 8/26/93

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.04 SELECTION PROCEDURES FOR MEMBERS OF THE INSTRUCTIONAL STAFF

POLICY

The following procedures shall be observed in the selection of all new members of the instructional staff:

- (1) Qualifications. The applicant shall be of good moral character and meet all requirements prescribed by Section 3.03.
- (2) Recruitment. The district shall maintain an active recruitment program for qualified applicants which may include:
 - (a) Solicitation of names of prospective out-of-county applicants from administrative and instructional personnel,
 - (b) Encouragement of qualified local citizens to apply for teaching positions,
 - (c) Periodic notification to the department of education and college placement offices of vacancies, and
 - (d) Scheduled interviews with college and university personnel.
- (3) Application. All applicants for teaching positions must complete a standardized application furnished by the Superintendent's office. An official transcript of the applicant's college record must be provided and will be maintained as part of the applicant's file. References shall be obtained from persons who can evaluate the applicant's ability to perform as a teacher. A file of qualified applicants shall be maintained by the Superintendent's office and made available to administrators for consideration as vacancies occur, or as additional staff is needed.
- (4) Interviews. Applicants considered eligible for appointment shall be requested to appear for an interview with the principal or director.
- (5) Selection. After appropriate interviews, the principal may propose the appointment of an applicant to a vacant position. If the Superintendent concurs in the recommendation he/she may proceed to nominate the applicant to the School Board for appointment. Selection of all employees shall be based on judgment involving qualifications and experience, and shall be without regard to age, sex, race, creed, religion, or national origin, handicap or marital status.

CHAPTER 3.00 – Administrative and Instructional Personnel

General Statutory Authority: 1001.42, F.S.

Specific Statutory Authority: 1012.22, 1012.27, 1012.33, F.S.

History: Revised 6/9/11

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.05 APPOINTMENTS AND REAPPOINTMENTS

POLICY

All administrative and instructional personnel shall be appointed and reappointed in the manner prescribed herein and by law.

- (1) Whenever a vacancy exists in an instructional or administrative position, the Superintendent shall submit to the School Board in writing a nomination for appointment to fill such vacancy within a reasonable time after such vacancy occurs. Nominations to fill vacancies will not be required to be submitted at the time that nominations for reappointments are made unless the Board by official action so directs.
- (2) The Superintendent, by no later than 1 week following the receipt of FCAT scores and data, including school grades, or June 15, whichever is later, shall submit in writing his nomination for supervisors, principals, and members of the instructional staff.
 - (a) The District School Board shall act not later than 3 weeks following the receipt of FCAT scores and data, including school grades, or June 30, whichever is later, on the district school Superintendent's nominations of supervisors, principals, and members of the instructional staff.
 - (b) In case the Superintendent does not submit nominations for reappointment within the deadlines prescribed by law, the School Board may then proceed on its own motion to make reappointments.
- (3) The School Board may reject for good cause any nomination for a director, principal or member of the instructional staff. In any case where a third nomination by the Superintendent for any position is rejected for good cause, the Board may then proceed on its own motion to fill the position.
- (4) Following the action of the Board, the Superintendent shall notify in writing each person subject to consideration whether or not he has been appointed by the School Board for the ensuing school year. If the appointment is refused, the individual should notify his building principal or director as soon as possible.

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General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22, 1012.27, F.S.

History: Revised 6/9/11

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.06 PART-TIME AND HALF-TIME INSTRUCTIONAL PERSONNEL

POLICY

- (1) Any person employed in an instructional capacity for twenty (20) hours or less per week, or are assigned to a temporary position, shall be classified as a part-time employee, even though the person works on a regular basis.
 - (a) Such employee shall not be entitled to earn sick leave credits.
 - (b) Such employee shall not be entitled to insurance benefits.

- (2) Any person employed in an instructional capacity for more than twenty (20) hours but less than full time on a regularly scheduled basis shall be classified as a half-time employee.
 - (a) Such employee shall accrue sick leave equal to the length of one (1) of their regular work days per month pursuant to Section 3.28 of these rules.
 - (b) Such employee shall be entitled to earn one-half (1/2) of the insurance benefits allowed.
 - (c) Such employee's salary is computed by converting full-time salary for that position to an hourly rate and paying actual hours on duty.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.36, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.07 YEAR OF SERVICE DEFINED

POLICY

- (1) The minimum time which may be recognized as a year of service for professional services contract purposes shall be full-time actual service rendered under contract and representing more than one-half of the number of days or total hours required for the normal contractual period of service for the position held. In determining such service, sick leave for which the employee received compensation shall be counted but all other types of leave and holidays shall be excluded. The contractual period of service required for the position shall be 196 days or the minimum time required for the district to participate in the Florida Education Finance Program. Any absence from duty shall be covered by leave duly authorized and granted and any absence from duty without leave shall cancel the employee's claim to a year of service.

- (2) A claim to a year of service for salary purposes shall be the equivalent of the service required for a professional service contract. Credit for service rendered in another state or as otherwise allowed under the salary schedule shall be determined by using the minimum service required in the Hardee County School District for a comparable position.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.01(4), F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.08	TERMS OF SERVICE
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POLICY

- (1) Instructional personnel employed on ten months contracts shall be required to render 196 days of actual service. The term of service shall consist of 180 actual teaching days with the remaining service being rendered during preschool, authorized holidays, or special professional days.
- (2) Instructional and administrative personnel employed on twelve months contracts shall be required to render twelve calendar months of service with service being required for each work day of the calendar month except on duly authorized holidays.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1011.60(3), F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.09 LENGTH OF WORKING DAY

POLICY

- (1) Ten, eleven and twelve months instructional personnel shall be on duty for a basic seven and one-half hour day including lunch period. The time to report for duty and the responsibility of setting the beginning and ending time is delegated to the principal of each school but must be submitted to the Superintendent for approval. The principal or supervisor is charged with the responsibility for seeing that the minimum standard is met. Deviation from the established hours shall be only as otherwise provided in these rules.

- (2) Administrative personnel, other than principals, shall be on duty for a basic eight hour day, except as determined by the Superintendent.

General Statutory Authority: 1001.41 (2), F.S.

Specific Statutory Authority: 1012.22, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.11 PROBATIONARY PERIOD

POLICY

The probationary period for a beginning member of the instructional staff shall be one year. During the probationary period, the employee shall be given evaluation of his effectiveness. Any employee whose work is not satisfactory during the probationary period shall not be nominated for reappointment either during or at the close of the probationary period. With the completion of a satisfactory probationary period, a member of the instructional staff may be recommended in writing by the present principal to the Superintendent for annual contract status. Where an employee is transferred and the principal has had too short a period of time to observe and evaluate the employee's work, he shall be bound by prior evaluations of the employee's work made by prior principals and supervisors.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.33, F.S.

History: Revised: 6/10/14

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.12

RESIGNATION

POLICY

Any person who wishes to resign shall submit his/her resignation addressed to the Superintendent on the prescribed resignation form. The form shall state the reasons for the resignation and the desired effective date. The resignation of any staff member under the supervision of a principal shall be countersigned by him. The resignation shall be submitted to the Board at its next regular or special meeting. No resignation shall become effective until accepted by the School Board.

- (1) The resignation of a principal, director or member of the instructional staff will be accepted during the contractual period of service; provided, that an acceptable reason is given to the School Board and a qualified and satisfactory replacement is available. Any resignation for an ensuing school year will be accepted without question if submitted prior to July 1 of the current school year.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.22, F.S.

History:

**CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL
PERSONNEL**

RULE 3.13	EFFECTIVE DATE OF LEAVE, SUSPENSION OR TERMINATION OF EMPLOYMENT
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POLICY

The effective date of any termination of employment, suspension, or leave of absence shall be the first day on which the employee does not work or, if the employee is entitled to a terminal vacation, the first day after the expiration of such terminal vacation.

General Statutory Authority: 1001.42(5), F.S.

Specific Statutory Authority: 1012.22, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.14

SUSPENSION OR DISMISSAL

POLICY

- (1) No member of the instructional or administrative staff may be suspended from duty except by the Superintendent or the School Board. The Superintendent may suspend a member of the instructional or administrative staff, with pay, during an emergency for a period extending to and including the next meeting of the School Board. The School Board shall be notified immediately of all such suspensions.
- (2) No member of the instructional or administrative staff shall be dismissed except by action of the School Board.
- (3) No dismissal during the term of a contract of a member of the administrative or instructional staff may be made except for cause. Such cause for dismissal shall include:
 - (a) For employees holding continuing contracts:
 1. Immorality
 2. Misconduct in office
 3. Incompetency
 4. Gross insubordination
 5. Willful neglect of duty
 6. Drunkenness
 7. Conviction of any crime involving moral turpitude
 - (b) For employees holding professional service contracts:
 1. Misconduct in office
 2. Incompetency
 3. Gross insubordination
 4. Willful neglect of duty
 5. Conviction of any crime involving moral turpitude
 - (c) For an employee holding an annual or multi-year administrative contract:
 1. Immorality
 2. Misconduct in office
 3. Incompetency
 4. Gross insubordination
 5. Willful neglect of duty
 6. Drunkenness
 7. Conviction of any crime involving moral turpitude

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- (d) For an instructional employee holding an annual contract:
 - 1. Misconduct in office
 - 2. Incompetency
 - 3. Gross insubordination
 - 4. Willful neglect of duty
 - 5. Conviction of any crime involving moral turpitude

- (4) Any suspension or dismissal shall be in accordance with procedures established by law.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.22, 1012.33, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.15

TRANSFERS

POLICY

Any transfer of a member of the instructional or administrative staff from the school or position to which he is assigned to another school or position shall be made only on the recommendation of the Superintendent with the approval of the School Board. In case of an emergency, the Superintendent may transfer the person subject to the subsequent approval of the Board. When transfers are made within the district, the following procedures shall be followed:

- (1) The employee shall submit to their immediate supervisor a completed transfer form indicating the nature of the requested transfer.
- (2) The cut-off date for transfers shall be May 1 and consideration will be given after this date only where extenuating circumstances exists.
- (3) All involuntary transfers or re-assignments will be made only after a meeting between the teacher and the administrators involved, at which time the teacher shall be informed of the reason therefor.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.22, 1012.27, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.16

IN-SERVICE TRAINING

POLICY

Each member of the administrative and instructional staff shall avail himself of every possible opportunity to attend and participate in meetings of a professional nature and shall keep abreast of developments in his subject area through attendance at such meetings and by reading professional publications and by attending in-service activities and programs.

- (1) General in-service education programs shall be considered as regular school days for all personnel. The participant shall register his attendance during the morning and afternoon sessions. Absence from a required in-service training program shall be covered by leave and any absence without leave shall be considered as absence from duty without leave. Any such absence without leave shall constitute a violation of the contract and such action as seems appropriate shall be taken.
- (2) The District shall develop and annually conduct an orientation program for new teachers. District administrative and supervisory staff shall be responsible for acquainting new personnel with district-wide services and policies.

General Statutory Authority: 1001.42, F.S.

Specific Statutory Authority: 1012.67, F.S.

History: Revised 6/9/11

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.18 NAME, CHANGE OF

POLICY

A teacher who changes his/her name (e.g. change of marital status) shall send his/her certificate immediately to the certification section of the Florida Department of Education for the required change on the certificate. The teacher will be expected to use his/her legal name in dealing with the School Board and other professional agencies.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 6A-4.0012 SBER

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.19 PRIVATE INSTRUCTIONS AND TUTORING

POLICY

A person offering private instruction for personal gain shall not use school buildings or property for that purpose.

- (1) No member of the administrative or instructional staff shall receive compensation for services rendered to a pupil with whom he is in any way directly associated professionally nor shall he promote within the school any activity or project from which he is likely to receive compensation or remuneration other than his salary as an employee of the School Board. Any member of the instructional staff who tutors a pupil enrolled in the public schools of the district shall have prior approval of the principal of the school in which the pupil is enrolled.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.41(2), 1003.01, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.20 OUTSIDE EMPLOYMENT

POLICY

Outside employment or “moonlighting” on the part of a member of the instructional staff shall not violate the moral standard of the community or the Code of Ethics of the Education Profession in Florida. Under no conditions shall outside employment conflict with the person’s performance in his teaching duties nor with the extracurricular activities related to his position. No employee shall have full time employment other than his position with the school district, without prior approval of the Board. No member of the instructional staff shall be permitted to sell for profit instructional materials to the parents or guardian of a child who is member of his class. Where the principal questions the propriety of any outside employment of a staff member, he may require the person to confer with the Superintendent and to follow his directions. Where the employee refuses to follow the instructions of the Superintendent or feels that his rights have been violated, the matter shall be referred to the School Board.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.22, 1012.53, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.21 CONFERENCE AND PLANNING DAYS

POLICY

During a school year there shall be 180 days of instruction for pupil and not less than sixteen additional days for preschool and post-school conferences, in-service training, and authorized holidays.

- (1) All members of the instructional staff are required to attend all preschool and post-school conference sessions. Any person not attending such conferences without authorized leave may have his contract terminated as provided by law or shall have his salary reduced according to the number of days of service required under his contract.
- (2) A maximum of five days professional leave may be granted to any member of the instructional staff who plans to attend summer school in an institution where attendance is required during a portion of the preschool or post school planning periods. Request for such leave may include necessary travel time as part of the maximum allowed.
- (3) All members of the instructional or administrative staff shall attend all meetings called by the Superintendent or at his direction.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1001.41, 1001.42, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.22 PROFESSIONAL ETHICS

POLICY

Each principal, director, or member of the instructional staff shall receive a copy of The Code of Ethics of the Education Profession in Florida and is expected to read and abide by the code.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 6B-1.006 FAC

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.23

LEAVE OF ABSENCE

POLICY

A leave of absence is permission granted by the School Board or allowed under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment on the expiration of leave. Any absence of a member of the instructional or administrative staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purposes set forth in the leave application. Any request that leave be granted retroactively will be denied. Leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority. No leave, except military leave, shall be granted for a period greater than one year. Leave may be with or without pay as provided by law, Rules of the State Board and these rules.

- (1) Any employee on authorized leave shall not lose his place on the salary scale because of absence resulting from an accident incurred in line of duty or from service when drafted into the armed forces of the United States.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.61, 1012.63, 1012.64, 1012.66, 1012.67, F.S.
6A.1.079, 6A-1.080 SBER

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.24

NOTIFICATION OF ABSENCE

POLICY

- (1) The principal may notify the office of the Superintendent when he plans to be away from school for a half-day or longer. He may designate a responsible member of the instructional staff to be in charge during his absence. The name of the person designated to be in charge may be reported at the time of the notice of absence to the Superintendent's office. Where possible, the name of the person to be in charge of the school when the principal is absent may be submitted to the Superintendent each year prior to the close of the preschool conference.
- (2) A member of the instructional staff who is absent from duty for any reason shall notify the principal or his immediate supervisor as early as possible. Such notification shall be given in advance unless conditions beyond the control of the employee make such advance notification impossible.
- (3) In an extreme emergency, the principal or his designee may authorize the absence of an employee without pay for a period not to exceed two days; provided, that such authorized absence is immediately reported to the Superintendent.

General Statutory Authority: 1001.41(2), 1001.42, F.S.

Specific Statutory Authority: 1001.51(7), F.S.

History:

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RULE 3.25 LEAVE REQUESTS

POLICY

An application for leave shall be in writing and on the form prescribed by the School Board and shall be directed to the School Board. The application of a member of the instructional staff shall be submitted to the principal for his acknowledgment and shall then be forwarded to the Superintendent for submission to the School Board except where authority is granted; otherwise for the approval of leave. The principal, director, or other person under the direct supervision of the Superintendent shall submit any leave application directly to the Superintendent. Leave granted for a school year or the remaining part thereof will expire at the end of the fiscal year for which such leave is granted. An employee having leave for the year or the remaining part thereof who plans to return to duty the next school year shall notify the Superintendent in writing by April 1 and shall send a copy of such notice to the principal of the school from which the teacher took leave.

- (1) Leave shall be used for the purpose set forth in the leave application. Any employee who violates the terms of his leave application without filing and having approved an amendment to his leave application to allow the new conditions shall have his leave terminated and shall be subject to the termination of his contract as provided by law.
- (2) Requests for leave for periods of five days or less may be granted by the Superintendent.

General Statutory Authority: 1001.42(2), 1001.43(11), F.S.

**Specific Statutory Authority: 1012.66, F.S.
6A-1.079 SBER**

History:

**CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL
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RULE 3.26

ABSENCE WITHOUT LEAVE

POLICY

Any member of the administrative or instructional staff who is willfully absent from duty without leave shall forfeit compensation for the time of the absence and his contract shall be subject to cancellation by the School Board.

General Statutory Authority: 1001.41(2), 1001.43(11), F.S.

Specific Statutory Authority: 1012.33, 1012.67, F.S.

History:

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RULE 3.27

PERSONAL LEAVE

POLICY

Any member of the administrative or instructional staff desiring personal leave shall make a written application for such leave. The employee shall not be entitled to compensation while on personal leave. Authority is hereby delegated to the Superintendent to approve leave as provided herein for a period of time not to exceed five days in any one school year. Personal leave exceeding five days will be granted at the discretion of the School Board as hereinafter provided:

- (1) Leave for political campaigning. A member of the instructional or administrative staff who has filed for election to a political office and who desires personal leave for political reasons shall file an application for leave. The School Board may grant such personal leave without pay for a period not to exceed 30 days prior to the election.
- (2) The School Board may grant leave for periods greater than 30 days, and shall only be given for illness, child adoption, continuing education or military service.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.66, F.S.
6A-1.079, SBER

History: Revised 4/19/89

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RULE 3.28

SICK LEAVE

POLICY

- (1) Each member of the instructional staff employed on a full time basis is entitled to four days of sick leave as of the first day of employment of each current year, and thereafter is credited with one additional day of sick leave at the end of each month of employment. Each member of the administrative staff employed on a full time basis shall be credited with one day of sick leave at the end of each month of employment; however, the member shall be entitled to earn no more than one day of sick leave times the number of months of employment during the year of employment, or four days, whichever is greater. Such leave shall be cumulative from year to year, and any leave charged against accrued sick leave shall be with full compensation. Leave shall not be used prior to the time it is earned and credited to the member.
- (2) Accrued sick leave shall be taken only when the employee's service is interrupted by temporary disability which renders him incapable of performing his duties, or because of the illness or death of his father, mother, brother, sister, husband, wife, child, other close relative, or member of his own household. The term "temporary disability" as used herein shall include personal illness or injury and, in addition, any temporary disability of the employee arising out of pregnancy, childbirth, miscarriage, abortion, or recovery therefrom which renders the employee physically incapable of performing assigned duties.
- (3) Any claim for sick leave shall be filed with the Superintendent within five (5) working days upon return of the employee to duty.
 - (a) The claim shall be in writing and shall set forth the days absent and that such absence was allowable under the provisions of Section 1012.61, Florida Statutes. The claim shall be duly signed by the claimant certifying that the facts are true and correct and that the claim is valid and legal.
 - (b) A false claim for sick leave shall be deemed cause for cancellation of the contract and for action seeking the revocation of the teaching certificate. Where there is any doubt as to the validity of a sick leave claim, the Superintendent may require the claimant to file a written certification of illness from a licensed physician or other supporting evidence where personal illness is not involved.

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- (4) Any member of the instructional or administrative staff who has used all accrued sick leave but who is otherwise entitled to sick leave shall be granted sick leave without pay. The claim for such sick leave shall clearly state that the leave is without compensation.
 - (a) An application for sick leave due to extend illness shall have attached to it a statement from a practicing physician certifying that such leave is essential and indicating the probable duration of the illness and the needed leave.
- (5) Where a member of the instructional or administrative staff employed in the Hardee County School District interrupts service and subsequently returns to duty in the district without having transferred his sick leave credit to another Florida school district, such accrued sick leave credit shall become valid on the first day of contractual service.
- (6) When a member of the instructional or administrative staff retires and receives retirement benefits based on unused sick leave, all unused sick leave credit shall become immediately invalid.
- (7) A member of the administrative or instructional staff may transfer sick leave earned in an instructional or administrative capacity with another Florida school district to Hardee County. However, no transferred leave shall be credited to an employee's account at a rate, or in an amount, exceeding that earned while an employee of the Hardee County School Board.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.61, F.S.

History:

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RULE 3.281

SICK LEAVE BANK - INSTRUCTIONAL

POLICY

Section 1 Purpose

- (a) Beginning with the school year, 1979-80, a Sick Leave Bank shall be established for the purpose of providing sick leave with pay for employees of the Hardee County School Board during periods of personal prolonged illness, accident, or injury not otherwise compensated by the Board. For the Sick Leave Bank, the term employee shall be defined as any full time employee of the Hardee County School Board.
- (b) The Sick Leave Bank shall function in accordance with applicable state statute and the Collective Bargaining Agreement.
- (c) Any alleged abuse or misuse of the Sick Leave Bank shall be investigated by both parties. If the investigation results in finding of wrongdoing, the employee, the district administration, and the bargaining agent shall be notified. The employee, if found guilty of wrongdoing, shall repay all sick leave days drawn from the bank and shall be subject to such disciplinary action as deemed appropriate by the Board.

Section 2 Duration of Agreement

The Sick Leave Bank shall remain in existence for the duration of this contract. In the event the Bank is not negotiated in a successor agreement, the Bank will continue until all days are exhausted or three (3) years have elapsed.

Section 3 Board Review

The Board reserves the right to make an annual review of the leaves granted through the Sick Leave Bank.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.33, 1012.61(3), F.S.

History
Adopted 3/28/91
Revised 6/10/14

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RULE 3.29 PERSONAL LEAVE CHARGEABLE TO SICK LEAVE

POLICY

A member of the instructional staff will be allowed four days for personal or emergency reasons each year to be charged against accrued sick leave. Such leave shall be non-cumulative and notice must be given the principal or Superintendent at least one day in advance of utilizing such leave.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.61, F.S.

History:

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RULE 3.30

JURY DUTY

POLICY

Where a member of the instructional or administrative staff is under subpoena for jury duty during the time he is assigned regular professional duties, he shall, upon application, be assigned temporary duty elsewhere. During such time he shall receive his full regular salary.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.66, F.S.

History:

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RULE 3.31

WITNESS DUTY

POLICY

Where a member of the instructional or administrative staff is under subpoena as a witness in connection with his official duties or under subpoena in a court action in which he is not a party to the litigation, he shall, upon application, be assigned temporary duty elsewhere. During such time he shall receive his full regular salary.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.66, F.S.

History:

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RULE 3.32

TEMPORARY DUTY ELSEWHERE

POLICY

An instructional or administrative employee may be assigned temporarily to duties other than his regular duties and place of employment for the purpose of performing educational services, including participation in school surveys, professional meetings, study courses, workshops and similar assignments of public service. Such assignment to temporary duty will ordinarily originate with the Superintendent. All requests for assignment to temporary duty, except as provided in subsection (1) below, shall be submitted to the Superintendent at least ten days in advance. The Superintendent may waive the requirement of ten days advance notice. An employee shall receive his regular pay and may be allowed expenses as provided by law and rules of the School Board. Such temporary duty shall be considered equal to the regular duties of the individual and an employee performing such assigned temporary duty shall not be considered to be on leave. An employee shall not be assigned to temporary duty for the purpose of earning college credits, improving rank or renewing his certificate except when participating in a staff development program approved by the School Board.

- (1) Temporary duty within the district may be approved by the principal or his designee when no substitute service or additional cost to the Board is involved. The principal or his designee authorizing such temporary duty shall be responsible for determining that the temporary duty has been performed by the instructional employee. No temporary duty forms need to be submitted for this type of temporary duty assignments unless a substitute is required.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.66, F.S.

History:

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RULE 3.33

MILITARY LEAVE

POLICY

Military leave will be granted to an employee who is required to serve in the armed forces of the United States or of the State of Florida in fulfillment of obligations incurred under the selective service laws or because of membership in the reserves of the armed forces or the national guard. When an employee enters voluntarily into any branch of the armed services for temporary or an extended period of service, military leave will be granted at the discretion of the Board and except in unusual cases will be denied to a member of the instructional staff when he is expected to be engaged in the work of the profession. An employee granted military leave for extended duty shall, upon the completion of the tour of duty, be returned to duty without prejudice, provided an application for reemployment is filed within six months following the date of discharge or release from active military duty. Following receipt of the application for reemployment, the School Board shall have a reasonable time, not to exceed six months, to reassign the employee to duty in the school system. Compensation allowed during military leave shall not exceed 17 days as provided in Section 115.07, Florida Statutes. Military leave shall not be counted in determining a year of service for professional service contract purposes.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: Section 115.07, 1012.66, F.S.

History:

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RULE 3.34 VACATION LEAVE

POLICY

- (1) Members of the instructional and administrative staff who are employed on a twelve months contract shall accrue vacation leave, exclusive of holidays, with compensation as follows:
 - (a) An employee with less than ten (10) years of service in the district at the rate of one day per month cumulative to twelve (12) days per year.
 - (b) An employee with ten (10) years or more of service in the district at the one and one-fourth (1 $\frac{1}{4}$) days per month cumulative to fifteen (15) days per year.
 - (c) Vacation leave credit may be accrued from year to year, not to exceed thirty (30) days as of September 1.
- (2) Vacation leave may be granted by the Superintendent upon the written request of the employee and with prior approval of the employee's administrative superior. Vacation leave shall be scheduled in a manner to minimize disruption of the school program.
- (3) Any member of the instructional or administrative staff employed on a part-time basis who works in excess of one-half the hours or days required for a full-time position but less than the total hours or days required for a full-time employee shall be entitled to one-half vacation leave.
- (4) In addition to the above provisions the following conditions shall apply to the accrual of vacation leave:
 - (a) Employment prior to $\frac{1}{2}$ of any pay period shall permit the month to be counted as a month of employment.
 - (b) Termination of employment after $\frac{1}{2}$ of any pay period shall permit the month to be counted as a month of employment.
 - (c) Leave without pay in excess of $\frac{1}{2}$ of the work days in any pay period makes an employee ineligible for full vacation accrual for that pay period

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except an employee on leave from injury-in-the-line-of-duty may accrue vacation leave credit.

- (d) Any twelve months employee who resigns prior to the completion of a full month of employment shall not be granted any vacation leave credit.
 - (e) Credit for a year's service in Hardee County shall be that period of time which represents more than $\frac{1}{2}$ of the number or total hours for that designated position. Service as a member of the School Board shall be considered full-time service for purposes of this rule.
- (5) Any employee who terminates employment with the School Board, and who has unused accrued vacation leave, shall be given terminal leave pay equal to the amount due.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 6A-1.082 SBER

History:

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RULE 3.35 ILLNESS-IN-LINE-OF-DUTY LEAVE

POLICY

A member of the instructional or administrative staff shall be entitled to a maximum of ten days of illness-in-line-of-duty leave each school fiscal year when unable to perform his duties because of personal injury in the discharge of his duties or because of illness from a contagious or infectious disease contracted in his work. Such leave shall be non-cumulative from year to year and when approved by the School Board shall be used before charging any absence to regular accrued sick leave; provided, that the following conditions are met:

- (1) The Superintendent or his designee shall be notified as soon as the injury or illness occurs.
- (2) The employee shall file a written claim signed by the principal or the immediate supervisor for attachment to the payroll report for the period in which the illness or injury occurred.
- (3) In case of injury, a certificate from a licensed physician may be required and in the case of a claim relating to a contagious or infectious disease, the employee shall file a statement from a licensed physician certifying that beyond a reasonable doubt the contagious or infectious disease was contracted at school during the time the employee was engaged in school work.
- (4) After determining that the claim correctly states the facts and is valid, the School Board will approve the leave.
- (5) Any worker's compensation payment received by the employee while he is on compensable leave shall be deducted from his gross salary or the check received from worker's compensation shall be endorsed to the School Board.
- (6) Any person granted leave as herein prescribed who has used the ten days as provided by law may be granted additional leave by action of the Board as hereinafter prescribed:
 - (a) The employee shall file a certificate signed by a licensed physician designated by the School Board stating that the employee is unable to return to duty because of the injury or illness for which the initial leave was granted.

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- (b) The employee shall agree to file a medical report, at such intervals as the Superintendent may direct, showing that he is unable to perform his contractual duties.
- (c) The employee shall not engage in any type of work for which he will receive remuneration.
- (d) When the above conditions and requirements have been met, the employee may be allowed additional illness-in-the-line-of-duty leave as determined by the Board; provided that the person is under contract during the time such leave is granted and any payment is made.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.63, F.S.

History:

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RULE 3.36

TERMINAL PAY BENEFITS

POLICY

- (1) Any regular full-time member of the instructional or administrative staff shall be entitled to terminal sick pay at the time of normal retirement. Payment will be made to his/her beneficiary if service is terminated by death. Such terminal pay shall be an amount determined by the hourly rate of pay of the employee at retirement or death multiplied by percentages and the employee's accumulated sick leave hours, as specified by collective bargaining agreements of the School Board, Florida Statutes or by law. Terminal pay shall be awarded based solely on those days earned in the Hardee County School system.
- (2) Any person entitled to terminal pay benefits shall have rendered or have been employed to render full-time services for the school year immediately preceding his/her retirement or death and shall not be under suspension from duty or have any charges pending which could result in dismissal from employment.

[Each year state statute or contract language supersedes policy to become current policy.]

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.65, 1012.61, F.S.

History:

Adopted	3/29/91
Revised	6/9/11

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RULE 3.37 **PROFESSIONAL LEAVE**

POLICY

Professional leave will be granted to a member of the instructional or administrative staff when recommended by the Superintendent and approved by the Board.

- (1) Leave during preschool and post-school conference.
Professional leave with pay may be granted during the pre-school conference periods not to exceed five days during any contract year. Such leave may be granted three times during a period of five successive years. Such leave when granted shall be with pay and shall not exceed five days during any contract year.
 - (a) A request for professional leave during a pre-school or post-school conference period shall have the recommendation of the principal or supervisor in accordance with the following provisions:
 1. The teacher must carry a minimum of six semester hours or an acceptable load in graduate school in the educational institution or in an institute.
 2. The graduate program shall be at an accredited and approved institution.
 3. The teacher must be adding additional subject areas to his certificate for reassignment or be attending school to improve the instructional program of the school.
 - (b) Professional leave with pay during the post-school conference period shall be applied for on the proper form. The application shall include the principal's certification of the date registration closes. A member of the instructional staff who is not returning to the Hardee County school system for the next school year may not be granted professional leave during the post-school conference period.

General Statutory Authority: 1001.41(2), F.S.

**Specific Statutory Authority: 1012.34, F.S.
6A-1.081 SBER**

History

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RULE 3.38 ANNUAL EVALUATION

POLICY

Each member of the administrative and instructional staff shall be evaluated at least once each year in accordance with the following procedures and criteria:

- (1) Evaluation procedures –
 - (a) All personnel shall be fully informed of the criteria for evaluation and the procedures to be followed prior to the evaluation being conducted.
 - (b) A written report must be made by the person conducting the evaluation and a copy provided the employee within ten days of the evaluation. The written report must be discussed with the employee, and the employee must be accorded the right to initiate a written response as a permanent attachment to the evaluation report.
 - (c) If the evaluation indicates that the employee is not performing in a satisfactory manner, the evaluator shall provide assistance to the employee in correcting the areas of poor performance.
- (2) Evaluation criteria. The criteria to be used in evaluating the performance of members of the administrative and instructional staff shall be the standards of competent professional performance published by the Educational Standards Commission, and shall include but not be limited to:
 - (a) Ability to maintain appropriate discipline (when applicable).
 - (b) Educational qualifications.
 - (c) Knowledge of subject matter (if employed in field).
 - (d) Efficiency.
 - (e) Student progress toward instructional goals, based on student ability.
 - (f) Satisfactory use of evaluation criteria and procedures (where applicable).

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.34, F.S.

History:

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RULE 3.40 EXPERIENCE FOR SALARY PURPOSES

POLICY

- (1) The District will recognize and accept, for purposes of experience on the salary schedule, each year of verified full-time teaching in the public school system of Florida, in accordance with applicable Florida Statutes and collective bargaining agreements. A member of the instructional staff may voluntarily waive full-time public school teaching experience earned in the State of Florida. Each year of service shall meet the criteria for a year of service as prescribed by law and these rules.
- (2) Any member of the instructional or administrative staff shall be given credit for prior teaching outside the State of Florida to include the public schools, and may grant experience for teaching in any state supported institution of higher learning, as allowed by applicable Florida Statutes and collective bargaining agreements, not to exceed the amount set forth in paragraph (a) below. Vocational and technical teachers may receive credit for full-time experience as approved by the Superintendent; provided, that such credit may not exceed ten years and may not include work experience required for certification. In no case shall the credit provided in this subsection exceed ten years.
 - (a) Credit for service rendered outside this State of Florida shall be allowed as follows:
 1. For a classroom teaching position transfer credit may not exceed ten years.
 2. For an administrative or supervisory position transfer credit may not exceed ten years.
- (3) A member of the instructional staff may be given credit for prior successful private school teaching experience, as allowed by applicable Florida Statutes and collective bargaining agreements,
- (4) Four years of credit may be allowed for military service rendered since January 1, 1940. A year of experience will be allowed for twelve months of service; provided, that a partial year which is in excess of six months may be counted as a full year. Additional credit shall not be allowed for teaching while in military service.

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[Each year state statute or contract language supersedes policy to become current policy.]

