

# **THE SCHOOL BOARD RULES OF OSCEOLA COUNTY, FLORIDA**

## **PREFACE**

The School Board Rules of Osceola County, Florida, were revised and approved by the School Board on August 7, 1990, and became effective on July 1, 1990. Subsequent amendments were adopted on December 18, 1990, March 19, 1991, and April 16, 1991. On July 23, 1991, an annual review was completed and amendments to the Rules were adopted to be effective July 1, 1991. Additional amendments were adopted on September 17, 1991, March 3, 1992 and April 14, 1992. On June 30, 1992, the annual review was completed and amendments to the Rules were adopted to be effective July 1, 1992. Additional amendments were adopted on December 15, 1992. On June 29, 1993, the annual review was completed and amendments to the Rules were adopted to be effective on July 1, 1993. Additional amendments were adopted on January 18, 1994, and May 3, 1994. On June 28, 1994, the annual review was completed and amendments to the Rules were adopted to be effective on July 1, 1994.

For the purpose of readability, the State assigned rule numbering prefix 6Gx49 is not printed for every rule number but should be interpreted to be in existence.

Forms of the word "he" are used in this document based on the second definition in *Webster's Third New International Dictionary*, Copyright, 1986.

Whenever a State Board Rule or a Florida Statute is referenced herein, it shall mean that Rule or Statute as it may be amended from time to time.

Throughout the following set of rules, unless otherwise specified, the terms Superintendent, Assistant Superintendent, Executive Director, Director, Coordinator or Principal shall mean the individual holding said position and his/her designee or representative as permitted by law or regulation.

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### District School System

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## **1.0 THE DISTRICT SCHOOL SYSTEM**

### **1.1 DISTRICT UNIT**

Osceola County shall constitute a school district which shall be known as The School District of Osceola County, Florida. It shall include all public schools, classes, and courses of instruction and all services and activities directly related to education in the district which are under the direction of the district school officials.

Auth: 230.22, F.S.

Imple: 230.01, 230.02, F.S.

### **1.2 CONTROL - ORGANIZATION - ADMINISTRATION**

#### **1.2.1. School Board**

##### **A. Responsibility - Qualifications**

The governing body of the School District of Osceola County shall be known as The School Board of Osceola County, Florida, which shall be composed of five (5) members, as provided by law, and shall determine and adopt such rules and programs as are deemed necessary by it for the efficient operation and general improvement of the Osceola County School District. School Board member residence areas for the purpose of nominating and electing Board members are established by the Board according to Section 230.061, Florida Statutes.

##### **B. Organization**

On the third Tuesday after the first Monday in November of each year, the Board shall organize by electing a chairman and a vice-chairman. The superintendent shall act as the ex-officio secretary. If a vacancy shall occur in the chairmanship, the Board shall confirm the succession of the vice-chairman to the chairmanship or elect a new chairman at the next regular or special meeting.

The organizational meeting shall be conducted pursuant to Section 230.15, Florida Statutes.

##### **C. Duties of the Chairman**

The chairman shall be the presiding officer of the Board, and shall preserve order at the meetings. His signature or his facsimile signature, when authorized for use in the manner prescribed by law, shall appear on all warrants for authorized payments by the Board, and on contracts and other papers pertaining to the business of the Board, when directed by the Board. The Vice-Chairman shall act for the Chairman in his absence or disability.

##### **D. General Powers and Duties of the Board**

In addition to the general powers and duties of the Board as provided by Law, including, but not limited to, Sections 230.22 and 230.23 Florida Statutes, the Board shall:

- (1) Establish the school calendar showing the opening and closing dates. Approve and designate the school holidays and vacation periods to be observed during the year as required by Section 230.23(4)(f)(g), F.S.
- (2) Establish and maintain public evening schools as authorized by Section 230.23, subsection (4)(i), Florida Statutes.
- (3) Appoint members of the Teacher Education Center Council, as provided in Section 231.606, subsection (1), Florida Statutes, and perform other duties and responsibilities as described in subsection (2) of that Section and Board Rule 1.4.
- (4) Establish a School Advisory Council, as provided in Section 230.22, subsection (1)(b), Florida Statutes, including an evaluation of such Councils, and provide for their participation in the preparation of the Feedback Report in accordance with Section 228.165, Florida Statutes. *Amended 6/30/92*
- (5) Have the continuing authority to establish Instructional Materials Council to evaluate instructional materials not previously used within the District, in accordance with Section 233.34, subsection (3) and Section 233.43, Florida Statutes. The functions of this committee are further described in Board Rule 1.5.
- (6) Maintain a system of planning and evaluation as required by subsections 229.555 through 229.58, Florida Statutes.
- (7) Prepare and submit annually to the Department of Education a Master Plan for Inservice Training which shall include a section relating to the Professional Orientation Program as outlined in SBR 6A-5.75 and the Inservice Institute Plan as required by SBR 6A-5.76.
- (8) Develop training programs, in cooperation with the Department of Education, for teacher aides and other personnel who serve in the early childhood and basic skills development program; and shall provide for the periodic evaluation of all appropriate pupils in grades 1 through 3 in order to identify each pupil's instructional needs.
- (9) Elect from the membership of the School Board two (2) members to serve on the Osceola County Board of Tax Adjustment as provided in Section 194.015, Florida Statutes.
- (10) Implement the "Raymond B. Stewart Career Achievement Program for Teachers" as required by F.S. 231.5335 and implemented through SBR 6A-4.046.
- (11) The school board has adopted and staff has implemented current school year attendance areas, non-transportation zones, and bus routes and stops for all schools. In the alternative, the school board has provided for same by school board rule when permitted. Section 230.23 (4)(a), 230.23 (8) and (14), 230.33 (10) 234.112, FS. RULES GA-3.017; 6A-3.017; CA-3.018 (6)a,c) FAS.

E. Meetings

- (1) The Board shall publish and hold not less than one (1) regular meeting each month as prescribed by Sections 230.16 and 230.17, Florida Statutes, and shall establish the calendar of regular meetings annually in accordance with Section 230.15, Florida Statutes.

Special meetings shall be advertised and held in compliance with Section 230.16 and 230.17, Florida Statutes. *Amended 6/30/92*

In the event of a national disaster, a civil emergency, epidemic, or act of God which might necessitate immediate action by the Board, an emergency meeting may be called by the Superintendent without prior advertisement of notice.

- (2) PUBLIC NOTICE OF MEETINGS OR EVENTS *Adopted 3/3/92*

a. Posting

In any instance where the Board is required, or desires, to give notice of meetings or other events, and except when required by law or regulation to give notice by newspaper advertisement, it shall be deemed sufficient notice to post an announcement of the meeting or event on a bulletin board prominently displayed in the lobby area of the Administrative Center.

b. Responsibility

It shall be the responsibility of the Superintendent to see that public notice is given as to all meetings or events in every instance whether required by law or requested by the Board. In the event that notice has not been posted as required by this rule, or as otherwise may be required by law or regulation, then Board members shall be notified and the meeting or event rescheduled after proper notice.

c. Notices Requiring Publication

In every instance where law or regulation requires that notice of a meeting or event be published in a newspaper, the Superintendent shall also post such notice as required by this Rule.

F. Agenda

An agenda for each Board meeting shall be prepared by the Superintendent and delivered to each Board member at least seven (7) days prior to each regular meeting. Supporting material and information for each time on the agenda shall be included whenever possible. An agenda shall be made available to the press radio stations, principals, and others interested at least seven (7) days prior to each regular meeting. Agenda and minutes shall be posted in each school in a place accessible to all personnel.

Any person desiring to have an item placed on an agenda shall submit a request in writing to the Superintendent no later than ten (10) days prior to the meeting date. The agenda shall contain the items to be considered in the order of presentation. After the agenda has been made available, change shall be only for good cause, as determined by the Chairman and stated in the official minutes. Notification of such change shall be at the earliest practicable time.

Board members shall be furnished a copy of the minutes of the previous meeting prior to each meeting.

The agenda for any special meeting of the Board shall be prepared upon calling of the meeting, but not less than 48 hours prior to such meeting.

The agenda for emergency meetings shall be kept to a minimum and shall deal only with those criteria that are necessary to the immediate welfare of students and staff, and for the protection and other necessary use of school buildings, grounds, equipment and supplies. The Board shall cooperate with such other civic, state and national groups as may be necessary to alleviate whatever suffering or harmful conditions exist.

G. Rules Procedure

All references in these rules to statutes and regulations shall be construed to administrative agency. If any such amendment or substitution requires or mandates action or procedures inconsistent with any of these rules, then such rule shall be reviewed annually, or more frequently as directed by the Board, for the purpose of conforming these rules to current statutes and regulations.

The following procedures shall apply for the purpose of adopting, amending or repealing any policy or rule of the Board.

(1) Content of Proposed Change

Prior to the adoption, amendment or repeal of any rule, the Board shall give notice of the intended action, setting forth a short and plain explanation of the purpose and effect of the rule, amendment or form and the specific legal reference of its authorization. In addition, an estimate of the economic impact of the proposed rule, amendment or repeal on all persons affected shall be given. If such an estimate is not possible, a reason shall be provided as to why such an estimate cannot be made. *Amended 7/23/91*

(2) Economic Impact Statement

In addition to (1) above, an Economic Impact Statement shall be prepared by using professionally accepted methodology, with qualification of data to the extent practicable, giving effect to both short-term and long-term consequences. The economic impact statement shall include the following information:

- a. A description of the action proposed, the purpose for taking the action, the legal authority for the action, and the plan for implementing such action
- b. A determination of the least-cost method for achieving the stated purpose.
- c. A comparison of the cost-benefit relation of the action to nonaction.
- d. A determination of whether the action represents the most efficient allocation of public and private resources.
- e. A determination of the effect of the action on competition.
- f. A conclusion as to the economic impact of the proposed agency action on preserving an open market for employment.
- g. A conclusion as to the economic impact upon all persons directly affected by the action, including an analysis containing a description as to which persons will bear the costs of the action and which persons will benefit directly and indirectly from the action.

(3) Notice of Intent

Notice of intent by the Board to adopt, amend, or repeal any rule shall be made 14 days prior to the intended action by publication in a newspaper of general circulation within the District, by mail to all persons who have asked for advance notice of Board proceedings, and by posting the notice in appropriate places so that persons or classes of persons to whom the intended action is directed shall be duly notified. A stated location shall be included in the Notice of Intent as to where the full text of the Economic Impact Statement described in (2) above, may be obtained, if such text is not included in the Notice.

(4) Determination of Validity

Any substantially affected person may seek an administrative determination of the validity of any proposed rule on the grounds that the rule is an invalid exercise of delegated legislative authority, as specified in Section 120.54 subsection (3) Florida Statutes. No rule shall be adopted until 21 days after the notice required by Section 120.54, subsection (1) or until the hearing officer specified in Section 120.54, subsection (3) has rendered his decision. In the event part of a proposed rule is declared invalid, the Board may, in its sole discretion, withdraw the proposed rule in its entirety. Hearings held under the provisions of Section 120.54, subsection (3) shall be conducted in the same manner as provided in Section 120.57, Florida Statutes, except that the hearing officer's order shall constitute the final legal action of the Board.



(5) Petitions for Declaratory Statements

Any person whose interest may be affected by agency action may seek a declaratory statement from the Board as to the applicability of any statutory provision on any rule or order. The Board may hold a hearing on the request and upon its conclusion shall issue a declaratory statement pursuant to such hearings, as provided in Section 120.565, Florida Statutes. In the event no hearing is deemed necessary, a declaratory statement shall be issued by the Board within sixty (60) days of the date the petition is filed with the Office of the Superintendent. The declaratory statement shall be distributed to the person or persons who made petition of the Board and also to those individuals, groups, and organizations as are described in Rule 1.2.1.G(3) with regard to the Notice of Intent by the Board to adopt, amend or repeal any rule.

(6) Filing of Proposed Rules

One certified copy of the proposed rule shall be filed with the Superintendent's office not more than ten (10) days after the conclusion of the final public hearing, and may be withdrawn only in accordance with subsection (11) of Section 120.54, Florida Statutes, prior to its effective date.

(7) Emergency Rules

If the Board finds an immediate danger to the public health, safety or welfare requires emergency action, it may adopt any rule necessitated by the immediate danger by any procedure which is fair under the circumstances and necessary to protect the public interest, provided that:

- a. The procedure shall provide at least the procedure protection given by other statutes, the Florida Constitution, or the United States Constitution.
- b. The Board shall take only that action necessary to protect the public interest under the emergency procedure.
- c. The Board shall publish in writing at the time of, or prior to, its action the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare and its reasons for concluding that the procedure used is fair under the circumstances.

H. Official Minutes

The minutes, when approved by the Board, shall be signed by the Board Chairman and the Superintendent. They shall then be kept as a part of the public record in the office of the Superintendent.

I. Legal Counsel

Should legal services be needed, the Board may employ or retain a

competent attorney to render such services. A formal opinion or an informal interpretation of law from the general counsel for the Department of Education for administrative purposes may be requested when necessary by the Superintendent or a Board member through the Director of the Division of Public Schools.

J. Appointment and Reappointment of Personnel

- (1) The Board shall act in compliance with Section 230.23, subsection (5), Florida Statutes, with regard to the appointment of instructional and professional support staff.
- (2) In emergency cases, the Superintendent may make temporary appointments to approved positions pending action by the School Board at the next meeting.
- (3) The School Board may reject for good cause any supervisor, principal or other employee nominated in accordance with Section 230.23, subsection (5) (b), Florida Statutes. In the event the third nomination by the Superintendent for any position is rejected, the School Board shall then proceed on its own motion to fill such position.
- (4) The School Board recognizes the importance of the School Advisory Councils in the quality of education at the individual schools, and is committed to the concept of School Advisory Councils being involved in the planning process at each school. *Adopted 8/17/93*
  - a. Each School Advisory Council may, on an annual basis, provide input to the Superintendent relative to the administrative leadership at each school.
  - b. Before making any recommendation to the School Board for the transfer, reappointment or assignment of a principal or assistant principal to a school site that is different from the school assignment that preceded the reappointment, assignment or transfer, the Superintendent will review the input of the School Advisory Council of each affected school.
  - c. The Superintendent shall not be bound by the advice or recommendation of the School Advisory Council, and shall be free to accept or reject its recommendation.

K. Collective Bargaining

The School Board shall serve as public employer with the responsibility for ratification of collective bargaining agreements.

L. Personnel Records

Adequate personnel records shall be established and maintained for all employees. The authentication of the service and leave records of instructional personnel for administrative and auditing purposes shall be in

accordance with State Board Regulation 6A-1.69.

All filing equipment for personnel records maintained in the district school offices shall have a locking device and shall bear a certified fire protection label so as to insure preservation of records against heat and smoke damage in case of fire, for at least one (1) hour.

M. Board Salary - Expenses

The salary for the Board Members is established by law. In addition to the salary provided, each member of the Board shall be allowed, from District School Funds, reimbursement for travel and per diem expenses at the maximum rate authorized by Section 112.061, Florida Statutes.

When lodging or meals are provided at a state institution, the traveler is not eligible for the normal maximum allowances and may be reimbursed only for actual expenses for lodging and meals, not to exceed the normal maximum allowances.

For conferences, the per diem rate shall be the maximum authorized by said statute. Whenever a Board member is required to incur either Class A or Class B travel, on emergency notice to the member, such member may request the District to pay his expenses for meals and lodging directly to the vendor, and the District may pay the vendor the actual expenses for his meals and lodging during the travel period, limited to an amount not to exceed that authorized by current laws and State Board of Education rules.

N. Retirement

School Board members shall participate in the Florida Retirement System and are eligible for Social Security through regular deductions from their salaries.

In the event a School Board member is a former member of a State Retirement System, that member shall have the option of continuing to receive his retirement benefits and his salary as a Board member (in which event only Social Security will be deducted once he has been paid \$500), or he may make immediate application to the Division of Retirement in Tallahassee upon his retirement to suspend his retirement benefits, have his service as a Board member counted as retirement service and have his retirement recomputed at a later date. Written application to the Division of Retirement should include his social security number.

1.2.2 Superintendent

The Superintendent, as secretary and executive officer of the School Board, shall be elected and shall serve for a term of four (4) years in accordance with Sections 230.24 and 230.31, Florida Statutes. The office shall be maintained and furnished by the School Board of Osceola County in accordance with Section 230.29, Florida Statutes.

The Superintendent shall have the authority and exercise when necessary the powers granted him in Section 230.32, Florida Statutes, and other applicable laws and regulations. The Superintendent shall perform the duties and responsibilities

prescribed in Section 230.33, Florida Statutes, and other applicable laws and regulations, provided that in so doing he shall advise and counsel with the School Board.

In addition to the general powers and duties of the Superintendent as provided by law, the Superintendent shall be the chief bargaining agent for the School Board in matters of collective bargaining.

A. Child Welfare

Recommended plans for child welfare shall be made in accordance with Section 230.33, subsection (8), Florida Statutes, and shall be supplemented by the requirements of Chapter 6 of these Board Rules.

B. Transportation of Pupils

Transportation needs shall be ascertained and recommendations for safe transport made as specified in Section 230.33, subsection (10), Florida Statutes, and shall be supplemented by Board Rule 3.1.

C. Courses of Study and Other Instructional Aides

Recommendations for improving, providing, distributing, accounting and caring for textbooks and other instructional materials shall be made in compliance with Section 230.33, subsection (9), Florida Statutes, and shall be supplemented by Board rule 3.2.

D. Finance

Recommendations governing matters of finance for educational facilities throughout the District shall be made in compliance with Section 230.33, subsection (12), Florida Statutes, and shall be supplemented by Chapter 2 of these Board rules.

E. Personnel

(1) In matters of personnel, the Superintendent shall be governed by Section 230.33, subsection (7), Florida Statutes. He shall not recommend to the Board for employment in other than a school-related program, any individual who is not at least sixteen years of age.

(2) The Superintendent may reassign personnel to other worksites during their contract period pending approval of the School Board at its next meeting. *Adopted 6/29/93*

F. Records and Reports

The Superintendent shall recommend that records be kept, and shall have such reports made as are called for in Section 230.33, subsection (13), Florida Statutes.

The Superintendent is authorized to develop and implement procedures for the reproduction, and destruction of all documents, records, papers, general

correspondence, data and information generated by the District in accordance with the Department of State, Division of Archives, History and Records Management.

G. School Plants

Recommendations concerning school plants shall be made in accordance with Section 230.33, subsection (11), Florida Statutes

H. Miscellaneous

The Superintendent shall cooperate with individuals and agencies specified in Section 230.33, subsections (14) through (23), Florida Statutes, in the manner prescribed therein.

I. Superintendent's Salary - Expenses

The Superintendent's salary is set by law and shall be based on the population of Osceola County in accordance with the provisions of F.S. 230.303. The school board, by majority vote, may approve a salary in excess of the amount specified therein.

In addition to the salary provided, the Superintendent shall be allowed reimbursement from District school funds for travel and per diem expenses at the maximum rates authorized by Section 112.061, Florida Statutes.

When lodging and meals are provided at a state institution, the Superintendent is not eligible for the normal maximum allowances and may be reimbursed only for actual expenses of lodging and meals, not to exceed the normal maximum allowances. For conferences, the per diem rate shall be the maximum authorized by said statute. *Amended 6/30/92*

Whenever the Superintendent is required to incur either Class A or Class B travel, on emergency notice the Superintendent may request the District to pay his expenses for meals and lodging directly to the vendor; and the District may pay the vendor the actual expenses for his meals and lodging during the travel period, limited to an amount not to exceed that authorized for per diem for such period.