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.23, 1011.60(4), F.S.
6A-1.081, SBER

History: Revised 6/9/11

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RULE 3.42 STUDENT SUPERVISION

POLICY

Proper supervision of a student shall be provided while he is under the immediate control of the school. Supervision of students shall be maintained on the school grounds, in classrooms, in student occupied areas of buildings, on field trips, during an extracurricular activity, at school sponsored school functions, and at any other school related activity. Any member of the administrative or instructional staff who has responsibility for the supervision of students in the performance of his normal duties, or who is assigned duty requiring the supervision of student who fails to provide such student supervision by failing to report for duty or by leaving his post of duty without being properly relieved of such duty shall be deemed guilty of neglect of duty. Any person charged with such neglect of duty shall be subject to suspension from duty and termination of his contract as provided by law.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1001.42, 1003.31, F.S.

History:

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RULE 3.43 DUTIES OF INSTRUCTIONAL PERSONNEL

POLICY

Each member of the instructional staff shall perform the duties required by law and all other generally accepted professional duties such as club sponsorship, hall duty, supervision of bus loading zones, chaperoning school sponsored social and educational events of students, and such other reasonable duties that may be assigned by the individual's immediate administrative supervisor. Failure to perform such duties in an acceptable manner shall constitute a violation of the contract. Instructional personnel shall be encouraged to participate in community activities.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.53, F.S.

History:

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RULE 3.44 EMPLOYMENT IN BEGINNING TEACHER PROGRAM

POLICY

In compliance with law and rules of the State Board of Education, the Hardee County School Board hereby adopts a Beginning Teacher Program. The procedures of criteria under which the program shall operate are set forth in the district's Beginning Teacher Program Plan adopted by the Board.

General Statutory Authority: 1001.41(2), F.S.

Statutory Authority: 1012.33 (3), F.S.

History:

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RULE 3.45 PERSONNEL RECORDS

POLICY

The term “personnel file” as used in this rule shall mean all records, information, data, or materials maintained by the district, in any form or retrieval system whatsoever, with respect to any employee, which is uniquely applicable to that employee, whether maintained in one or more locations.

- (1) A personnel record shall be maintained on each employee. The record shall include:
 - (a) Application for employment
 - (b) References
 - (c) Annual evaluations
 - (d) Letters of commendations, reprimand, etc.
 - (e) Data substantiating placement on salary schedule (education, official transcripts, experience, etc.)
 - (f) Teaching certificate, if applicable
 - (g) Any other pertinent data

Except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension or dismissal under laws of this state, no derogatory materials relating to an employee’s conduct, service, character, or personality shall be placed in the personnel file of such employee. No anonymous letter or anonymous materials shall be placed in the personnel file.

- (2) Materials relating to work performance, discipline, suspension or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.
 - (a) No such materials may be placed in a personnel file unless they have been reduced to writing within 45 days, exclusive of the summer vacation period, of the administration becoming aware of the facts reflected in the materials.

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- (b) Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify as needed. A copy of such materials to be added to an employee's personnel file shall be provided to the employee either by certified mail or by personal delivery.
 - (c) The employee's signature on a copy of materials to be filed in the employee's personnel file signifies receipt and does not necessarily indicate agreement with its content. The employee will be afforded every right as outlined in Section 1012.31, Florida Statutes.
- (3) Personnel files are open to inspection pursuant to Chapter 119 except as follows:
- (a) Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential until the conclusion of the preliminary investigation, or until such time as the preliminary investigation ceases to be active as defined in 1012.31(1)(3), F.S.
 - (b) Employee evaluations prepared pursuant to 1012.56(3), 1012.33, 1012.34, or rules adopted by the State Board of Education or the School Board under the authority of said sections, shall be confidential until the end of the school year immediately following the school year during which each evaluation is made. No evaluation prepared prior to July 1, 1983, shall be made public.
 - (c) No material derogatory to the employee shall be open to inspection until ten (10) days after the employee has been notified pursuant to (2)(b) of this rule.
 - (d) The payroll deduction records of the employee shall be confidential.
 - (e) Employee medical records, including psychiatric and psychological records, shall be confidential; provided, however, at any hearing relative to an employee's competency or performance, the hearing officer or panel shall have access to such records.
 - (f) The home addresses, telephone numbers and photographs of active or former law enforcement officers, and
 - (g) The home addresses, telephone numbers, photographs and places of employment of the spouses and children of active or former law enforcement personnel, and

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- (h) The names and locations of schools attended by the children of active or former law enforcement personnel shall be confidential.
- (4) Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be open to inspection at all times by School Board members, the Superintendent and the principal, or their respective designees, in the exercise of their respective duties.
- (5) Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: 1012.31; Section 119.07, F.S.

History:

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RULE 3.46 EMPLOYMENT OF NON-CERTIFICATED INSTRUCTIONAL PERSONNEL

POLICY

Persons who possess expert skill in or knowledge of a particular subject or talent but who do not hold a Florida teaching certificate constitute an invaluable community resource for the education of the pupils in the district. Such persons may serve as a non-paid volunteer or as a paid member of the instructional staff to render instructional service in the individual's field or specialty but shall not be required to hold a Florida teaching certificate. Policies concerning non-certificated instructional personnel shall be as follows:

- (1) Employment procedures. Procedures shall be the same as those followed for certified personnel, except that non-certificated personnel shall not be entitled to a contract as prescribed by Section 6A-1.064(1), SBER. The supervisor recommending the appointment must certify that there are not certified persons available or explain any special circumstances that necessitate employing a non-certificated instructional person. A copy of such material shall be placed in the employee's personnel file.
- (2) Personnel records. The records of non-certificated personnel shall contain the same kinds of information that would be contained in the record of a regular member of the instructional staff. In lieu of a certificate and transcripts there shall be complete, detailed and verified documentation attesting to the individual's expertise in the area for which he is employed. The record shall also contain a statement of the specific instructional duties assigned to be performed and evaluations of performance of such duties.
- (3) Salary. Non-certificated persons shall be paid according to the terms set forth in the salary schedule.
- (4) Assignment, suspension and dismissal. Non-certificated instructional personnel may not be assigned to any teaching duties other than those for which specifically employed. They shall remain employed only as long as the need exists and no certified person with similar qualifications is available. That at any time during the employment of a non-certificated instructional person there is an indication that he is not carrying out his duties as assigned, he shall be

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suspended from that duty immediately and further action, including dismissal, shall be recommended by the Superintendent.

- (5) Assessment of performance. The performance of each non-certificated person shall be assessed against his specifically assigned duties. The supervisor recommending the appointment of these personnel shall monitor performance and provide a written evaluation at least once each school term using the teacher evaluation form.
- (6) Pupil welfare. Each non-certificated instructional person shall, prior to assuming his duties, be instructed as to his responsibilities in regard to the health, safety, and welfare of pupils. If assigned duties require knowledge of rules, regulations or policies of a special nature, the written statement of duties assigned shall include the duty to be familiar with such material.
- (7) Instructional practices and policies. Prior to assuming their duties all non-certificated instructional personnel shall be advised of the state, district and school policies relevant to instructional responsibilities.

General Statutory Authority: 1001.41, F.S.

**Specific Statutory Authority: 1012.55, F.S. - Cross referenced in 1001.03, F.S.
1012.24, F.S. 6A-1.0502 SBER**

History:

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RULE 3.47 SELECTION PROCEDURES FOR PRINCIPALS/ ASSISTANT PRINCIPALS

POLICY

All newly hired principals and assistant principals must possess the required competence as set forth by the State Board of Education.

- (1) All candidates for these positions shall be screened by a committee of at least three (3) persons appointed by the Superintendent.
 - (a) The committee will present its recommendations to the Superintendent after determining that the candidate(s) possess the required competencies.
 1. After July 1, 1986, such candidates shall have satisfactorily met the written examination and performance requirements adopted by the State Board of Education for certification.
 2. Candidates certified prior to this date shall meet the criteria as set forth by the State Board of Education.
 - (b) The Superintendent will examine the findings of the screening committee and determine the recommendation(s) to present to the Board for approval.
- (2) An out-of-state certified and experienced assistant principal or principal employed in the public schools of Florida is required to serve one (1) year as an intern or intern assistant principal or principal while the required performance assessment of basic and high performing competencies is completed.

General Statutory Authority: 1001.41(2), F.S.

**Specific Statutory Authority: 1012.22, 1012.27, F.S.
Laws of Florida 1984**

History:

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RULE 3.48 RETIREES SUPPLEMENTAL HEALTH INSURANCE PLAN

POLICY

All retiring employees shall be notified of their eligibility to participate in either the same group insurance plan or self-insurance plan as provided in 110.123 or 112.0801, F. S. or any other insurance coverage as provided by law. Unless the Board specifically acts to the contrary, retired employees will pay the additional premium.

General Statutory Authority: 1001.41(2), F.S.

Specific Statutory Authority: Section 110.123, Section 112.0801, F.S.
Section 627.671, F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.49 NON-DEGREED FULL-TIME VOCATIONAL INSTRUCTIONAL PERSONNEL

POLICY

The School Board defines non-degreed vocational instructional personnel as those staff members whose qualifications are established on the basis of occupational expertise in areas of Agriculture, Business, Health Occupations, Home Economics, Industrial, Marketing, and Public Service Education; and who are assigned to teach only vocational courses when the Course Code Directory specifies non-degreed vocational instructors as appropriate.

The School Board authorizes the employment of non-certificated personnel to teach full-time in non-degreed vocational programs to comply with Section 1012.39, Florida Statutes.

Classification: Instructional Personnel

- (1) **Basic Qualifications.** The district Superintendent or designee shall insure that each candidate for employment in a non-degreed full-time vocational instructional position meets minimum requirements for employment and shall maintain records of such information in the candidate's official personnel file.

To be eligible for appointment to a full-time instructional position in a non-degreed vocational program in Hardee County School District, the applicant must meet the following requirements:

- (a) **Age:** Meet the age requirement which has been established for other full-time instructional personnel.
- (b) **Health:** Meet the health requirements which have been established for other full-time instructional personnel.
- (c) **Fingerprinting:** Submit fingerprinting in the same manner as required for non-instructional personnel by Section 1012.32, Florida Statutes.
- (d) **Occupational Expertise:** Hold at least a high school diploma or the equivalent based on general education development tests or other achievement tests approved by the State Board which establishes the

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equivalency for a high school diploma, and establishes the minimum competency in the area of assignment based on the following criteria.

1. Occupational expertise shall be established in the area of assignment by one of the plans specified below:
 - a. Plan One: At least six (6) years of full-time occupational experience or the equivalent in part-time experience in the occupational field of the teaching assignment; or
 - b. Plan Two: A minimum of two years of full-time occupational experience or the equivalent in part-time experience in the occupational field of the teaching assignment in combination with one of the options listed below:
 - [1] A bachelor's or higher degree. The degree must have been completed at an accredited institution as specified in Rule 6A-4.003, FAC, with an undergraduate or graduate degree major related to the instructional assignment; or
 - [2] Thirty six (36) semester hours of college credit. The college credit must have been earned at an accredited institution as specified in Rule 6A-4.003, FAC, in skills or theory courses related to the instructional assignment; or
 - [3] Successful completion of a program of training. The training program must be specific to the area of assignment and completed at a postsecondary vocational or technical institution approved by the state Board for vocational education in the state where the institution is located; or
 - [4] A valid certificate, registration, or license which was issued by a recognized state or national credentialing agency in an area specific to the area of assignment. The list of appropriate credentials and the recognized credentialing agencies which is compiled and published July 1 of each school fiscal year by the Director of the Division of Vocational, Adult, and

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Community Education shall be used to determine the appropriate credential; or

- [5] A certificate of completion of an apprenticeship as established by the United States Department of Labor, the Florida Department of Labor, or any state apprenticeship department which is specific to the area of assignment; or
- [6] Thirty (30) semester hours of college credit. The college credit must have been earned by occupational competency tests (NOCTI tests) in the area of assignment at an institution which is approved by the State Board for vocational education in the state where the institution is located; or
- [7] A written verification of the candidate's occupational competency. The verification of occupational competency shall be signed by the district director of vocational education and the chairperson of the occupational advisory committee specific to the area of assignment.

The verification shall include a listing of all current members of the advisory committee and verification that the candidate was endorsed by a majority of the membership.

- 3. Other requirements shall be:
 - a. Occupational experience shall be gained as a wage earner after age sixteen (16);
 - b. The occupational experience shall be verified by former employers; or for self-employment, experience in a family-owned business, or experience at a firm no longer in business, the experience shall be verified by an individual knowledgeable of the applicant's service. Employment verification shall not be accepted from the applicant or family members. The verification shall be provided on business stationery or a notarized affidavit(s) and specify the dates of employment, job title(s), and full-time or part-time

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employment. When employment was part-time, the number of hours worked per week shall be included;

- c. When occupational credentialing is required for program approval or for students to obtain an appropriate level of employment, the applicant shall be required to present the
- d. appropriate valid certificate, registration, or license described in subparagraph (1)(d)1.b.[4] above;
- e. Recency of experience or training shall be required in the occupational field of the teaching assignment as follows:

[1] At least six (6) weeks of occupational experience gained within the five (5) year period immediately preceding the date of application for employment, or

[2] At least three (3) semester hours of college credit earned within the five (5) year period immediately preceding the date of application for employment. The college credit shall be earned at an accredited institution as specified in Rule 6A-4.003, FAC., and shall be completed in skills or theory courses related to the area of assignment, or

[3] Completion of a vocational training program as described in Subparagraph (1)(d)1.b.[3] above, or completion of an apprenticeship program as described in Subparagraph (1)(d)1.b.[5] above within the five (5) year period immediately preceding the date of application for employment, or

[4] One (1) year of successful teaching experience in the program area of assignment during the five (5) year period immediately preceding the date of application for employment.

- (2) Application Procedures: The application procedures for non-degreed full-time vocational teachers shall be the same as the procedures for other full-time instructional personnel in accordance with School Board policy. However, an application for a Florida teaching certificate shall not be required.

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- (3) Employment Vacancies and Selection Procedures:
 - (a) Employment opportunities and selection procedures shall be the same as those for other full-time instructional personnel in accordance with School Board policy.

- (4) Terms of Initial Employment and Continued Employment:
 - (a) Initial Employment: Contracts shall be issued to non-degreed full-time vocational instructional personnel for the first year of employment in accordance with School Board policy for first-year certificated instructional personnel.

 - (b) Continued Employment:
 - 1. Contracts shall be issued to non-degreed full-time vocational instructional personnel for the second and third years of employment in accordance with School Board policy for second and third year certificated instructional personnel.

 - 2. Professional service contracts shall be issued to non-degreed full-time vocational instructional personnel after the third year of employment in accordance with School Board policy for certificated personnel and when the requirements specified below have been met.
 - a. Three years of successful teaching in the area for which occupational expertise was established, and completion of twelve (12) semester hours of college credit in education as specified below:
 - [1] Three (3) semester hours in principles and philosophy of vocational education;

 - [2] Three (3) semester hours in general methods of teaching vocational education which includes testing and evaluation;

 - [3] Three (3) semester hours in methods of teaching agriculture, business, health occupations, home economics, industrial, marketing, or public service

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education. The methods course shall be specific to the area of the teaching assignment to include course construction, lesson planning, and management and safety procedures for the vocational classroom and laboratory;

- [4] Three (3) semester hours in vocational education designed for the special needs student;
- b. Demonstration of successful instructional performance on an instructional performance evaluation system that has been approved for use by the State Department of Education.
- 3. Professional service contracts shall be retained in accordance with School Board policy for other full-time instructional personnel and completion of a minimum of six (6) semester hours of college credit which shall include three (3) semester hours specific to each area of the teaching assignment(s) during the first five (5) years after the professional service contract is issued and during every five (5) year period thereafter. Sixty in-service points approved in the district Master In-service Plan shall be considered equivalent to three (3) semester hours of college credit.
- (5) Salary and Benefits:
 - (a) Salary: Non-degreed full-time vocational teachers shall be eligible for the same salary and salary increases as certificated teachers with corresponding contractual status, years of service, and levels of training. Levels of training for non-degreed full-time vocational teachers shall be comparable to levels of training for certificated instructional personnel for purposes of the salary schedule as described below:
 - 1. Occupational expertise which establishes eligibility for employment shall be considered for equivalent to a bachelor's degree level of training for the purposes of the salary schedule.
 - 2. Occupational expertise which establishes eligibility for employment in combination with thirty-six (36) semester hours completed through a planned advanced vocational program after professional educational requirements have been completed for the professional service contract, shall be considered equivalent to a master's degree level of training for the purposes of the salary schedule. The advanced vocational program shall be completed at an accredited institution in a program designed for the applicant by an official at the institution and shall include a minimum of twelve (12)

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semester hours in professional vocational educational courses and a minimum of twelve (12) semester hours in

general education or non-vocational professional courses. The Superintendent or his designee shall approve the advanced vocational program.

- (b) Benefits. The non-degreed full-time vocational teacher shall be a member of the bargaining unit and shall be accorded the same rights and protection of the laws as certificated teachers.
- (6) Terminations:
- (a) Resignations: Non-degreed full-time vocational teachers shall adhere to the resignation policy established by the School Board for certificated instructional personnel.
 - (b) Suspension/Dismissal: A non-degreed full-time vocational teacher may be suspended or dismissed at any time during the work year pursuant to the provisions set forth by the School Board for other teachers.
 - (c) Discontinuation of Positions: A non-degreed full-time vocational teacher shall be governed by School Board policy established for certificated instructional personnel if positions are discontinued. Should it be necessary for the Board to choose from among certificated and non-certificated teachers, the non-certificated teacher shall have the same rights and privileges as the certificated teacher.

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NON-DEGREEED PART-TIME VOCATIONAL INSTRUCTIONAL PERSONNEL – EMPLOYMENT POLICIES

I. Job Title: Non-degreeed Part-Time Vocational Instructional Personnel

- A. The School Board defines part-time vocational instructional personnel as those staff members whose qualifications are established on the basis of occupational expertise in areas of Agriculture, Business, Health Occupations, Home Economics, Industrial, Marketing, and Public Services Education; and who are assigned to teach only vocation courses (less than three classes per day) when the Course Code Directory specifies vocational instructors as appropriate.
- B. The School Board authorizes the employment personnel to teach part-time in vocational programs to comply with Section 231.1725 (1) (c), Florida Statutes.

Classification: Instructional Personnel

II. Basic Qualifications

The district Superintendent or designee shall ensure that each candidate for employment in a part-time vocational instructional position meets minimum requirements for employment and shall maintain records of such information the candidate's personnel file.

To be eligible for appointment to a part-time instructional position in a vocational program in the Hardee County School District, the applicant must meet the following requirements after the effective date of adoption of this policy:

Non-degreeed Part-Time Vocational Instructional Personnel

- A. Age: Meet the age requirement which has been established for full-time instructional personnel.
- B. Health: Meet the health requirements which have been established for part-time instructional personnel.
- C. Fingerprinting: Submit fingerprints in the same manner as required for non-instructional personnel by Section 1012.32 (2)(a), Florida Statutes.

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- D. Occupational Expertise: Hold at least a high school diploma or the equivalent based on general education development tests or other achievement tests approved by the State Board which establishes the equivalency for high school diploma and establishes the minimum competency in the area of assignment based on the following criteria.
1. Occupational expertise shall be established in the area of assignment by one of the plans specified below:
 - a. Plan One: At least six (6) years of full-time occupational expertise or the equivalent in part-time experience in the occupational field of the teaching assignment; or
 - b. Plan Two: A minimum of four (4) years of full-time occupational experience or the equivalent in part-time experience in the occupational field of the teaching assignment in combination with one of the options listed below:
 - (1) Thirty-six (36) semester hours of college credit. The college credit must have been earned at an accredited institution as specified in Rule 6A.-4.003, Florida Administration Code (FAC), in skills or theory courses related to the instructional assignment; or
 - (2) Successful completion of a program of training. The program of training must be specified to the area of assignment and completed at a post-secondary vocational or technical institution approved by the State Board for Vocational Education in the state where the institution is located; or
 - (3) A certificate of completion of an apprenticeship as established by the United States Department of Labor, the Florida Department of Labor, or any state apprenticeship department which is specific to the area of assignment; or
 - (4) Thirty (30) semester hours of college credit. The college credit must have been earned by occupational competency tests [NOCTI] (National Occupational Competency Testing Institute) in the area of assignment at an institution which is approved by the

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State Board for Vocational Education in the state where the institution is located; or

- (5) A written verification of the candidate's occupational competency. The verification of occupational competency shall be signed by the district director of vocational education and the chairman of the occupational advisory committee specific to the area of assignment. The verification shall include a list of all current members of the advisory committee and verification that the candidate was endorsed by a majority of the membership; or
 - c. Plan Three: A minimum of two (2) years of full-time occupational experience or the equivalent in part-time experience in the occupational field of the teaching assignment in combination with a bachelor's or higher degree. The degree must have been completed at the accredited institution as specified in Rule 6A-4.003, FAC, with an undergraduate or graduate degree major related to the instructional assignment.
2. Other requirements shall be:
- a. Occupational experience shall be gained as a wage earner after age sixteen (16);
 - b. The occupational experience shall be verified by former employers; or for self-employment, experience in a family-owned business, or experience in a firm no longer in business, the experience shall be verified by an individual knowledgeable of the applicant's service. Employment verification shall not be accepted from the applicant or family members. The verification shall be provided on business stationery or a notarized affidavit(s) and specify the dates of employment, job title(s), and full-time or part-time employment. When employment was part-time, the number of hours worked per week shall be included;
 - c. When occupational credentials are required for program approval or for students to obtain an appropriate level of employment, the applicant shall be required to present a certificate of completion of apprenticeship as established by

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the United States Department of Labor, the Florida Department of Labor, or any state apprenticeship department which is specific to the area of assignment.

d. Recency of experience or training shall be required in the occupational field of the teaching assignment as follows:

- (1) At least six (6) weeks of occupational experience gained within the five (5) year period immediately preceding the date of application for employment ; or
- (2) At least three (3) semester hours of college credit earned within the five (5) year period immediately preceding the date of application for employment. The college credit shall be earned at an accredited institution as specified in Rule 6A-4.003, FAC, and shall be completed in the skills or theory courses related to the area of assignment; or
- (3) Thirty (30) semester hours of college credit within the five (5) year period immediately preceding the date of application for employment. The college credit must have been earned by occupational competency tests [NOCTI] (National Occupational Competency Testing Institute) in the area of assignment at an institution which is approved by the State Board for Vocational Education in the state where the institution is located; or
- (4) One (1) year of successful teaching experience in the program area of assignment during the five (5) year period immediately preceding the date of application for employment.

e. A valid certificate, registration, or license which was issued by a recognized state or national credential agency in an area specific to the area of assignment, when such credential is required for employment.

III. Initial Employment

A. The application and selection procedures for part-time vocational teachers

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shall be in accordance with established School Board rules for part-time instructional personnel.

- B. The School Board authorizes the employment of persons who hold expertise in the area of assignment but do not qualify under the above listed requirements. This expertise shall be determined by the Superintendent or his designee. These persons will be called Non-Certified Specialists and will render instructional services only in the individual's field of specialty.

The application procedures for Non-Certified Specialists will be the same as for other part-time vocational instructor except that they will not be required to hold a certificate.

IV. Salary

Part-time vocational instructional personnel salary shall be in accordance with the district's approved salary schedule.

- A. Occupational expertise which establishes eligibility for employment shall be considered equivalent to a bachelor's degree level of training for the purpose of the salary schedule.
- B. Occupational expertise which establishes eligibility for employment in combination with thirty-six (36) semester hours completed through a planned advanced vocational program after professional education requirements have been completed for the professional service contract, shall be considered equivalent to a master's degree level of training for the purposes of the salary schedule. The advanced vocational program shall be completed at an accredited institution in a program designed for the applicant by an official at the institution and shall include a minimum of twelve (12) semester hours in professional vocational education courses and a minimum of twelve (12) semester hours in general education or non-vocational professional courses as approved by the Hardee District Department of Vocational, Adult and Community Education.

V. Discontinuation of Position

A district-certificated, part-time vocational teacher shall be governed by School Board policy established for certificated part-time instructional personnel if positions are discontinued. Should it be necessary for the Board to choose from among state certificated and district certificated part-time teachers, the district certificated teacher shall have the same rights and privileges as the state certificated part-time teacher.

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RULE 3.50 SUBSTITUTE TEACHER CERTIFICATION

POLICY

- (1) Rationale. In June 1990, the State Department of Education changed the rules regarding certification for teacher substitutes. The new rule states:

The 1990 Legislature created Section 1012.39, Florida Statutes to eliminate the issuance of State certificates for substitutes, non-degreed vocational and adult part-time teachers.
- (2) Eligibility Requirements. Any person who wishes to become a substitute teacher for Hardee County must meet the following eligibility requirements:
 - (a) Be 18 years of age or older;
 - (b) Hold a high school diploma or GED;
 - (c) Clear a criminal history investigation through the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI) including payment of the current fee;
 - (d) Demonstrate functional literacy as determined by math and reading tests administered by the Hardee County School Board; (applicants holding an AA degree or higher from a college accredited by one of the six regional accreditation agencies defined by State Board Rule 6A-4003 are exempt from these tests.)
 - (e) Present a valid Social Security Card;
 - (f) Have a telephone.
- (3) Application Process. To apply for the position of substitute teacher, an eligible applicant must first secure an application from the Personnel Office. Upon submitting the completed application, the applicant must be fingerprinted in compliance with FS 1001.31. The fee for fingerprinting will be determined by the offices providing the services to the Hardee County School Board.
- (4) Certification. In order for an applicant to receive a valid Substitute Teacher Certificate for Hardee County, he/she must:

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- (a) Meet all eligibility requirements;
 - (b) Successfully complete the Substitute Teacher Training Workshop
 - (c) Have a completed substitute teacher application on file;
 - (d) Complete all personnel employment requirements (W-4, I-9, Personnel Action Form, provide a copy of social security card and driver's license)
 - (e) All applicants may be recommended to substitute pending clearance of fingerprint results, providing all other requirements are met.
 - (f) The Substitute Teacher Certificate will be awarded to these applicants upon receipt of "all clear" results from FDLE and FBI.
- (d) Should any fingerprint results reflect criminal arrests, a committee will review the application and findings to determine suitability of the applicant.
- (5) **Validity Period.** The Hardee County Substitute Teacher Certificate will be valid for a period of three years. Prior to the end of the three year period, the applicant must renew his certificate.

Any person who holds a valid Florida Teaching Certificate is automatically eligible to substitute.

Any person who holds a valid Substitute Teacher Certificate from Florida is eligible to substitute through the validity period stated on the certificate.

- (6) **Renewal of Certificates.** Substitute Teacher Certificates should be renewed during the period six months prior to the expiration date to prevent a lapse in certification. The renewal process will require:
- a. The successful completion of an in-service update on substitute teaching.
 - b. Three updated references from principals/teachers with whom the applicant has substituted.
- (7) **Substitute Handbooks.** Handbooks will be provided for all substitute teachers to provide general guidelines and information.

General Statutory Authority: 1001.41, 1001.51, F.S.

Specific Statutory Authority: 1001.43(11), F.S.

History:

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RULE 3.51 LIGHT DUTY FOR WORKER'S COMPENSATION CLAIMANTS

POLICY

The School Board of Hardee County provides worker's compensation benefits for its employees pursuant to Chapter 440, Florida Statutes. Worker's compensation indemnity benefits paid in combination with an employee's sick leave and/or vacation time shall not exceed the employee's bi-weekly salary.

- (1) The Superintendent shall establish administrative procedures for the reinforcement of this policy, including provisions for temporary light duty and job reclassification for an employee who has sustained an injury/illness in the course and scope of his employment.
- (2) An employee who has been assigned a permanent impairment rating shall receive priority consideration for open positions within the school system, provided the employee is qualified for the position.
- (3) Employees' Return to Work Following Work-Related Injury or Illness:
 - (a) Any employee who has sustained a work-related injury or illness and who has been released by the authorized treating physician to return to work shall immediately advise the worker's compensation contact.
 1. At the request of his supervisor or the worker's compensation contact, each employee will be examined by a Board-appointed physician. Whenever possible, this examination shall be scheduled before the date that the authorized treating physician has stated for the employee to return to work. The examination is intended to confirm that the employee is able to perform his duties.
 2. Administrative and instructional employees are expected to report for work on the day indicated by the authorized treating physician.
 - (b) Employees and their respective supervisors shall observe the following procedures when the employee is released for return to work:
 1. Employee Returning to Unrestricted Duties:

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Immediately following the employee's release by the authorized treating physician allowing him to perform full, unrestricted duties, the employee shall inform the worker's compensation contact and his immediate supervisor. The employee will report to work on the next scheduled work day.

2. Employees Returning to Modified Duty:
 - a. If the authorized treating physician states in writing that the injured/ill employee is able to return to work to perform modified duty and the Board physician concurs and further determines that the employee is capable of performing the duties of an available position, the employee shall report to work on the next scheduled work day.
 - b. If the authorized treating physician states in writing that the injured/ill employee is about to return to work to perform modified duty for a temporary period, but the Board physician has determined that the employee is not able to perform such duty, the employee shall not be permitted to return to duty. When the employee finally returns to duty, he shall be placed in any available position consistent with any physical limitations. The returning employee will receive priority consideration for placement and at the rate of pay as close as possible to the average weekly wage the employee had been earning prior to his compensable injury/illness. This will reduce the exposure to the Board for temporary partial disability benefits of the employee as required by the workers' compensation statute.
3. Employee Receives a Permanent Impairment Rating:
 - a. If the authorized treating physician states in writing that the employee is entitled to a permanent impairment rating, but the Board-appointed physician determines that the employee is able to perform the duties specified in his job description, the employee will be placed in his original position, a comparable position or any available position as soon as possible to minimize the wage loss benefit exposure to the Board.
 - b. If the authorized treating physician states in writing that the injured/ill employee is entitled to a permanent impairment rating and, the Board-appointed physician has determined

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that the employee is unable to perform the duties of his original position nor those of a comparable position, the employee will be placed in a suitable position as soon as possible. The employee will be re-classified and paid in

- c. accordance with the new position at a rate of pay as close as possible to the average weekly wage the employee had been earning prior to his injury/illness. This will reduce the exposure to the Board for wage loss benefits of the employee as required by the workers' compensation statutes.
4. Employee Vocational Rehabilitation:
 - (a) If an injured/ill employee needs to be reclassified but does not have the skills necessary for another position that will reduce the wage loss benefit exposure to the Board, the risk management department will arrange for the employee to be retrained through courses and programs consistent with the needs specified by the personnel department. The personnel department will coordinate the courses with the appropriate instructors in order that placement of the employee may occur within the shortest period of time. The employee will be allowed to select a course/program which will be conducive to placement after completion of the rehabilitation program.
 - (b) An injured/ill employee who needs to be retrained will be allowed to select a course/program of his own choosing, which will be conducive to the earliest possible placement after the completion of the vocation rehabilitation program.
 - (4) It is the responsibility of the workers' compensation contact to advise the personnel department when an injured/ill employee is placed on either temporary partial disability or wage loss benefit status as the result of a compensable accident/illness.
 - (5) It is the responsibility of the personnel office to advise the workers' compensation contact on a monthly basis of the progress being made to place any employee who has been released for either modified, restricted, or full duty. Moreover, the personnel department will inform the injured/ill employee and the workers' compensation contact of all available positions and arrange interviews on the employee's behalf.

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- (6) It is the employee's responsibility to obtain a temporary partial wage loss form and return it to the appropriate administrator to forward to the district's insurance carrier on a bi-weekly basis, if the employee has returned to work for the Board, and if the employee is unable to earn pre-injury/illness wages.
- (7) It is the employee's responsibility to obtain a wage loss benefit form and return it to the appropriate administrator to forward to the workers' compensation contact on a monthly basis, if the employee has returned to work for the Board, if the employee is unable to earn pre-injury/illness wages.

General Statutory Authority: 1001.41, 1001.49, 440.101, 440.102, F.S.

Specific Statutory Authority: Chapter 440, F.S.

History:

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Rule 3.52 SAFETY AND HEALTH LOSS CONTROL PROGRAM

POLICY

The School Board of Hardee County Florida authorizes the development and administration of a Safety and Health Loss Control Program that provides for:

- A safe and healthful educational environment for the student population;
- A safe and healthful work place free from recognized hazards for each employee
- Safe use of facilities by the general public
- Protection of the environment and natural resources from any foreseeable or preventable impairment related to School District activities and operations.
- The reduction of property, Workers' Compensation, and general liability losses.

The primary goal of the Safety and Health Program shall be to eliminate all accidental losses of human resources and physical assets. The program will be administered under the direction of the Superintendent with responsibility for implementation assigned to the district's workers' compensation contact.

The following Florida Statutes and Florida Administrative Codes authorize and/or require School Boards and Superintendents to implement a comprehensive Safety and Health Loss Control Program.

General Statutory Authority: 1001.41, 1001.49, F.S.

Specific Statutory Authority: 1001.51(5)(k), F.S.