J. Specific Duties Delegated to the Superintendent

The following duties are specifically delegated to the Superintendent, and any action taken by him in any of these matters shall appear as a part of the Board minutes:

- (1) Approve or deny requests for zone changes by students.
- (2) Appoint teachers under emergency replacements, such appointments to be subject to Board approval at the next meeting when they can be placed on the agenda.
- (3) Act on maternity, professional, illness-in-line-of-duty or personal leave requests. Such leave requests shall then be subject to final approval by the School Board.

- (4) Approve or deny requests for the use of school buses in accordance with Board policies.
- (5) Act on vacation leave requests.
- (6) Approve or deny requests of teachers to leave school early in order to attend college classes.
- (7) Authorize the removal of property from inventory records.
- (8) Authorize purchase orders for food purchases of unlimited amounts.

K. Duties of Principals

The principal shall:

- (1) Assume administrative responsibility and instructional leadership, under the supervision of the Superintendent and in accordance with rules and regulations of the school board, for the planning management, operation, and evaluation of the educational program of the school to which he is assigned.
- (2) Submit recommendations to the Superintendent regarding the appointment, assignment, promotion, transfer, and dismissal of all personnel assigned to the school.
- (3) Assume administrative responsibility for all records and reports required regarding pupils, for the transfer of pupils within the school, and for the promotion of pupils.
- (4) Have the authority to administer corporal punishment in accordance with the rules and regulations of the school board and to suspend students from school or from a school bus as provided for in 232.26.
- (5) Perform such other duties as may be assigned by the Superintendent pursuant to the rules and regulations of the School Board and the State Board of Education.

Auth: 230.22 and 11.45, F.S.

Imple: 230.03(3), 230.24, 230.31, 230.29, 230.32, 230.33, 230.2311, 229.565, 229.57, 194.015, 120.52, 120.54(14), 447.203(2), 447.209, 230.22, 230.321, 145.08, 112.061, 267.10, and 231.085, F.S.

1.3 ADVISORY COMMITTEES

1.3.1 School Advisory Councils *Revised 6/29/93*

- A. Pursuant to 229.58, Florida Statutes, this policy is enacted to govern the election and appointment of advisory council members and certain practices and procedures of the School Advisory Councils of this District.

- B. School Advisory Council (SAC) members representing teachers, education support employees, students and parents shall be nominated and elected by their respective peer group at the school in a fair and equitable manner as follows:
- (1) Teachers shall be nominated and elected by teachers.
  - (2) Education support employees shall be nominated and elected by education support employees.
  - (3) Students shall be nominated and elected by students.
  - (4) Parents shall be nominated and elected by parents.
  - (5) Each school principal shall submit on or before October 1, of each year, to the Superintendent and the School Board, on a meeting agenda, the following:
    - a. A memorandum of the principal's procedures for nominating and electing to the SAC, teachers, education support employees, parents of the students at the school and students (if applicable); and
    - b. A list identifying those nominated and a list identifying each member of the SAC so elected and a statement that the procedures for nomination and election were designed and implemented to ensure fairness and access for all members of the representative groups.
  - (6) The Board may require new nominations and elections, or modified nomination and election procedures if nominations or an election are not fair and equitable.
- C. Students shall be members of School Advisory Councils at the high school and post secondary levels. Students at the middle school and elementary school levels may be members of the School Advisory Councils at the discretion of each SAC.
- D. Business and other community members shall be selected by each school subject to the procedure stated herein. Each school principal shall submit on or before October 1, of each year, to the Superintendent and the School Board, a list that identifies (including the name, business and civic activities) business and community members appointed by the principal to the School Advisory Council. This membership list shall be presented on the first agenda after its preparation. The School Board has the right to appoint additional members to the School Advisory Council from the business and community, and shall make such additional appointments as are necessary to achieve proper representation of the ethnic, racial, and economic community served by the school. The School Board shall have the discretion to appoint additional members to the School Advisory Council whenever the Board deems it in the best interest of the District for the Board to make such additional appointments.

- E. The principal and the School Advisory Council shall report to the Superintendent and Board, as soon as reasonably possible, any change in the membership of the Council, and shall further report the meeting schedule and agenda for all meetings of the School Advisory Council. Each School Advisory Council and principal shall advise the Superintendent and School Board in advance of each scheduled meeting and agenda.
- F. Each meeting of the School Advisory Council shall be held in a location at such time and under such circumstances as reasonably necessary to ensure that no one shall be denied access on the basis of handicap, race, religion, gender or national origin. There shall be an agenda prepared in writing, before each meeting, copies of which shall be sent to the School Board members and the Superintendent.
- G. The School Advisory Council shall be subject to the public records and sunshine laws (286.011 Florida Statutes and Chapter 119 Florida Statutes). Meetings and records shall be open to the public unless an exemption is provided under law. The conduct of the meetings shall be at the discretion of the School Advisory Council and the principal, subject to this policy and the right of the School Board to further regulate the conduct of meetings if such regulation is necessary to ensure that the meetings are conducted in a reasonable, efficient and fair manner. The principal of each school is designated as the custodian of records kept and maintained in the operation of each School Advisory Council. The Superintendent shall provide for a duplicate set of all School Advisory Council records and documents to be kept and maintained in the office of the Superintendent or the designee of the Superintendent. Such records will be kept and maintained consistent with Department of Education rules governing School Board documents.
- H. Standards applicable to all School Advisory Councils:
- (1) The minimum number of members of each Council should be at least fifteen (15), and the maximum number of members of each Council shall be forty (40), with the exception of such additional appointments as the School Board may make from time to time.
  - (2) Each School Advisory Council shall meet at least monthly during the school's academic year, and the agenda shall be distributed at least seven (7) days in advance of each meeting to each member of the committee, the press, Superintendent, School Board members and all other persons who request a copy of the agenda in writing.
  - (3) Each principal will ensure that the meeting is held in a room large enough to accommodate those members of the public and other interested persons (including media) who wish to attend and observe the meeting. Each SAC may develop its own guidelines for permitting public participation, but the privilege of voting will be extended only to members of the Council.
  - (4) Each school principal shall be responsible for notifying each teacher, parent and guardian, education support employee, and eligible high school and post secondary (and if applicable, each eligible middle school and/or elementary school) student in the school, and to advise each such person of the following:



- a. The existence of the School Advisory Council and the fact that each such person is eligible to be nominated for election to the SAC.
  - b. The procedure for having a person's name submitted for nomination.
  - c. The fact that self-nomination is permitted.
  - d. The name and telephone number at the school of the employee who can give further information concerning nomination and election to the School Advisory Council, and further explanation concerning the purpose and mission of the SAC.
  - e. The schedule of elections to SAC, and the waiting list procedure.
- (5) The principal shall develop a waiting list, whereby interested persons in excess of the maximum number of forty (40) members shall remain on a regularly and publicly maintained list. If a vacancy occurs on the SAC, the SAC will elect a member from the list who will serve the remaining term of the vacating member.
- (6) Elections will be held annually, between May 1 and October 1 in each year.
- (7) Members shall be elected in equal proportions of staggered terms, as follows:
- a. Terms for members shall be two (2) years
  - b. In order to establish staggered terms, one-half (1/2) of the members shall be elected to two (2) year terms and one-half (1/2) of the members shall be elected to one (1) year terms for the first election only.
- (8) No limit shall be placed on the number of consecutive terms a member of each School Advisory Council may serve.

1.3.2 Vocational Advisory Committees

*Revised 6/29/93*

- A. Each high school and post secondary job preparatory vocational program shall have a functioning Vocational Advisory Committee for each program area. Each advisory committee shall be composed of employees, supervisors, or master craftsmen of the occupation involved. Current or past students may serve on the committee.
- B. Vocational, Adult, and Community Education Advisory Council - This council is composed of members representative of the various adult education programs. Students, staff, businessmen, industry, community organizations, etc. may serve on this committee. This committee will serve the programs, staff, and administration in an advisory capacity to assess

needs, develop community understanding and support, motivate students, develop recruitment and retention processes, assist in student placement, assist in securing quality instructors, identify resources, etc., to improve the quality of vocational, adult and community education in Osceola County.

- C. Career Education Advisory Committee - A committee composed of the Occupational specialist from the high schools, counselors and CRT's from the middle schools and elementary schools, Director of Student Services, and representative from exceptional education, adult education, and vocational education.

This committee will serve the district in an advisory capacity to assess needs, promote career education as an integral part of the curriculum, review the district's Career Education Plan, serve as a liaison between the school and the Coordinator of Adult Education, etc.

- D. The members of the committees will be appointed by the Superintendent for three year terms. Terms shall be staggered in order to provide for continuity of membership. Each committee shall meet a minimum of twice per year. Minutes shall be maintained and distributed by the Director.

Auth: 230.22, F.S.                      Imple: 230.22(1), 229.555(10), 229.575, F.S.

1.3.3 Regional Articulation Council for Vocational Education, Adult General Education, and Community Instructional Services

- A. The district director of vocational and adult education shall arrange his daily schedule to permit attendance at and participation in each scheduled meeting of the Regional Articulation Council. The time necessary for the director of vocational and adult education to attend such council meeting including reasonable travel time shall be considered as part of the director's assigned duties.                      *Amended 6/29/83*
- B. The superintendent shall cooperate with the council when the council is carrying out its assigned duties and responsibilities which include:
  - (1) The review and evaluation of existing courses and programs.
  - (2) The analysis of current training, counseling, and placement programs in the district.
  - (3) Other effects of the council in carrying out its assigned responsibilities.
- C. The superintendent shall, prior to recommending the approval of new and additional vocational and adult education programs, provide assurance that the approval of such recommendations meet the requirements of the council and thereby qualify for state and federal funding.
- D. The superintendent shall keep the School Board informed of the findings of the council by submitting periodic reports.
- E. Findings and recommendations of the council that are not concurred with by this board shall be appealed to the State Board of Vocational Education for a

final decision.