History:

CHAPTER 3.00 – ADMINISTRATIVE AND INSTRUCTIONAL PERSONNEL

RULE 3.53 EMPLOYEE OVERPAYMENTS, COLLECTIONS

POLICY

- (1) The School Board is subject to audits from the State of Florida including the Auditor General. As here pertinent, Florida Law provides that any School Board employee must make restitution and refund any overpayments received from the School District.
- (2) Failure of a School Board employee to repay or to refund overpayments makes the School Board expend tax funds for collection and enforcement expenses to collect such overpayments. The School Board will be obliged to recover these costs and expenses. If the School Board fails to collect such overpayments from the employee the School Board can be liable to the State of Florida for such collection and enforcement expenses. The School Board will be obliged to recover these costs and expenses.
- (3) Failure of a School Board employee to repay or to refund overpayments shall subject the employee to School Board collection and enforcement actions to obtain a settlement, payment, or restitution of the amount of overpayment and costs and expenses.
- (4) From time to time, instances occur where School Board employees are inadvertently overpaid. The School Board shall use the following procedures in obtaining restitution from current and former employees who have been overpaid.
- (5) In the event of a payroll error resulting in an overpayment to an employee, the employee will be notified in writing of such an overpayment. The notice of overpayment shall state the total amount overpaid, the dates of the overpayment, and a complete explanation of the reasons for the overpayment. The employee shall be provided an opportunity to meet with School Finance officials to review the records regarding the overpayment and obtain information about the overpayment and repayment. The employee shall be given an opportunity to make restitution. The employee shall exercise this opportunity for review within seven (7) calendar days from the date of the notice of overpayment.
- (6) Repayment to the district shall be made in a manner jointly agreed to by the payroll department and the employee. In the event agreement cannot be reached between the employee and the payroll department, the Superintendent

CHAPTER 3.00 – Administrative and Instructional Personnel

shall decide the repayment plan. Repayment will be required for the period including the current year and up to a maximum of four (4) previous years.

- (7) If there is a mutually agreed resolution of the overpayment and restitution, the matter will be closed with appropriate records made for audit upon payment of the balance due.
- (8) If the employee fails to make restitution or if a repayment plan is not agreed upon with the Director of Finance within ten (10) days, a second notice of the balance due shall be sent to the employee. The notice shall warn the employee that failure to make repayment or agree to a payment plan shall result in further action. The notice shall indicate that deductions to make restitution shall be made from the employee's regular paychecks, and that disciplinary steps may also be undertaken against the employee.
- (9) After the second notice, any current employee who has not either paid the balance due or established a schedule for regular payments, shall have deducted from future paychecks a regular sum of money until the overpayment debt is satisfied. These deductions shall be in the amounts described in the Florida garnishment law. The employee shall receive no further notices.
- (10) A former employee shall be notified that there was an overpayment which must be refunded. The notice shall indicate the balance due from the overpayment. The former employee shall be provided an opportunity to meet with School Finance officials to review the records regarding the overpayment and obtain information about the overpayment and repayment. The former employee shall exercise this opportunity for review within ten (10) calendar days from the date of the notice of overpayment.
- (11) The former employee shall make restitution of the overpayment within twenty (20) days of the notice by payment in full to the School District, or by a payment plan recommended by the Director of Finance and approved by the Superintendent of Schools.
- (12) If the former employee fails to make restitution or a repayment plan is not agreed upon with the Director of Finance within twenty (20) days, a second notice of the balance due because of overpayment, shall be sent to the former employee. The former employee shall also be warned that, if within ten (10) days the matter is not resolved, failure to make repayment or agree to a payment plan shall result in further action. The notice shall indicate that the overpayment may be by collection action or by enforcement action in an appropriate court of law or by certification of the matter to the Fla. Dept. of Legal Affairs or the State Attorney.

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- (13) After the second notice, the Superintendent of Schools shall seek the assistance of a collection agency in recovering balances due from individuals who are no longer employed by the School Board.
- (14) If the actions set forth above do not result in restitution or a plan for repayment of the overpayment, the School Board may pursue formal collection actions in court, or certify the matter to the Dept. of Legal Affairs or the State Attorney for appropriate enforcement or collection action. If legal action is pursued or the matter is certified, the fees and costs of such enforcement or collection actions will be obtained from the employee or former employee.
- (15) The School Board acknowledges if a claim is certified to the Dept. of Legal Affairs the School Board must obtain permission from the Dept. of Legal Affairs before any settlement of the overpayment can be effective.
- (16) It is the duty of every employee to render full accounts of and to yield up any funds or money which such employee has been overpaid or is otherwise indebted to or accountable for to the School District.
- (17) In addition to the procedures above, violation of this rule is grounds for discipline of current employees up to and including termination of employment.

General Statutory Authority: 120.52; 120.53; 120.55, 1001.42, 1001.51(11), 1001.41, F.S.

Specific Statutory Authority: 6A-1.012, FAC; 120.54(6), F.S.

History:

CHAPTER 4

NON-INSTRUCTIONAL PERSONNEL

- 4.01 Non-Instructional Personnel Defined**
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- 4.03 Appointment of Non-Instructional personnel**
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CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.01	NON-INSTRUCTIONAL PERSONNEL DEFINED
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POLICY

Non-Instructional personnel shall include all clerical, maintenance, custodial, transportation, school food service, paraprofessionals, and all other non-professional employees not required to hold a teaching certificate for the position held.

General Statutory Authority: 1001.41, 1012.01, F.S.

Specific Statutory Authority: 1012.40, F.S.

History: Revised 7/18/11

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.02	CLASSIFICATION OF NON-INSTRUCTIONAL PERSONNEL
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POLICY

Non-instructional personnel are classified as follows:

- (1) Full-time regular employee. A full-time employee is a person who is employed in an established full-time position, as determined by the School Board, which requires service for the entire school term or twelve calendar months.
- (2) Any person employed in a non-instructional capacity for twenty (20) hours or less per week, or are assigned to a temporary position, shall be classified as a part-time employee, even though the person works on a regular basis.
 - (a) Such employee shall not be entitled to earn sick leave credits.
 - (b) Such employee shall not be entitled to insurance benefits.
- (3) Any person employed in a non-instructional capacity for more than twenty (20) hours but less than full time on a regularly scheduled basis shall be classified as a half-time employee.
 - (a) Such employee shall accrue sick leave equal to the length of one-half (1/2) of their regular work days per month pursuant to Section 4.13 of these rules.
 - (b) Such employee shall be entitled to earn one-half (1/2) of the insurance benefits allowed.
 - (c) Such employee's salary is computed by converting full-time salary for that position to an hourly rate and paying actual hours on duty.
 - (d) Emergency employee. An emergency employee is a person who is employed in an emergency job on a day by day basis for a short period of time. Such employment may be on a day labor basis or on the basis of a contract.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22, 1012.40, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.03 APPOINTMENT OF NON-INSTRUCTIONAL PERSONNEL

POLICY

The Superintendent shall recommend annually, in writing, to the School Board all persons who are to serve in non-instructional positions.

- (1) In recommending reappointment of non-instructional personnel, the Superintendent may require a recommendation or an evaluation from the employee's immediate supervisor.
 - (a) When full-time members of the non-instructional staff are not reappointed, they shall be notified in writing by their immediate supervisor.
- (2) Employment procedure. A written application shall be completed by all applicants for each position and submitted to the Superintendent. Job applicants shall be interviewed by the person responsible for supervision of the position prior to a recommendation being forward to the Superintendent's office for review and recommendation to the School Board. The Superintendent shall review all recommended applicants and assure that persons nominated for employment meet all qualifications established by law and by the School Board for the type of position for which nomination is made.
- (3) Term of appointment. Appointments to non-instructional positions may not be made for a period of time exceeding twelve months.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22, 1012.27, F. S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

Rule 4.03(4)	DRUG-FREE SCHOOLS AND DRUG-FREE WORKPLACE RE: CONDUCT OF JOB APPLICANTS AND EMPLOYEE
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POLICY

- (1) Unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, or alcoholic beverage is prohibited in the Hardee School Board schools, workplaces, or as part of any of its activities.
- (2) In order to ascertain whether applicants are currently illegally using drugs, all job applicants must submit to drug/and or alcohol testing to be considered for employment. Refusal by a job applicant to submit to drug and/or alcohol testing or a positive confirmed drug test are bases for refusal to hire the job applicant. The illegal use of drugs does not include drugs taken under supervision of a licensed health care professional.
- (3) Job applicants and employees of the Hardee County School Board shall refrain from engaging in conduct sufficiently notorious to bring the individual concerned into public disgrace or disrespect and impair the individual's service in the community or to the School Board
- (4) Any job applicant or employee convicted of a controlled substance violation as defined in Chapter 893, F.S. or 21 USC 812 et.seq. occurring in the workplace, shall notify the Superintendent of Schools of such conviction within five days thereafter.
- (5) Job applications who violate this policy shall be denied employment. Employees who violate this policy of the Hardee County School Board shall be subject to discipline up to and including dismissal, or at the discretion of the Superintendent of Schools, may be required to satisfactorily participate in a drug abuse or rehabilitation program as a condition of continued employment.

General Statutory Authority: 34 CFR 85, Subpart F, 6B 4.009, FAC;

Specific Statutory Authority: 1001.42 (5), 1001.43, 1012.27(5), F.S.
Chapter 893

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.04

CONDITIONS OF EMPLOYMENT

POLICY

- (1) A non-instructional employee shall fulfill the following requirements prior to the commencement of work for the district School Board.
 - (a) Complete a written application.
 - (b) Complete and sign a loyalty oath in the presence of a notary public or other qualified person and file in the office of the Superintendent.
 - (c) Complete and file a federal withholding exemption form.
 - (d) Complete a Florida retirement system form.
 - (e) All members of the transportation and maintenance departments must possess a valid Florida Driver's License. In the case of transportation employees, a Class B CDL license is required. Loss of such license after employment shall result in immediate suspension without pay. Failure to regain driving privileges within 30 days shall result in automatic termination of employment.
- (2) Any non-instructional employee employed for the first time in the Hardee County School district shall be required to serve a 60-day term of probationary service. If at the close of the probationary period, the employee's services are not satisfactory, his/her employment will terminate.

General Statutory Authority: 1001.41, F. S.

Specific Statutory Authority: 1012.22, 1012.40, F.S.

History: Revised 7/18/11, 6/24/14

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.05

SUSPENSION AND DISMISSAL

POLICY

- (1) Any member of the non-instructional staff who has completed his/her probationary service may be dismissed by the School Board during his/her term of appointment, when a recommendation for dismissal is made by the Superintendent.
 - (a) Prior to making a recommendation for dismissal, the Superintendent shall investigate the charges or reasons for the proposed action and conduct an informal hearing at which time the employee shall have an opportunity to refute the charges or provide additional information or evidence.
 - (b) The Superintendent is authorized to suspend an employee until the next regular or special meeting of the Board if a recommendation for dismissal is pending. The School Board shall be notified immediately of any such suspension.
 - (c) The School Board may, prior to taking final action on the Superintendent's recommendation, conduct further inquiries into the matter; provided, however, that nothing herein shall entitle the employee to any form of hearing other than that required in paragraph (a).
- (2) No member of the non-instructional staff may be dismissed except by action of the School Board.
- (3) All suspensions and dismissals shall be as prescribed by law.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22(f), F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.06

RESIGNATION

POLICY

A non-instructional employee who wishes to resign shall submit his/her resignation directed to the Superintendent on the prescribed resignation form. Whenever possible, two weeks prior notice shall be given. The resignation shall state the reasons for the resignation and the desired effective date. The resignation of an employee under the supervision of a principal or department head shall be countersigned by such supervisor. The Superintendent is empowered by the School Board to accept and act on resignations.

- (1) An employee who returns to employment shall be entitled to the sick leave credit accrued prior to the time of his/her resignation and shall begin accruing sick leave credit as of the date of his/her reemployment.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22, 1012.23, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.07

PARAPROFESSIONALS

POLICY

A paraprofessional is any person assigned by the School Board to assist a member of the instructional staff in carrying out his/her instructional or professional duties or responsibilities. A plan for the use of paraprofessionals in each school must be approved by the Superintendent before paraprofessionals may begin their work.

- (1) The condition of employment of a paraprofessional shall be the same as for other non-instructional personnel as provided in Section 4.04 of these rules and in addition the paraprofessional shall meet the following requirements:
 - (a) A paraprofessional shall be at least a high school graduate or shall hold an equivalency diploma recognized by the Florida Department of Education. Exceptions may be made to this provision when recommended by the Superintendent and approved by the Board.
- (2) It shall be the responsibility of the school principal where the paraprofessional is working to assure the School Board and the Superintendent that each paraprofessional who at any time is expected to assume responsibility for the health, safety, and welfare of pupils possesses a clear understanding of state and district rules and policies relating to the paraprofessional's responsibilities. When a paraprofessional is assigned duties requiring knowledge of rules or policies of a special nature, it is the responsibility of the principal and the staff member to whom the paraprofessional is assigned to ascertain in advance that the paraprofessional possesses the necessary knowledge to perform such duties in a proper and reasonable manner.
- (3) Paraprofessionals shall not perform any of the following:
 - (a) Establish instructional objectives.
 - (b) Make decisions regarding the relevancy of certain activities or procedures to the attainment of instructional objectives.
 - (c) Make decisions regarding the appropriateness of certain training materials for accomplishment of instructional objectives.
 - (d) Make judgments regarding the attainment of instructional objectives unless these judgments are based on clear and objective criteria.

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- (e) Assign or administer punishment.
- (f) It shall be the responsibility of the principal of a school and of each member of the instructional staff who is assisted by a paraprofessional to see that those duties assigned to the paraprofessional are consistent with Florida Statutes, State Board of Education Rules and the provisions of this rule. Any member of the instructional staff who willfully and deliberately violates the provisions of the rule shall be reported to the School Board by the Superintendent for such actions as the Board deems proper.

General Statutory Authority: 1001.41, F.S.

**Specific Statutory Authority: 1012.37, F.S.
6A-1.070 SBER**

History: Revised 7/18/11

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.08

LEAVE OF ABSENCE

POLICY

A leave of absence is permission granted by the School Board or allowed under its adopted rules for an employee to be absent from duty for a specified period of time with the right to return to employment on the expiration of leave. Any absence of a member of the non-instructional staff from duty shall be covered by leave duly authorized and granted. Leave shall be officially granted in advance and shall be used for the purpose set forth in the leave application. Any request that leave be granted retroactively will be denied. Leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority. No leave, except military leave, will be granted for a period in excess of one year. Leave may be with or without pay as provided by law, rules of the State Board and these rules.

- (1) An employee on authorized leave shall not lose his/her place on the salary schedule because of absence resulting from an accident incurred in line-of-duty or from service when drafted into the armed forces of the United States.

General Statutory Authority: 1001.41, F.S.

**Specific Statutory Authority: 1012.66, F.S.
6A1.079, SBER**

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.09

NOTIFICATION OF ABSENCE

POLICY

A member of the non-instructional staff who is absent from duty for any reason shall notify his/her immediate supervisor as early as possible. Such notice shall be given in advance unless conditions are beyond the control of the employee and such advance notice is impossible.

- (1) In an extreme emergency, the principal or his/her designee may authorize the absence of an employee without pay; provided, that such authorized absence is reported immediately to the Superintendent for his/her approval.

General Statutory Authority: 1001.42, 1012.22, 1012.67, F.S.

Specific Statutory Authority: 1012.61(b), F. S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.10

LEAVE REQUESTS

POLICY

An application for leave shall be in writing on the form prescribed by the School Board and shall be directed to the School Board. The application of a non-instructional employee shall be submitted to his/her immediate supervisor for acknowledgment and shall then be forwarded to the Superintendent for submission to the School Board except where authority is granted otherwise for the approval of the leave. Leave granted for a school year or the remaining part thereof will expire at the end of the fiscal year for which such leave is granted. An employee having leave for the year or the remaining part thereof who plans to return to duty the next school year shall notify the Superintendent in writing by April 1 and shall send a copy of such notice to his/her immediate supervisor.

- (1) Leave shall be used for the purpose set forth in the leave application. An employee who violates the terms of his/her leave application without filing and having approved an amendment to his/her leave application to allow the new conditions shall have his/her leave terminated and shall be subject to the termination of his/her employment.

General Statutory Authority: 1001.41, F. S.

Specific Statutory Authority: 1012.22, 1012.61(b), F. S.
6A-1.079, SBER

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.11

ABSENCE WITHOUT LEAVE

POLICY

Any member of the non-instructional staff who is willfully absent from duty without leave shall be subject to dismissal from employment and shall forfeit compensation for the time of the absence.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.65, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.12

PERSONAL LEAVE

POLICY

Any member of the non-instructional staff desiring personal leave shall make a written application for such leave. The employee shall not be entitled to compensation while on personal leave. Authority is hereby delegated to the Superintendent to approve leave as provided herein for a period of time not to exceed five days in any one school year. Personal leave exceeding five days will be granted at the discretion of the School Board as hereinafter provided:

- (1) Leave for political campaigning. A member of the non-instructional staff who has filed for election to a political office and who desires personal leave for political reasons shall file an application for leave. The School Board may grant such personal leave without pay for a period not to exceed 30 days prior to the election.
- (2) The School Board may grant leave for periods greater than 30 days and shall only be given for illness, child adoption, continuing education or military service.

General Statutory Authority: 1001.41, F.S

Specific Statutory Authority: 1012.66, F. S., 6A-1.079, SBER

History:

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RULE 4.13

SICK LEAVE

POLICY

- (1) Each non-instructional employee shall be credited with four days of sick leave at the end of the first month of employment of each contract year. Each non-instructional employee thereafter shall be credited with one additional day of sick leave at the end of each month of employment each year and such accumulated leave total shall not exceed one day of earned sick leave for each month of service. No employee may accrue more than twelve days of sick leave in any twelve month period. When an employee terminates his/her employment and total days of accrued sick leave do not at least equal the number of days of approved sick leave with compensation that have been granted the employee, the Superintendent shall adjust that employee's final compensation by withholding an amount equal to the number of sick leave days multiplied by the average daily rate of compensation for that employee.
- (2) Accrued sick leave shall be taken only when the employee's service is interrupted by temporary disability which renders him/her incapable of performing his/her duties, or because of the illness or death of his/her father, mother, brother, sister, husband, wife, child, or other close relative, or member of his own household. The term "temporary disability" as used herein shall include personal illness or injury and, in addition, any temporary disability of the employee arising out of pregnancy, childbirth, miscarriage, abortion, or recovery therefrom which renders the employee physically incapable of performing assigned duties.
- (3) Any claim for sick leave shall be filed with the Superintendent within five (5) working days upon return of the employee to duty.
 - (a) The claim shall be in writing and shall set forth the days absent and that such absence was allowable under the provisions of Section 231.40, Florida Statutes. The claim shall be duly signed by the claimant certifying that the facts are true and correct and that the claim is valid and legal.
 - (b) A false claim for sick leave shall be deemed grounds for termination of the employee. Where there is any doubt as to the validity of a sick leave claim, the Superintendent may require the claimant to file a written certification of illness from a licensed physician or other supporting evidence where personal illness is not involved.

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- (4) Any member of the non-instructional staff who has used all accrued sick leave but who is otherwise entitled to sick leave shall be granted sick leave without pay. The claim for such sick leave shall clearly state that the leave is without compensation.
 - (a) An application for sick leave due to extended illness shall have attached to it a statement from a practicing physician certifying that such leave is essential and indicating the probable duration of the illness and the needed leave.
- (5) When a member of the non-instructional staff employed in the Hardee County School district interrupts service and subsequently returns to duty in the district without having transferred his/her sick leave credit to another Florida school district, such accrued sick leave credit shall become valid on the first day of contractual service.
- (6) When a member of the non-instructional staff retires and receives retirement benefits based on unused sick leave, all unused sick leave credit shall become immediately invalid.
- (7) A member of the non-instructional staff may transfer sick leave earned in a non-instructional capacity with another Florida school district to Hardee County. However, no transferred leave shall be credited to an employee's account at a rate, or in an amount, exceeding that earned while an employee of the School Board.

General Statutory Authority: 1001.41, F. S.

Specific Statutory Authority: 1012.61, F.S.

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.131

SICK LEAVE BANK

POLICY

Section 1 Purpose.

- A. Beginning with the school year, 1979-80, a Sick Leave Bank shall be established for the purpose of providing sick leave with pay for employees of the Hardee County School Board during periods of personal prolonged illness, accident, or injury not otherwise compensated by the Board. For the Sick Leave Bank, the term employee shall be defined as any full-time employee of the Hardee County School Board.
- B. The Sick Leave Bank shall function in accordance with applicable state statute and the Collective Bargaining Agreement.
- C. Any alleged abuse or misuse of the Sick Leave Bank shall be investigated by both parties. If the investigation results in finding of wrongdoing, the employee, the district administration, and the bargaining agent shall be notified. The employee, if found guilty of wrongdoing, shall repay all sick leave days drawn from the bank and shall be subject to such disciplinary action as deemed appropriate by the Board.

Section 2 DURATION OF AGREEMENT

The Sick Leave Bank shall remain in existence for the duration of this contract. In the event the Bank is not negotiated in a successor agreement, the Bank will continue until all days are exhausted or three (3) years have elapsed.

Section 3 BOARD REVIEW

The Board reserves the right to make an annual review of the leave granted through the Sick Leave Bank.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.61(3), F. S.

**History: Adopted 3/28/91
Revised 6/24/14**

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.14

TERMINAL PAY BENEFITS

POLICY

- (1) Any regular full-time member of the non-instructional staff shall be entitled to terminal sick pay at the time of normal retirement or payment will be made to his/her beneficiary if service is terminated by death. Such terminal pay shall be an amount determined by the hourly rate of pay of the employee at retirement or death, multiplied by percentages and the employee's accumulated sick leave hours, as specified by collective bargaining agreements of the School Board, Florida Statutes, or by law. Terminal pay shall be awarded based solely on those days earned in the Hardee County School system.
- (2) Any person entitled to terminal pay benefits shall have rendered or have been employed to render full-time services for the school year immediately preceding his/her retirement or death and shall not be under suspension from duty or have any charges pending which could result in dismissal from employment.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.65, F.S.

History: Revised 7/18/11

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.16 ILLNESS-IN-LINE-OF-DUTY LEAVE

POLICY

A member of the non-instructional staff shall be entitled to a maximum of ten days of illness-in-line-of-duty leave each school fiscal year when unable to perform his/her duties because of personal injury in the discharge of his/her duties or because of illness from a contagious or infectious disease contacted in his/her work. Such leave shall be non-cumulative from year to year and when approved by the School Board shall be used before charging any absence to regular accrued sick leave; provided, that the following conditions are met:

- (1) The Superintendent or his/her designee shall be notified as soon as the injury or illness occurs.
- (2) The employee shall file a written claim signed by the principal or the immediate supervisor for attachment to the payroll report for the period in which the illness or injury occurred.
- (3) In case of injury, a certificate from a licensed physician may be required and in the case of a claim relating to a contagious or infectious disease, the employee may be required to file a statement from a licensed physician certifying that beyond a reasonable doubt the contagious or infectious disease was contacted at school during the time the employee was engaged in school work.
- (4) After determining that the claim correctly states the facts and is valid, the School Board will approve the leave.
- (5) Any worker's compensation payments received by the employee while he/she is on compensable leave shall be deducted from his gross salary or the check received from worker's compensation shall be endorsed to the School Board.
- (6) Any person granted leave as herein prescribed who has used the ten days as provided by law may be granted additional leave by action of the Board as hereinafter prescribed:
 - (a) The employee shall file a certificate signed by a licensed physician designated by the School Board stating that the employee is unable to return to duty because of the injury or illness for which the initial leave was granted.

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- (b) The employee shall agree to file a medical report, at such intervals as the Superintendent may direct, showing that he/she is unable to perform his/her contractual duties.
- (c) The employee shall not engage in any type of work for which he/she will receive remuneration.
- (d) When the above conditions and requirements have been met, the employee may be allowed additional illness-in-line-of-duty leave as determined by the Board; provided that the person is under contract during the time such leave is granted and any payment is made.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.695, 1012.63, F.S.

History:

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RULE 4.17

JURY DUTY

POLICY

Where a member of the non-instructional staff is under subpoena for jury duty during the time he/she is engaged in his/her regular duties, he/she shall, upon application, be assigned temporary duty elsewhere. During such time, he/she shall receive his/her full regular salary.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.66, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.18

WITNESS DUTY

POLICY

Where a non-instructional employee is under subpoena as a witness in connection with his/her official duties or under subpoena in a court action in which he/she is not a part to the litigation, he/she shall, upon application, be assigned temporary duty elsewhere. During such time he/she shall receive his/her full regular salary.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.66, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.19 TEMPORARY DUTY

POLICY

A non-instructional employee may be assigned temporarily to duties other than his/her regular duties and place of employment for the purpose of performing educational services, including participation in school surveys, professional meetings, study courses, workshops, and similar assignments of public service. Such assignment to temporary duty will ordinarily originate with the Superintendent. All requests for assignment to temporary duty, except as provided in subsection (1) below shall be submitted to the Superintendent at least ten days in advance. The Superintendent may waive the requirement of ten days advance notice. An employee shall receive his/her regular pay and may be allowed expenses as provided by law and rules of the School Board. Such temporary duty shall be considered as equal to the regular duties of the individual and an employee performing such duty shall not be considered to be on leave. An employee may not be assigned to temporary duty for the purpose of earning college credits, improving rank or renewing his/her certificate except when participating in a staff development program approved by the School Board.

- (1) Temporary duty within the district may be approved by the employee's immediate supervisor when a substitute employee or no additional cost to the Board is involved. The person authorizing such temporary duty shall be responsible for determining that the temporary duty has been performed by the employee. No temporary duty forms need be submitted for this type of temporary duty assignment.

General Statutory Authority: 1001.41, 1012.22, 1012.23, F.S.

Specific Statutory Authority: 1001.32, 1001.43, 1012.27, 1012.66, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.20

MILITARY LEAVE

POLICY

- (1) All district School Board officers or employees who are commissioned officers or enlisted personnel of the United States armed forces inactive reserves shall be entitled to leave of absence, without loss of vacation time, pay, time in service, or efficiency rating on all days during which such individuals are engaged in training ordered under the provisions of the United States military training regulations for the branch of service to which personnel may be members, when such person is assigned to active or inactive duty. The extent of such administrative leave is hereby granted as a legal right to such individuals on presentation of properly executed military orders. The extent of such military leave shall not exceed 17 working days in any one twelve calendar months period. Any leave granted which is necessitated by official orders pertaining to the individual officer or employee in excess of 17 working days in any twelve months shall be granted without pay, but without loss of time in service, or efficiency rating in the position occupied from which such leave is granted.
- (2) When computing the 17 working days of leaves of absence for employees whose normal work day consists of a shift, measured in hours, which is 12 work hours per day or has one work day, shall be substituted for each leave day; however, where the normal work period of an office or employee is over 12 hours per day and up to 24 hours per day, the time computed shall be for 2 working days leave of absence.
- (3) In the event that the employee's active duty orders and the resulting absence therefrom results in a need for the vacant position, the Superintendent shall provide for a substitute employee to fill this vacancy during such period.

General Statutory Authority: 1001.41, 1012.22, 1012.23, F.S.

Specific Statutory Authority: Chapter 115.07, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.21

VACATION LEAVE

POLICY

- (1) Members of the non-instructional staff who are employed on a twelve months contract shall accrue vacation leave, exclusive of holidays, with compensation as follows:
 - (a) An employee with less than ten (10) years of service in the district at the rate of one day per month cumulative to twelve days per year.
 - (b) An employee with ten (10) years or more of service in the district at the rate of one and one-fourth (1 $\frac{1}{4}$) days per month cumulative to fifteen (15) work days per year.
 - (c) Vacation leave credit may be accrued from year to year, not to exceed sixty (60) days, at September 1.
- (2) Vacation leave may be granted by the Superintendent upon the written request of the employee and with prior approval of the employee's administrative superior. Vacation leave shall be scheduled in a manner to minimize disruption of the school program.
- (3) Any member of the non-instructional staff employed on a part-time basis who works in excess of one-half the hours or days required for a full-time position but less than the total hours or days required for a full-time employee shall be entitled to one-half vacation leave.
- (4) In addition to the above provisions the following conditions shall apply to the accrual of vacation leave:
 - (a) Employment prior to $\frac{1}{2}$ of any pay period shall permit the month to be counted as a month of employment.
 - (b) Termination of employment after $\frac{1}{2}$ of any pay period shall permit the month to be counted as a month of employment.
 - (c) Leave without pay in excess of $\frac{1}{2}$ of the work days in any pay period shall make an employee ineligible for full vacation accrual for that pay period, except an employee on leave from injury-in-the-line-of-duty may accrue vacation leave credit.

CHAPTER 4.00 – Non-Instructional Personnel

- (d) Any twelve months employee who resigns prior to the completion of a full month of employment shall not be granted any vacation leave credit.
- (5) Any employee who terminates employment with the School Board, and who has unused accrued vacation leave, shall be given terminal leave pay equal to the amount due.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.65, 1012.66, F.S.

History: Revised 7/18/11

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.22	EFFECTIVE DATE OF LEAVE, SUSPENSION OR TERMINATION OF EMPLOYMENT
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POLICY

The effective date of any termination of employment or leave of absence shall be the first day on which the employee does not work or, if the employee is entitled to a terminal vacation, the first day after the expiration of such terminal vacation.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.65, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

Rule 4.23

TRANSFER

POLICY

A non-instructional employee being transferred from one location to another shall adhere to follow the following procedures:

- (1) The employee desiring the transfer shall submit a request in writing to his/her building administrator.
- (2) All involuntary transfers or re-assignments will be made only after a meeting between the employee and the administrators involved.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

Rule 4.24

SALARY

POLICY

All non-instructional personnel, including part-time employees, shall be paid in accordance with the salary schedule adopted by the School Board.

Rule 4.25

BENEFITS

POLICY

All non-instructional personnel shall accrue benefits in accordance with the benefit schedule adopted by the School Board.

Rule 4.26

EXPERIENCE FOR SALARY PURPOSES FOR NON-INSTRUCTIONAL PERSONNEL

POLICY

Up to and including seven years in the public school system of Florida, in a similar position, may be counted as experience for salary purposes under the salary schedule. Each year of service shall meet the criteria for a year of service as prescribed by law and Hardee County School Board Rules.

Revised 6/24/14

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

Rule 4.29

WORKER'S COMPENSATION BENEFITS

POLICY

The School Board of Hardee County provides worker's compensation benefits to its employees pursuant to Chapter 440, Florida Statutes. Worker's compensation indemnity benefits paid in combination with an employee's sick leave and/or vacation time shall not exceed the employee's bi-weekly salary.

- (1) The Superintendent shall establish administrative procedures for the reinforcement of this policy including provisions for temporary light duty and job reclassification for an employee who has sustained an injury/illness in the course and scope of his employment.
- (2) An employee who has been assigned a permanent impairment rating shall receive priority consideration for open positions within the school system, provided the employee is qualified for the position.
- (3) Employee's Return to Work Following Work-Related Injury or Illness:
 - (a) Any employee who has sustained a work-related injury or illness and who has been released by the authorized treating physician to return to work shall immediately advise the worker's compensation contact.
 1. At the request of his supervisor or the worker's compensation contact, each employee will be examined by a Board-appointed physician. Whenever possible, this examination shall be scheduled before the date that the authorized treating physician has stated for the employee to return to work. The examination is intended to confirm that the employee is able to perform his duties.
 2. Administrative and Instructional employees are expected to report for work on the day indicated by the authorized treating physician.
 - (b) Employees and their respective supervisors shall observe the following procedures when the employee is released for return to work.
 1. Employee Returning to Unrestricted Duties: Immediately following the employee's release by the authorized treating physician allowing him to perform full, unrestricted duties, the employee shall inform the worker's compensation contact and his immediate

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supervisor. The employee will report to work on the next scheduled work day.

2. Employees Returning to Modified Duty:

- a. If authorized treating physician states in writing that the injured/ill employee is able to return to work to perform modified duty and the Board

physician concurs and further determines that the employee is capable of performing the duties of an available position, the employee shall report to work on the next scheduled work day.

- b. If the authorized treating physician states in writing that the injured/ill employee is about to return to work to perform modified duty for a temporary period, but the Board physician has determined that the employee is not able to perform such duty, the employee shall not be permitted to return to duty. When the employee finally returns to duty, he shall be placed in any available position consistent with any physical limitations. The returning employee will receive priority consideration for placement and at the rate of pay as close as possible to the average weekly wage the employee had been earning prior to his compensable injury/illness. This will reduce the exposure to the Board for temporary partial disability benefits of the employee as required by the workers' compensation statute.

3. Employee Receives a Permanent Impairment Rating:

- a. If the authorized treating physician states in writing that the employee is entitled to a permanent impairment rating, but the Board-appointed physician determines that the employee is able to perform the duties specified in his job description, the employee will be placed in his original position, a comparable position or any available position as soon as possible to minimize the wage loss benefit exposure to the Board.

- b. If the authorized treating physician states in writing that the injured/ill employee is entitled to a permanent impairment rating, and the Board-appointed physician has determined that the employee is unable to perform the duties of his

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original position nor those of a comparable position, the employee will be placed in a suitable position as soon as possible. The employee will be re-classified and paid in accordance with the new position at a rate of pay as close as possible to the average weekly wage the employee had been earning prior to his injury/illness. This will reduce the exposure to the Board for wage loss benefits of the employee as required by the workers' compensation statutes.

4. Employee Vocational Rehabilitation: If an injured/ill employee needs to be re-classified but does not have the skills necessary for another position that will reduce the wage loss benefit exposure to the Board, the risk management department will arrange for the employee to be retrained through courses and programs consistent with the needs specified by the personnel department. The personnel department will coordinate the courses with the appropriate instructors in order that placement of the employee may occur within the shortest period of time. The employee will be allowed to select a course/program which will be conducive to placement after completion of the rehabilitation program.
 - a. An injured/ill employee who needs to be retrained will be allowed to select a course/program of his own choosing, which will be conducive to the earliest possible placement after the completion of the vocational rehabilitation program.
- (4) It is the responsibility of the worker's compensation contact to advise the personnel department when an injured/ill employee is placed on either temporary partial disability or wage loss benefit status as the result of a compensable accident/illness.
- (5) It is the responsibility of the personnel office to advise the worker's compensation contact on a monthly basis of the progress being made to place any employee who has been released for either modified, restricted, or full duty. Moreover, the personnel department will inform the injured/ill employee and the worker's compensation contact of all available positions and arrange interviews on the employee's behalf.
- (6) It is the employee's responsibility to obtain a temporary partial wage loss form and return it to the appropriate administrator to forward to the district's insurance carrier on a bi-weekly basis, if the employee has returned to work for the Board, and if the employee is unable to earn pre-injury/illness wages.

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- (7) It is the employee's responsibility to obtain a wage loss benefit form and return it to the appropriate administrator to forward to the worker's compensation contact on a monthly basis, if the employee has returned to work for the Board, if the employee is unable to earn pre-injury/illness wages.

General Statutory Authority: 1001.41, 1001.49, 440.101, 440.102, F.S.

Specific Statutory Authority: Chapter 440, F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

RULE 4.30 SAFETY AND HEALTH LOSS CONTROL PROGRAM

POLICY

The School Board of Hardee County Florida authorizes the development and administration of a Safety and Health Loss Control Program that provides for:

1. A safe and healthful educational environment for the student population;
2. A safe and healthful work place free from recognized hazards for each employee;
3. Safe use of facilities by the general public;
4. Protection of the environment and natural resources from any foreseeable or preventable impairment related to School District activities and operations;
5. The reduction of property, Workers' Compensation, and general liability losses.

The primary goal of the Safety and Health Program shall be to eliminate all accidental losses of human resources and physical assets. The program will be administered under the direction of the Superintendent with the responsibility for implementation assigned to the district's workers' compensation contact.

The following Florida Statutes and Florida Administrative Codes authorize and/or require School Boards and Superintendents to implement a comprehensive Safety and Health Loss Control Program.

Specific Authority:

- (1) FS 1001.41 General powers of School Board
 - (1) Determine policies and programs
 - (2) Adopt rules and regulations
 - (3) Prescribe minimum standards
- (2) FS 1001.49 General powers of Superintendents
 - (1) Exercise general oversight
 - (2) Advise, counsel and recommend to School Board
 - (3) Recommend policies
 - (4) Recommend and execute rules and regulations
 - (5) Recommend and execute minimum standards
- (3) FS 1001.51 Duties and responsibilities of Superintendent
 - (e) (12) (K) Protection against loss - Recommend programs and procedures to the School Board necessary to protect the school system adequately

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against loss or damage to school property or against loss from any liability for which the Board or its officers, agents or employees may be responsible under the law.

General Statutory Authority: 1001.41, 1001.49, F.S.

Specific Statutory Authority: 1001.41(5)(k), F.S.

History:

CHAPTER 4.00 – NON-INSTRUCTIONAL PERSONNEL

Rule 4.31 EMPLOYEE OVERPAYMENTS, COLLECTIONS

POLICY

- (1) The School Board is subject to audits from the State of Florida including the Auditor General. As here pertinent, Florida Law provides that any School Board employee must make restitution and refund any overpayments received from the School District.
- (2) Failure of a School Board employee to repay or to refund overpayments makes the School Board expend tax funds for collection and enforcement expenses to collect such overpayments. The School Board will be obliged to recover these costs and expenses. If the School Board fails to collect such overpayments from the employee the School Board can be liable to the State of Florida for such collection and enforcement expenses. The School Board will be obliged to recover these costs and expenses.
- (3) Failure of a School Board employee to repay or to refund overpayments shall subject the employee to School Board collection and enforcement actions to obtain a settlement, payment, or restitution of the amount of overpayment and costs and expenses.
- (4) From time to time, instances occur where School Board employees are inadvertently overpaid. The School Board shall use the following procedures in obtaining restitution from current and former employees who have been overpaid.
- (5) In the event of a payroll error resulting in an overpayment to an employee, the employee will be notified in writing of such an overpayment. The notice of overpayment shall state the total amount overpaid, the dates of the overpayment and a complete explanation of the reasons for the overpayment. The employee shall be provided an opportunity to meet with school finance officials to review the records regarding the overpayment and obtain information about the overpayment and repayment. The employee shall be given an opportunity to make restitution. The employee shall exercise this opportunity for review within seven (7) calendar days from the date of the notice of overpayment.
- (6) Repayment to the district shall be made in a manner jointly agreed to by the payroll department and the employee. In the event agreement cannot be reached between the employee and the payroll department, the Superintendent shall decide the repayment plan. Repayment will be required for the period including the current year and up to a maximum of four (4) previous years.

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- (7) If there is a mutually agreed resolution of the overpayment and restitution, the matter will be closed with appropriate records made for audit upon payment of the balance due.
- (8) If the employee fails to make restitution or if a repayment plan is not agreed upon with the Director of Finance within ten (10) days, a second notice of the balance due shall be sent to the employee. The notice shall warn the employee that failure to make repayment or agree to a payment plan shall result in further action. The notice shall indicate that deductions to make restitution shall be made from the employee's regular paychecks, and that disciplinary steps may also be undertaken against the employee.
- (9) After the second notice, any current employee who has not either paid the balance due or established a schedule for regular payments shall have deducted from future pay checks a regular sum of money until overpayment is satisfied. These deductions shall be in the amounts described in the Florida garnishment law. The employee shall receive no further notices.
- (10) A former employee shall be notified that there was an overpayment which must be refunded. The notice shall indicate the balance due from the overpayment. The former employee shall be provided an opportunity to meet with school finance officials to review the records regarding the overpayment and obtain information about the overpayment and repayment. The former employee shall exercise this opportunity for review within ten (10) calendar days from the date of the notice of overpayment.
- (11) The former employee shall make restitution of the overpayment within twenty (20) days of the notice by payment in full to the School District or by a payment plan recommended by the Director of Finance and approved by the Superintendent of Schools.
- (12) If the former employee fails to make restitution or a repayment plan is not agreed upon with the Director of Finance within twenty (20) days, a second notice of the balance due because of overpayment shall be sent to the former employee. The former employee shall also be warned that, if within ten (10) days the matter is not resolved, failure to make repayment or agree to a payment plan shall result in further action. The notice shall indicate that the overpayment may be by collection action or by enforcement action in an appropriate Court of law or by certification of the matter to the Fla. Dept. of Legal Affairs or the State Attorney.

CHAPTER 4.00 – Non-Instructional Personnel

- (13) After the second notice, the Superintendent of Schools shall seek the assistance of a collection agency in recovering balances due from individuals who are no longer employed by the School Board.
- (14) If the actions set forth above do not result in the restitution or a plan for repayment of the overpayment, the School Board may pursue formal collection actions in Court, or certify the matter to the Dept. of Legal Affairs or the State Attorney for appropriate enforcement or collection action. If legal action is pursued or the matter is certified, the fees and costs of such enforcement or collection actions will be obtained from the employee or former employee.
- (15) The School Board acknowledges that if a claim is certified to the Dept. of Legal Affairs, the School Board must obtain permission from the Dept. of Legal Affairs before any settlement of the overpayment can be effective.
- (16) It is the duty of every employee to render full accounts of and to yield up any funds or moneys which such employee has been overpaid or is otherwise indebted to or accountable for to the School District.
- (17) In addition to the procedures above, violation of this Rule is grounds for discipline of current employees up to and including termination of employment.

General Statutory Authority: 120.52, 120.53, 1001.41, 1001.42, 1001.51, F.S.

Specific Statutory Authority: 110.123, 112.0801, 627.671, F.S.

History:

PUPIL PERSONNEL

PART I

ADMISSION AND ASSIGNMENT

- 5.01 Pupil Assignment**
- 5.02 Admission to Kindergarten**
- 5.03 Admission to First Grade**
- 5.04 Original Entry, Requirements for**
- 5.05 Married and Pregnant Students**
- 5.06 Attendance**

CHAPTER 5 – PUPIL PERSONNEL

Part I – Admission and Assignment

RULE 5.01

PUPIL ASSIGNMENT

POLICY

All pupils residing in the Hardee County School District shall be assigned by the Superintendent annually to the school which they are to attend based on attendance areas designated by the School Board.

- (1) Any student whose legal residence is outside the boundaries of this district shall not be enrolled in any school without the approval of the School Board, except under the provisions of the nonresident tuition law, Section 228.121, Florida Statutes.
- (2) A student may be permitted to attend a school outside his designated attendance area upon recommendation of the school principal and approval of the Superintendent, provided, however, that any such student must provide his own transportation to and from school.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1001.51, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part I – Admission and Assignment

RULE 5.02

ADMISSION TO KINDERGARTEN

POLICY

- (1) Any child shall be eligible for admission to kindergarten if he or she has attained or will attain the age of five (5) years on or before September 1 of the school year.
- (2) Before admitting a child to kindergarten, the principal shall require:
 - (a) Evidence of date of birth in the manner provided by law;
 - (b) Evidence of an up-to-date immunization record; and
 - (c) Evidence of a medical examination conducted within the previous year pursuant to law and rules of the State Board.

General Statutory Authority: 1001.41, F.S

Specific Statutory Authority: 1003.21, 1003.22, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part I – Admission and Assignment

RULE 5.03

ADMISSION TO FIRST GRADE

POLICY

- (1) Effective with the 1985-86 school year, any child who has attained the age of 6 years on or before September 1, and who has satisfactorily completed the requirements relating to the public kindergarten, or a nonpublic kindergarten program in Florida or another state from which this district accepts the transfer of academic credits shall be admitted or promoted to the first grade.
- (2) Any child who has attained the age of six years or who will attain the age of six years by February 1 of the current school year shall be required to attend school regularly.
- (3) Before admitting a child to the first grade, the principal shall require:
 - (a) Evidence of date of birth as required by law;
 - (b) Evidence of an up-to-date immunization record; and
 - (c) Evidence of a medical examination conducted within the previous year pursuant to law and rules of the State Board.
 - (d) This subsection shall not apply to a child who has previously been admitted to kindergarten in the district and, as a condition of such admission, submitted the required age and health data.

General Statutory Authority: 1001.41, F. S.

Specific Statutory Authority: 1003.21, 1003.22, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part I – Admission and Assignment

RULE 5.04 ORIGINAL ENTRY REQUIREMENTS FOR SCHOOL

POLICY

- (1) Immunization. Any student enrolling in the school district of Hardee County for the first time shall be required to present a certification of immunization for those communicable diseases for which immunization is required by the Florida Department of Health and Rehabilitative Services.
- (2) A student initially entering kindergarten or a Florida school shall present a certification of a school entry medical examination performed within one (1) year prior to enrollment in school.
 - (a) Any student may be granted an exemption from the requirements in (1) and/or (2) above if his or her parent or guardian objects in writing because the requirement(s) conflict with his or her religious tenets or practices, or in cases where a competent medical authority certifies in writing that the child should be exempt for medical reasons.
 - (b) Thirty (30) days will be allowed to present the certification requirements listed in (1) and/or (2) above.
- (3) A student previously enrolled in a public school outside the State of Florida who seeks admission to a school within the district shall be admitted under the same age admission requirements established in the state in which the child resided prior to moving to Hardee County.
- (4) A student entering the district schools from a private or parochial school will be assigned to a grade by the school principal based on placement tests, age, and previous school record.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.01, 1003.22, F.S.

History: Revised 8/25/11

CHAPTER 5 – PUPIL PERSONNEL

Part I – Admission and Assignment

RULE 5.05	MARRIED AND/OR PREGNANT STUDENTS
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POLICY

- (1) Married and pregnant students will be permitted to remain in school with full rights and responsibilities, in accordance with law.
- (2) These students shall be entitled to the same educational instruction or its equivalent as other students, but may voluntarily be assigned to a special class or program better suited to their special needs.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.21, F.S.

History: Revised 8/25/11

CHAPTER 5 – PUPIL PERSONNEL

Part I – Admission and Assignment

RULE 5.06

ATTENDANCE

POLICY

All students between the ages of six and sixteen must attend school regularly. The school security and attendance officer, working with teachers, parents and principals shall take appropriate action when necessary to enforce the state compulsory attendance law.

- (1) Married students and unwed parents of compulsory attendance age shall be required to attend school regularly. Pregnant students shall be exempt from such attendance during the term of the pregnancy, but must attend school regularly following termination of pregnancy until age 16. A student of compulsory school age who is a parent of a child may be exempted from compulsory attendance by the Superintendent when a determination has been made that the parent has no access to child care. Other exemptions may apply based on 1003.21 F.S.
- (2) It is the responsibility of each teacher to see that an accurate record or attendance is maintained. The principal shall make all attendance reports and provide other necessary related information to the Superintendent's office on or before the scheduled due dates.
- (3) Students residing in this school district may comply with the compulsory school attendance law, between the ages of six and sixteen, as prescribed in section 1003.21 F.S. by regular attendance in:
 - (a) A public school in this district supported by public funds, or
 - (b) A parochial, religious, or denominational school, or
 - (c) A private school supported in whole or in part by tuition charges or endowments, or gifts, or
 - (d) A home educational program as defined in section 1000.21, F.S., and which complies with Section 1002.42, and Section 1003.01, F.S.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.01, 1003.21, F.S.

History:

PART II

GENERAL DISCIPLINARY RULES

- 5.30 Pupil Control**
- 5.31 Corporal Punishment**
- 5.32 Grade Reduction as Punishment**
- 5.33 Pupil Suspension**
- 5.34 Dismissal of Student**
- 5.35 Student Code of Conduct**
- 5.36 Anti-Bullying and Harassment**

CHAPTER 5 – PUPIL PERSONNEL

Part II – General Disciplinary Rules

RULE 5.30

PUPIL CONTROL

POLICY

Any pupil enrolled in the school shall be subjected to the policies of the School Board and the administrative control and direction of the principal, or other member of the instructional staff or bus driver to whom such responsibility has been assigned, during the time he is: traveling to and from school by public transportation; attending school or a school function or activity; physically on the school premises; or not on school premises, but presumed by law to be attending school.

- (1) The principal shall see that the pupils are properly supervised while at school and during any school sponsored activity.
- (2) The teacher or other member of the instructional staff shall assume such authority for the control and supervision of pupils as may be assigned to him/her by the principal and shall keep good order in the classroom and in other places where he/she is in charge of pupils.
- (3) No pupil may be suspended from school or from class, nor may any corporal punishment be administered except as provided in these rules.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.31, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part II – General Disciplinary Rules

RULE 5.31

CORPORAL PUNISHMENT

POLICY

The principal or his designee shall give his/her approval before corporal punishment is administered. Approval may be given through a general delegation of authority to one or more staff members, or may be specific in each instance at the discretion of the principal.

- (1) Corporal punishment shall be inflicted only by the principal or by a member of the instructional staff and in the presence of another adult employee of the school.
- (2) In no case shall such punishment be unduly severe or degrading in its nature.
- (3) Corporal punishment shall be administered in keeping with the schools Corporal Punishment Policy, the county's Code of Student Conduct and Florida Statute.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.32, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part II – General Disciplinary Rules

RULE 5.32	GRADE REDUCTION AS PUNISHMENT
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POLICY

A pupil's academic grade shall not be lowered as a disciplinary measure. This shall not be interpreted to mean that unexcused absence or absence resulting from a suspension or dismissal will not result in the pupil's earning a lower grade because of the work missed.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.32, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part II – General Disciplinary Rules

Rule 5.33

PUPIL SUSPENSION

POLICY

The principal or his/her designee may suspend a pupil from school or bus transportation for willful disobedience, for open defiance of authority, for the use of profane or obscene language, or other serious misconduct, and for repeated misconduct of a less serious nature. Every reasonable effort will be made to contact parents prior to any student being suspended from school attendance or bus transportation. Reasonable effort is defined as efforts by telephone or an attempt by the Security Officer to locate the parents in person. Such suspension with the reasons, therefore shall be reported within 24 hours, in writing, to the parent, parents, or guardian, and to the Superintendent; provided further, that no suspension shall be for more than ten days and that no suspension be made a dismissal unless so ordered by the School Board in a resolution adopted and spread on its minutes.

- (1) The following information shall be included in the written notice of suspension to the parent, parents, or guardian, and the Superintendent.
 - (a) The nature of the offense.
 - (b) The date of the offense and beginning date of the suspension and the date on which the pupil may return to school.
 - (c) Any conditions involving suspension, such as reduction of the suspension following a conference and assurance from the pupil of a change in attitude.
- (2) Whenever possible, an informal hearing shall be afforded the student prior to the effective date of the suspension. Where conditions do not judiciously allow a delay in the suspension, the parents or legal guardian and the student should be offered a conference at the earliest possible time following the effective date of the suspension. Whenever possible, after hearing a student's explanation of his/her conduct, the principal shall explain to the student his/her reasons for the suspension and the conditions thereof.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.31, 1003.32, 1006.09, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part II – General Disciplinary Rules

RULE 5.34

EXPULSION OF STUDENT

POLICY

A student may be suspended from school for a period not to exceed ten days with a recommendation that he/she be expelled from school. Whenever possible or if conditions permit, the principal shall hear the student's defense or explanation of his/her conduct and shall explain to the student his/her reasons for the suspension with a recommendation of expulsion. In any case, the principal shall get written and signed statements from any witness immediately after the incident. A tape recorder may be used to record proceedings with parents or students that could lead to a recommendation of expulsion.

- (1) Where a student is suspended with a recommendation for expulsion, the following procedures shall be observed:
 - (a) The suspension letter shall state the reasons for the suspension and recommend expulsion of the student.
 - (b) The letter of notice shall be delivered to the parent, parents, or guardian by the principal or a member of the staff or sent by certified mail with a return receipt. A copy of the suspension notice shall be sent to the Superintendent.
 - (c) Upon receipt of the notice of suspension and recommendation of expulsion, the Superintendent, if he/she concurs in the recommendation for expulsion, shall notify the parent, parents, or guardian by certified mail with a return receipt requested, stating that the Board will meet at a specified time and place to hear the charges and to act on the expulsion recommendation. The parent, parents, or guardian shall be fully advised that they will be given an opportunity to appear before the Board during the hearing. The principal shall also be informed as to the time and place of the hearing.
 - (d) Any student being considered for expulsion shall be accorded due process of law prior to expulsion in the manner provided by 120.57(2), Florida Statutes.
- (3) Where the principal suspends a pupil and recommends his/her expulsion, the Superintendent may extend the suspension assigned by the principal beyond ten

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days if such suspension period expires before the next regular or special meeting of the School Board.

- (a) Where such an extension of a suspension is made by the Superintendent, he/she shall notify the parent, parents, or guardian in writing prior to the expiration of the suspension assigned by the principal. Such notice shall state the period of time for which the additional suspension is made.
- (b) A copy of the notice of the additional suspension shall be sent to the principal.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.07, 1006.08, 1006.09, F.S.

History: Revised 8/25/11

CHAPTER 5 – PUPIL PERSONNEL

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Rule 5.35	CODE OF STUDENT CONDUCT
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POLICY

1. The Superintendent of Schools shall recommend to the School Board, for annual adoption, a code of student conduct for elementary schools and a code of student conduct for middle and high schools.
2. Upon adoption by the School Board, the Superintendent of Schools shall distribute the appropriate code to all teachers, school personnel, students, and parents, at the beginning of every school year.

General Statutory Authority: 1006.07, F.S.

Specific Statutory Authority: 120.536, 120.54, 120.81, 1001.41(2), 1001.43 et seq, 1001.51 et seq, 1012.23 F.S.

History: Adopted 11/8/07

CHAPTER 5 – PUPIL PERSONNEL

Part II – General Disciplinary Rules

RULE 5.36 ANTI-BULLYING AND HARASSMENT

POLICY

The School Board of Hardee County, Florida, is committed to protecting its students, employees, and applicants for admission from bullying, harassment, or discrimination for any reason and of any type. The School Board believes that all students and employees are entitled to a safe, equitable, and harassment-free school experience. Bullying, including cyberbullying, harassment, or discrimination will not be tolerated and shall be just cause for disciplinary action. This policy shall be interpreted and applied consistently with all applicable state and federal laws and the board's collective bargaining agreements. Conduct that constitutes bullying, harassment or discrimination, as defined herein, is prohibited. Hardee County School Board's policy of Non-Discrimination Rule 2.43, addresses requirements for discrimination against defined federal, state, and local protected categories of persons.

Definitions

Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:

1. Teasing
2. Social Exclusion
3. Threat
4. Intimidation
5. Stalking
6. Physical violence
7. Theft
8. Sexual, religious, or racial/ethnic harassment
9. Public or private humiliation
10. Destruction of property

Cyberbullying means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals,

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writing, images, sounds data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication device to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:

1. Places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property
2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits
3. Has the effect of substantially disrupting the orderly operation of a school

Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

Bullying and harassment also encompasses:

- A. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
- B. Perpetuation of conduct listed in the definition of bullying, including cyberbullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:

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1. Incitement or coercion
2. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the district school system
3. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment “**Bullying**” “**Cyberbullying**”, **Harassment**,” and “**Discrimination**” (hereinafter referred to as bullying, as defined above, for the purpose of this Policy) also encompass, but are not limited to, unwanted harm towards a student or employee in regard to their real or perceived: sex, race, color, religion, national origin, age, disability (physical, mental, or education), marital status, socio-economic background, ancestry, ethnicity, gender, gender identity or expression, linguistic preference, political beliefs, sexual orientation, or social/family background or being viewed as different in its education programs or admissions to education programs and therefore prohibits bullying of any student or employee by any Board member, District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school-sponsored events, on school buses, and at training facilities or training programs sponsored by the District. For Federal requirements when these acts are against Federally identified protected categories, refer to HCSB Non-Discrimination Rule 2.43.

Accused is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person in the school or outside the school at school sponsored events, on school buses, and at training facilities or training program sponsored by the District who is reported to have committed an act of bullying, whether formally or informally, verbally or in writing, of bullying.

Complainant is defined as any District employee, consultant, contractor, agent, visitor, volunteer, student, or other person who formally or informally makes a report of bullying, orally or in writing.

Expectations

The Hardee County School District expects students and employees to conduct themselves in keeping with their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.

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The school district believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for district and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

A. The School District prohibits the bullying of any student or school employee:

1. During any school-related or sponsored educational activity conducted by the HCSB or on a HCSB school bus;
2. Through the use of data or software that is accessed through a computer, computer system, or computer network that is physically located on school property or a school-related or school sponsored program or activity.
3. Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program or through the use of technology or an electronic device that that is not owned, leased, or used by a school district or school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. This paragraph does not require a school to staff or monitor any non-school-related activity, function, or program.

While the District does not assume any liability for incidences that occur at a bus stop or en route to and from school, a student or witness may file a complaint following the same procedures for bullying against a student and the school will investigate and/or provide assistance and intervention as the principal/designee deems appropriate, which may include the use of the School Resource Officer. The principal/designee shall use all District Reporting systems to log all reports and interventions.

B. All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, self - discipline, good citizenship, and academic success, as seen in the individual school student discipline plan.

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- C. Student rights are explained in this policy as a citation and excerpt from the Hardee County School's Code of Student Conduct, Students, Rights and Responsibilities.
- D. Proper prevention and intervention steps shall be taken based on the level of severity of infraction as outlined in the HCSB Student Code of Conduct.
- E. At the beginning of each school year, the school principal/designee and or appropriate area/district administrator shall provide awareness of this policy, as well as the process for reporting incidents, investigation and appeal, to students, school staff, parents, or other persons responsible for the welfare of a pupil through appropriate references in the Student Code of Conduct, Employee Handbooks, the school website, and/or through other reasonable means.

Student Responsibilities

This policy by reference and quote incorporates the philosophy, rights responsibilities and roles of students articulated in the Hardee County School Board Code of Student Conduct as follows:

PHILOSOPHY

Florida Statute 1006.07(2) requires each school district to distribute to students, parents, guardians, teachers, and other school personnel a code of student conduct developed cooperatively by students, parents and teachers. The District Code of Student Conduct is based on School Board rules which will be enforced fairly throughout the District. This Code is in force not only on school grounds and on school buses during regular school hours, but also at other times and places (field trips, athletic functions and other school-sponsored events) where school authorities have jurisdiction over students.

It is the policy of the School Board of Hardee County not to discriminate against employees or students by either deliberate or inadvertent bias based on race, color, sex, age, national origin, handicap, marital status, or religion. It is further recognized that a passive policy of nondiscrimination will not of itself result in providing opportunities to those individuals who might otherwise be adversely affected. It is for this reason that the School Board commits itself to a program of affirmative action designed not to discriminate against anyone.

It is the intent of this Code to be a strict disciplinary guide with its "minimum consequences" listed. **Consequences over the "minimum" may be assigned by the principal.**

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STUDENTS' ROLE

STUDENTS HAVE THE RIGHT TO:

1. Be informed of all school rules and the consequences of breaking those rules.
2. Be shown personal respect by all other students and school personnel.
3. Make appropriate use of school facilities, properties, and materials.
4. Attend school and benefit from quality educational opportunities.
5. have access to an appropriate education, including instruction and use of materials and tests at a level which allows an opportunity for success.
6. Hear, examine, and express divergent points of view, including freedom of speech, written expression, and symbolic expression.
7. Know in advance how grades in a class will be determined.
8. Enjoy a reasonable degree of personal privacy.
9. Participate in extracurricular activities and clubs if they qualify academically and/or meet eligibility requirements. Students may not be excluded on the basis of sex (except as allowed under Title IX), color, race, ethnic origin, religion or handicap.
10. Choose whether or not to participate in patriotic or religious activities.
11. Receive personal, academic and vocational counseling.
12. Receive due process in all disciplinary actions, including an appeal procedure.
13. Dress comfortably in a way appropriate to a school setting.
14. Assemble peacefully on school grounds.
15. Participate in school government based on a democratic process.
16. Remain in the school program if married, if a parent, or if pregnant.
17. Have access to records and/or transcripts as provided by statute.
18. Use a language other than English if the student is of different national origin, minority or limited English proficient without fear of disciplinary action.

STUDENTS HAVE THE RESPONSIBILITY TO:

1. Observe all school rules or suffer the consequences of unacceptable behavior. Students will be familiar with the District Code of Student Conduct and the school Student Handbook.
2. Show respect to all other students and school personnel.
3. Respect and protect school facilities, properties, and materials.
4. Attend school and all classes on a regular basis.
5. Participate in educational opportunities, completing classroom assignments and homework to the best of their abilities.
6. Consider and respect the divergent point of view of others. Be sure

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that personal expressions (speech, written or symbolic) do not infringe on the rights of others.

7. Understand the teachers' grading systems, monitoring their own progress in each class.
8. Keep their persons and property free of dangerous or illegal objects, materials, and substances.
9. Abide by the rules of extracurricular activities - display school spirit and good sportsmanship.
10. Respect the rights of others to participate in patriotic or religious activities.
11. Seek personal, academic, and vocational counseling.
12. Cooperate with school personnel in cases involving disciplinary actions, following prescribed steps for an appeal and accepting final decisions.
13. Dress in a way not offensive to others.
14. Assemble so as not to disrupt the educational process.
15. Take an active interest in student government.
16. Seek medical advice when a health condition affects school attendance.
17. Provide the school with all information relevant to making educational decisions.

Consequences and due processes for a person who commits an act of bullying under this policy.

Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances, followed by the determination of disciplinary sanctions appropriate to the perpetrator's position within the District.

- A. Consequences and appropriate interventions for students who commit acts of bullying may range from positive behavioral interventions up to, but not limited to suspension, as outlined in the Student Code of Conduct and this Policy.
- B. Consequences and appropriate interventions for a school/district employee found to have committed an act of bullying will be instituted in accordance with District policies, procedures, and relevant agreements.
- C. Additionally, egregious acts of bullying by certified educators may result in a sanction against an educator's state issued certificate (Rule 6B-1.006 F.A.C.).

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- D. Consequences and appropriate intervention for a visitor or volunteer, found to have committed an act of bullying shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
- E. These same actions will apply to persons, whether they are students, school employees, or visitors/volunteers/independent contractors, who are found to have made **wrongful and intentional accusations** of another as a means of bullying.

Reporting an act of bullying

- A. At each school, the principal/designee is responsible for receiving oral or written complaints alleging violations of this policy, as with all infractions from the Student Code of Conduct.
- B. All District faculty and staff are required and must report, in writing, any allegations of bullying or violations of this Policy to the principal/designee or appropriate district administrator. Failure to report will result in action(s) or discipline, consistent with the collective bargaining agreement provisions.
- C. Any other members of the school community who have credible information that an act of bullying has taken place may file a report of bullying, whether a victim or witness.
- D. Any student (and/or the parent on that complainant's behalf if the complainant is a minor) who believes he/she is a victim of bullying (or any individual, including any student who has knowledge of any incident(s) involving bullying of students) is strongly encouraged to report the incident(s) in writing to a school official. Complaints should be filed as soon as possible after the alleged incident and noted on the specified data system, but must be filed within ninety (90) school days after the alleged incident (i.e., within 90 school days of the last act of alleged bullying). Failure on the part of the complainant to initiate and/or follow up on the complaint within this period may result in the complaint being deemed abandoned.
- E. The principal of each school in the District shall establish, and prominently publicize to students, staff, volunteers, and parents, how a report of bullying may be filed and how this report will be acted upon.

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- F. A school district employee, school volunteer, contractor, student, parent/ or other persons who promptly reports in good faith an act of bullying to the appropriate school official, and who makes this report in compliance with the procedures set forth in this District Policy, is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments within the HCSB.
- G. Administrators/principal/designee(s) shall document in writing and/or via the specified data system all complaints regarding bullying, as with all infractions of the Code of Student Conduct, to ensure that problems are appropriately addressed in a timely manner, whether the report is made verbally or in writing.
- H. Anonymous reports may be made to the school site or any School District office. Anonymous reports may also be made on the district website: hardee.k12.fl.us. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report. Administrators shall use the specified data system to log all reports and interventions.

Bullying Complaints and Resolution

- A. The investigation of a reported act of bullying of a student, school-based employee, or other persons providing service to the school is deemed to be a school-related activity and begins with a report of such an act.
- B. The principal/designee shall document all complaints in writing and/or through the appropriate data system to ensure that problems are addressed in a timely manner. Although this Policy encourages reporters to use a formal written complaint, school officials "should investigate all complaints and reports of harassment, whether or not the complaint is in writing," as stated by the Office for Civil Rights in *Protecting Students from Harassment and Hate Crime: A Guide for Schools, Part II* (1999).
- C. If the complaint is about the principal or a district's staff member's direct supervisor, then the Superintendent/Designee or appropriate district administrator shall be asked to address the complaint.
- D. Informal Resolution - where the administrator, along with the complainant

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and the accused/student, may agree to informally resolve the complaint. The incident and the resolution must be documented on the appropriate data system. If a mutual resolution has not been achieved, a formal written appeal must be filed within five (5) work days after the informal meeting and submitted to the principal or appropriate district supervisor.

- E. Formal Resolution - the complainant/student/employee or parent(s), on behalf of the student, may file a written complaint with the principal/designee or appropriate district administrator.

According to the level of infraction, parents will be promptly notified of any actions being taken to protect the victim via telephone or personal conference; the frequency of notification will depend on the seriousness of the bullying incident. The principal, or designee, shall promptly **report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved** on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

- F. The resolution, all interviews and interventions that take place and the corresponding dates shall be documented in writing and/or noted in the district specified data system.

Investigation requirements for reported acts of bullying under this policy

- A. The procedures for investigating school-based bullying include the principal/designee in the case of student- to- student bullying. The principal or designee shall be trained in investigative procedures and interventions as outlined in this Policy. For incidents at the district level, the appropriate administrator will be responsible for the investigation as outlined in this policy.
- B. The investigator may not be the accused or the alleged victim.
- C. The principal/designee or appropriate area/district administrator shall begin a thorough investigation and interviews with the complainant(s), accused, and witnesses within two (2) school days of receiving a notification of complaint. Interviews with victim, alleged perpetrator(s), and witness shall be separate, private, documented and confidential. At no time will the perpetrator and victim be interviewed together. (The

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Florida Department of Education requires that school administrators/designees provide immediate notification to the parents of both the victim and the alleged perpetrator of an act of bullying or harassment.) The investigator shall collect and evaluate the facts including, but not limited to:

- Description of incident(s) including nature of the behavior; context in which the alleged incident(s) occurred, etc.;
 - How often the conduct occurred;
 - Whether there were past incidents or past continuing patterns of behavior;
 - The relationship between the parties involved;
 - The characteristics of parties involved (i.e., grade, age, etc.);
 - The identity and number of individuals who participated in bullying or harassing behavior.
 - Where the alleged incident(s) occurred; and
 - Whether the conduct adversely affected the student's education or educational environment.
 - Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident.
 - The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
- D. During the investigation, the principal/designee or appropriate district administrator may take any action necessary to protect the complainant, other students or employees consistent with the requirements of applicable regulations and statutes.
1. In general, student complainants will continue attendance at the same school and pursue their studies as directed while the investigation is conducted and the complaint is pending resolution. Any legal order of a court will prevail.
 2. When necessary to carry out the investigation or for other good reasons, and consistent with federal and state privacy laws, the principal/designee or appropriate district administrator also may discuss the complaint with any school district employee, the parent of the complainant or accused, if one or both is a minor (or has given consent or is an adult who has been determined to be incompetent or unable to give informed consent due to disability), and/or child protective agencies responsible for investigating child abuse.
 3. During the investigation where an employee is the accused, the principal/designee or the appropriate district administrator may

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recommend to the Superintendent/designee, any action necessary to protect the complainant, or other students or employees, consistent with the requirements of applicable statutes, State Board of Education Rules, School Board Policies, and collective bargaining agreements.