Auth: 230.23 (4)(h)  
Imple: 6A-6.67

#### 1.3.4 Special Interest Committees

The Superintendent may, from time to time, establish special interest committees for the purpose of gathering input relative to any issue. *Adopted 6/30/92*

#### 1.3.5 Foundation for Osceola Education *Adopted 6/29/93*

The Foundation for Osceola Education, Inc. is organized and operated exclusively to receive, hold, invest and administer property and to make expenditures to or for the benefit of public prekindergarten through 12th grade education.

##### A. Duties

The Foundation shall perform its duties as prescribed in its corporate charter and by-laws on file with the Department of State subject to the provisions of State Board of Education Rule 6A-1.0013, and Section 237.40, Florida Statutes

##### B. Audit

- (1) The fiscal year of the Foundation shall begin on July 1 and end on June 30.
- (2) At the close of each fiscal year, the Foundation's Board of Directors shall provide for an audit in accordance with State Board of Education Rule 6A-1.0013 and Section 237.40, Florida Statutes.

##### C. District Property

The Foundation is authorized to use the District's property, facilities and personal services as determined annually by the Superintendent to operate the Foundation.

##### D. Board of Directors

The Foundation Board of Directors shall be approved annually by the School Board.

##### E. Not for Profit

The Foundation shall be a Florida Corporation not for profit, incorporated under the provisions of Chapter 617, and approved by the Department of State.

#### 1.4 TEACHER EDUCATION CENTER COUNCIL

##### 1.4.1 Membership

The Council of the Osceola Teacher Education Center (OTEC) shall consist of

members nominated by instructional personnel, administrators, universities, community colleges, community agencies and other interested groups. The Superintendent shall recommend members to the Board. Membership on the Council shall include:

- A. One (1) classroom teacher from each school.
- B. One (1) elementary building level administrator.
- C. One (1) secondary building level administrator.
- D. One (1) representative of the University of Central Florida.
- E. One (1) representative of Valencia Community College.
- F. In the event Exceptional Student Education (ESE) is not represented in part (a) above, one (1) at-large ESE teacher shall be appointed.
- G. In the event vocational education is not represented in part (a) above, one (1) at-large vocational education teacher shall be appointed.

Auth: 230.22, F.S.                      Imple: 231.601(4), 231.606(1)(a) and (2)(a), F.S.

#### 1.4.2 Voting Authority of the Center Director

The Center Director shall be entitled to vote only when a tie occurs in voting by the Center Council.

Auth: 230.22, F.S.  
Imple: 231.606(2)(b), F.S.

#### 1.4.3 Term of Office for Classroom Teachers

The term of office of a Council Member who is a classroom teacher shall be two (2) years, except that the term of an at-large member shall be for one (1) year. A member may be appointed for two (2) successive terms. A teacher who fills an unexpired term of one (1) year or less shall be eligible for up to two (2) full terms.

Auth: 230.22, F.S.  
Imple: 231.606(1)(a) and (2)(a), F.S.

#### 1.4.4 Term of Office for Non-Classroom Members

The term of office for Council Members who are not classroom teachers shall be one (1) year. Non-classroom teachers may succeed themselves on the Council.

Auth: 230.22, F.S.  
Imple: 231.606(1)(a) and (2)(a), F.S.

#### 1.4.5 Recommendations for Appointment

In making recommendations for appointments to the Council, the Superintendent shall consider all nominations received. Non-teaching members of the Council may

be nominated by any interested individual or group. Council members who are classroom teachers may be nominated by an interested individual or group. All appointments to the Council shall be made by the Board.

Auth: 230.22, F.S.

Imple: 231.606(1)(a) and (2)(a), F.S.

#### 1.4.6 Attendance at OTEC Meetings

Appointment to the OTEC Council is an honor and should be received as such. With the appointment, the member accepts the responsibility of representing all employees of the Board. In order to properly represent employees, the representative must make every reasonable effort to attend all meetings.

When a representative misses more than two meetings in any one school year, that position shall be declared vacant and a new representative will be appointed.

#### 1.4.7 The Center Staff

The Center staff shall consist of the Center Director and all other groups or persons contracted to provide staff development of educational personnel. The Superintendent shall recommend an individual to serve as Director of the Teacher Education Center. The Board shall appoint the Director and staff of the Center, in accordance with Section 231.606, subsection (2)(d), Florida Statutes. Removal of the Center Director or other personnel shall be for cause or upon recommendation of the Superintendent, with the approval of the Board.

Auth: 230.22, F.S.

Imple: 231.606(2)(d), F.S.

#### 1.4.8 Center Staffing and Program

In developing Center staffing and program:

- A. A prioritized list of inservice needs, with suggested methods of implementation, shall be established by the Council.
- B. The Council shall evaluate the needs in terms of available resources and recommend to the In-Service Director or the Center Director programs for implementation.
- C. The Center Director shall collaborate with the university representative for personnel to implement the programs.
- D. Priority needs not staffed by university personnel may be contracted by the Center Director if confirmed by the Center Council.
- E. All programs shall be evaluated to determine the value to the participant and to aid the Center Council in determining future Center activities.

Auth: 230.22, F.S.

Imple: 231.606(1)(b), F.S.

#### 1.4.9 Goals and Objectives

The Center Council shall develop goals and objectives for the Teacher Education Center which shall include:

- A. Augmentation of present college and university teacher education programs.
- B. Augmentation of present school district inservice education programs, including the application of prescriptive techniques to meet language arts and computational needs, particularly in the area of reading.
- C. Provision of time and opportunity for preservice and inservice teachers to interact with faculty and staff of the colleges and universities, as well as other school districts, in their common search for the most beneficial educational experience for students.

Auth: 230.22, F.S.

Imple: 231.601(4) and 231.606(1)(b), F.S.

#### 1.4.10 The Center Budget

The Center Council shall recommend a budget to the Superintendent on an annual basis to provide for the requested Teacher Center activities. The budget shall then be approved by the Board and administered by the Center Director.

Auth: 230.22, F.S.

Imple: 231.606(1)(b) 4 and (2)(b) and (c), F.S.

#### 1.5 DISTRICT INSTRUCTIONAL MATERIALS COUNCILS FOR THE STATE LEVEL TEXTBOOK ADOPTION PROCESS

The Superintendent or a designee shall appoint councils, each consisting of no fewer than six (6) persons--one-third (1/3) shall be lay members and one-half (1/2), teachers. The teacher members must be certified in an area directly related to the academic area or level being considered for adoption. Personnel designated as associate master teachers of the year pursuant to Section 231.533, or selected as a teacher of the year at the school, district, regional or state level pursuant to the provisions of the program conducted by the Department of Education, shall be encouraged to serve on instructional materials councils (Section 233.09, Florida Statutes). State instructional materials council members may not be members of the district instructional materials council. Membership of the council shall elect a chairman. Each district council member shall complete the Department of Education training program, related to the evaluation and selection of instructional materials, prior to the beginning of the review and selection process.

District council meetings are open and shall be conducted in compliance with Section 286.011, Florida Statutes; and date, time, and place shall be announced to the public in the local media two (2) weeks in advance. The district shall make materials available for public review.

Each member of a district instructional materials council must sign an affidavit pursuant to Section 233.08, Florida Statutes, before transacting the business of the council.

Pursuant to Section 233.115, Florida Statutes, members of the district instructional

materials council are prohibited from accepting gifts, money, emoluments, or other valuables which shall directly or indirectly influence the adoption or purchase of any instructional materials.

The district instructional materials council shall not deny any publisher, manufacturer, or a representative time to present a product(s) equal to that time given for any other publisher, manufacturer, or representative.

The district shall forward to the Department of Education a statement of criteria and procedures for evaluation of materials. This statement shall include whether any of the submissions were piloted and/or used in the district and the number of council members and meetings.

The District Instructional Materials Council will evaluate all submissions. Each instructional material shall be ranked numerically as to its choice in relation to all other materials of the same type evaluated, and no two (2) materials in the same subject area may receive the same numerical ranking.

Auth: 230.22, F.S

Imple: 233.08, 233.09(3)(c), 233.095, and 233.115, F.S.

## 1.6 SCHOOL BASED MANAGEMENT (SBM)

School based management in Osceola County is defined as a systematic way of bringing district staff, principals, teachers, students and parents together to participate in determining and improving school programs. (SBM) encourages effective use of educational resources, reduces time in the decision making process and places considerable emphasis on school effectiveness.

Elements of School Based Management in Osceola County include the following:

- A. The school is the principal planning unit in the budget process. The opportunity exists for school level input into the budgeting process and each school develops an annual budget based on its unique needs. Once budgeted, funds can be shifted to other functions and objects by following district procedures.
- B. The system of planning is continuous and reflects input from school level administrators and teachers.
- C. Planning for program and curriculum changes takes place in individual schools based upon the needs of the individual school, the district and state mandates.
- D. Teacher placement decisions are a shared responsibility between the district and local school.
- E. Community input is received from School Advisory Councils unique to each school. *Amended 6/30/92*

Auth: 230.22, F.S.

Imple: 229.555, 230.33(5), 230.23(3), and 236.02(7),F.S.

## 1.7 MANAGEMENT INFORMATION SYSTEM

The School Board shall

- A. Establish a District reports and forms control management system.  
*Amended 6/30/92*
- B. With assistance from the Department of Education, develop systems compatible with the state management information system and unique local systems. *Amended 6/30/92*
- C. Provide, with the assistance of the Department of Education, inservice training dealing with management information system purposes and scope, a method of transmitting input data, and the use of output report information.
- D. Establish a plan for continuous review and evaluation of local management information system needs and procedures.
- E. Advise the Commissioner of Education of all District management information needs.
- F. Transmit required data input elements to the appropriate processing locations in accordance with guidelines established by the Commissioner.
- G. Determine required reports, comparisons, and relationships to be provided to district school systems by the system output reports and continuously review these reports for usefulness and meaningfulness, and submit recommended additions, deletions and change requirements in accordance with the guidelines established by the Commissioner.
- H. Be responsible for the accuracy of all data elements transmitted to the Department.
- I. RECORDS RETENTION MANUAL (ADOPTED JULY 7, 1987) The School Board adopts and maintains a Records Retention manual that delineates procedures for the care and maintenance of records of the District. This manual shall be administered through the Office of Records Management.