- E. Within ten (10) school days of the filing of the complaint, there shall be a written decision by the Principal/Designee or appropriate district administrator regarding the completion of the investigation. The principal/designee shall make a decision about the validity of the allegations in the complaint, whether the facts and circumstances constitute a violation of this policy, and about any corrective action, if applicable, consistent with the Code of Student Conduct.
- F. The Principal/designee or appropriate district administrator will inform all relevant parties in writing of the decision and the right to appeal. A copy of the decision will be sent to the originating school and be noted in all relevant data tracking systems including, but not limited to the SESIR and the Statewide Report on School Safety and Discipline Data system.
- G. If the accused is an employee, discipline may be taken, consistent with any applicable collective bargaining agreement provisions, to resolve a complaint of bullying. The supervisor/designee (e.g., principal/designee for school-based employees) of the employee shall discuss the determination and any recommended corrective action with the Superintendent.
- H. No retaliation of any kind is permitted in connection with an individual's having made a bullying complaint. If retaliation occurs, it shall be deemed an additional act of bullying as stated herein this Policy.
- I. If the act is outside the scope of the school district, and the act is determined to be a criminal act, the appropriate law enforcement agency will be notified. If the act is determined not to be a criminal act, the parents/guardians of all students involved will be notified.

Parental Notification

The principal, or designee, shall promptly **report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved** on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

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If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states "...a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."

Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

Referral for Intervention

The following procedure will be used for intervening when bullying or harassment is suspected or when a bullying incident is reported. The procedure shall be as follows:

- A. The teacher or parent/legal guardian may request informal consultation with school staff (e.g., school counselor, school psychologist, etc.) to determine the severity of concern and appropriate steps to address the concern by making a request of the principal/designee.
- B. A referral for professional assistance or services which includes:
 - School personnel or parent/legal guardian may refer a student to the child study team (or equivalent school-based team with a problem-solving focus) for consideration of appropriate services. (Parent or legal guardian involvement is required in this process.)
 - If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the child study team for determination of counseling support and interventions. (Parent or legal guardian involvement is required in this process.)
- C. A school-based component to address intervention and assistance as determined appropriate by the child study team that may include:
 - Counseling and support to address the needs of the victims of bullying or harassment
 - Research-based counseling/interventions to address the behavior of the students who bully and harass others (e.g., empathy training, anger management)

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- Research-based counseling/interventions which includes assistance and support provided to parents/legal guardians, if deemed necessary or appropriate by the child study team.

Incident Reporting Requirements

- A. The procedure for including incidents of bullying or harassment in the school's report of data concerning school safety and **discipline data** is required under s. 1006.09(6). The report must include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. In a separate section the report must include each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this section with recommendations regarding such incidents:
- B. The school district will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes **bullying** (BUL), **harassment** (HAR), **unsubstantiated bullying** (UBL), and **unsubstantiated harassment** (UHR) as an incident code as well as **bullying-related** as a related element code. The SESIR definition of bullying/harassment is unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting or dehumanizing gesture, by an adult or student that is severe or pervasive enough to create an intimidating, hostile or offensive educational environment, cause discomfort or humiliation, or unreasonably interfere with the individual's school performance or participation.

If a bullying and/or harassment incident occurs then it will be reported in SESIR with the **bullying/harassment** code. If the bullying/harassment results in any of the following SESIR incidents the incident will be coded appropriately using the relevant incident code AND the related element code entitled **bullying-related** code. Those incidents are:

- Arson
- Battery
- Breaking and Entering
- Disruption on Campus
- Major Fighting
- Homicide
- Kidnapping
- Larceny/Theft
- Robbery
- Sexual Battery
- Sexual Harassment

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- Sexual Offenses
- Threat/Intimidation
- Vandalism
- Weapons Possession
- Other Major (Other major incidents that do not fit within the other definitions)

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

The Hardee County School district will provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 5 from Education Information and Accountability Services, and at designated dates provided by the Department.

Procedure for Instruction and Notification

The district ensures that schools sustain healthy, positive, and safe learning environments for all students. It is important to change the social climate of the school and the social norms with regards to bullying. This requires the efforts of everyone in the school environment – teachers, administrators, counselors, school nurses other non-teaching staff (such as bus drivers, custodians, cafeteria workers, and/or school librarians), parents/legal guardians, and students.

Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the district's Policy and Regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment, as well as how to effectively identify and respond to bullying in schools.

Victim's parents/legal guardians' protection notification

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

Part II – General Disciplinary Rules

Public Notification

At the beginning of each school year, the Superintendent or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the district's student safety and violence prevention policy.

Each Hardee District school shall provide notice to students and staff of this policy through appropriate references in the code of student conduct and employee handbooks, and/or through other reasonable means. The Superintendent shall also make all contractors contracting with the district aware of this policy.

Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students in a student assembly or other reasonable format. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the district school buses.

General Statutory Authority: 1006.147, 1001.51(24), 1001.41(2), F.S.

Specific Statutory Authority: 1006.147, F.S.

History: Revised: 08/14/14

PART III

MISCELLANEOUS STUDENT MATTERS

- 5.40 Pupil Illness or Accidents**
- 5.41 Athletics**
- 5.42 Granting Permission for Pupil to Leave School Grounds**
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- 5.59 Due Process Hearing Procedures**
- 5.60 Administration and Storage of Medication**
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- 5.62 Child Abuse**
- 5.63 Students Charged With A Felony**
- 5.64 Homeless Students**
- 5.65 Dating Violence and Abuse**

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.40

PUPIL ILLNESS OR ACCIDENT

POLICY

The following procedures shall be followed when a pupil becomes seriously ill or is seriously injured at school:

- (1) School personnel may administer first aid care.
- (2) A reasonable effort shall be made to locate and notify the parent or guardian of the injured student.
- (3) If the parent, guardian, or a responsible adult member of the family cannot be reached and if the child has an emergency care card on file which has been signed by the parent or guardian, the family physician may be notified and his instructions shall be followed.
- (4) If neither the parent or guardian, adult member of the family, nor the family physician can be reached and no emergency care card is on file, a physician who has agreed to handle such emergencies shall be called.
- (5) In the case of an emergency of a serious nature where time is of the essence to save the child's life, the pupil shall be taken to the emergency room of the nearest hospital. Discretion shall be used in moving a critically injured child without medical advice.
- (6) An ill pupil shall be isolated from other pupils. If possible, the parent shall be called and asked to come for the child.
- (7) In case of an injury, an accident report shall be sent to the Superintendent's Office.
- (8) Each case of serious injury to a student shall be reported immediately by telephone to the Superintendent's Office.
- (9) A student who has had a serious communicable disease must present a statement from a licensed physician, or from the health department, before he/she can return to school.

Part III – Miscellaneous Student Matters

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.43(7), F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.41

ATHLETICS

POLICY

- (1) The administration of athletics in any secondary school shall be the responsibility of the principal.
- (2) All high schools shall be members of the Florida High School Activities Association and shall also be governed by the rules and regulation of the association.
- (3) In order to be eligible to participate in interscholastic extracurricular student activities, a secondary student must:
 - (a) Comply to all the rules and specifications set forth by the Florida High School Athletic Association.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1006.07, 1006.15, 1006.16, F.S.

History: Revised 8/25/11

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.42	GRANTING PERMISSION FOR STUDENT TO LEAVE SCHOOL GROUNDS
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POLICY

- (1) No student shall be sent off the school campus to perform an errand or to act as a messenger except with the approval of the principal or his designee. Such trips may be granted only for urgent and necessary school business.
- (2) No teacher or other employee of the School Board shall permit or cause any student to leave school prior to the regular hour of dismissal except with the knowledge and approval of the principal or his designee.
- (3) A student who wishes to be absent from the school grounds on a regular basis for any special reason shall have the approval of the principal or designee.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1001.43, 1003.31, F.S.

History: Revised 8/25/11

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.43

LEAVING SCHOOL BUS

POLICY

No student shall leave the school bus on his/her way to or from school without the written permission of his/her parent or guardian and the principal except at the customary destination of the student which shall be the school or home stop.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1003.31, 1003.32, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.44	RELEASING STUDENTS FROM SCHOOL
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POLICY

The principal or teacher shall definitely establish the identity and authority of any person who requests the release of a student from school.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1003.31, 1001.43, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.45	EXCUSING A STUDENT TO PARTICIPATE IN A NON-SCHOOL ACTIVITY
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POLICY

A student shall not be excused from school to participate in a non-school activity except where a student is selected to participate in an activity which has a definite educational value to the school or to the student; an exception may be made with the approval of the principal and the parent or the guardian.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.31, 1001.43, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.46 DISTRIBUTION OF LITERATURE AND MATERIALS

POLICY

No literature or materials from out-of-school sources shall be distributed to homes by students without the approval of the principal.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1001.43, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.47

CONTESTS

POLICY

Contests or other activities involving participation by students or the granting of awards or prizes to students sponsored by agencies outside the schools, shall not be announced, promoted, or permitted with the schools unless approved by the principal.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.48	PERSON STANDING IN LOCO PARENTIS TO STUDENT
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POLICY

In any case where a student under 18 years of age is not residing with his/her parents, the parents of the student must designate, in writing, to the principal of the school the person standing in loco parentis to the student.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.43, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.49

LEGAL NAME OF STUDENT

POLICY

Where a parent or other person seeks to enroll a student under a name other than a legal name or seeks to change the name of a student already enrolled, the parent or other person shall be informed that the name of the student as shown on the birth certificate or other supporting evidence as provided in Section 5.02 and 5.03 of these rules will be used until such time as a final court order verifies a legal change.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.43, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.50

STUDENT RECORDS

POLICY

The Hardee County Public Schools maintain educational records on each student for the purpose of planning instructional programs for guidance of students, for preparation of local, State and Federal reports, and for research. Student records are for the educational benefit of the student, and information recorded and maintained shall be in keeping with the best educational interests of the student. The policies of the School Board of Hardee County shall be consistent with the Federal Family Educational Rights and Privacy Act of 1974. The electronic version of these FERPA documents can be found at <http://ecfr.gpoaccess.gov>. The principal of each school shall be responsible for the control and supervision of student records and for following State Department of Education Regulations and School Board Policies related to student records and interpretation of same to the school staff, students and the community. The Department of Student Services and Exceptional Education shall be responsible for the interpretation of and for assisting schools in the implementation of this policy. The Superintendent of Schools or his/her designee shall be responsible for the privacy and security of all student or adult student records that are not under the supervision of a school principal.

- (1) Each school will maintain two files of student records: a cumulative record folder file for those students enrolled and a permanent student record copy file for students who currently attend and for all former students. The cumulative folder file shall include Category A Permanent Information which is verified information of clear importance to be retained indefinitely and Category B Temporary Information which is verified information of clear education importance which is subject to change. The permanent student record copy file shall contain Category A permanent information.
- (2) Definitions:
 - (a) “Student Educational Records” are defined as those educational records, files, documents, and other materials which contain information directly related to students and maintained by an educational agency or institution or by a person acting for such agency or institution. This description is all inclusive, except for the records of instructional, supervisory, and administrative personnel which are in the sole possession of the maker thereof and which are not accessible or revealed to any other person. Under no condition should any information or a personally identifiable

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nature become part of a student's educational record unless it is the basis for a decision affecting the welfare of the student.

General Statutory Authority: 1001.42, F.S.

Specific Statutory Authority: 1002.22, F.S., 6A-1.0955

History: Revised 8/25/11

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.51

PUPIL ABSENCES

POLICY

Any student who has been absent from school shall bring a note from one of his/her parents or guardian stating the cause of the absence. Failure to bring such note shall result in an automatic unexcused absence unless subsequently excused when the note is presented. Absence shall be classified and treated as follows:

- (1) Excused absences. Excused absences shall be granted for personal illness, death of a member of the immediate family, and for special emergencies approved by the school and the parent or guardian.
 - (a) When a student is absent from class with an excused absence, he/she shall be responsible for all work and assignments missed during the absence. The student shall make arrangements with teachers for “make-up” work. Within five days after return to school, the student shall complete all “make-up” work unless given an extension of time by the teacher concerned.
 - (b) A student who desires to be absent for personal reasons including dental and medical appointments may make prior arrangements by bringing a written request from his/her parent or guardian. If the reason is acceptable, the student shall fill out a request for personal leave form and have it signed by teachers concerned and in addition shall make pre-arrangements for the work to be done. School work done in this manner will be for full credit if completed in the allotted time. Any student desiring a pre-arranged absence shall make arrangements at least two days prior to the expected date of absence except in case of an emergency.
- (2) Unexcused absences. Shopping trips, vacations, pleasure trips or other avoidable absences, truancy, appointments without prior approval except in case of an emergency and suspension or dismissal from school shall result in an unexcused absence.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.24, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.52

PHYSICAL EDUCATION UNIFORMS

POLICY

All students in secondary schools shall be required to wear appropriate dress provided that adequate dressing facilities are available. In cases where the parent or guardian files an objection based on religious reasons, the student will be permitted to wear some other type of appropriate dress.

- (1) Appropriate footwear shall be worn as determined by the physical education teacher.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.07, F.S.

History:

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RULE 5.53

AGE CERTIFICATES

POLICY

Age certificates shall be issued by the Superintendent to students, upon request. Such certificates shall be in the form approved by the State Department of Labor.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.51, F.S.

History:

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RULE 5.54

CLUB INITIATION CEREMONIES

POLICY

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

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.51, F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.55	FRATERNITIES, SORORITIES, AND SECRET ORGANIZATIONS
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POLICY

There shall be no secret organizations such as fraternities or sororities in the public schools including grades K-12. Any student found to be in violation of this rule and the provisions of Florida Statutes relating to secret organizations shall be subject to suspension or dismissal or both.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.14, F.S

History:

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RULE 5.56

SCHOOL PATROL

POLICY

Any school may organize a school patrol. The school patrol shall have authority only to instruct, direct, and control pupils at street crossing in or near the school, on school, on grounds or within the building and shall be under the direction of proper traffic or supervisory authority.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

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RULE 5.57

NON-RESIDENT PUPILS

POLICY

A Florida pupil who is a non-resident of Hardee County may attend the schools of the district only upon specific approval of the Superintendent.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F. S.

History:

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.58

EYE PROTECTION DEVICES

POLICY

The principal shall inform all teachers concerned with instruction in the courses listed in Section 1006.063 Florida Statute, of the requirements relating to the wearing of eye protective devices. He/She shall direct such teachers to carry out the provision of this law without exceptions and at all times.

- (1) The School Board will provide protective eye devices for students.
- (2) The student shall be required to wear such eye protective devices as directed by the teacher when engaging in activities listed under the Eye Protection Device Law. Failure or refusal of the student to wear such device shall be cause for his suspension or dismissal from the course.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.07, 1006.063, F.S.

History:

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RULE 5.59	DUE PROCESS HEARING PROCEDURES
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POLICY

Division of Exception Student Education. (Section 7.40)

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.60 ADMINISTRATION OF MEDICATION DURING SCHOOL HOURS

POLICY

(1) Administration of Prescription Medication -

- (a) Each school principal shall designate a staff member(s) to administer prescribed medications. The staff member(s) shall be trained by a registered nurse in accordance with the procedures in the Hardee County Health Services Manual.
- (b) Administration of prescription medications during school hours is discouraged unless a physician determines that a student's health needs require medication during school hours. The Hardee County School Health Services Manual shall set forth provisions for administering prescription medications and non-prescription medication.

All prescription medications will be stored in a locked cabinet in the health room.

(2) Administration of Non-prescription Medication -

- (a) A non-prescription medication may be administered to a student by a health room aid, licensed practical nurse, or registered nurse provided a completed and signed parental authorization is on file at the school.
- (b) A health room aid, licensed practical nurse, or registered nurse will assist in the administration of these medications to the student in the school health room setting. In the event of an emergency situation in which these professional health workers are not available, the school office staff who have medication administration training may assist the student in the administration of the non-prescription medication.

All non-prescription medications will be stored in a locked cabinet in the health room.

1. The procedures and training for the administration of non-prescription drugs shall be the same as that for prescription drugs.

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2. Documentation of the administration of any medication will be made on the medication log.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.51, F.S.

History: Revised 8/25/11

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RULE 5.61

SUSPECTED USE OF DRUGS

POLICY

All school personnel shall report to the principal or the principal's designee any suspected unlawful use, possession, or sale of any controlled substance counterfeit controlled substance, alcoholic beverage, or model glue by a student.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.09(8), F.S.

History:

CHAPTER 5 – PUPIL PERSONNEL

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RULE 5.62

CHILD ABUSE

POLICY

- (1) The Board will work together with the Department of Health and Rehabilitative Services, Department of Law Enforcement and any other appropriate agency in developing ways to inform and instruct school district personnel in the detection of child abuse and neglect and in the proper action that should be taken in a suspected case of child abuse or neglect.
- (2) Reports of Child Abuse or Neglect. Any person including but not limited to school teacher, other school officials, or personnel who knows, or has reasonable cause to suspect, that a child is an abused or neglected child shall report such knowledge or suspicion to the Department of Health and Rehabilitative Services.
 - (a) Each report of known or suspected child abused or neglect shall be made immediately to the child abuse registry on the single state-wide toll free telephone number (1-800-962-2873) or directly to the local office of the Department of Health and Rehabilitative Services responsible for investigation of reports.
 - (a) Each report made by a School Board employee shall be confirmed in writing to the local office of the Department of Health and Rehabilitative Services within forty-eight (48) hours of the initial report.
- (3) Notwithstanding any of the above, any person may report known suspected cases of child abuse or neglect on the state-wide toll free telephone number as provided by law.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 415.501, 827.07, F. S.

History:

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RULE 5.63	STUDENTS CHARGED WITH A FELONY
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POLICY

The principal has the authority, upon the recommendation of a hearing officer, to suspend a student who is formally charged with a felony for the incident which allegedly occurred on other than public school property if the incident is shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled.

- (1) If the student charged with the felony is recommended for suspension, the student is to be suspended from all classes of instruction until the determination of guilt or innocence, or the dismissal of charges is made by a court of competent jurisdiction.
- (2) If the student is adjudicated guilty of the felony, the School Board must immediately expel the student.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.09, F.S.

History:

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RULE 5.64

HOMELESS STUDENTS

POLICY

The School Board of Hardee County shall ensure that homeless children and youth are provided with equal access to free, appropriate educational programs, have an opportunity to meet the same challenging State of Florida academic standards, are not segregated on the basis of their status as homeless and to establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

(1) Definitions

The District homeless education liaison shall make a final determination of homeless status on a case-by case basis.

(a) The McKinney-Vento Act defines homeless students as individual who lack a fixed, regular, and adequate nighttime residence and includes:

1. Students who are living in motels, hotels, FEMA trailers, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
2. Students who are living in emergency or transitional shelters; are abandoned in hospitals; are waiting foster care placement.
3. Students who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as a regular sleeping accommodation for human beings.
4. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
5. Migratory students qualify as homeless if they are living in any of the circumstances described above (1-5).
6. Children and youths who are sharing the housing of other persons due to loss of alternative, adequate accommodations.

(b) The term "unaccompanied youth" means a student who is not in the physical custody of a parent or guardian.

Part III – Miscellaneous Student Matters

- (c) The term "school of origin" means the school that the student attended when permanently housed or the school where the child or youth was last enrolled.
- (2) School Selection
- (a) The District shall, according to the student's best interest, and by parent, guardian, or unaccompanied youth request, continue the homeless student's education in the school of origin for the duration of homelessness, or enroll the student in a District school in the attendance zone in which the homeless student is actually living on the same basis as other district students.
 - (b) In determining the best interest of the student, the District shall:
 1. To the extent feasible, keep a homeless student in the school of origin, unless doing so is contrary to the wishes of the student's parent or guardian.
 2. Provide a written explanation, including a statement regarding the right to appeal, if the District sends a homeless student to a school other than the school of origin or a school requested by the parent or guardian.
 3. In the case of an unaccompanied student, ensure that the District homeless education liaison helps in placement or enrollment decisions, considers the views of the student and provides notice of the right to appeal placement and enrollment decisions.
 4. The school of origin means the school that the student attended when permanently housed, or the school in which the student was last enrolled. The choice regarding placement shall be made regardless of whether the student lives with the homeless parents or guardian or has been temporarily placed elsewhere.
 5. The requirements of the Student Assignment Plan for students moving their physical residence from one attendance zone to another, to transfer to a school in the new zone of residence, shall not apply to homeless students.
 6. The school selection may be documented through the Student Assignment waiver process.

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(3) Enrollment

The District will immediately enroll a homeless student, new to the district, in school, even if they do not have the documents usually required for enrollment, such as school records (includes Individualized Education Plan-IEP), medical records or proof of residency.

- (a) The District will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A homeless student will be assigned to the District school in the attendance zone in which the student is actually living or to the student's school of origin as requested by the parent or guardian and in accordance with the student's best interest.
- (b) Homeless students have a right to either remain in their school of origin or to attend school where they are temporarily residing.
- (c) Homeless students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they get permanent housing.
- (d) If a homeless student arrives without records, the assigned school social worker shall assist the family and contact the previously attended school system to obtain the required records.
- (e) The District shall immediately enroll the new student in the school assigned even if the student is unable to produce records normally required for enrollment; such as academic records, medical records, proof that the student lives in Hardee County, or other documentation.
- (f) The District shall immediately contact the school last attended to obtain relevant academic and other records.
- (g) The District shall immediately refer the parent or guardian to the district's school social worker for children and youth in transition, who will help in obtaining necessary immunizations or records if the student needs to obtain these records.

(4) Residency

A homeless student is considered a resident if the child or youth is personally somewhere within the district with a purpose to live here temporarily, but not necessarily to remain permanently.

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- (a) The student shall be considered a resident when living with a parent, guardian, or person in loco parentis not solely for school purposes or for participation in extracurricular activities.
- (b) Homeless students who do not live with their parents or guardians may enroll themselves in school.
- (c) The address listed on the enrollment forms becomes proof that the student lives in Hardee County, Florida.

(5) Guardianship

- (a) For purposes of school placement, any parent, guardian or person in loco parentis who has legal or physical custody of a homeless child or youth shall enroll that child or youth directly in a District school via the, Student Assignment office or school that registers students on-site, if selected.
- (b) The District Guardian Responsibilities form must be completed within a reasonable period of time for those homeless students who are not accompanied by a parent or guardian, once a child or youth is enrolled in and attending a school.

(6) Disputes

If a dispute arises over school selection, enrollment, or any issue covered in this policy:

- (a) The student shall be immediately admitted to the school of origin or assigned zone school as requested by the parent or guardian, pending resolution of the dispute;
- (b) The parent or guardian of the student shall be provided with a written explanation of the District's decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the District's enrollment dispute procedure and the Florida Department of Education's appeal process;
- (c) The student, parent or guardian shall be referred to the District Homeless Education Liaison, who shall ensure the resolution process is carried out as expeditiously as possible after receiving notice of the dispute; and

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- (d) In the case of an unaccompanied student, the District Homeless Education Liaison shall ensure that the student is immediately enrolled in school pending the resolution of the dispute.

(7) Transportation

The District shall ensure at the request of the parent, or in the case of an unaccompanied youth, the District Homeless Education Liaison, transportation will be provided for a homeless student to the school of origin as follows:

- (a) If the homeless student continues to live in the School District of Hardee County, in which the school of origin is located, transportation will be provided.
- (b) If the homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin.
- (c) If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

(8) Comparable Services

Homeless students shall be provided services and educational programs comparable to those offered to other students in the school selected, including the following:

- (a) Preschool programs
- (b) Transportation services
- (c) Educational Services for which the student meets the eligibility criteria, including special education and related services and programs for English language learners
- (d) Vocational and technical education programs
- (e) Gifted programs
- (f) School nutrition programs
- (g) Title I
- (h) Before- and After-School programs

(9) Homeless Education Liaisons

Part III – Miscellaneous Student Matters

The Superintendent shall ensure that there is a District Homeless Education Liaison and his/her duties are communicated to district and school personnel and appropriate community agencies and providers.

Statutory Authority: 1001.42, 1001.43, and 1003.01(12) F.S.; 1003.21 F.S, The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436. Title I, Part A of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315.

The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.
April 6, 2002 Policy of the Child Nutrition Division of the U.S. Department of Agriculture.
June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

History:	Adopted	11/18/08
	Revised	05/14/09; 12/10/09

CHAPTER 5 – PUPIL PERSONNEL

Part III – Miscellaneous Student Matters

RULE 5.65	DATING VIOLENCE AND ABUSE
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POLICY

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

Definitions

- *Teen dating violence* is a pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past intimate relationship to exert power and control over another when one or both of the partners is a teenager.
- *Abuse* is mistreatment which may include insults, coercion, social sabotage, sexual harassment, threats and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner.

Reporting Teen Dating Violence or Abuse

- The principal or designee shall be responsible for receiving complaints alleging violations of this policy.
- All school employees are required to report alleged violations of this policy to the principal or designee.
- All other members of the school community, including students, parents as defined by Florida Statutes, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or designee.

Part III – Miscellaneous Student Matters

- The principal shall establish and prominently publicize to students, staff, volunteers, and parents how a report of dating violence and abuse may be filed either in person or anonymously and how this report will be acted upon.
- The victim of teen dating violence or abuse, anyone who witnesses an act of dating violence or abuse, and anyone who has credible information that an act of dating violence and abuse has taken place may file a report of dating violence and abuse.
- Submission of a good faith complaint or report of teen dating violence or abuse will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
- Any written or oral report of an act of dating violence and abuse shall be considered an official means of reporting such acts(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.
- Incidents of teen dating violence and abuse shall be filed within ten (10) school days of the alleged incident or having knowledge of the incident.

Investigations

The principal or designee shall select a staff member employed at the school and trained in investigative procedures to initiate the investigation. The staff member may not be the accused perpetrator or victim.

Documented interviews of the victim, alleged perpetrator and witnesses shall be conducted privately and separately. All interviews are confidential. Each individual (victim, alleged perpetrator and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.

The investigative process shall be completed within ten (10) school days from the time the report is filed.

The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of teen dating violence and/or abuse and the investigative procedures that follow.

Part III – Miscellaneous Student Matters

If it is determined that inappropriate behavior(s) has occurred, the investigator will make recommendations for disciplinary action to the principal or Superintendent.

Discipline

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

Restraining Orders

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

Part III – Miscellaneous Student Matters

Support Services for the Victim

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

- A contract with the offender to stay away from the victim while on school grounds, on school transportation and during school sponsored programs and events;
- Reasonable accommodations, such as class schedule changes;
- Security protection, such as safe egress/regress from school and within the school;
- Timely and comprehensive investigation of dating violence and abuse complaints.
- Referrals for outside support and/or counseling.

Curriculum

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

Training

- Teachers, administrators, counselors, instructional assistants, school nurses and other nonteaching staff such as bus drivers, custodians, and cafeteria workers shall receive training about teen dating violence and abuse.
- Students, parents and school volunteers shall also be provided instruction related to teen dating violence and abuse.
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Part III – Miscellaneous Student Matters

- Training on the District’s policy prohibiting dating violence and abuse and related procedures shall be conducted, at a minimum, on an annual basis.
- The instruction shall include evidence based methods of preventing dating violence and abuse and how to effectively identify and respond to incidents of dating violence and abuse within the scope of the school.

General Statutory Authority: 1001.32, 1001.41, 1001.42, 1001.43, F.S.

Specific Statutory Authority: 1003.42, 1006.148, F.S.

History: Adopted 12/12/13

BUSINESS AFFAIRS

PART I

GENERAL RULES

- 6.01 Authorized Travel Expenses
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CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.01

AUTHORIZED TRAVEL EXPENSES

POLICY

Authorized travel for officers and employees of the School Board shall be reimbursed as follows:

- (1) In-district travel. Travel by an authorized officer or employee within the district shall be reimbursed at two cents per mile below the maximum Federal prescribed rate; provided however, that no reimbursement shall be made for travel between an employee's home and his/her official headquarters.
- (2) Out-of-district travel
 - (a) One day trips. Expenses by officers or employees on authorized school business which requires less than one day shall be reimbursed for travel at two cents per mile below the maximum Federal prescribed rate and the amount for meals at two dollars below the Federal standard rate, allocated by District staff.
 - (b) Overnight trips. Expenses by officers or employees on authorized trips requiring absence overnight or in excess of 24 hours shall be reimbursed for travel and per diem at two cents per mile below the maximum Federal prescribed rate and the amount for meals at two dollars below the Federal standard rate, allocated by District staff. Travel may be reimbursed at air travel coach rates.
- (3) Mileage shall be computed as follows:
 - (a) In-district. In accordance with district mileage schedule or the odometer reading from the point of departure to the destination.
 - (b) Out-of-district. In accordance with the mileage chart established on the official state road map or by another independent source.
- (4) When more than one officer or employee is going to the same destination, travel shall be pooled where practical.
- (5) Reimbursement may be requested for tolls, taxis and registration fees and limousine service when properly documented. No reimbursement may be

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

Rule 6.02

EMPLOYEE PAYROLL DEDUCTIONS

POLICY

A payroll deduction beyond those required by law for a School Board employee will be made only when the benefits to be derived can be obtained by this method and group participation is advantageous to the employee.

- (1) Any payroll deduction not required by law shall have specific Board approval and shall be made only with the written request of the employee.
- (2) Any employee organization certified by the Florida Public Employee Relations Commission as the official bargaining agent for a group of employees in the school district shall be entitled to a payroll deduction for membership dues.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 447.007, F.S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.03	INVESTMENT OF IDLE SCHOOL FUNDS
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POLICY

- (1) All funds not needed for immediate expenditures shall be invested to earn the best possible yield for the period available. The Superintendent shall determine the best yield from the following forms of investment:
 - (a) The Local Government Surplus Funds Trust Fund, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act of 1969, as provided in Florida Statutes.
 - (b) Securities and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
 - (c) Interest-bearing time deposits or savings accounts in qualified public depositories, as defined in Florida Statutes.
 - (d) Direct obligations of the U.S. Treasury.
- (2) The Superintendent shall invest such school funds through the year as they are determined to be available. Such investments shall be noted monthly on the financial statement with the location of each such investment indicated.
- (3) The Superintendent is hereby authorized, in the manner prescribed by Section 1001.51(11), Florida Statutes, to transfer funds from one depository to another or within a depository for investment purposes.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.51(11), 1011.18, F.S.

History: Revised 10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.04 PROPERTY RESPONSIBILITY AND ACCOUNTABILITY

POLICY

The Superintendent or his/her designated representative shall be responsible for the care, custody, safekeeping accounting of all school property.

- (1) The Superintendent is authorized to establish such procedures and measures as may be necessary to provide accurate information in regard to the nature, condition, location, and value of all major school property and to safeguard major school personal property against undue damage, loss or depreciation; and to attempt to recover and restore to usefulness any major school personal property which may be lost, stolen, or damaged and to do all other things necessary to insure the proper maintenance and safekeeping of school property. At least once year, each principal shall designate an employee to accompany an employee from the finance office to perform an inventory of all school property.
- (2) The principal shall be responsible for administering policies and procedures as are required for major school property. He/she shall take those measures necessary to properly safeguard property under his/her control against loss, damage, or undue depreciation and shall do what is necessary to insure the proper maintenance and safekeeping of the school property. The principal shall also be responsible for initiating any requests for the use or disposal of personal school property in his/her school. He/she shall be responsible for providing information pertaining to school property records. He/she shall report, when received, property acquired from sources other than the district school funds such as from the PTA and similar sources.
- (3) The Superintendent or his/her designated representative shall:
 - (a) Establish and maintain an adequate and accurate record of all items tangible personal property having a value equal to the Department of Financial Service's threshold for recording property or more. Such records shall be consistent with all requirements of law and rules of the State Department of Financial Services.
 - (b) Serve as the disposal officer for surplus property.

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- (4) The School Board of Hardee County may offer for sale, to the public, tangible items deemed surplus, obsolete or beyond repair. Tangible personal property which has been properly authorized for deletion from the tangible personal property inventory file, as well as tangible personal property that has not been entered onto the inventory file, but which has been appropriately classified as surplus or obsolete, shall be offered for sale.
- (a) All items of property proposed to be offered for sale which were not initially entered onto the inventory file must be listed on a schedule and submitted to the Superintendent of Schools for review and approval for sale prior to being sold.
 - (b) Procedures for accumulating property and for conducting the sale or surplus of obsolete property are specified in the “Procedures for_Sale or Disposal of Surplus or Obsolete Property.”
 - (c) The School Board of Hardee County may choose to offer surplus or obsolete property for sale at public auction after appropriate notice has been given and at their discretion, as provided by statute.
 - (d) The School Board of Hardee County reserves the right to accept or reject any or all bids received.
 - (e) All property is sold “as is”, and carries no implied nor expressed warranty.
 - (f) No property will be sold or removed from the premises without approval from the Superintendent of Schools.
 - (g) The Director of Finance or his designee will, after each sale is completed, reconcile the remaining, unsold items and those items which were sold, to the beginning inventory master listing.
 - (h) Property which does not sell may be disposed of as follows:
 - h.1 May be held for sale at a later date, or
 - h.2 May be sold through negotiations, held at arms length and upon approval of the Superintendent or his/her designee, or
 - h.3 May be abandoned at the local land fill.

General Statutory Authority: 1001.41, 1001.42, 112.08, F.S.

Specific Statutory Authority: 1001.43, 1013.28, F.S., 6A-1.087 Rule 69I-73.002

History: Revised 10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.06

PAYROLL PROCEDURES

POLICY

- (1) Payrolls shall be submitted for all employees of the Board and shall be properly signed by a designated administrative employee or by the Superintendent. Such payrolls shall be supported, where applicable, by time record sheets.
- (2) Payroll checks or warrant distribution dates shall be established administratively to insure that the employees are paid promptly in accordance with Florida Statutes.
- (3) No payment shall be made except to properly authorized and approved personnel.
- (4) Payment shall be based on the duly adopted salary schedule for each position.
- (5) Full-time and part-time regular, probationary and temporary employees shall be paid at the regular established pay period.
- (6) Principals shall be responsible for submitting accurate payrolls in accordance with the payroll time schedules and procedures.

General Statutory Authority: 1001.41, 1001.42, F.S.

Specific Statutory Authority: 1011.60, 1012.22, F.S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.07	PURCHASING POLICIES AND BIDDING
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POLICY

All purchases of supplies, materials, equipment and services paid from district school funds shall be the responsibility of the Finance Director or designee under the general supervision of the Superintendent. All Florida Statutes, State Board of Education rules and School Board rules shall be carefully observed in making any purchase. The payment for any unauthorized purchase shall be the sole responsibility of the person placing the order.

- (1) Each purchase shall be based upon a requisition originating from the principal or department head where the product is used except in extreme emergencies when the purchasing agent may grant permission for such purchase. Each emergency purchase shall be followed immediately with an emergency requisition. Each requisition or contract shall be properly financed, budgeted, and encumbered prior to the issuance of a purchase order. The purchase order must be signed by either the Finance Director or Finance Specialist. Purchase orders of \$5,000 or more must be signed by the Superintendent or his/her designee. In no case shall the purchase precede the date of the requisition.
 - (a) Purchasing Policies. The School Board establishes the following purchasing rules which shall govern the purchasing of products or services (not exempt by Florida Statute or State Board of Education Rule).
 1. The Superintendent is authorized to purchase products or services or to enter into temporary employment contracts where the total amount does not exceed the applicable appropriation in the School District budget. The following guidelines for purchases of products and/or services relate to a line item total on a School Board purchase order.
 - a. Request for purchases of products and/or services costing less than CATEGORY ONE dollar amount in Section 287.017, Florida Statutes do not require price quotes.
 - b. Requests for purchases of products and/or services costing at least the CATEGORY ONE dollar amount but less than

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the CATEGORY TWO dollar amount in Section 287.017 Florida Statutes must have copies of three (3) price quotes attached to the purchase order. Selection of the vendor shall be made on lowest and best quotes meeting specifications, experience of product, availability of service, and/or the particular need of the School District. The Superintendent or his designee may waive the requirement for three price quotes if a request for waiver can be justified to the Superintendent or designee.

- c. Requests for purchases of products and/or services costing the CATEGORY TWO dollar amount in Section 287.017, Florida Statutes, or more must be awarded by competitive bidding.
2. The Superintendent is authorized to purchase instructional materials under state contract.
3. Assistants functioning under the Superintendent's direction may be authorized to perform these purchasing tasks as designees of the Superintendent. No person unless authorized to do so under rules of the School Board, may make any purchases or enter into any contract involving the use of School funds. No expenditures for any such unauthorized purchase or contract shall be approved by the School Board.
4. Before making any purchase or contracting for services or before recommending any purchase to the School Board, the Superintendent shall, insofar as possible, propose standards and specifications. The Superintendent shall see that the purchase or contract conforms 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.
5. The School Board has the option to purchase under the current contracts as may be established for any public agency of the state authorized by law to make purchases for the benefit of other governmental agencies at the unit price(s) stated therein, if such purchase is to the economic advantage of the School Board. The items of purchase shall conform to the standards and specifications prescribed by the Superintendent.

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6. As required by Section 1001.42, Florida Statutes, the School Board shall receive and give consideration to the prices available to it under rules of the Department of Management Services, Division of Purchasing.

The School Board shall receive and give consideration to the prices available to it, through the use of the program for on-line procurement for commodities and contractual services under Section 287.057(23)(a), Florida Statutes, under rules of the Department of Management Services, Division of Purchasing.

1. In lieu of requesting bids from three (3) or more sources, the School Board may make purchases at the unit prices in contracts awarded by other city or county governmental agencies, other School Boards, community colleges, or state university system cooperative bid agreements when the bidder awarded a contract by another entity defined herein will permit purchases by the School Board at the same terms, conditions, and unit prices awarded in such contract, and such purchases are to the economic advantage of the School Board.
2. Except as authorized by law or rule, bids shall be requested from three (3) or more sources for any authorized purchase or contract for services exceeding the CATEGORY TWO dollar amount in Section 287.017, Florida Statutes.
3. The School Board has the authority to reject any or all bids and request new bids. In acceptance of bids, the School Board shall accept the lowest and best bid from a responsive and responsible bidder. The School Board is not required to request bids for purchases made from contracts of the Department of Management Services as referenced in subsection 6. Bids are not required for purchases made through the pool purchase provisions of Section 1006.27, Florida Statutes.
4. The requirement for requesting bids from three (3) or more sources is hereby waived as authorized by Section 1010.04, Florida Statutes, for the purchase of professional or educational services, educational texts, textbooks, printed instructional material, computer software, films, filmstrips, videotapes, disc or tape recordings, digital recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where

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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.

5. Additional exemptions are authorized under certain conditions.
 - a. The requirements for requesting bids and making purchases for goods and services as set forth in this Policy, are hereby waived as authorized by Section 1010.04, Florida Statutes, when the following conditions have been met by the School Board:
 - [1] Bids have been requested in the manner prescribed by the State Board of Education, and
 - [2] The School Board has made a finding that no valid or acceptable firm bid has been received within the prescribed time.
 - b. When such a finding has been officially made, the School Board may enter into negotiations with suppliers of such goods and services and shall have the authority to execute contracts with such suppliers under whatever terms and conditions as the Board determines to be in the best interests of the School District.
6. Insofar as practicable, all purchases shall be based on purchase orders. Within limits prescribed by Section 1 of this Policy, the Superintendent is authorized to approve purchase orders under rules of the School Board, provided that in so doing, the Superintendent shall certify the funds to cover the expenditures which would be required by the purchase orders are authorized by the budget and have not been encumbered.
7. The School Board when acquiring, whether by purchase, lease, lease with option to purchase, rental or otherwise, information technology resources, as defined in Section 282.0041, Florida Statutes, may make any acquisition through the bid process as described herein or by direct negotiation and contract with a vendor or supplier, as best fits the needs of the School District as determined by the School Board.

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8. Except as otherwise required by Florida Statute or State Board of Education Rule, the School Board when purchasing insurance, entering risk management programs, or contracting with third party administrators, may make any such acquisitions through the bid process as described herein or by direct negotiations and contract.
 9. All rules, procedures, or policies pertaining to Food and Nutrition Management, applicable in this section, are referenced in the Florida School Food Service Reference Manual distributed by the Florida Department of Education.
- (2) Emergency bids, if approved by the Superintendent, may be requested by telephone or in writing, as the emergency requires. All emergency bids will be tabulated and presented to the Superintendent who will submit the matter to the School Board for action. The official minutes of the Board shall show the nature of the emergency and why the regular bid procedure would have caused a delay, which would have been contrary to the public interest.
- (3) Bidding procedures
- (a) Purchases made through bids shall be based upon justification and specifications, which are clear, definite, and certain to standard specifications for the various classes of supplies, materials, parts, services, or equipment desired. Such specifications shall be conducive to securing the best possible price for the highest quality product, which best meets the needs of the education program. Specifications shall be as open as possible and it shall be made clear in the invitation to bid that the use of a trade name does not give exclusive rights to that product. Preferential bidding shall not be permitted.
 - (b) Performance bonds shall be required on new construction unless the Superintendent, after consulting with and reviewing the recommendations of the appointed project architect, shall, as a part of the recommendations for the award of construction, renovation, remodeling or alteration contracts of \$200,000 or less make a recommendation to the Board pertaining to the waiver of the payment and performance bond required by Section 1013.47, Florida Statutes, applicable to the contract and contractors under consideration for the subject contract.
 - (c) The appropriate administrator shall have the responsibility for soliciting the assistance of the district administrative and instructional staff and the school employees who use the products to assist in the preparation of specifications and evaluation of bids.

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- (d) Bids shall be requested for at least three sources for each authorized purchase. All bids shall be signed in ink or indelible pencil.
- (e) Bids shall be opened in a designated room in the District Office at a time specified and shall be open to the public. The time and place shall be clearly stated in the bid invitation. All bids shall be opened in the presence of not less than two administrative personnel and shall be read, tabulated and recommended to the Board through the Superintendent. Bids received late shall be returned to the bidder unopened with a notation on the bid of the time received and signed by the person presiding over the bid opening.
- (f) No bid may be withdrawn prior to Board approval without the written consent of the Superintendent. After formal award by the Board, no bid may be withdrawn under any circumstances.
- (g) Recommendations to the Board for action shall be determined on the basis of the lowest responsible qualified bid which meets specifications with consideration being given to the specific quality of the product, its conformity to the specifications, its suitability to school needs, the delivery terms and the service and past performance of the vendor. In the case of identical qualified bids, the recommendation shall be made for the local vendor, or if there is none, to the vendor who has had the longest consistent reliable service in the district school system or by casting lots. Samples of products shall be requested when practical.
- (h) After bids have been opened and tabulated, they shall be made available to those persons who wish to study and copy them or copies may be distributed to the bidders at the discretion of District staff. In no case may the original copies be removed from the custody of the District.
- (i) Any rejection or recommendation of other than the low bid shall be accompanied by a written statement giving the reasons and justification for such action as outlined in paragraph (g). Single items or combinations of items may be considered in determining the recommendation. The Superintendent may recommend to the Board the name of any firm which has proven to be unreliable or unqualified for exclusion from the bid list.
- (j) Final action on any bid or the letting of any bid shall be the decision of the Board in open session. Approval of any funds which are not already

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budgeted shall be made by the Board prior to the issuance of any contract.

- (k) If applicable, designated District staff shall be responsible for the arrangement of hearings, exhibits, or demonstrations by vendors interested in presenting their products. Employees of the school system shall not extend favoritism to any vendor or salesman.
 - (l) No employee or official of the School Board shall use bid prices or school prices or receive any other preferential treatment in the making of personal purchases.
 - (m) No employee or school official may make purchase for personal use through a school or the district office.
 - (n) No employee shall apply for or receive services from commercial sources through a school or the district office.
 - (o) Employees may participate in district surplus sales; provided, that there is no preferential treatment.
- (4) State purchasing contracts shall be used in lieu of bids when it is to the advantage of the School Board.
- (5) Bid Disputes and Procedures:
- (a) Bid tabulations with recommendations will be posted on the bulletin Board in the Superintendent's Office and will be posted on the District website.
 - (b) Any actual or prospective bidder who disputes the reasonableness, necessity, or competitiveness of the terms and conditions, selection, or contract award recommendation of any bid shall (a) file a notice of protest in writing within seventy (72) hours of the bid posting; and, (b) submit a formal written protest within ten (10) calendar days, after the date the notice of protest was filed.
 - (c) With respect to a protest of the specifications contained in an invitation for bid: (a) the notice of protest shall be filed in writing within seventy-two (72) hours after the receipt of the specifications; and, (b) a formal written protest shall be submitted within ten (10) calendar days, after the date of filing the notice of protest.

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- (d) Any formal written protest shall state with particularity the facts and law upon which the protest is based.
 - (e) Failure to file a notice of protest or to file a protest within the times prescribed shall constitute a waiver of proceedings. Failure to file a notice of protest within the seventy-two (72) hours or failure to file a protest within ten (10) calendar days is a waiver of the right to protest and the Board will not consider any notice or protest as being valid.
 - (f) Any firm or person who files a protest shall post with the School Board, at the time of filing, a cashier's check payable to the School Board in an amount equal to one percent (1%) of the estimate of the total value of the contract or \$5000.00 whichever is less.
 - (g) Such cashier's check shall be conditioned upon the payment of all costs which may be adjudged against the protestor by the School Board, upon the conclusion of the protest proceedings. If the protest determination is not in favor of the protestor, the school district shall recover all costs and charges incurred by it during the protest, excluding attorney's fees. Upon payment of such costs and charges by the person or firm protesting the award, the cashier's check shall be returned. If the person or firm protesting the award prevails, the school district shall return the cashier's check to the protester in full.
- (6) Bid or Quote Errors/Failure to Deliver
- (a) Any vendor or supplier requesting release from a confirmed obligation due to an error on the part of the vendor or supplier shall be barred from participation in all further transactions with the school district for a period of time not to exceed 12 months.
 - (b) Any vendor or supplier who fails to deliver commodities or services in accordance with the terms of the agreement with the school district shall be considered to be in default and may be barred for a like period of time.
 - (c) The Deputy Superintendent shall submit written recommendations to the Superintendent of Schools regarding any vendor or supplier to be barred, along with the reasons for debarment. The Superintendent of Schools may authorize suspension of all transactions with the vendor or supplier until such time as the School Board approves or denies the request for debarment.

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General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1010.01. F.S., 6A-1.012, SBER

History: Revised 9/8/05; 10/13/11
Formerly 6.07(1)(a)

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.08	SCHOOL CONSTRUCTION BID PROCEDURES
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POLICY

- (1) All applicable laws, State Board of Education Rules and School Board rules shall be observed in all construction procedures.
- (2) Invitations to bid shall contain the information required by School Board policy and needed by the prospective bidders, including:
 - (a) Date, time and place of bids.
 - (b) Procedures for presenting bids.
 - (c) Conditions and terms for receiving bids.
 - (d) Procedures to be followed in opening bids and presenting to the Board.
 - (e) Conditions for awarding contracts based on bids.
- (3) Construction bids.
 - (a) The bid time and date shall be determined by the School Board after recommendation of the Superintendent.
 - (b) All bids shall be opened at the District Office in the presence of at least two members of the administrative staff. Bids shall be opened at the time designated in the invitation to bid. At the designated time the person presiding over the bid opening shall announce the time and ask if all bids are in. No other bids shall be accepted and no bid may be withdrawn after the deadline. Bids by facsimile shall not be accepted nor shall any other type of bid be accepted which cannot be classified as a sealed bid. Bids received by mail shall be stamped with the time and date received by District staff and placed in the receptacle for bids. Alterations written on the outside of the bid shall not be accepted.
 - (c) Bids shall be opened, read aloud, and tabulated in the presence of all persons present. The Board shall be informed of the time and place of each construction bid.

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- (d) Bids shall be accepted only from those contractors who have pre-qualified as provided by law and rules of the State Board of Education.
- (e) The Superintendent when recommending the preliminary school budget, or any amendments thereto relating to capital outlay projects may after evaluation, recommend to the School Board that suitable projects costing \$100,000 or less be provided on a day labor basis. In addition, the Superintendent may recommend any projects authorized by the School Board and costing over \$100,000 but less than \$200,000, be constructed on a day labor basis when no acceptable bids have been received.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.44(34), 1013.46, F.S., 6A-2.0010, SBER

History: Revised 10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.09

PETTY CASH FUNDS

POLICY

Petty cash funds for necessary operating expenditures may be established by the Superintendent within the limits established herein, for his office and for each school and department. A request for petty cash shall be made by the principal or director and forwarded to the Superintendent for approval before a check is issued.

- (1) As petty cash becomes exhausted, the Finance Department shall reimburse the funds from the classification accounts of the schools or department.
- (2) The amount of petty cash allowed shall not be in excess of the following amounts:
 - (a) Superintendent's office \$200.00
 - (b) Principal's office \$100.00
 - (c) Department \$100.00

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1010.04, 1011.06, 1011.07, F.S.; 6A-1.057 SBER

History: Revised 10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.10	TELEPHONE CALLS
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POLICY

- (1) No long distance telephone calls shall be made by an employee at School Board expense when the call is of a personal nature.

Principals are required to give prior authorization for any long distance call made at Board expense.

- (2) Any school employee who makes a long distance call at School Board expense or at the expense of the local school when such telephone call is of a personal nature and in violation of this rule shall be charged with creating an indebtedness as provided in Section 2.15 of these rules and may be reported to the principal or director for such action as he/ she deems proper.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History: Revised 10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.11	WITHHOLDING EXEMPTION CERTIFICATE
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POLICY

All employees of the School Board are required by law to file Form W-4. Employee's Withholding Exemption Certificate. After the initial filing, should the employee's name change or if the employee desires to change the number of exemptions, he/she shall file a new form W-4.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 6A-1.052 SBER

History: Revised 10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.12

SCHOOL PICTURES

POLICY

Any school may have pictures taken of students under the following provisions:

- (1) All contracts for school pictures shall be executed by the principal. The contract shall include the price to the student and the commission to the school and shall clearly state the contents of the packages furnished for the varying prices. If a photograph or incentive/ extra is to be furnished without cost for school records, this shall be made a part of the contract.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History: Revised 10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.14

MONTHLY FINANCIAL STATEMENTS

POLICY

The Superintendent or designee shall prepare and submit to the School Board a financial statement for each month of the fiscal year. Each such statement shall include a cumulative report to date of all receipts and expenditures for the fiscal year.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.51, F.S.

History: Revised 10/13/11

CHAPTER 6– BUSINESS AFFAIRS

Part I – General Rules

RULE 6.15	CONTRACTING WITH ARCHITECTS, ENGINEERS AND LAND SURVEYORS
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POLICY

The School Board will comply with Section 287.055, Florida Statutes when selecting firms to provide professional services by architects, engineers, landscape architects, registered surveyors and mappers and in negotiating contracts for such professional services.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 287.055, F.S.

History: Revised 10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.16	USE OF EDUCATIONAL ENHANCEMENT “LOTTERY” FUNDS
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POLICY

It is the policy of the School Board of Hardee County that for the purpose of the use of educational enhancement “lottery” funds, enhancement shall be defined as those services provided at educational sites which enhance, augment, and improve instructional services and methods.

- (1) Expenditures which shall be considered consistent with the above definition of enhancement include expenditures for salaries and benefits of tutors and guidance counselors and expenditures for school improvement_as approved by the school advisory council.
- (2) The Superintendent or designee shall establish unique fund source codes to account for the receipt and expenditure of all educational enhancement trust funds.
- (3) The Superintendent or designee shall annually report to the Florida Department of Education the actual expenditures by the District of educational enhancement funds.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 24.121, F.S.

History:

Adopted	9/11/97
Revised	10/13/11

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

RULE 6.17

ANTI-FRAUD

POLICY

1. The School Board of Hardee County will not tolerate the commission of fraud or the concealment of fraud.
2. This rule applies to any fraud, suspected or observed, involving District employees, substitutes, vendors, contractors, volunteers, outside agencies doing business with the School Board or anyone else in a position to commit fraud on the School Board.
3. Fraud includes, but is not limited to, knowingly misrepresenting a fact; concealing a fact or information in order to personally benefit; inducing another to act to his/her detriment; or submitting false or fabricated documents or information.
4. Actions constituting fraud include but are not limited to:
 - a. Falsifying or unauthorized altering of District documents such as reimbursement forms, leave forms, files, checks, financial records, student records, etc.
 - b. Theft, embezzlement or misappropriation of District funds.
 - c. Accepting or offering a bribe, gifts or other favors under circumstances that indicate that the gift or favor was intended to influence an employee's decision making.
 - d. Disclosing to other persons the purchasing/ bidding activities engaged in or contemplated by the District in order to give any entity, person or business an unfair advantage in the bid process.
 - e. Causing the District to pay excessive prices or fees where justification is not documented.
 - f. Unauthorized destruction, theft, tampering or removal of records, furniture, fixtures or equipment.
 - g. Using District equipment or work time for any outside private business activity.

Part I – General Rules

5. The Superintendent, working in conjunction with external auditors and District staff, will insure that appropriate internal controls are in place to diminish the opportunities for theft, embezzlement, and other fraudulent acts. Such internal controls shall be reviewed and revised as necessary.
6. All employees of the District have an obligation to report suspicions of fraud directly to the Superintendent. If an employee suspects fraud in the Superintendent's office, the employee should report the suspicions directly to a Board Member. The obligation to report fraud includes instances where an employee knew or should have known that an incident of fraud occurred. Any employee who reports fraud in good faith shall not be subject to any recrimination for having made the report. Failure to report known fraudulent actions or actions that reasonably appear to be fraudulent can be grounds for discipline up to and including dismissal.
7. In cases of suspected or observed fraud, employees shall not attempt to personally conduct investigations or interviews/ interrogations related to the fraudulent activity. Employees shall not discuss the case, facts, suspicions or allegations with anyone inside or outside the District, unless specifically asked to do so by legal directive or by the Superintendent.
8. An allegation of fraud will be investigated by the Superintendent or his/her designee if an investigation is warranted. Any investigation required shall be conducted without regard to the suspected wrongdoer's length of service, position/ title, or relationship. Investigations shall be conducted in a confidential manner. The Superintendent will notify law enforcement if there is cause to believe a criminal offense has occurred.
9. In order to avoid damaging the reputations of persons suspected, but subsequently found innocent of wrongful conduct, and to protect the District from potential civil liability, the results of investigations shall not be disclosed or discussed with anyone other than those persons associate with the case(s) who need to know in order to perform his/her duties and responsibilities. All inquiries from the suspected individual and his/her attorney shall be directed to the Superintendent or his/her designee.
10. Employees who are determined by the District to have committed a fraudulent act while in the course of their employment shall be subject to discipline, up to and including dismissal. Employees who are dismissed for fraud shall not be eligible for rehire.

Part I – General Rules

General Statutory Authority: 1001.32, 1001.41, 1001.42 F. S.

Specific Statutory Authority: 1001.42, 1001.43 F. S.

History: Adopted 10/09/08

CHAPTER 6 – BUSINESS AFFAIRS

Part I – General Rules

Rule 6.18

ELECTRONIC TRANSFER OF FUNDS

POLICY

This policy shall authorize designated School Board employees to move District funds by electronic transactions, including direct deposits, wire transfers, withdrawals, investment or payment.

- (1) Disbursement of public funds; direct deposit.
 - (a) The Superintendent's designee is authorized to establish the form or forms of checks, warrants, or other instruments for the withdrawal, payment, or disbursement of District funds, and to change the form thereof as needed.
 - (b) District funds may be disbursed to the account of a School Board employee by direct deposit. The employee must be entitled to the withdrawal, payment, or disbursement of District funds and must designate in writing a financial institution which has lawful authority to accept such deposits. Each written authorization must be securely filed in the Payroll Department.
 - (c) Direct deposit of District funds may be by any electronic or other means approved for such purpose by the Superintendent's designee, having jurisdiction or control of such District funds.
- (2) Wire transfer of funds.
 - (a) Notwithstanding any other provision of law, a designated School Board employee who has the authority to deposit or withdraw funds is authorized to transfer funds from one School Board depository to another or within a School Board depository or to another institution.
 - (b) A designated School Board employee may transfer funds to pay expenses, expenditures, or other disbursements, evidenced by an invoice or other appropriate documentation. Such transfer may be made by electronic, telephonic, or other medium. Each transfer shall be confirmed in writing or otherwise documented.

Part I – General Rules

(3) Investment of public funds.

- (a) Notwithstanding any other provision of law, the designated School Board employee who has the authority to invest funds is authorized to transfer funds by electronic or other means for purposes of investment to any depository authorized by law to receive funds or into an approved investment pool.**

- (b) A written record shall be kept of such investment transfers.**

General Statutory Authority: 1010.11, F.S.

Specific Statutory Authority: 215.85, F.S., 6A-1.0012 SBER

History: Adopted 1/12/12

INTERNAL FUND

- ~~6.20~~ ~~Basic Principles Governing School Internal Account Funds~~
(Deleted 10/25/11)
- ~~6.21~~ ~~Sources of Internal Account Funds~~ (Deleted 10/25/11)
- ~~6.23~~ ~~Other Sources and Receipts~~ (Deleted 10/25/11)
- ~~6.24~~ ~~Interfund Transfers~~ (Deleted 10/25/11)
- ~~6.25~~ ~~General Provisions for Expenditures~~ (Deleted 10/25/11)
- ~~6.26~~ ~~Management of School Internal Account Funds~~ (Deleted 10/25/11)
- ~~6.27~~ ~~Property~~ (Deleted 10/25/11)
- ~~6.28~~ ~~Accounting Procedures~~ (Deleted 10/25/11)
- ~~6.29~~ ~~Bank Reconciliation Form~~ (Deleted 10/25/11)
- 6.30 Principles Governing School Internal Accounts
- 6.31 General Practices for School Internal Accounts
- 6.32 Control of Internal Accounts Cash Resources
- 6.33 Regular Student Activity Accounts
- 6.34 Internal Accounts Purchasing
- 6.35 Internal Accounts Standards and Practices

CHAPTER 6 – BUSINESS AFFAIRS

Part II –Internal Fund

RULE 6.30	PRINCIPLES GOVERNING SCHOOL INTERNAL ACCOUNTS
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POLICY

- (1) The School Board is responsible for administration and control of internal funds of the district school system, and has adopted written rules governing the receipt and disbursement of all internal funds and for the accounting for property pursuant to Florida Statutes. The School Board provides for an annual audit of internal funds in accordance with Rule 6A-1.087, FAC.
- (2) The financial transactions of school organizations shall be accounted for in the school internal funds. All funds handled by School Board employees during normal working hours shall be included in and become part of the internal funds of the school unless accounted for in the district level accounting system. All organizations of the school, or operating in the name of the school, which obtain moneys from the public shall be accountable to the Board for receipt and expenditure of those funds in the manner prescribed by the Board.
- (3) Funds collected by and used for the benefit of faculty and staff may be exempt from the preceding requirements at the option of the School Board.
- (4) School internal account funds shall be used to benefit activities authorized by the district School Board.
- (5) Student participation in fundraising activities shall not be in conflict with the program as administered by the School Board.
- (6) The objective of fundraising activities by the school, by any group within, or in the name of the school shall not conflict with programs as administered by the School Board.
- (7) Funds collected shall be expended to benefit those students in school unless those funds are being collected for a specific documented purpose or are generated by vocational production shops. Vocational production revenue shall benefit the students or program that generated the funds or the student body.

Part II –Internal Fund

Those internal account funds designated for general purposes shall be used to benefit the student body.

- (8) Collecting and expending of school internal account funds shall be in accordance with the Florida Constitution, Florida Statutes, State Board of Education rules, and School Board rules. Sound business practices should be observed in all transactions.
- (9) Purchases from internal accounts shall not exceed the resources of the applicable student activity/project account, except for items acquired for resale or items authorized by School Board rule. Purchases to support instructional programs may be made from revenue derived from production work of vocational programs.
- (10) An adequate system of internal controls shall be maintained in order to safeguard the assets of the school internal funds.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1010.04, 1011.06, 1011.07 F.S.
Rule 6A-1.087 FAC

History: Adopted 10/25/11

CHAPTER 6 – BUSINESS AFFAIRS

Part II –Internal Fund

RULE 6.31	GENERAL PRACTICES FOR SCHOOL INTERNAL ACCOUNTS
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POLICY

- (1) All employees having responsibility for handling and recording internal funds financial transactions shall be bonded through the district or otherwise adequately insured.
- (2) Purchases from internal funds must be authorized in writing by the principal or designee. Neither the school nor the School Board shall be liable for any purchase made in the name of the school without express written approval.
- (3) District approved pre-numbered receipt forms shall be used as the means of recording cash received, and as the basis for entries to the accounting records.
- (4) Approved pre-numbered checks shall be used as the means for disbursing funds, and as the basis for accounting entries, with the exception of disbursements from properly established petty cash funds.
- (5) Promissory notes, installment contracts or lease purchase agreements shall not be executed in the name of a school or any school organization except as authorized by the School Board.
- (6) Internal funds shall not be used to cash checks to accommodate individuals, make any kind of loans, pay any form of compensation directly to employees, or extend credit. Employees of the district who are compensated for additional services, such as game personnel to work at athletic events, shall be paid through the district payroll department or when appropriate as prescribed by School Board rule.
- (7) Internal funds shall be accounted for on the same fiscal year basis as all other school district funds. No school organization shall make expenditures that exceed the cash resources available to that organization. All accounts payable shall be disclosed to the School Board at year end.
- (8) Bank statements shall be reconciled as soon as received, preferably by a person other than the person who receipts and disburses funds.

Part II – Internal Fund

- (9) Monthly financial reports shall be made in approved written form to provide the school's administration with financial information necessary for decision making. An annual report will provide data for inclusion of internal funds in the district's annual financial statement.

- (10) Account balances shall be subject to limits which the School Board may prescribe.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1010.04, 1011.06, 1011.07, F. S.

History: Adopted 10/25/11

CHAPTER 6 – BUSINESS AFFAIRS

Part II –Internal Fund

RULE 6.32	CONTROL OF INTERNAL ACCOUNTS CASH RESOURCES
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POLICY

- (1) Depositories for internal funds. Depositories in which internal funds are kept must be qualified public depositories, approved by the School Board, and required to furnish the same type of security for deposits as is required for other district School Board funds.
- (2) Bank accounts. Each school shall have only one checking account which shall be entitled "(SCHOOL NAME) Internal Fund, The School District of Hardee County Florida," or alternative which clearly identifies the school and Hardee School District. This account title must be imprinted on all internal fund checks and deposit slips. All monies received by the school will be deposited intact as collected into this account and all disbursements will be made by checks drawn on this account. Savings or investment accounts shall be titled in the same manner.
- (3) Check signatures. Each account shall have at least two authorized check signers, one of whom must be the principal. These names shall be kept on file for audit. All checks must be signed with two signatures as prescribed by the principal if not prescribed by School Board rule. The principal is responsible for all financial transactions and proper check signatures. Under no circumstances shall checks be pre-signed.
- (4) Cash collections and deposits. All money collected by the school must be substantiated by pre-numbered receipts, consecutively numbered class receipt records, reports of monies collected, pre-numbered tickets, reports of tickets issued and sold or other auditable records.
 - a. Insofar as is practicable, all money should be collected in the school office. Collections made outside of the school office must be turned in to the school office no later than the next business day.
 - b. All money collected must be deposited intact to a depository as frequently as feasible and as dictated by sound business practices. In any event,

Part II –Internal Fund

funds collected must be deposited within five (5) working days after receipt.

- c. All deposits must equal the total amount of money taken in and recorded on receipts for the period covered by the deposit. Deposit slips shall be made in the number of copies necessary to meet the approved accounting procedures. All checks received shall be deposited with a restrictive endorsement of for deposit only and specifying the account title and number.
 - d. The principal or designee shall be notified immediately of any errors in deposits or disbursements and shall take appropriate action to effect correction.
 - e. All checks, receipt forms and tickets shall be pre-numbered and perpetual inventories of each shall be maintained. Inventories shall show the beginning and ending numbers of all documents acquired and issued. In all cases where tickets are used, ticket reports and unsold tickets must be available for audit. Any pre-numbered documents shall be accompanied by a certified statement of the numbers received.
- (5) Investments. The School Board policy pertaining to the investment of school funds not needed for immediate expenditures shall apply to school internal accounts. Internal funds which are temporarily idle shall, as required by law, be invested pursuant to policies of the School Board using any medium of investment legal for public funds, and may not exceed insurance protection or other legal collateral limits.
- (6) Collection of worthless checks. The principal is responsible for seeking reimbursement for any unpaid check returned by the bank. A check can be declared uncollectable and written off the books only by action of the School Board or designated officer. This action will be taken only after every legal and reasonable effort at collection by the principal has been exhausted. The school principal may require payment for school obligations in cash, money order, or other form of guaranteed payment if it is deemed necessary.

General Statutory Authority: 1001.41, F. S.

Specific Statutory Authority: 1010.04, 1011.06, 1011.07, F.S.
Rule 6A-1.085 FAC

History: Adopted 10/25/11

CHAPTER 6 – BUSINESS AFFAIRS

Part II – Internal Fund

Rule 6.33	REGULAR STUDENT ACTIVITY ACCOUNTS
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POLICY

- (1) Athletics. All revenue and expenditures involving athletic business transacted at the school level shall be recorded in accounts in this classification.
- (2) Music. Proceeds from activities of musical organizations; donations to these groups; and their expenses for supplies and trips shall be recorded in this classification. Collections from students for rental or maintenance of uniforms or instruments shall be recorded in separate accounts in this classification, or in trust if restricted as to use.
- (3) Classes, clubs and departments. Class and club accounts are those which support a group of students within a community of interest with a roster of members, officers, and a sponsor. Approval for the existence of all club and class activities is the responsibility of the principal.
 - a. The sponsor of each school club or organization is responsible for providing adequate financial documents and records to the principal and is responsible for retaining duplicates of said documents and records. These records may include an organization budget; duplicate receipts for all income from dues, fund-raising activities, entertainments, assessments, or donations; and approved requests for payments.
 - b. All collections received by any club or school organization must be deposited in the school internal fund.
 - c. All disbursements by any club or school organization must be made by an internal fund check, or from an approved petty cash fund. Disbursements shall be approved by the appropriate organization officer, when the organization has officers, the sponsor and the principal.
 - d. A financial report shall be filed with the principal's office at the close of each fund-raising activity. To accommodate collection of data for this report a separate account for the activity may be established. The organization sponsor shall participate, along with the school bookkeeper, in the designation of transactions to be recorded in each of the organization's accounts.