Auth: 229.555(2)(b), F.S.

## 1.8 INSERVICE EDUCATION

A Master Plan for Inservice Education shall be prepared by the Board annually before submission to the State Department of Education for approval. In this regard the Board will seek to:

- A. Develop a systematic procedure for identification of personnel improvement and performance needs.
- B. Develop a comprehensive plan with long and short range objectives, consistent with the established needs.



- C. Improve the level of performance of all personnel through programs or activities conducive to obtaining the desired level of performance, and particularly for those who serve in the early childhood and basic skills development program.
- D. Increase competencies, skills and knowledge of personnel for more efficient and effective personnel utilization.
- E. Develop a systematic procedure for evaluating the effectiveness of staff development activities.
- F. Develop and implement a program for beginning teachers that conforms to the Florida Professional Orientation Program in accordance SBR 6A-5.75.
- G. Develop a District Management Training Program for school effectiveness which will implement training in managerial competencies determined by the Florida Council on Educational Management per Section 231.087(5), F.S.

A copy of the Master Plan shall be filed in the library of each school.

Auth: 230.22, F.S. and 230.2311(6), F.S.                      Imple: 231.603(3),F.S.

#### 1.9 EDUCATIONAL EVALUATION

The School Board shall provide for the periodic assessment of student performance and achievement in each school. Such assessment programs shall be based upon local goals and objectives which are compatible with the State's plan for education and which supplement the minimum performance standards approved by the State Board of Education. Data from the assessment programs shall be provided to the Commissioner of Education when it is required in order to evaluate specific instructional programs or processes or when the data is needed for other research or evaluation projects. The School Board may provide acceptable, compatible District assessment data to substitute for any assessment data needed at the state level when the Commissioner certifies that such data is acceptable for the purposes of this action.

##### A. District Report

A feedback report shall be prepared on the status of education in the Osceola County School District. The report shall contain information about how well school instructional programs enable students to meet performance standards, results of program evaluations, information about the needs of education in the District, information on District policy decisions, and any other information and analysis which explain or clarify the status of education in the District. The District report shall be made available to the general public and the citizens of the District, to each school in the District, and to appropriate local news media. Amended 6/30/92

##### B. School Report

Each school shall annually report on its status of education and shall base its report upon information for the prior school year. The report shall contain:

- (1) Information on how well the school is meeting its goals and objectives.
- (2) Interpretation and analysis of student progress, including information on how well students are achieving the minimum performance standards.
- (3) Fiscal information, including the school budget.
- (4) Information on the needs of the schools and its students.
- (5) Summaries of teacher, student, parent, and community attitudes toward the school.
- (6) Any other information and analysis which explain or clarify the status of education.

The principal, with the assistance of teachers, students and the School Advisory Council shall prepare the report. The report shall be distributed in accordance with established timelines. The report shall be reproduced and distributed at the least possible cost and may be issued in a series or as part of existing school publications. The report shall be distributed to the parent or guardian of each student in the school and made available to all other interested citizens upon request. *Amended 6/30/92*

#### 1.10 EARLY CHILDHOOD AND BASIC SKILLS DEVELOPMENT

The School Board shall establish a program for early childhood and basic skills development. This program shall be developed cooperatively by school administrators, teachers, parents and other groups or individuals having an interest in the program and having expertise in the field of early childhood education or basic skills development. Such a program shall be based on the guidelines prepared by the Department of Education pursuant to Chapter 7-A-238, Laws of Florida, and further delineated in Chapter 6 of this Rules Manual.

#### 1.11 EVALUATION OF SCHOOL PERSONNEL

The School Board shall annually review the system of evaluating the personnel of the District, as presented by the Superintendent. Such evaluation shall be for the purpose of maintaining and improving the educational program of the District.

Auth: 230.22, F.S.

Imple: 229.57(3), 229.57(5), 230.22(5), 230.23(5), 230.2311(3), 231.29(2)

#### 1.12 SUPPLEMENTS *Amended 6/30/92*

Supplements may be provided for extracurricular activities or other assignments as outlined in the Master Teacher Contract and Board adopted salary schedule.

#### 1.13 REPORTS AND FORMS CONTROL

##### A. Purpose

To provide the schools, district, state, and federal agencies with required

data in a timely and accurate fashion while reducing duplication.

B. Definitions

- (1) Form - Any written communication, whether in memorandum, survey or standard form format, with blank spaces for the filling in of data.
- (2) Report - Any form in which the blanks have been completed or any summary of data prepared after aggregation of data on forms.

C. Authorization and List of Forms

Those School District forms, as indexed in the Forms Index and located in the Office of Records Management, constitute the approved district forms as required by F.S. 120.53(1) (b). A copy of any form listed in the Index may be obtained without cost from the Office of Records Management.

D. New or Revised Forms

Any new or revised forms must be submitted to the Office of Records Management for review in accordance with the procedures set forth in the Forms Management Handbook. Any form developed by the District which imposes any requirement or solicits any information not required by statute or by an existing rule must be submitted for approval by the Board, and on approval shall be included in the Forms Index and placed on file in the Office of Records Management.

1.14 AFFIRMATIVE ACTION AND EQUITY

1.14.1 General Statement *Revised 4/14/92*

The School District of Osceola County, Florida is legally responsible to ensure that equal education opportunities are available to all individuals within the district who are eligible under the laws of the State of Florida to receive a free public education in the district. The district is also responsible to ensure equal employment opportunities to all individuals. Educational programs and employment opportunities shall be made available free of any sexual harassment and discrimination based on race, gender, color, disability, religion, marital status, national origin or other non-merit factor. In limited circumstances, gender or disability may be disqualifying as permitted by law.

1.14.2 Definitions

The following definitions shall apply to the terms stated throughout this Policy:

- A. Affirmative Action is a concept which requires an employer to do more than refrain from discriminatory practices and policies, and to go beyond the maintenance of policies of passive non-discrimination, by taking positive results-oriented steps toward the elimination of discriminatory barriers.
- B. Complaint is a statement which alleges that an organization or person has been or is engaged in employment discrimination.

- C. Investigation is a detailed examination of the facts to determine if discriminatory employment practices did or did not occur.
- D. Party is a complainant or respondent.
- E. Respondent is a person, agency or part of any agency accused of discriminatory conduct regarding employment by the School Board.
- F. No Reasonable Cause means, upon consideration of the facts, a person could conclude that the respondent has not engaged in an employment practice made unlawful by State or Federal law.
- G. Equal Employment Opportunity Designee is an employee appointed by the Assistant Superintendent for Personnel and Administrative Services to coordinate the complaint process in an organizational or institutional unit.
- H. Discrimination is illegal treatment of a person or group (either intentional or unintentional) based on race, color, religion, political opinions or affiliations, age, sex, handicap, veteran status, national origin or other non-merit factor, except where a previously mentioned condition is a bona fide occupational qualification of employment. The term also includes the failure to remedy the effects of past discrimination.
- I. Bona Fide Occupational Qualifications means employment in particular jobs may not be limited to persons of particular sex, age, race, creed, color, religion, or national origin unless an employer can demonstrate that sex, age, religion, or national origin is an actual qualification of performing the job.
- J. Sexual Harassment includes:
  - (1) Any slurs, innuendos or other verbal or physical conduct reflecting on an individual's race, ethnic background, gender or handicapping condition which has the purpose or effect of creating an intimidating, hostile, or offensive educational or work environment; has the purpose or effect of unreasonably interfering with the individual's work or school performance or participation; or otherwise adversely affects an individual's employment or educational opportunities;
  - (2) The denial of or the provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment on the basis of sexual advances or requests for sexual favors; or
  - (3) Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational career; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individuals; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

1.14.3 Affirmative Action     *Adopted 6/28/94*

There is hereby created an Affirmative Action Committee which shall consist of fifteen (15) members. The members of the Committee shall be recommended by the Superintendent and appointed by the School Board and shall serve three (3) years. The following shall apply to the operation of the Affirmative Action Committee:

- A. The Affirmative Action Committee is distinguished from the Equity Committee of the School Board, which investigates individual complaints, in that the Affirmative Action Committee is not necessarily comprised solely of employees of the District. The Affirmative Action Committee shall not have access to materials or items which are confidential by law.
  
- B. Responsibilities of the Affirmative Action Committee shall include but not be limited to the following:
  - (1) Monitoring all educational programs and employment opportunities to ensure that they are available to all individuals with the district who are eligible under the State of Florida and the School Board of Osceola County, Florida.
  - (2) Monitoring the hiring of protected classes of employees.
  - (3) Reviewing promotional opportunities for protected class employees.
  - (4) Reviewing the percentage of disciplinary actions against protected classes of students and employees.
  - (5) Monitoring the participation of protected classes of students and parents in school activities and providing motivational programs to promote increased participation if needed.
  - (6) Monitoring the dropout rate among protected classes of students.
  - (7) Monitoring academic skills among protected classes of students.
  - (8) Reviewing curriculum content to ensure motivation and self-esteem development for protected classes of students.
  - (9) Monitoring the providing of programs designed to create awareness of college/vocational opportunities.
  - (10) Monitoring retention of teachers among protected classes.
  - (11) Monitoring redistricting activities and out-of-zone transfers.
  
- C. The Affirmative Action Committee shall report to the School Board at least once per school year. This presentation to the School Board

shall include, but not be limited to a discussion of current School Board efforts in minority hiring, trends detected by the Affirmative Action Committee, problems and potential problems identified by the Committee.

- D. The Superintendent shall name a representative as an ex-officio member of the Affirmative Action Committee, and shall make the facilities of the School Board available for the business of the Committee, including meeting locations, use of equipment for preparation of reports, communications of official business of the Committee and for other similar purposes, and shall provide reasonable secretarial and clerical services.