Part II – Internal Fund

- e. Class and club monies shall be expended for the benefit of the class or club or for purposes designated by the class or club that participated in generation of the revenue. Any remaining balance in the account of a class that has graduated shall be transferred to the general miscellaneous account at the discretion of the principal. Any remaining balance in the account of an inactive student organization shall be considered as belonging to the general miscellaneous account and shall be closed at the end of the following school year.
 - f. Departments may be structured similar to classes and shall conduct financial activities subject to the above.
- (4) Trust. Funds collected for a specific, restricted purpose shall be accounted for in a trust account.
- a. Trust funds shall be expended only for the purpose for which collected. When the purpose of the trust fund has been accomplished or becomes inoperative, unused trust funds shall be returned to the person(s) from whom collected, if practicable. Donors may designate an alternative purpose. Funds which cannot be returned shall be transferred to the General account.
 - b. At no time shall a trust account have a deficit.
 - c. If a school organization undertakes a project extending beyond the current fiscal year, or receives a restricted donation to be used over a period of time beyond the year in which received, approval must be granted in accordance with School Board rules, and the funds held in a trust account.
 - d. Collections for the School Board, such as out-of-state tuition, adult matriculation and tuition fees, course fees, reimbursement for damages, or telephone charges are trust funds. Sales tax collected for the State is also a trust account.
 - e. Collections for parking decals issued by secondary schools and vocational schools may be restricted by the School Board as to use, and if so, should be accounted for separately in a trust account.

Part II - Internal Fund

- f. Funds collected from students as deposits for use of locks, and restricted by the School Board as to use, shall be accounted for separately in a trust account.
- (5) General. This category encompasses all other accounts for funds which are to be utilized for the general welfare of the student body. Separate accounts shall be maintained for activities such as the school store and other activities when it is good business practice to separately monitor the financial status of the activity. Activities not accounted for separately shall be recorded in a miscellaneous account.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1010.04, 1011.06, 1011.07, F.S.

History: Adopted 10/25/11

CHAPTER 6 – BUSINESS AFFAIRS

Part II – Internal Fund

RULE 6.34	INTERNAL ACCOUNTS PURCHASING
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POLICY

- (1) Requirements. The requirements pertaining to purchases and securing bids on purchases made from public tax funds shall be observed when purchases are made from internal funds except that: School Board approval of internal account vouchers is not required and School Board requirements for internal funds may be more strict than those required for tax funds. Insofar as is possible, purchases of the same or a similar nature to be used in more than one school should be combined and purchased only after approval of the School Board.
- (2) Responsibility. The school principal is fully responsible for all purchases and purchase commitments requiring present or future disbursements of internal fund monies.
 - a. A signed commitment from the principal or designee(s) must be on file before any purchase is made. Vendors shall be notified of this policy. No purchase shall be made unless sufficient resources are available, except items for resale.
 - b. The School Board may delegate by rule to such individuals as it may deem appropriate, the making of purchases from internal funds and the securing of quotations and awarding of contracts.
 - c. No person, unless authorized to do so under regulations of the School Board, may make any purchase involving the use of school funds.
- (3) Bids. Bids shall be requested from three or more sources for any authorized purchase exceeding amounts in accordance with School Board Policy 6.07. The School Board shall have authority to reject any or all bids and request new bids. In acceptance of bids, the School Board shall accept the lowest and best bid.
 - a. Competitive quotations are required for any authorized purchase exceeding amounts in accordance with School Board Policy 6.07. Such quotations shall be documented.

Part II – Internal Fund

- b. Proposed purchases in excess of the district bid limit must comply with bid requirements of Florida Statutes, State Board of Education Rules, and School Board rules.
 - c. When the district has a bid in effect, purchases of items covered must be made from the approved vendor unless the same item may be purchased elsewhere at a lower cost.
- (4) Petty cash. Petty cash funds may be established for internal funds.
- (5) Restricted expenditures. The following expenditures from internal funds are deemed inappropriate and shall not be made except from trust funds collected for a specifically identified purpose.
- a. Equipment, supplies, forms, and postage for curricular or classroom use for which School Board funds are available. However, revenue derived from vocational education production shops may be used for these purposes.
 - b. Curricular-related travel; professional, technical, or consultant services; or other items for which School Board funds are available. However, revenue derived from vocational education production shops may be used for these purposes.
 - c. Articles for the personal use of any student, employee, or other person; except those items which are identifiable as being in recognition of service or promotion of school activities.
 - d. Personal memberships or subscriptions.
 - e. Salaries or other compensation for duties or assignments which are the responsibility of the school district.
 - f. Loans, credit, or accommodation purchases for anyone.
 - g. Repairs and maintenance of School Board equipment for which School Board funds are available. However, revenue derived from vocational education production shops may be used for these purposes.
- (6) Property acquisition and control. Tangible personal property equal or greater than the Department of Financial Service's threshold, purchased or acquired by

Part II – Internal Fund

donation becomes the property of the School Board and is subject to the Board's procedures for property control.

- a. Notification to the appropriate district office is required when items that meet the criteria for fixed assets are purchased or received as a donation. A full description of any equipment or property acquired by a school must be given, including make, model, serial number, date acquired and total cost, or fair market value for donated property.
- b. Expenditures for buildings, remodeling, renovation, repairs, or alteration to the facilities, or any property involving risk must have prior written approval of the Superintendent or designee.
- c. Approval must be obtained from the Superintendent or designee to change, alter, or attach permanent fixtures to school property; or to utilize more than the ordinary amount of utilities.

General Statutory Authority: 1001.41, F.S.

**Specific Statutory Authority: 1010.04, 1011.06, 1011.07, F.S.
Rule 6A-1.091, 6A-1.012, 69I-73.002 FAC**

History: Adopted 10/25/11

CHAPTER 6 – BUSINESS AFFAIRS

PART II – INTERNAL FUND

RULE 6.35	INTERNAL ACCOUNTS STANDARDS AND PRACTICES
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POLICY

- (1) Reports. The principal's financial report and any other interim reports shall be prepared and submitted according to the schedule and format prescribed in district adopted procedures. At the close of the school year the annual report shall be prepared as district procedures provide, and shall be attested to by the principal and the preparer by their signatures as to its accuracy in reflecting the year's activity and year-end balances to be included in the District Annual Financial Report.
- (2) Audits. The School Board shall provide for an annual audit of internal funds. In accordance with Rule 6A-1.087(2), FAC, the signed, written report of the audit shall include notations of any failure to comply with Florida Statutes, State Board of Education Rules and rules of the School Board. The report, which must also provide commentary as to financial management and irregularities, shall be presented to the School Board while in session and filed as a part of the public record.
- (3) Cooperative activities. A cooperative activity is one in which the school participates with outside groups such as the P.T.A. or booster clubs through planning, staging, or conducting school-related activities. Such activities may be held on or off the school grounds and will usually take the form of fund-raising events such as carnivals, paid entertainments, or food sales. Such activities must be approved by the principal and be beneficial to students. District procedures shall be followed to provide appropriate accounting for funds and to ensure compliance with policies contained herein. If a share of the proceeds is to be disbursed to the cooperating group, a prior written agreement should be executed.
- (4) Fundraising. Each fundraising activity shall be planned to finance a specified objective.
 - a. Each fundraising activity shall have the approval of the organization sponsor and the principal.

Part II – Internal Fund

- b. The principal shall control the fundraising activities conducted in the name of the school, and assure that the purposes are worthwhile. Raffles and other activities of chance shall not be conducted for school connected activities. Fundraising activities for which students are charged an admission shall not be presented during school hours.
- c. When any school organization or group is involved in a fundraising activity or any function exposing the School Board to extraordinary liability, approval must be obtained in advance from the Superintendent or designee.
- d. Collections for all school sponsored fundraising activities must be deposited in the internal fund, and all transactions in connection with the activity conducted in accordance with School Board rules.
- (5) Retention of records. Chapters 119 and 267, F.S., provide that no public official may mutilate, destroy, sell, loan or otherwise dispose of any public record without the consent of the Bureau of Records and Information Management of the Department of State. Provided applicable audits have been released, records may be disposed of in accordance with procedures established by Department of Records and Forms Management. Examples of such records for internal funds could include check requisitions and documentation, canceled checks, recap of collections, journals, ledgers, financial reports, purchase orders, payroll records, and serialized forms. Procedures for destruction of records shall be in accordance with Chapters 119 and 267, F.S.
- (6) Sales of food and beverages. The sale of food or beverages to students by direct sale or through vending machines shall be in accordance with Rule 6A-7.0411, FAC.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1010.04, 1011.06, 1011.07, F.S.
Rule 6A-1.087, 6A-7.0411, FAC

History: Adopted 10/25/11

PART III

TRANSPORTATION

- 6.40 Purposes and Functions**
- 6.41 Eligibility of Students**
- 6.42 Special Uses of School Buses**
- 6.43 Transportation by Means other than School Bus**
- 6.44 Bus Drivers**
- 6.45 Responsibilities of Students**
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- 6.47 Authority of Bus Drivers and Principals**
- 6.48 Handicapped Students**
- 6.49 District Anti-Drug Program**
- 6.50 Transportation Handbook**
- ~~6Gx25-10G-1.50 – Elementary School Enrollment/School Zone Procedure Handbook (Deleted 12/8/11)~~**

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.40

PURPOSE AND FUNCTION

POLICY

- (1) Transportation funds shall be used primarily for the purpose of transporting children to and from school. Other transportation functions for which the district shall be responsible are:
 - (a) Educational field trips
 - (b) Distribution of supplies
 - (c) Extracurricular activities
- (2) Transportation is a part of the educational program and shall be administered so as to provide the services performed in as economical or convenient manner as possible. Cooperative planning by the Board, the Superintendent and his assistants, the division of transportation, the principals, teachers, pupils, and parents is essential for the efficient operation of the transportation system.
- (3) Each function of transportation shall be provided through a separate budget allotment except for extracurricular activities which shall be paid by the user on the basis of rates established by the Board.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.21, F.S

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.41

ELIGIBILITY OF STUDENTS

POLICY

Any pupil who resides two miles or more from his designated school by the most direct traveled route is eligible to ride a district school bus to and from that school. The student shall Board the bus at the stop designated which is nearest his home and may not enter or leave at any other stop except in case of an emergency; provided, that any exception shall be approved in writing by the school principal on request of the parent or guardian; and provided further that upon application by the parent of the student, an exemption, for the reason of hardship, may be granted from the requirements of this rule. Hardship is defined as the pursuit of additional education. The exemption for hardship shall be effective only for the school year in which it is granted. Application for exemption shall be made to the Principal and the Superintendent, with a right to appeal to the School Board.

- (1) Handicapped children not requiring special care may ride a school bus regardless of distance upon furnishing a certification from a physician stating that the child is handicapped and unable to walk to school.
- (2) Elementary, junior, and senior high school students may be transported separately when practical. Bus routes will be designated which will provide safe and economical transportation.
- (3) Routes shall be scheduled along regularly maintained all-weather highways in such a manner as to utilize the maximum time, distance, and number of pupils transported. All-weather roads are defined as:
 - (a) Hard-surfaced construction regularly maintained; bituminous pavement, packed clay, and similar construction.
 - (b) Twenty feet in width.
 - (c) Adequate shoulder clearance under all weather conditions.
 - (d) Twelve feet overload clearance under all weather conditions.
 - (e) Free from obstruction or bridges having a capacity inadequate to support

Part III – Transportation

the capacity of the bus when loaded.

- (4) Bus stops may be designated in a congested area when as many as twenty pupils are to be transported and stops can be made safely. No bus stops are to be scheduled less than one-fourth mile apart except in special cases for safety reasons when recommended by the Director of Transportation. A deviation in a school bus route may be made by the Director of Transportation where necessary.
 - (a) A bus may be directed on a circuitous route to take stops off four-lane or the heaviest traveled highways or at the end of the bus route when recommended by the Director of Transportation and the Superintendent and approved by the Board. Road conditions must meet Board standards.
- (5) The Board will transport children attending the public schools of the district within the limits of the law. No pupil residing within two miles of the school which he attends will be transported to school by school bus except by authorization of the Board. Each bus shall have posted conspicuously a schedule of stops and the driver shall not leave a stop prior to the time posted.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.21, F.S.

History: Revised 12/8/11

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.42	SPECIAL USES OF SCHOOL BUSES
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POLICY

(1) General requirements:

- (a) In addition to regular transportation of children to and from school, buses may be used for educational field trips, for special school sponsored or connected events, or other trips with permission granted by the Superintendent or the Board. For specific rules and regulations, refer to the School Board of Hardee County Transportation Manual.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.21, F.S.

History: Revised 12/8/11

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.43	TRANSPORTATION BY MEANS OTHER THAN SCHOOL BUS
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POLICY

In order to permit a small number of children living in sparsely settled areas to attend regularly an adequate public school, the Board may authorize in unusual cases the use of a private automobile or other conveyance for this purpose as provided herein:

- (1) Cost will not exceed amount per mile as prescribed by the School Board for each mile traveled with student passengers to the bus stop or school center whichever is nearer the pupil's home.
- (2) The official Board minutes will show the amount of transportation assistance, names of pupils serviced, school attendance and the mileage of the route.
- (3) For those pupils residing beyond the two mile limit, the School Board will pay an amount prescribed by the School Board per mile for each mile traveled with student passengers to the person transporting pupils to exceptional child classes. Where possible, car pools shall be formed.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.21, F.S.

History:

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Part III – Transportation

RULE 6.44	BUS DRIVERS
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POLICY

- (1) The importance of the bus drivers in the transportation program cannot be over emphasized; they are the strongest factors in safe, efficient, and economical service. In addition, the driver is the first contact many students have with school personnel and is often the only contact some parents have with school personnel. The driver, therefore, can convey good or bad impressions of the schools to the patrons and the public.
- (2) Each school bus driver shall possess the minimum qualifications set forth in law and state Board rules. Each driver shall be of good moral character, of good vision and hearing, able bodied, free from communicable disease, mentally alert, sufficiently strong physically to handle the bus with ease to make emergency repairs, and not an abuser or alcoholic beverages or narcotics, and hold a school bus driver's license which is current and valid. In addition, drivers shall:
 - (a) Must hold a valid driver's license for at least 5 years.
 - (b) Attend in-service training as provided by the Superintendent.
 - (c) Have current certification in first aid instruction and CPR.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.45, F.S.

History: Revised 12/8/11

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.45

RESPONSIBILITIES OF STUDENTS

POLICY

Each student who is eligible to be transported is entitled to free transportation only so long as he abides by the rules of safety and behavior necessary for the operation of the system. Serious infraction of these rules may cause him to lose this privilege. It is the responsibility of the parents to see that the pupil abides by rules or to provide for his own transportation. Suspension from a school bus does not affect the requirements of attendance laws and rules. Any student transported at public expense shall abide by the rules stated in the Code of Student Conduct and such rules as are posted in the bus.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.07, 1006.21, F.S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.46	BUS EMERGENCY EVACUATION DRILLS
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POLICY

The Director of Transportation services shall instruct the bus drivers in the procedures to be followed in conducting a bus emergency evacuation drill. Initial instruction shall be provided at some time during the week immediately preceding the opening day of school for pupils. The second period of instruction shall occur during the first two weeks of the second semester.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.21, 1006.22, F.S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.47	AUTHORITY OF BUS DRIVERS AND PRINCIPALS
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POLICY

- (1) The principal shall delegate to the school bus driver such authority as may be necessary for the control of students being transported to and from school, or school functions at public expense.
- (2) The school bus driver shall preserve order and good behavior on the part of all students being transported but he shall not suspend the transportation of, or give physical punishment to any student. The driver shall not remove any student from the bus at other than the regular stop for that student except upon request of the parent or order of the principal. However, should an emergency develop due to the conduct of students on the bus, the bus driver is empowered to take whatever steps he deems necessary in order to protect the safety of students on the bus and in the immediate vicinity of the bus stop.
- (3) The principal may discipline transported students, suspend any transported student from riding a school bus for a period not to exceed (10) days, or recommend expulsion pursuant to the Code of Student Conduct.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.31, 1006.09, 1006.10, 1012.45, F.S.

History:

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Part III – Transportation

RULE 6.48

HANDICAPPED STUDENTS

POLICY

The Superintendent shall have the authority to negotiate with parents or responsible agents reasonable reimbursement to them for the transportation of handicapped student to and from schools.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 6A-3.0121 SBER

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.49

ANTI-DRUG PROGRAM

DRUG AND ALCOHOL TESTING OF SCHOOL BOARD EMPLOYEES, APPLICANTS AND VOLUNTEERS WHO ARE REQUIRED TO HOLD A COMMERCIAL DRIVER'S LICENSE

POLICY

- (1) It is the intent of the Board to comply with all alcohol and controlled substances testing procedures contained in 49 Code of Federal Regulations Parts, 40, 381, 391, 392, and 395. The Board recognizes the need to protect individual dignity, privacy, freedom from self-incrimination, freedom from unreasonable search and seizure, and confidentiality in the program. Specimen analysis shall be conducted in a manner to assure a high degree of accuracy and reliability by using laboratory facilities that are certified by the U.S. Department of Health and Human Services and the Florida Agency for Health Care Administration.
 - (a) All information, interviews, reports, statements, memoranda, and all records of all referrals, screening and confirming tests shall be held in the strictest confidence by the independent testing laboratory and by all personnel in the school district authorized to have knowledge thereof unless written consent to release said document has been signed by the employee.
 - (b) No record of tests conducted under these procedures shall be placed, or made reference to, in any personnel file of the employee, but will be placed in a separate Medical Records file. Neither shall any records of information related to this policy be used or received into evidence, be obtained in discovery or otherwise disclosed in any public or private proceedings, be released pursuant to a subpoena or be released for use in any criminal action, except when required to do so by Federal or State law.
- (2) The primary administrator of the testing program shall be the Director of Personnel who shall be assisted by the Director of Transportation.
- (3) Types of tests to be conducted:

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- (a) **Pre-Employment Testing**
All applicants for employment for positions requiring a commercial driver's license shall undergo testing prior to employment except as otherwise specified pursuant to 49 CFR, 383.301(c) (see definitions). Written documentation must be provided by the candidate for employment to substantiate the exception. However, applicants exempted under 49 CFR, 382.301(c) may be required to take a pre-employment test under other auspices. The Board shall require the applicant to pay the cost of any pre-employment testing.

- (b) **Random Testing**
Covered employees required to hold a Commercial Driver's License as a condition of employment will be subject to random, unannounced drug and alcohol testing. This would include all employees who operate, within the scope of employment, a commercial motor vehicle as defined in 49 CFR, 391.85, or who perform a safety sensitive function (see definitions). Random tests shall be unannounced and shall be reasonably spaced throughout the year. Upon notification by the supervisor, the employee will have a reasonable amount of time to report to the testing site.

The annual random testing rate for covered employees shall be in compliance with current Federal Department of Transportation regulations. All testing will take place during the regular work day; however, if the required testing takes longer than the employee's normal work day, the cost of the employee's overtime and travel expense shall be paid by the Hardee County School Board.

- (c) **Reasonable Suspicion Testing**
Covered employees, as defined in "B" (above), may be subject to alcohol or drug testing if reasonable suspicion of alcohol misuse or controlled substance use exists. Two supervisors who have been trained in accordance with the Federal Highway Administration (FHWA) regulations will require an employee to submit to an alcohol or drug test when the supervisors have reasonable suspicion to believe that the employee has violated the prohibitions contained in the FHWA regulations.

Reasonable suspicion must be based on documented objective facts which are based on specific, contemporaneous, articulable observations and circumstances which are consistent with the long- and short-term effects of alcohol misuse or substance abuse. Such circumstances include but are not limited to physical signs and symptoms, appearance, behavior, speech and/or body odor.

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The required observations for alcohol and/or controlled substance, reasonable suspicion testing shall be made by two supervisors who have been trained for at least 60 minutes on alcohol misuse and an additional 60 minutes on controlled substance abuse (per 49 CFR 382.0603(a)).

The total cost of all testing, employee travel and employee overtime, if necessary, shall be paid by the Hardee County School Board.

(d) Post-Accident Testing

Alcohol and drug testing shall be administered following an accident in a Hardee County School Board owned leased or rented vehicle under the following circumstances:

1. The accident resulted in the loss of human life.
2. The employee received a citation from a law enforcement officer, and either:
 - a. a driver, passenger or pedestrian received immediate medical attention away from the scene of the accident.
 - b. one of the vehicles involved was to be towed from the scene of the accident due to operational impairment.
3. Such testing must be conducted within the following limits:
 - a. Controlled substance tests must be conducted within 32 hours after the accident. If a test is not conducted within this time, the Board shall cease all attempts to do so.
 - b. Alcohol tests must be conducted within 8 hours after accident. Attempts to administer the test shall begin as soon as practical, but no later than 2 hours after the accident; and no test shall be attempted after 8 hours.

The total cost of all testing, employee travel, and employee overtime, if necessary, shall be paid by the Hardee County School Board.

(e) Testing of split samples.

Any employee who questions the results of a required drug test set forth in this policy may request that a test of the split urine sample be conducted. This test must be conducted at a different testing laboratory that is also

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Department of Health and Human Services approved. If an employee elects to request the additional testing of the split urine sample, the employee must make such request to the Medical Review Officer within 72 hours of the employee having received actual notice of the positive test; and the employee shall be required to pay for the total cost of the test. Such payment shall be made by certified check as arranged between the employee and the Medical Review Officer. If the employee tests positive on the initial test for the presence of illegal drugs, the employee will be suspended with pay for five (5) working days pending receipt of the results on the split test. If the Hardee County School Board does not receive notification of the split test results by the sixth (6) day, the employee will be suspended without pay pending confirmation of said test. If the split test confirms a positive presence for drugs, the employee will remain on suspension without pay until such time as the Hardee County School Board meets and acts to terminate said employee. However, should the split testing result prove to be negative, the School Board shall fully reimburse the employee for all costs associated with the split testing and any reimbursement of lost wages.

Any other testing conducted at the employee's option, such as DNA testing or any other non-routine confirmatory tests, will be solely at the employee's expense.

(f) Prohibited Conduct

1. Prohibited substances or drugs:

No covered employee shall report for duty or remain on duty when the employee uses any controlled substance, except when the use is upon the instruction of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a vehicle. However, no employee shall report for duty or remain on duty while taking a prescription which impairs safe driving, even upon advice of the employee's physician. No employee shall use or possess a prohibited substance, controlled substance or drug while on duty.

2. Alcohol:

No driver of a district-owned, leased, or rented vehicle shall report for duty or remain on duty while having an alcohol concentration of BAC .02 or greater. No driver shall use or possess alcohol while on duty. No driver shall report for duty or remain on duty within four hours after using alcohol.

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(g) Test Results:

1. Pre-employment:

The School Board will not employ any applicant who has an alcohol test result of BAC .02 or greater or who tests positive for any controlled substance. Any applicant who fails to report for pre-employment testing within the prescribed time or who alters a test shall not be employed regardless of the test results. No applicant who fails a pre-employment drug/alcohol test may reapply or be retested for one year.

2. Results of other tests:

Controlled substances:

Any employee who tests positive for any controlled substance will be placed on suspension with pay until such time as the School Board meets and acts to terminate said employee. Any employee with a positive controlled substance test shall be terminated. The employee who refuses to submit to a controlled substance test or engages in conduct that obstructs the testing process shall be placed on suspension with pay until such time as the School Board meets and acts to terminate said employee.

Alcohol:

Any employee with a test result of BAC .04 or greater will be placed on suspension with pay until such time as the School Board meets to decide his/her employment status. Any employee with a test result of between BAC .02 and BAC .039, inclusive, shall be placed on a twenty four (24) hour stand down period with pay, and the result will be considered negative. The employee will receive a written reprimand to be placed in the employee's personnel file. Any employee who tests BAC .02 or greater on a second occasion shall be placed on suspension with pay until such time as the School Board meets and acts to terminate said employee. Any employee who refuses to submit to an alcohol test or engages in conduct that obstructs the testing process shall be placed on suspension with pay until such time as the School Board meets and acts to terminate said employee.

Post-Accident:

A positive post-accident test result for a controlled substance, drug or alcohol by an employee or volunteer may result in the loss of worker's compensation and medical employee or volunteer may result in the loss of worker's compensation and medical indemnity benefits.

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(h) Treatment and Notice Requirements:

Notice of Affected Employees:

The School Board will communicate to all employees required to hold a Commercial Driver's License as a condition of employment the reasons for conducting said tests prior to conducting the drug and alcohol testing. The School Board shall provide written notice of the required testing to affected employees and shall provide oral and written notice at the time of the actual testing. Any affected employee notified to contact a Medical Review Officer shall do so within twenty-four (24) hours of such notification. Any employee performing a non-safety sensitive job responsibility will not be randomly tested during that period of time.

Education and Training

The School Board will provide instruction and educational materials that explain the requirements of the program and its policies and procedures with respect to the implementation of this policy. A list of all prescription and over-the-counter drugs that may cause a positive test result shall be included in these materials.

Treatment Information:

Each employee who engages in prohibited conduct will be referred to a substance abuse professional and become eligible for the District's Employee Assistance Program. The cost of any non-Employee Assistance Program treatment will be the responsibility of the one who is referred for treatment.

Any employee who feels unable to comply with drug testing, as outlined in the *Federal Omnibus Transportation Employee Testing Act of 1991*, may request rehabilitation assistance through the Employee Assistance Program. Said request will be made to the employee's supervisor prior to being selected for random testing. The employee's request will be confidential and will entitle the employee to apply for use of the Employee Sick Leave Bank if needed to complete a rehabilitation program. Taking said leave will not affect the employee's employment status, require the employee to undergo follow-up testing, or return to duty testing, or be considered as grounds for reasonable suspicion testing; and all requests and communications will be held in strictest confidence.

(i) Definitions:

1. Alcohol use is the consumption of any beverage, mixture, preparation (including medication prescribed or over-the-counter) or product containing alcohol. A comprehensive list of these products that may cause a positive test result shall be included in the district

Part III – Transportation

supplied educational materials.

2. Affected or covered employees include any person who operates a Commercial Motor Vehicle, including casual or intermittent drivers, or anyone performing a safety sensitive function.
3. A Commercial Motor Vehicle is:
 - a. A vehicle which has a gross weight vehicle rating (GWVR) of 26,000 lbs. or higher , or
 - b. A vehicle which is rated by the manufacturer to transport 16 or more persons, including the driver, or
 - c. A vehicle which transport hazardous materials and must be placarded accordingly.
4. Exceptions to pre-employment testing can be permitted if the applicant has participated in a drug/alcohol testing program within the previous thirty (30) days and the program of the previous employer complies with Part 382, and, the applicant has been tested within the previous six months from the date of application, or has been in a random driving testing pool for twelve (12) months prior to submitting an application.
5. Prohibited Drugs/Controlled Substances are any illegal drug or substance as identified in Schedules I through V of Section 202 of the Controlled Substances Act and as further defined in 21 CFR1300.11 through 1300.15. This includes, but is not limited to, marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine. Illegal use includes the use of any illegal drug or the misuse of any legally prescribed or obtained prescription drug.
6. Refusal to submit (to an alcohol or controlled substances test) means that a covered employee (1) fails to provide adequate breath for testing without a valid medical explanation after the employee has received notice of the requirement for breath testing in accordance with the provisions of this part, (2) fails to provide adequate urine for controlled substances testing without a valid medical explanation after the employee has received notice of the requirement for urine testing in accordance with the provisions of this part, or (3) engages in conduct that clearly obstructs the testing process.

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7. Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work or is required to be ready to work until he/she is relieved from all responsibility for performing work. It includes driving, waiting to be dispatched; inspecting and servicing equipment, supervising, performing or assisting in loading and unloading, repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other work for the district or paid work for any other entity (49 CFR 382-107, 395.2).

(j) **Legal Recourse**

1. Nothing in this policy limits or restricts an effected employee' s constitutional right to seek appropriate restitution and damages if improper or inaccurate testing caused the disapprobation.
2. Discipline or discharge for substance abuse shall be for just cause and subject to the locally adopted Collective Bargaining Agreement and its Grievance Procedure.

General Statutory Authority: 120.52, 120.53, 120.54, 1001.42 F.S.

Specific Statutory Authority: 1001.41, 120.54(6) F.S.

History: Revised 12/8/11

CHAPTER 6 – BUSINESS AFFAIRS

Part III – Transportation

RULE 6.50	Transportation Handbook
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“All rules, procedures, or policies pertaining to school transportation will be referenced in the School Board of Hardee County Transportation Handbook.”

History:	Adopted	6/24/99
	Revised	12/8/11

PART IV
FOOD SERVICES

- 6.60** **Purposes and Philosophy**
- 6.61** **Objectives**
- 6.62** **Responsibilities and Duties**
- 6.63** **Purchases**
- 6.64** **School Food Service Programs**

CHAPTER 6 – BUSINESS AFFAIRS

Part IV – Food Service

RULE 6.60

PURPOSES AND PHILOSOPHY

POLICY

School food service is an integral part of the total education program and is governed by the same principles and types of control as any other division of the school. Good nutrition is an important ally of health and achievement and when the food service program is integrated into the educational program of the school, the food service program offers an opportunity to teach diet and health habits in their natural setting. The food service program will be operated in such a manner as to comply with the federal and state rules regarding school food service.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part IV – Food Service

RULE 6.61	OBJECTIVES
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1. To provide school food services consistent with the needs of students.
2. To provide school food services that contributes to the student's educational experiences.
3. To provide school food services that complies with federal and state rules.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part IV – Food Service

RULE 6.62

RESPONSIBILITIES AND DUTIES

POLICY

- (1) The School Board. The School Board shall assume such responsibilities and exercise such powers and perform such duties as may be assigned to it by law or as may be required by rules of the State Board or as in the opinion of the School Board are necessary to assure school food services, consistent with needs of pupils; effective and efficient operation of the program; and the proper articulation of the school food services program with other phases of education in the district.
- (2) The Superintendent of Schools. The Superintendent shall be responsible for the overall administration of the school food service program within the school district, through the director of school food service.
- (3) The school Food Service Director. The director shall be responsible for the direct supervision of the district school food service program. The director will assist in the development of rules to effectuate the efficient operation of the food service program. The director will be responsible to the Superintendent and will work in cooperation with the principal of each school in evaluating and improving the program in that school.
- (4) The school Food Service Manager. The manager shall be responsible for the direct supervision of the staff and program of the food service operation of the school to which he/she is assigned. He/she will be responsible to the Food Service Director and cooperate with the principal in furthering the food service program in that school.
- (5) The principal. The principal of each school shall cooperate with the Food Service Director in the general supervision of the food service program in his/her school. He/she will work in cooperation with the Food Service Director to evaluate and improve the program in the school.
- (6) The food service employees. The food service employees in each school will follow all rules established for the operation of food service in the school in which they are employed.

General Statutory Authority: 1001.41, F. S.

Specific Statutory Authority: 1001.42(16), F. S.

History: Revised 01/12/12

CHAPTER 6 – BUSINESS AFFAIRS

Part IV – Food Service

RULE 6.63

PURCHASES

POLICY

Purchases of goods and services for the food service program shall be subject to all requirements of Section 6.07, except that formal competitive bids shall not be required for:

- (1) Food products, exclusive of milk.
- (2) Fresh produce.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 6A-7.0411 SBER

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part IV – Food Service

RULE 6.64	SCHOOL FOOD SERVICE PROGRAM
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POLICY

1. The Superintendent of Schools shall recommend to the School Board, for its approval, policies governing the operation of the School Food Service Program.
2. The Superintendent of Schools is directed, from time to time, to recommend policies to provide for an appropriate food and nutrition program for students consistent with federal law and State Board of Education rule.

General Statutory Authority: 120.536, 120.54, 120.81, 1001.41(2), 1001.43 et seq, 1001.51 et seq, 1012.23 F.S.

Specific Statutory Authority: 1006.06(3), F.S.

History: Adopted 11/8/07

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

RULE 6.80

USE OF SCHOOL PROPERTY

POLICY

School property, facilities, and equipment are intended primarily for school educational purposes and for the benefit of children. No other use shall interfere with these purposes. The principal shall approve the use of school property, facilities, and equipment for any group. He or she shall be responsible for safeguarding such property, facilities, and equipment. In addition, he shall see that the district requirements are observed, that proper forms are executed, and that payments when required are made. A “Request for Use of School Facilities Form” shall be completed and the “Rules and Regulations pertaining to use of Buildings and Grounds” shall be adhered to.

- (1) Use of school property without charge
 - (a) School facilities and equipment shall be available for any district educational purpose with the approval of the principal or principals of the schools affected.
 - (b) School facilities may be made available without charge to wholesome national youth groups operating under a county organization which is properly supervised and sponsored by some educational organization. A “Request for Use of School Facilities Form” and the “Rules and Regulations pertaining to use of Buildings and Grounds” shall be executed with the county organization for all schools and also for each individual school.
 - (c) School buildings, facilities, or equipment shall be made available for civil defense upon notification of the district office and the principal of the school affected.
 - (d) School facilities shall be made available to the Board of County Commissioners for voting places and primary, regular, or special election with the approval of the principal who shall make arrangements so the election will not interfere with the operation of his/her school.
 - (e) School facilities may be made available during out of school hours for any

Part V – School Facilities

legal assembly or governmental function with the approval of the principal and the School Board.

- (f) Principals are encouraged to work with community recreational leaders in providing the use of school facilities; provided, that such activities do not interfere with the school program and provided that the proper forms are processed to relieve the School Board of any liability.
- (2) Use of school property with a charge being made
- (a) School buildings may be made available for specific, temporary, short-term purposes to organizations which are civic, religious, or community connected upon the payment of a fee specified in the Board approved Fee Schedule; such fee to be in amount adequate to cover the costs of utilities, custodial services and other personnel services as needed. All payments will be made to the Hardee County School Board through the school principal. The principal shall be responsible for seeing that the building is under adequate supervision and that adequate custodial services and/or other personnel services are needed are provided. Where school lunch facilities are used, the principal shall see that these facilities are under the supervision of qualified school food service personnel. Any request for school facility use shall be initiated through the recommendation by the principal.
 - (b) School facilities may be made available to county, city or community organized recreational groups upon processing of a Board lease agreement and upon payment of fees where required. These requests shall be recommended by the principal and then sent to the Superintendent for School Board approval.
- (3) Restricted uses of school buildings. No school building shall be used for any of the following purposes:
- (a) Programs involving any form of gambling or other illegal activity.
 - (b) Private teaching.
 - (c) Programs that are in violation of any School Board rule.
 - (d) Political meetings.

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- (e) Any organization or party which believes in or teaches, directly or indirectly, the overthrow of the government of the United States or of Florida by force or violence.
- (4) Written appeal. Where any group or organization feels that it should not have been denied the use of school facilities, a written appeal may be made to the School Board.
- (5) Governmental agencies. The development of or the exchange of school facilities with a governmental or civic group shall be through mutual agreement recommended by the principal and Superintendent and approved by the Board. Such agreements shall be initiated by the principal on the proper agreement forms through the Superintendent.

General Statutory Authority: 1001.41 (2), F.S.

Specific Statutory Authority: 1013.10, F.S.

History: Revised 1/12/12, 8/28/14

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

RULE 6.81	IMPROVEMENTS TO SCHOOL PLANTS AND GROUNDS
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POLICY

Any group, including the parent-teacher association, which desires to improve the school site, to add facilities, or to install equipment shall submit a written proposal to the principal, Director of Facilities (Building Code Official), and Superintendent for approval. Any improvements, additions or equipment must be approved for code compliance to Florida Building Code, School Requirements for Educational Facilities, Florida Fire Prevention Code and American's Disability Act. Any such improvement or addition shall become the property of the School Board.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History: Revised 1/12/12

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

RULE 6.82	VANDALISM AND MALICIOUS MISCHIEF
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POLICY

Where Vandalism occurs to school property, the principal shall report the matter immediately to the Superintendent and to the proper law enforcement agency giving all available information.

- (1) Where a pupil willfully damages school property, he/she shall be properly disciplined and his/her parents or guardian shall be requested in writing to restore or replace such damaged or destroyed property as determined by the true value established by the Superintendent. In the extreme cases of vandalism, a student shall be subject to suspension or dismissal from school under the charge of serious misconduct. Each school shall formulate local school rules to properly deal with the abuse of school property by pupils.
- (2) Where vandalism or theft of school property is known to have been committed by a minor and the parents or guardian refuse to restore or replace the property, a civil action against the parents or guardian may be instituted by the School Board in an appropriate action to recover damages as provided by law.
- (3) In any case of willful or negligent damage to school property by a person other than a student, the user or person responsible for the damage shall be responsible for the replacement of the property or for payment of the damages in accordance with the true value as determined by the Superintendent.
- (4) Each organization which is granted a permit for the use of public property shall be responsible for any undue damage to the buildings, equipment, or grounds and shall pay any such damage in accordance with the true value as determined by the Superintendent. Failure to comply with a request for payment of such assessed damages shall result in the individual, group or organization being ineligible for further use of school property and such legal action as the School Board deems proper to recover the amount of damages.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 741.24, F.S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

RULE 6.83	DISPOSAL OF SCHOOL PROPERTY
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POLICY

- (1) Real property may be disposed of only after having been officially declared unnecessary or unsuitable for school purposes by resolution of the School Board.
 - (a) When such property, in the opinion of the School Board, has an estimated value of less than \$5,000, the Board shall determine the procedure to be followed for disposal, which may be by either public sale, or private sale, or negotiation.
 - (b) When such property, in the opinion of the School Board has an estimated value in excess of \$5,000, the Board shall dispose of the property by public sale in the manner prescribed by Section 274.06 Florida Statutes.
 - (c) Notwithstanding the provisions of (a) and (b) herein, the School Board may transfer any real property, regardless of value, to another governmental unit for whatever consideration the School Board determines to be in the best interests of the school district.
- (2) The School Board shall reserve all mineral rights to any land acreage legally owned and controlled by the Board, if and when such property is disposed of in any manner.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 274.05, 274.06. F. S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

RULE 6.84	ANNUAL MAINTENANCE SURVEY
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POLICY

It shall be the policy of the School Board to request the Superintendent or his/her designee to conduct an annual survey of maintenance needs for each school site. These needs should then be prioritized and included in each budget. A plan should be developed for completion of essential projects.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1001.51, F.S.

History:

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

RULE 6.85 BUILDING OPERATION, MAINTENANCE AND SAFETY

POLICY

- (1) The responsibility for care and maintenance of school plants is shared by all personnel.
- (2) Repairs and maintenance required by the maintenance department will be submitted on a request form to the maintenance department by the Principal, Director or their designee. Then a work order will be issued.
- (3) Safety inspections shall be performed annually in accordance with law and State Board Rules.
- (4) Planned safety training for staff will be provided annually.
- (5) Fire exit and emergency evacuation drills shall be held in accordance with law and State Board Rules.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1001.51 F.S.

History: Revised 1/12/12

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

RULE 6.86

CONFORMITY TO CODES

POLICY

1. The policy of the School Board is that it shall not approve any plans for the construction, renovation, remodeling, or demolition of any educational or ancillary plants unless these plans conform to the requirements of the Florida Building Code and the Florida Fire Prevention Code.
2. The Superintendent of Schools shall assure that all recommendations to the School Board are, as pertinent, in conformity to the Florida Building Code and Florida Fire Prevention Code.
3. On a project by project basis, the School Board may, by motion delegate to the Superintendent of Schools authority for submitting documents to the Florida Department of Education.

General Statutory Authority: 120.536, 120.54, 120.81, 1001.41(2), 1001.43 et seq, 1001.51 et seq, 1012.23 F.S.

Specific Statutory Authority: 1013.371(1), F.S.

History: Adopted 11/8/07

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

RULE 6.87	FACILITIES WORK PROGRAM: NOTICE
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POLICY

1. The Superintendent of Schools shall provide proper public notice to the parents of public school students and other members of the public of the opportunity for public comment regarding the School Board's educational facilities work program, in accordance with the provisions of s. 1013.35, F.S.

General Statutory Authority: 120.536, 120.54, 120.81, 1001.41(2), 1001.43 et seq, 1001.51 et seq, 1012.23 F.S.

Specific Statutory Authority: 1002.20(21(c) F.S.

History: Adopted 11/8/07

CHAPTER 6 – BUSINESS AFFAIRS

Part V – School Facilities

Rule 6.88	RULES AND REGULATIONS PERTAINING TO USE OF BUILDINGS AND GROUNDS
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POLICY

- The application for “Request for Use of School Facilities” is to be filled out triplicate. (White Copy – Applicant), (Yellow Copy – School/Site), (Pink Copy – County Office).
- Proof of Insurance is required naming the Hardee County School Board as an additional insured, showing a liability limit of \$500,000 and dates policy is in force, or to reimburse the School Board for the cost of the additional coverage.

SCHOOL FACILITY USAGE

The philosophy of the Hardee County School Board is that maximum use should be made of all school properties. The Board, however, reserves the right to prohibit activities that are determined to be inappropriate e.g. dirt bike races, horse shows, etc. School Board buildings and enclosed fields and courts are available to groups of citizens in Hardee County all days of the week, subject to the following provisions:

- 1) Application must be sent to the principal/director of the school/site at least ten (10) days in advance of the date desired.
- 2) The principal/director or his/her designee shall designate the number of custodians and other help required in all applications.
- 3) The complete application granting the use of the building or grounds will be sent to the person signing the application.
- 4) All school activities will take precedence over non-school activities.
- 5) Organizations and groups using buildings/grounds shall conform to the hours and dates specified in their application. Changes can be made only with the consent of the principal/director.

Part V – School Facilities

- 6) Consumable school materials and equipment may not be used by non-school organizations or individuals.
- 7) Removal of school equipment from buildings or grounds to which it has been assigned is not authorized.
- 8) Proper supervision of all activities held in school buildings/grounds must be provided.
- 9) Parent/Teacher groups, scout organizations, and similar groups may use the buildings/grounds without paying any fee provided their meetings and activities coincide with times the buildings/grounds are normally open and when a custodian is on regular duty. At other times, the Superintendent or his/her designee may change or waive charges for scheduled fees but the organization must pay custodial service charges at the established rate.
- 10) Community groups, other than those listed in Item #9, shall pay fixed charges for use of facilities. Payment of fees will be made to the Superintendent's designee in accordance with the official fee schedule maintained by the District Finance Office.
 - a) For-profit cultural and artistic groups which include or benefit District school students may be permitted to use school facilities provided the Superintendent or designee determines there is sufficient cultural benefit to students.
 - b) Requests for exemption from all or a part of the regular charges for such use may be approved by the Superintendent, or designee.
- 11) The individual who signs the application blank will be held responsible for any breakage or damage to equipment, buildings or grounds reasonable attributable to their use during the period named in their application.
- 12) Use of intoxicant of any kind is prohibited at all times in the buildings and on school grounds. Tobacco products are prohibited.
- 13) Placement of decorations or scenery, or moving equipment is prohibited unless special permission is given.
- 14) Responsibility for preservation of order and safety must be assured by the applicant.

Part V – School Facilities

- 15) Where a large assemblage of people is expected, the applicant should arrange for adequate police and fire protection.
- 16) The applicant must assume responsibility promptly for any loss or damage.
- 17) All social functions attended by minors must be adequately chaperoned.
- 18) People attending any function are restricted in the use of the building/grounds to areas actually designated in the application.
- 19) No substance (wax, paraffin, etc.) may be put upon the floors under any circumstances.
- 20) Applicants desiring to use kitchens facilities must contact the Director of Food Service.

Request for exception to these policies will be referred to the Superintendent.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1013.10, F.S.

History:

Adopted	1/12/12
Revised	3/28/13, 8/24/14

CHAPTER 7
CURRICULUM AND INSTRUCTION

PART I

7.01

STUDENT PROGRESSION

Student Progression Plan

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part 1 – Student Progression Plan

RULE 7.01

STUDENT PROGRESION PLAN

POLICY

Student Progression Plan shall be in accordance with the provisions in the “Student Progression Plan” on file in the office of each school principal and the Superintendent as adopted by the Board and hereby incorporated by reference as a part of the rules of the Hardee County School Board.

See Appendix: Student Progression Plan.

History: Revised 4/12/12

PART II
GENERAL PROVISIONS

- 7.10 Graduation Exercises
- 7.11 High School Diplomas
- 7.12 Driver Education
- 7.13 Homework Assignments
- 7.14 Instructional Material
- 7.14.1 Challenged Materials
- 7.15 Unsuitable Textbooks, discarding and disposing of
- 7.16 Management of Textbooks
- ~~7.17 Sale of Textbooks (Deleted 4/12/12)~~
- 7.18 Adult Education
- 7.19 Make-up Work
- 7.20 School Day Schedules
- 7.21 Parent Conferences
- 7.22 Summer Programs
- ~~7.23 Professional Library (Deleted 4/12/12)~~
- 7.24 Special Interest Activities
- 7.25 Field Trips
- ~~7.26 Teacher Education Center (Deleted 4/12/12)~~
- 7.27 Assessing and Reporting Student Performance
- ~~7.28 General Educational Development Test (Deleted 4/12/12)~~
- ~~7.29 Florida Academic Scholar's Program (Deleted 4/12/12)~~
- 7.30 Vocational Student Follow-up Survey
- 7.31 Annual School and Districts Reports
- 7.32 Student Performance Standards of Excellence
- 7.33 Instructional Activities involving Biological Experiments
- 7.33.1 GED Tests Eligibility
- 7.34 K-12 Students and Parents Rights: Dropout/AIP Programs

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

Rule 7.10

GRADUATION EXERCISES

POLICY

When weather permits, graduation exercises will be held on the date established by the school calendar in a facility large enough to accommodate all graduating seniors and their guests in a single ceremony.

- (1) Each school shall have plans for alternate sites in the event of inclement weather. When two or more schools select the same alternate site, such schools may select successive days for their exercises or different hours of the same day; provided, that this decision is made and publicized at least one month before the date of graduation exercises. If successive days are selected, one shall be the date established by the district school calendar and the other shall be the day before or the day after that date.
 - (a) In the event the exercises are held indoors, the principal will ensure that there is sufficient space for at least four guests for each graduating student and that each graduate is provided with four admission tickets at least a day before the date of graduation.
 - (b) If the facility will not accommodate the entire graduating class and guests at one time, the exercises shall be held in two or more sections. The class will be divided equally and alphabetically so that each student will be assured of sufficient space for at least four guests.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.11

HIGH SCHOOL DIPLOMAS

POLICY

High school diplomas shall be standardized in the Hardee County school district.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.
6A-1.0995 SBER

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.12

DRIVER EDUCATION

POLICY

A course in driver education will be available at Hardee Senior High. Such course shall meet the requirements of State Board of Education Rules.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1003.48, F.S.

History: Revised 10/9/14

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.13

HOMEWORK ASSIGNMENTS

POLICY

It is the policy of this district to consider homework as an integral part of the students' total program.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1003.428, F.S.

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.14	INSTRUCTIONAL MATERIALS
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POLICY

Textbooks and other instructional materials shall be selected, requisitioned, distributed and accounted for as provided by law.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.28, 1006.40, F.S.

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.14.1

CHALLENGED MATERIALS

POLICY

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

- (1) Parents and community members may register their concerns with the Superintendent or principal of the school where material is being challenged by requesting a conference to discuss the use of said materials.
- (2) The principal or Superintendent will explain the use of the material in the instructional program and answer questions from the individual.
- (3) If the issue is not resolved at the conference, the complainant will be provided with the District form to file a written objection. The District form is available in each school office, the Superintendent's office, or on the District website. The written objection must be filed within thirty (30) calendar days of the selection of the material. A complainant who does not complete and return the form within the required time shall receive no consideration.
- (4) Within thirty (30) days after the initial thirty-day period has expired, the School Board shall conduct at least one public hearing on all petitions received during the thirty-day time period. The petitioner(s) shall be notified in writing of the date and time of the hearing at least seven (7) days prior to the hearing.
- (5) The decision of the School Board, after convening a hearing, shall be final and not subject to further review or petition.

School-level Appeals

- A. A committee of teachers, media specialists, and other qualified personnel shall be appointed by the principal to evaluate the challenged materials and to make recommendations of any changes. The principal shall notify the Superintendent when a committee is convened.
- B. Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
- C. Challenged materials shall be read and re-evaluated by the committee, considering the specific objections raised. The committee shall report its decision within fifteen (15) working days.
- D. The complainant shall be informed in writing concerning the committee's recommendations.

Part II – General Provisions

District-level Appeals

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

- A. A committee shall be appointed by the Superintendent to review the appeal. The Superintendent shall designate the Deputy Superintendent as being responsible for the organization of the review committee. The committee's recommendations shall be submitted to the Superintendent within fifteen (15) working days. The following shall serve as a review committee:
 - 1. Two media specialists;
 - 2. An elementary and secondary principal;
 - 3. A district supervisor
 - 4. Two (2) elementary and two (2) secondary instructional staff members
 - 5. Two (2) parents from the community
- B. The committee's review shall be treated objectively, unemotionally, and in a businesslike manner and shall be conducted in the best interest of the students, the school, and the community. Efforts shall be made to meet with citizens who register concerns to consider their objections.
- C. The complainant shall be informed, in writing, in fifteen (15) working days after the committee's recommendation is received by the Superintendent.
- D. A School Board appeal may be requested by the complainant when the school and district-level appeals do not satisfactorily resolve the concerns. The School Board shall review recommendations from the school and district-level committees and shall render the final decision on the complainant's concern.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.28, F.S.

History Adopted 9/10/15

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.15	UNSUITABLE TEXTBOOKS, DISCARDING AND DISPOSING OF
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POLICY

The following procedures shall be followed in discarding and disposing of unsuitable textbooks:

- (1) The Superintendent or his/her authorized representative shall determine which books in the district are in such physical condition as to make them unsuitable for further use or for renovation.
- (2) If the books cannot be sold, they may be given to a governmental or charitable agency, or to individuals.
- (3) Where books cannot be sold or given to a governmental or charitable agency, the Superintendent may direct that the books be destroyed.
- (4) Where surplus books are usable but have been removed from inventory, they may be given to any charitable or governmental agency, private school, or student wanting them; provided that a listing has been sent to the department of education so that the books may possibly be used in the inter-district exchange. If the books cannot be disposed of they may then be disposed of as prescribed above.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.41, F.S.

History: Revised 4/12/12

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.16	MANAGEMENT OF TEXTBOOKS
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POLICY

The principal shall be responsible for the proper handling of textbooks. In the discharge of this responsibility the following shall be observed:

- (1) All textbooks received by the school shall be properly accounted for by the school.
- (2) When a book is lost or damaged beyond normal usage, the student shall pay the cost of replacement or the amount assessed for damage.
- (3) In the case of lost books or a book damaged beyond use, the amount to be charged or collected shall be determined as follows:
 - (a) New book (issued first time) – total purchase price.
 - (b) A book in use less than two years – 75% of purchase price.
 - (c) A book in use for more than two years and suitable for distribution and in current adoption – 50% of purchase price.
- (4) Under no condition may a cumulative record, report card, or progress report be delayed or may grades be withheld from the permanent record for failure to pay an assessment for destroyed, lost or damaged books or for any other cause.
- (5) Where a pupil has failed to pay for lost or damaged books and extenuating conditions do not exist, no additional library or textbooks shall be issued until the obligation has been met.
- (6) Textbooks lost or damaged beyond normal usage and not collected for will be charged against the school's allocation on the basis of the schedule in subsection (3) of this rule.
- (7) Teachers shall make periodic checks to see that students can account for books issued to them and to determine book care.
- (8) The School Board will hold the principal responsible, the principal shall hold the teachers responsible, and the teachers shall hold the student responsible for all textbooks.

Part II – General Provisions

- (9) The School Board will determine the textbook allocation to the several schools of the district.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.28, F.S.

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.18

ADULT EDUCATION

POLICY

- (1) The adult education program shall be under the immediate direction of the Director of Adult Education.
- (2) The School Board shall establish and maintain, where needed in the district, programs of basic and secondary education. An adult, for the purposes of this program, shall be defined as a person who has attained the age of (18) years, or who has legally withdrawn from the elementary and secondary school last attended. The adult education program shall be open to any adult resident of the district who has needs to further his/her education.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1000.04, 1001.32, 1001.42, F.S.
6A-6.020 SBER

History: Revised 4/12/12, 10/9/14

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.19

MAKE-UP WORK

POLICY

Students who are absent for acceptable reasons shall be permitted and assisted by teachers in making up any missed assignments. The student must make arrangements with the teacher to make up all class work missed. It is the student's responsibility to make these arrangements.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1003.26, F.S.

History: Revised 4/12/12

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.20

SCHOOL DAY SCHEDULES

POLICY

The time for the opening of the school day at each school and each level shall be set by the Superintendent on the recommendation of the principal. The Superintendent is empowered to alter the schedule on a temporary basis.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, 1001.51, F.S.

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.21

PARENT CONFERENCES

POLICY

It is the policy of this district that parents should be encouraged to confer with teachers on a regular basis. Teachers should request parent conferences in all cases where student problems are developing. Reports are made by school principals or teachers to parents, apprising them of the progress being made by the students in their studies and giving other needful information.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History: Revised 4/12/12

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.22

SUMMER PROGRAM

POLICY

A summer program including both remedial and compensatory courses, as authorized by law, is conducted for the benefit of county students. Hardee County may offer a summer program for migrant students, a pre-school program, and make-up of junior and senior high school courses to meet promotion or graduation requirements. The summer program will be carried on to the extent of available school facilities and personnel, and in accordance with provisions of the annual school budget.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History: Revised 4/12/12

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.24

SPECIAL INTEREST ACTIVITIES

POLICY

The school program shall include learning activities which are voluntary in nature and designed to meet the educational needs of the students with special interests and aptitudes. These include: Student Council; National Honor Society; Key Club; Lionettes; Future Business Leaders of America; Future Farmers; Band; Chorus; American Sign Language; Academic Team, Cheerleading; Chess Club; Foreign Language, H.O.S.A.; Newspaper; Senior Play; Yearbook; Performing Guard; AFJROTC, etc. Secret societies, clubs and fraternities are prohibited by law.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.14, 1001.42, F.S.

History: Revised 4/12/12

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.25

FIELD TRIPS

POLICY

It is the policy of this district to encourage the use of such organized off-campus trips as in the opinion of the Superintendent or principal serve a worthwhile educational objective and can relate to the educational activities of the student.

Procedures for requesting and processing these trips can be found in the Hardee County School Board Transportation Handbook.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History: Revised 4/12/12

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.27	ASSESSING AND REPORTING STUDENT PERFORMANCE
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POLICY

The classroom teacher has the initial and primary authority to assess and report the student's classroom performance as he/she observes it to be.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.30	VOCATIONAL STUDENT FOLLOW-UP SURVEY
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POLICY

There shall annually, as required by law, be a follow-up vocational job survey to record and verify the district's job placement rate, follow-up of early school dropouts and follow-up of graduation.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 230.2313(3), F.S.

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.31	ANNUAL SCHOOL AND DISTRICT REPORTS
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POLICY

There shall annually, as required by law, be a report by each school and a district report summarizing the status of education in the district.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1006.28, F.S.

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.32 STUDENT PERFORMANCE STANDARDS OF EXCELLENCE

POLICY

Students in the district will be given instruction which will afford them the opportunity to master the standards of excellence approved by the State Board of Education.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 6A-1.0941 SBER

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.33	INSTRUCTIONAL ACTIVITIES INVOLVING BIOLOGICAL EXPERIMENTS
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POLICY

All science curriculum guides and science instruction that relates to biological experimentation in grades K-12 shall meet the requirements as set in Chapter 85-70.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: Chapter 85-70

History:

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.33.1 GENERAL EDUCATIONAL DEVELOPMENT TEST ELIGIBILITY
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POLICY

The following requirements shall govern eligibility of candidates to take the GED Tests:

- (1) A person who is not at least eighteen (18) years of age may be permitted to take the General Educational Development (GED) tests upon submission of a statement of justification recommended by the Superintendent's designee. The statement of justification shall be based on at least one of the following circumstances:
 - (a) The candidate justifies a need to be employed that would prevent school attendance; or
 - (b) The candidate is a parent who does not have access child care; or
 - (c) The candidate justifies health condition (s) that would prevent school attendance; or
 - (d) The candidate desires to enter a vocational program, a college or university or military service; or
 - (e) The candidate's school record indicates that he/she has been unsuccessful in high school and is unable to earn the required credits to graduate by the maximum allowed age
- (2) Initial approval, by the Superintendent's designee, shall be based on the candidate's Application for Extraordinary Circumstances. Final approval to take the official GED Examination will be granted by the GED Test Administrator after the applicant has enrolled in the Hardee Adult GED Preparatory Class and has attained a score of at least 150 on each of the four (4) sections of the Official GED Practice Test.
- (3) Incarcerated youth above the age of sixteen (16) years of age at the time of examination may be permitted to take the test based on the written approval of the Department of Corrections Chief Examiner.

Part II – General Provisions

General Statutory Authority: 120.536, 120.54, 120.81, 1001.41(2), 1001.43 et seq, 1001.51 et seq, 1012.23, 1003.435 F.S.

Specific Statutory Authority: 6A-6.021 FAC

History: **Adopted** 11/8/07
 Revised 4/12/12, 10/9/14

Tuition

Effective July 1, 2011, a student enrolled in any adult education program funded with state funds through the General Appropriations Act will be assessed tuition, including students being served through local jails and detention centers.

Block tuition shall be assessed per one half year regardless of the number of programs or instructional hours scheduled.

In order to assess the appropriate tuition fee, it is necessary for the District to establish Florida residency. Residency status will be determined for students whose initial enrollment occurs on or after July 1, 2011. If a student has not been enrolled in adult education for more than twelve (12) months prior to July 1, 2011, a residency determination must be made. The District will use the criteria identified in F.S. 1009.21 to determine residency status for tuition purposes.

All funds received from tuition shall be used only for adult general education programs.

Attendance

A student who is enrolled in the adult general education program is expected to attend every class. Attendance shall be kept and reported for each class by the teacher. Absences shall be counted effective the first scheduled class meeting. An "absence" means non-attendance in a scheduled class session. An excused absence is still an absence for purposes of this policy. Students will be withdrawn after six (6) consecutive absences.

Procedures

The Superintendent shall develop and implement administrative procedures whereby the adult education programs are available to citizens of the District for the above-stated purposes.

F.S. 1003.435, 1004.93, 1004.94, 1009.21, 1009.22(3)(a), (c), 1011.80(10)

CHAPTER 7 – CURRICULUM AND INSTRUCTION

Part II – General Provisions

RULE 7.34 K-12 STUDENT AND PARENT RIGHTS: DROPOUT / AIP PROGRAMS

POLICY

1. Notice: Dropout prevention and academic intervention programs. Each School Principal shall provide the parent or a public school student a written notice, by certified mail, prior to placement of the student in a dropout prevention or academic intervention program.
2. The parent or student receiving such notice shall be entitled to an administrative review of any action by school personnel relating to the student's placement, in accordance with the provisions of s. 1003.53(5) Fla. Stat.

General Statutory Authority: 120.536, 120.54, 120.81, 1001.41(2), 1001.43 et seq, 1001.51 et seq, 1012.23, F.S.

Specific Statutory Authority: 1002.20(2)(d), F.S.

History: Adopted 11/8/07

PART III

EXCEPTIONAL STUDENT EDUCATION

RULE 7.40	DISTRICT PLAN FOR THE PROVISION OF SPECIAL EDUCATION PROGRAMS FOR EXCEPTIONAL CHILDREN AND YOUTH
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POLICY

In compliance with law and rules of the State Board of Education the Hardee County School Board hereby affirms its intent to provide appropriate programs or services for all students who, upon proper evaluation, have been deemed to meet the criteria established by the State Board of Education for the various classifications of exceptionalities. The procedures for conducting such programs shall be in accordance with the "Exceptional Student Education (ESE) Policies and Procedures (SP&P)" adopted by the Board and hereby incorporated by reference as a part of the rules of Hardee County School Board.

General Statutory Authority: 1001.41, F.S.

**Specific Statutory Authority: 1001.42, F.S.
6A-6.03411 SBER**

History: Revised 4/12/12

CHAPTER 8
SCHOOL-COMMUNITY RELATIONS

- 8.01 The Communications Program
- 8.02 Public Participation
- 8.03 Parent-Teacher Association and Parent Clubs
- 8.04 Other School-Community Associations or Organizations
- 8.05 Complaints regarding School Personnel
- 8.06 Soliciting Funds
- ~~8.07 District and School Advisory Committees Deleted 5/24/12~~
- 8.08 School Advisory Councils (School Improvement Teams)
- 8.09 Public Information Procedures: Florida Virtual School

CHAPTER 8 - SCHOOL-COMMUNITY RELATIONS

RULE 8.02

PUBLIC PARTICIPATION

POLICY

- (1) Visits to the schools. The School Board welcomes visits by parents in the schools, especially if pre-arranged and for the purpose of conferences with teachers. Upon arrival at the school, parents should go directly to the office and state the object of the call. Visitors may be assured of every consideration. No visitors are allowed in classrooms while classes are in session unless invited.
 - (a) It shall be the policy of the School Board to encourage parents and all citizens of the community to visit the schools throughout the school year.
 - (b) Teachers should avoid discussing individual students with parents during class session. Parents desiring individual conferences should make and appointment in advance.
 - (c) Visitations by non-enrolled children unaccompanied by adults must be approved by the principal.
 - (d) Loitering in or around school premises is prohibited.
- (2) Appearances and interviews of speakers and distribution of literature. It is the policy of the Hardee County School Board to encourage local men and women, representing various occupations and interest, to visit the school from time to time to share their experiences with students in classrooms.
 - (a) The appearance of speakers on behalf of any philanthropic, charitable, recreational, health, or other worthwhile activity shall, prior to the appearance, be cleared with the school principal.
 - (b) The distribution of literature or materials originating from sources outside of the school system shall be approved by the Superintendent or his designee.
- (3) Promotion and advertising.
 - (a) It is the policy of the Hardee County School Board that the course of study may specify, or the Superintendent may specifically authorize the distribution of bulletins, circulars, or other publications throughout the

CHAPTER 8 - School-Community Relations

schools as long as these bulletins, circulars, or other publications are relative to non-profit, non-commercial organizations. The principals of the

individual secondary or elementary schools may decide whether or not they wish to disseminate certain types of materials in the schools for which they are responsible.

- (b) In no event shall any advertisement which is in any way detrimental to the interests and welfare of the public schools be displayed in any manner.
- (c) In no event shall there be read, distributed, or posted in the schools any advertisement to be called to the attention of public school pupils concerning any course of study other than one under the jurisdiction of the State Board of Education, the Commissioner of Education, the Hardee County School Board, or accredited teaching-training institutions.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F. S.

History: Revised 5/24/12

CHAPTER 8 - SCHOOL-COMMUNITY RELATIONS

RULE 8.03 PARENT-TEACHER ORGANIZATIONS AND PARENTS CLUBS

POLICY

Parent-teacher organizations or parent clubs are considered an important element of the Hardee County Schools organization and are operated to bring into close association the home and school.

- (2) It is the responsibility of the principal of each individual school to:
- (a) Encourage and cooperate with the parent-teacher organization or parents clubs organized in his school.
 - (b) Assist these organizations or clubs to secure and use, free of rental charges, school buildings for their meetings in accordance with district regulations governing such use.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History: Revised 5/24/12

CHAPTER 8 - SCHOOL-COMMUNITY RELATIONS

RULE 8.04	OTHER SCHOOL-COMMUNITY ASSOCIATIONS OR ORGANIZATIONS
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POLICY

It is the policy of the Hardee County School Board that business and industry, labor and cultural groups be encouraged to take an active interest in the school programs, to advise and counsel when appropriate, and when desirable make suggestions as to course content, and to be encouraged to absorb high school graduates into the economy and society of Hardee County. To this end such committees, Boards, luncheon or breakfast clubs or other groups as may aid in accomplishing this policy shall be encouraged.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 8 - SCHOOL-COMMUNITY RELATIONS

RULE 8.05 COMPLAINTS CONCERNING SCHOOL PERSONNEL

POLICY

The Hardee County Schools invite the constructive criticism of all parents and patrons of the district and the schools. Complaints and criticisms are most valuable when they represent the considered recommendations of public-spirited citizens and organizations who have studied all facts in the problem at hand. All significant complaints will be investigated.

- (1) Complaints regarding school personnel shall be referred to the Superintendent.
- (2) Complaints of a non-personnel nature should normally be directed to the principal of a school; however, in the event the complainant is not satisfied in a conference with school representatives (principal, teachers, or counselors), the problem should be referred to the office of the Superintendent. The Superintendent will be available if his presence is desired. If no solution is available which is satisfactory to the parents, they may seek a hearing before the School Board.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1012.22, F.S.

History:

CHAPTER 8 - SCHOOL-COMMUNITY RELATIONS

RULE 8.06

SOLICITING FUNDS

POLICY

All solicitations aimed at school personnel or students by outside organizations must be approved by the principal and/or the Superintendent.

General Statutory Authority: 1001.41, F.S.

Specific Statutory Authority: 1001.42, F.S.

History:

CHAPTER 8 - SCHOOL-COMMUNITY RELATIONS

RULE 8.09 PUBLIC INFORMATION PROCEDURES: EDUCATIONAL PROGRAMS

POLICY

1. The Superintendent of Schools or his/her designee shall distribute applicable information whereby the general public can be adequately informed of the educational programs, needs, and objectives of public education within the district, including educational opportunities available through the Florida Virtual School.

General Statutory Authority: 1001.42(15), F.S.

Specific Statutory Authority: Sections 120.536, 120.54, 120.81, 1001.41(2), F.S.
1001.43 et seq, 1001.51 et seq, 1012.23

History: Adopted 11/08/07