The Affirmative Action Committee may provide input to the School Board in developing a program or programs for the advertisement of job opportunities in various minority communities, and may otherwise assist the School Board in recruiting qualified minorities for employment within the District.

The Affirmative Action Committee may review job descriptions and other testing requirements for employment in the District and present the results of the review to the Board. They may also present any perceived EEO barriers to employment or advancement.

The Affirmative Action Committee is purely an advisory body and does not have the authority to commit or obligate the School Board or District in any manner. The Committee serves at the discretion of the School Board and may be modified or dissolved by future Board action in accordance with law.

- E. Implementation                      *Revised 4/14/92*

The Superintendent shall implement the affirmative action policy of this Board by all appropriate means, including the following:

- (1) Ascertain that all unnecessary references to sex, race, religion, disability or national origin have been removed from any and all applications for employment or for enrollment in programs.
- (2) The term "Equal Opportunity Agency" shall be printed on all stationary and applications for employment.
- (3) Maintain a continuous review of all curriculums and curriculum materials to avoid materials biased as to sex, race, national origin, religion, and/or disability.
- (4) Disseminate information to all employees that a credit union is available to help meet their financial needs.
- (5) Maintain an exit interview program to ascertain reasons for and solutions to any existing turnover problems among minority and female employees.
- (6) Provide ample opportunities for employees to discuss individual

problems informally outside normal administrative channels to obtain needed advice and counseling with complete confidentiality.

- (7) Promulgate an administrative memorandum providing a method for the filing of formal written complaints alleging discrimination and assuring that such complaints will be fully investigated, receive an impartial review, and take appropriate action on the same if warranted.
- (8) Continue to maintain an active recruitment program in colleges throughout Florida and the southeastern United States having predominantly black graduates.
- (9) Report at least annually to the Board as to the implementation of this Plan and to recommend to the Board any change in this policy or additions thereto from time to time as he may deem advisable or appropriate.

#### 1.14.4 Equity

- A. Every applicant and employee has the right to present a complaint of alleged discrimination or sexual harassment and, in so doing, be free from restraint, intimidation, harassment, interference, coercion, or reprisal because he/she has filed a charge, testified, assisted, or participated in any phase of investigations, proceedings, or hearings pursuant to this policy.
- B. An Equity Committee is hereby established for the purpose of providing a procedure for registering complaints for employees and/or applicants for employment with the School District of Osceola County, Florida. The composition of this committee shall be seven (7) members representative of the demographics and employee categories of the staff. The Assistant Superintendent for Personnel and Administrative Services will serve as an ex-officio member of the Equity Committee. All appointments to the Equity Committee will be approved by the School Board. Appointees will serve staggered three (3) year terms.
- C. In the event an employee intends to register a complaint based upon alleged discrimination, remedies should be sought through administrative channels before resorting to other means of resolving disputes. Complaints must be filed within 90 days of the incident. It is expected that both employees and their supervisors will make every reasonable effort to resolve such conflicts. The following procedures are intended to facilitate these administrative remedies:
  - (1) Employees should first express their complaints to their immediate supervisors. At the same time, employees may wish to involve the Assistant Superintendent for Personnel and Administrative Services or a member of the Equity Committee to assist them at this informal level. If a resolution to the complaint can be reached at this level, no further action is to be taken.
  - (2) If no resolution was reached between the employee and the immediate supervisor, the employee should notify the supervisor in writing that he/she intends to file a formal complaint with the Assistant Superintendent for Personnel and Administrative Services

requesting an investigation concerning the alleged discriminatory practice. The Assistant Superintendent for Personnel and Administrative Services shall notify the supervisor and the appropriate division head when a formal complaint has been filed.

- (3) An investigative panel will be established consisting of two (2) members of the Equity committee and one (1) person appointed by the complainant. This person must be a School Board Employee from another department/school. One member will be selected as chairman.
- (4) The Investigative Panel shall conduct a fair and impartial investigation into the alleged discriminatory practice and shall keep all parties involved fully apprised of the status during the investigation.
- (5) Upon completing the investigation, which shall include reviewing applicable data, the Equity Committee shall communicate its recommendations to the Superintendent, who has the ultimate responsibility of investigating complaints under this section, via the Assistant Superintendent for Personnel and Administrative Services.
- (6) In each and every case involving the Equity Committee in matters of alleged discrimination, all steps shall be followed to insure reasonably prompt action in light of all the circumstances presented in the individual case being investigated.
- (7) In the event the Complainant is dissatisfied with the recommendation of the Investigative Panel or Superintendent or the final action of the School Board he/she may file a complaint with the EEOC office at the federal level.

- D. Applicants for employment alleging discrimination may present their concerns for investigation to the Assistant Superintendent for Personnel and Administrative Services who will process such complaints in a manner similar to that established in the procedures for complaints of district employees.
- E. Students may also follow the above procedures regarding complaints alleging discrimination.
- F. The district's functions of leadership, technical assistance, and evaluation shall be applied to the implementation of this commitment. The commitment of providing equal educational opportunities shall apply in all program areas.
- G. This policy does not derogate any federal or state law, and should be interpreted in a manner consistent with applicable court rulings and statutes of Florida and the United States.
- H. For additional information or to file a concern or complaint, contact an Equity Committee member.



- I. The School District encourages victims of sexual harassment to come forward with such claims. This may be done through the Employee Grievance Resolution Procedure or through a written complaint to the Equity Committee.
- J. Employees who feel that administrators or supervisors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon sexual favors, are encouraged to report these conditions to the appropriate administrator. If the employee's direct administrator or supervisor is the offending person, the report shall be made to the next higher level of administration or supervision.
- K. Employees are also urged to report any unwelcome conduct of a sexual nature by supervisors or fellow employees if such conduct interferes with the individual's work performance or creates a hostile or offensive working environment.
- L. Confidentiality will be maintained in accordance with applicable statutes and no reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment.
- M. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated.
- N. Any employee found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to, warning, suspension, or termination subject to applicable procedural requirements.
- O. This policy does not derogate any federal or state law, and should be interpreted in a manner consistent with applicable court rulings and statutes of Florida and the United States.

It is the policy of the School District of Osceola County, to create an educational and work environment free of harassment on the basis of race, sex, national origin or handicap. The School District will not tolerate sexual harassment activity by any of its employees. This policy similarly applies to non-employee volunteers who work subject to the control of school authorities.

- P. Discrimination In Employment shall mean:
  - (1) To fail or refuse to hire, or to discharge an individual, or otherwise to discriminate against, any individual with respect to his/her compensation, terms, conditions, or privileges of employment because of such individual's race, color, religion, age, sex, non-disabling handicap, national origin or other non-merit factor, except where sex, age, or physical or mental condition is a bona fide occupational qualification of employment.
  - (2) To limit, segregate, or classify an employee in any way which would deprive or tend to:

- a. Deprive an individual of employment opportunities;
  - b. Otherwise adversely affect an employee's status as an employee because of such individual's race, color, religion, political opinions or affiliations, age, sex, handicap, national origin or non-merit factor, except where sex, age or other physical or mental condition is a bona fide occupational qualification of employment.
- (3) To abuse, restrain, intimidate, harass, interfere with, coerce, discriminate against, institute reprisal against or otherwise defame an employee because of such individual's race, color, religion, political opinions or affiliation, age sex, non-disabling handicap, national origin or other non-merit factor, except where sex, age or physical or mental condition is a bona fide occupational qualification of employment.

1.14.5 Chapter 1 Comparability *Adopted 7/23/91*

It is the intent of the Board that all District budget resources are to be distributed on an equitable basis using Board established formulas to ensure comparability. In addition, a Chapter 1 comparability calculation will be done annually and submitted to the Board for review and approval.

1.15 INVOLVEMENT OF STUDENTS IN POLITICAL ACTIVITY

Employees of the Osceola County School Board, shall not involve students in political activities during the school day.

1.16 PERSONNEL RECORDS

1.16.1 Definition of Terms

A. Evaluations

Include classroom observations, annual evaluations, assessment, reprimands, commendations and due process documentation.

B. Complaint

An accusation by any member of the public or School Board employee charging an employee with misconduct and/or unacceptable performance.

C. Limited File

(Confidential File: available only to those with complete access)

Information that is not available for public review. This would include medical records, psychiatric, psychological files, payroll deductions, transcripts, preliminary investigations, active investigations, evaluations and assessments prior to July 1, 1983, and subsequent evaluations for one full school year.

D. Custodian of Records

The appointed work site administrator, central office administrator or administrative designee charged by law with the responsibility of maintaining and supervising personnel files for the School Board of Osceola County.

E. Derogatory Material

Typical examples:

- (1) Complaints, allegations, negative assessments, evaluations and charges related to work performance. (Can be placed in file.)
- (2) Employee's conduct, service, character or personality not related to work performance. (Cannot be placed in file.)

F. Designee

Persons authorized by School Board Members, the Superintendent, the principal or the employee to inspect all aspects of the personnel file in the exercise of their respective duties. (Based on the need to know.)

G. Inspection of Records *Amended 7/23/91*

Every person who has custody of personnel files shall permit the records to be inspected and examined by any person desiring to do so, at reasonable times, under reasonable conditions and under supervision by the custodian of records or his designee. Confidential records are not available for inspection by the public.

H. Lawful Criminal Investigation

Any investigation conducted by local, state and federal law enforcement agencies concerning criminal acts, according to the laws of the state or community as enforced by the courts.

I. Law Enforcement Personnel

Any person employed by an authorized law enforcement agency to conduct an investigation concerning unlawful acts, e.g.; employed by federal, state, or county or municipal agency.

J. Medical Records

Include medical, psychological/psychiatric evaluations, medical releases, workers' compensation reports and other letters, documentation or reports attendant to the employee's medical condition.

K. No Probable Cause

Findings of preliminary investigations showing no evidence to support or continue an investigation.

L. Payroll Deductions

Include Federal Income Tax and FICA deductions, deductions taken for insurance, union dues, retirement contributions, tax sheltered annuities and other investment deductions, alimony and court mandated deductions, charity deductions, credit union.

M. Preliminary Investigation

Investigative actions conducted to determine if there is probable cause to proceed further with complaint or alleged violation or Board Rules and/or statutory provisions.

N. Probable Cause

Result of preliminary investigation with findings of reasonable grounds for suspecting that violation of School Board Rules or criminal offense has been committed. May lead to further investigation, disciplinary action or charges filed.

O. Right of Inquiry

The employee has the right to request that the Superintendent or his designee make an informal inquiry regarding material in his personnel file which an employee believes to be false. The official conducting the inquiry shall append a written report of his findings to the personnel file.

1.16.2 Personnel Files

A. Definition of Personnel File

The term personnel file means all records, information, data, or materials maintained by the School Board anywhere, (including the work site file, which are uniquely applicable to that employee, whether maintained in one or more locations.

B. Access to Personnel Files

(1) The complete file is open as needed to:

- a. School Board Members and the School Board Attorney.
- b. Superintendent, Assistant Superintendents, Principals, Assistant Principals, or their respective designees.
- c. Supervisor of the employee.
- d. Employee.
- e. Designees of Employees.
- f. Law Enforcement personnel in a lawful criminal investigation.
- g. Professional support clerical personnel assigned to personnel files.

- (2) The limited file is open to anyone who files and signs an appropriate request. After the request is filed an effort shall be made to provide current records within a reasonable time.
- (3) All materials in the personnel file are subject to public review except as noted below for the period of time indicated. The contents of the Limited File include the following: *Amended 7/23/91*

<u>ITEM(s)</u>	<u>TIMELINE</u>
a. A complaint or any material relating to the investigation of a complaint.	Until: completion of preliminary investigation; no probable cause if found; investigation becomes inactive; or within sixty (60) days.
b. Evaluation prepared prior to July 1, 1983.	Permanently exempt .
c. Evaluation prepared on or after July 1, 1983.	Exempt until the end of the school year following the school year during which the evaluation is made.
d. Derogatory materials.	Exempt until 10 days after the employee has been notified.
e. Payroll deductions, medical, psychiatric and psychological information and transcripts or placement information.	Permanently exempt except to a hearing officer, or panel.

C. Special Handling for Certain Materials Contained in Personnel Files

- (1) No anonymous letters or materials shall be placed in the file.
- (2) Materials which are derogatory to an employee may be placed in a personnel file only if they pertain to work performance, or other matters that may be cause for discipline, suspension or dismissal.
  - a. Such material must be reduced to writing within 45 days and signed by a person competent to know the facts or make the judgment. Additional material may be added to clarify or simplify as needed.
  - b. A copy of all such materials to be placed in the personnel file shall be provided to the employee either:

1. by certified mail; return receipt requested to his/her address of record; or
  2. by personal delivery to the employee. Employee's signature on a copy of the materials signifies receipt only.
  3. by a personal delivery to the employee with a statement by a witness certifying personal delivery to the employee.
- c. The employee has the right to answer in writing any such material in the personnel file.
- d. Upon a written request by an employee, the Superintendent or designee will make an informal inquiry regarding materials in the personnel file which the employee believes to be false. The official making the inquiry shall attach a written report of findings to the material in the file and send a copy to the employee.

D. General Information

- (1) Any employee may conveniently reproduce any material in the file at the cost specified by law.
- (2) The custodian of the personnel files will maintain a record in each file of persons reviewing the limited file each time it is reviewed except those having access to the complete file on an as needed basis.
- (3) Forms and materials necessary for normal business transactions will be a part of the personnel file.
- (4) A preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future.
- (5) A preliminary investigation of a complaint must terminate in any of the following ways:
  - a. With a finding that there is no probable cause to proceed further. A statement to that effect signed by a responsible investigating official shall be attached to the complaint.
  - b. With a finding that there is probable cause to proceed further or with disciplinary action taken or charges filed.
  - c. With the investigation ceasing to be active. An investigation shall be presumed to be inactive if no finding relating to probable cause is made within sixty (60) days after the complaint is made.

- (6) All requests for information must be in writing, subject to approval by the Assistant Superintendents or Director of Finance.

E. Reproduction Procedures and Fees *Amended 7/23/91*

Every person who has custody of personnel files shall permit the files to be inspected and duplicated by any person desiring to do so at reasonable times, under reasonable conditions, and under supervision by the custodian of the records or designee. The records custodian or designee shall review the employee's file for compliance with exemptions under Florida Statutes, Chapter 231, before opening the file for inspection or duplication.

Reproduction of records is to be done on School Board premises.

An individual access record must be added to the employee's file showing the file was inspected and by whom.

The cost of reproducing copies of the records shall be as provided in section 1.20.2 of these Rules.

F. Personnel File Contents

Personnel Files may include, but are not limited to the following information:

INSTRUCTIONAL

Applications  
Appointments (Form Only)  
Authorization To Review File  
Certificates And All Related Forms  
Contracts And All Related Forms  
Code Of Ethics Forms  
Deficiency Forms (Certifications)  
Employee Process Letter/Substitute Form  
Evaluation/Observation Conference Reports  
Inservice Printouts/Related Materials  
Leaves of Absences/Change Forms  
Letters of Commendation  
Notification to Begin Work Letters  
Reclassification/Transfers  
Resignation  
Resumes  
Social Security Card  
Transcripts and University Placement Data  
Wage Verifications from Mortgage Companies

PROFESSIONAL SUPPORT *Amended 6/29/93*

Applications  
Appointments  
Authorization to Review File  
Employee Process Letter/Substitute Form  
Evaluation Forms

Inservice Printouts/Related Materials  
Layoff and Recall Letters  
Leaves of Absences/Change Forms  
Letters of Commendation  
Notification to Begin Work Letters  
Reappointment Letters  
Reclassification/Transfers  
Resignations  
Resumes  
Salary Letters  
Social Security Cards  
Test Scores  
Transcripts  
Work Permits

Reference forms obtained for the purpose of initial employment are not maintained in the personnel file. *Amended 6/30/92*

Auth: 119.07 F.S.; 231.262 F.S.; 231.291 F.S.

#### 1.17 SAFETY AND HEALTH LOSS CONTROL PROGRAM

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

- A. A safe and healthful educational environment for the student population;
- B. A safe and healthful work place from recognized hazards for each employee;
- C. Safe use of facilities by the general public;
- D. Protection of the environment and natural resources from any foreseeable or preventable impairment related to School District activities and operations;
- E. 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 Risk Manager.

#### 1.18 DRUG-FREE WORKPLACE

- 1.18.1 No employee of the School Board shall manufacture, distribute, dispense, possess, use, or be under the influence in the workplace of any alcoholic substance, any intoxicating or auditory, visual, or mental altering chemical or substance or narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance as defined by federal or state law or rule, or any counterfeit of such drugs or substances all being collectively referred to as drugs.

It is recognized that prescription drugs are necessary, but the abuse of such drugs is a violation of the policy.



"Workplace" is defined as the site for the performance of work done in connection with employment. That includes any school building, any school premises; any school vehicle, or any vehicle used to transport students to and from school and school activities off school property during any school-sponsored or school approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the School District. *Amended 6/30/92*

- 1.18.2 Upon reasonable suspicion of drug and/or alcohol abuse, documented by the School Board adopted checklist, written notification shall be given to the employee and a professional evaluation, which may include drug and/or alcohol testing as recommended, shall be performed by qualified personnel.

Any employee testing positive will be considered in violation of the Drug-Free Workplace policy.

Any employee violating the above policy is subject to discipline, up to and including termination and referral for prosecution, for the first offense. *Amended 6/29/93*

- 1.18.3 Employees have the right to know the dangers of drug and/or alcohol abuse in the workplace, the school district's policy about them, and what help is available to combat drug and/or alcohol problems. This document spells out the school district's policy. The school district will institute an education program for all employees on the dangers of drug and/or alcohol abuse in the workplace. All employees are encouraged to self-identify and to participate in the following rehabilitative help:

Medical benefits for substance-abuse treatment

Information about community resources for assessment and treatment

Counseling program

Employee Assistance Program

In addition, the school district will provide supervisory training to assist in identifying and addressing illegal drug and/or alcohol use by employees.

- 1.18.4 Any employee convicted of violating a criminal drug statute in this workplace must inform the school district of such conviction (including pleas of guilty and nolo contendere) within five (5) days of the conviction occurring. Failure to so inform the school district subjects the employee to disciplinary action, up to and including termination for the first offense. By law, the school district will notify the federal contracting officer within ten (10) days of receiving such notice from an employee or otherwise receiving notice of such a conviction.

The school district reserves the right to offer employees convicted of violating a criminal drug statute in the workplace participation in an approved rehabilitation or drug and/or alcohol-abuse assistance program as an alternative to discipline. If such a program is offered, and accepted by the employee, then the employee must satisfactorily participate in the program as a condition of continued employment.

- 1.18.5 All employees are asked to acknowledge that they have read the above policy and

agree to abide by it in all respects. By law, this acknowledgment and agreement are required of each employee as a condition of continued employment.

1.19 TOBACCO-FREE WORKPLACE

1.19.1 All buildings owned or operated by the School Board shall be tobacco-free.

*Amended 6/30/92*

1.19.2 Effective July 1, 1991, all new School Board worksites, including buildings and grounds shall be tobacco free. *Adopted 7/23/91*

1.20 PUBLIC RECORDS *Adopted 7/23/91*

Public Records means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business of any agency.

1.20.1 Inspection Procedures

A. Every person who has custody of a public record shall permit the record to be inspected and examined by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or his designee.

B. All public records which are presently provided by law to be confidential or prohibited from being inspected by the public are exempt from inspection or duplication.

1.20.2 Duplication Fees

A. When a copy of a public record is requested, the custodian of the record, or his designee, is authorized to furnish a copy of the record. Reproduction of public records is to be done on the School Board premises.

B. In cases where the copies consist of more than two (2) pages, the custodian shall charge a payment of fifteen cents (.15) for one side of a duplicated copy or twenty cents (.20) for a two sided duplicated copy.

C. A fee of one dollar (\$1.00) shall be charged for certification of a public record, using the District Seal.

D. In cases where audio cassettes are requested, the custodian will charge one dollar (\$1.00) or the actual cost of the cassette, whichever is greater.

E. If the nature or volume of the public records requested to be inspected, examined or copied requires extensive use of information technology resources and/or extensive clerical or supervisory assistance by District personnel, the District may charge, in addition to the above, a special service charge which shall be reasonable and shall be based upon the cost incurred by the District.

1.21 AIDS/HIV TESTING

*Adopted 6/29/93*

This policy applies to all present employees of the School Board and applicants for positions with the School Board who are or may be HIV positive or have or may have AIDS.

- A. Employees who are HIV positive or have AIDS will remain in their jobs as long as they are able to perform the essential functions of the job with reasonable accommodation.
- B. The School Board may not require an employee or applicant to take an HIV-related test as a condition of hiring, promotion or continued employment unless the absence of the HIV infection is a bona fide occupational qualification for the job in question. Nor may the School Board segregate or classify an employee in such a way so as to deprive the employee of employment opportunities or affect his or her status as an employee, or otherwise discriminate against any employee with respect to compensation, terms, conditions, or privileges of employment, on the basis of the results of an HIV-related test, unless the absence of HIV infection or AIDS is a bona fide occupational qualification for the job in question.
- C. The School Board may not require an HIV-related test unless it is necessary to ascertain whether the employee is able to currently perform essential duties of the job in a reasonable manner or whether an employee will present a significant risk of transmitting HIV infection or AIDS to other persons in the course of normal work activities. The safety of students and other employees shall be of paramount concern to the School Board with respect to these issues. However, the test will not be administered unless there are no reasonable accommodations short of requiring the test.
- D. The School Board may take job action against an employee, as permitted by law, where an employee is unable to perform the essential requirements of his or her job, with reasonable accommodations, or for refusal to take an examination or test directed by the Board.

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## Chapter 2

### District Financial Administration

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## **2.0 DISTRICT FINANCIAL ADMINISTRATION**

### **2.1 GOALS**

The Board shall:

- A. Provide professionally trained personnel to assist the Superintendent and Board in administering the fiscal aspects of the District and local school program.
- B. Utilize a uniform system of financial accounting as prescribed by the Florida Statutes, State Board Regulations, the Auditor General's office and the Board's Rules.
- C. Implement a long-range plan of programming, planning and budgeting, including cost analysis at time intervals consistent with statewide schedules of adoption.
- D. Develop district-wide administrative services which promote greater operational efficiency and financial economy.

Auth: 230.22, F.S.

Imple: 237.01, 237.34 and 230.22(5), F.S.

### **2.2 BUSINESS OPERATIONS**

#### **2.2.1 District Financial Records**

- A. The Superintendent shall be responsible for keeping adequate records and accounts of all financial transactions as prescribed by the Commissioner of Education.
- B. The expenditure of all state, local and federal funds shall be so accounted on a school-by-school and District-aggregate basis in accordance with the manual developed by the Department of Education, or as provided by law. The School Board, in cooperation with the Department, shall plan mutually compatible programs for the refinement of cost data and the improvement of the accounting and reporting system.
- C. The School Board shall report on a District-aggregate basis expenditures for inservice training pursuant to subsection (3) of Section 236.081, Florida Statutes, and for categorical programs as provided in subsection (5) of Section 236.081.
- D. The Board shall report on a school-by-school and on a District-aggregate basis expenditures for each program set forth in subsection (1)(c) of Section 236.081, Florida Statutes.
- E. The Superintendent is authorized to develop internal forms, establish subsidiary records, establish cut-off dates and develop any other operational procedure that he deems necessary to ensure sufficient control and effectiveness, except that such procedures shall not be contrary to State Board Regulations. These actions must be published and distributed in sufficient time prior to the effective date to ensure an orderly transition.

Auth: 320.22, F.S.  
Imple: 237.01 and 237.34, F.S.; and SBR 6A-1.01

## 2.2.2 District School Budgets

### A. Annual Budget

The annual budget shall be prepared, advertised, presented at a public hearing, adopted by the Board, and submitted to the Commissioner of Education in accordance with State Board Regulation 6A-1.002 and Chapter 237, Florida Statutes. *Amended 6/30/92*

### B. Budget Amendments

Budget amendments shall be approved in the manner prescribed in State Board Regulation 6A1.006. *Amended 6/30/92*

### C. Financial Statements

In addition to other financial reports required by law or by State Board Regulations, the Superintendent shall submit to the Board a monthly financial statement, as prescribed by the Board.

### D. Capital Improvement Fund

The Board shall establish a depository account entitled District Capital Improvement Fund, as required by State Board Regulation 6A-2.0200.

Separate project accounts or construction accounts shall be kept for all capital outlay projects subject to the provisions of Section 235.26(4), F.S., in accordance with State Board Rule 6A-1.011. *Amended 6/30/92*

### E. Execution of Budget

It shall be the duty of the Superintendent and the School Board to take whatever action is necessary during the fiscal year to keep expenditures and obligations within the budgeted income in accordance with State Board Regulation 6A-1.007.

### F. Purchasing Policies

The Superintendent is directed to centralize the purchasing activities of the District within the guidelines and requirements of State Board Rule 6A-1.012. All purchases shall be made through the Purchasing Department of the Board except to the extent expressly noted hereinafter.

The Superintendent shall publish a Purchasing Manual defining guidelines and procedures for conducting the function of purchasing in accordance with the policy stated herein and consistent with State Board Rule 6A-1.012.

(1) Purchase Orders and Contracts *Revised 6/28/94*

(a) School Board Approval Required

All purchases except petty cash purchases and those otherwise authorized herein will be based on purchase orders issued by the Purchasing Department of the School District. All purchase orders and contracts equal to or exceeding the amount requiring bids according to State Board Rule 6A-1.012(6), must be approved in advance by the School Board.

(b) Purchasing Department to Issue Purchase Orders for Purchases Between \$1,000.00 and the Dollar Amount at Which School Board Approval is Required. Other Designees Authorized to Issue Purchase Orders Less Than \$1,000.00.

Pursuant to State Board Rule 6A-1.012, the School Board designates the Superintendent and his designees in the Purchasing Department of the School District to approve purchase orders and contracts up to the amount requiring bids according to State Board Rule 6A-1.012(6). All purchase orders and contracts equal to or exceeding \$1,000.00 but less than the amount requiring School Board approval must be issued through the School District Purchasing Department, and approved in writing by the Superintendent or his authorized designee in the Purchasing Department. The Superintendent is authorized to designate employees outside the Purchasing Department to issue purchase orders less than \$1,000.00 or any lesser amount established by the Superintendent. The Superintendent or designee will not execute any purchase orders or contracts unless funds to cover the expenditure are authorized by the budget, have not been encumbered, and the purchase and purchasing procedure are in compliance with all applicable rules and regulations.

(c) State Price List

As required by Section 230.23, subsection (10)(j), Florida Statutes, consideration shall be given to price agreements and state contracts available under regulations of the Department of Management Services, Division of Purchasing.

(d) Purchasing Department is Responsible to Develop Product Specifications

The Purchasing Department of the School District shall have the sole responsibility and authority to develop specifications for services or products to be purchased. The Purchasing Department shall work in consultation with other employees of the District and its consultants where necessary to develop specifications, and it shall be the responsibility of the Purchasing Department to assure to the greatest extent

possible the standardization of specifications on a District-wide basis so that the greatest efficiency in volume purchasing may be achieved.

(e) Scope of Transactions Covered by this Policy

For the purpose of this policy, the term "purchase order" or "contract" shall mean any purchase order, contract agreement, lease, or other pledge or encumbrance, wherein the School Board is obligated to pay a sum of money in consideration of its receipt of any goods or products whether tangible or intangible, or services, except services performed by employees in the course of their employment with the Board, travel reimbursements and purchases from internal accounts, which are excluded from the scope of this policy. In determining whether a purchase exceeds any applicable threshold dollar value stated in this policy, including the value requiring competitive bidding, it shall be improper to break-out into separate purchase orders any goods or services or combination of goods or services, which should reasonably be viewed as a single acquisition at the time of the initial purchase order.

(2) Bids and Price Quotations      *Amended 6/29/93 & 6/28/94*

Sealed bids shall be requested for all authorized purchases equal to or exceeding the amount requiring bids according to State Board Rule 6A-1.012(6), or such lesser amount as may be established by the Superintendent, except those specifically exempted by State Board Regulations. Bids shall be opened and tabulated at a previously announced time and place prior to the Board meeting, so that recommendations can be made to the Board at that time.

The Board shall have the authority to reject any or all bids and request new ones. In acceptance of bids, the Board shall act in compliance with State Board Regulation 6A-1.012.

Food items for the District Food Service operation shall be purchased following sealed bid procedures with the exception that they be awarded by the Superintendent and the results presented to the Board for information in the consent agenda.

Written or verbal quotes shall be requested from three (3) or more sources for all authorized purchases exceeding one thousand dollars (\$1,000), except for items specifically exempted by State Board Regulations.

(3) Resolution of Bid Protests      *Revised 6/28/94*

The School Board hereby adopts the procedure specified in Florida Statutes, Section 120.53(5) for the resolution of bid protests subject to the following:



(a) The bid tabulation shall be posted at the location where the bids were opened within a reasonable period of time after the opening of the bids.

(b) The Director of Purchasing or designee shall notify all bidders that:

"Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."

This notice shall be prominently posted in writing at the place where bid tabulations are posted.

(c) Any person with a perception of being adversely affected by the award of a bid by the School Board or the recommendation of the Director of Purchasing or other responsible employee of the School Board shall file with the Director of Purchasing as agent for the School Board a notice of protest in writing within 72 hours after the posting of the bid tabulations or after receipt of the notice of the School Board decision or intended decision, whichever occurs first, and shall file a formal written protest within ten (10) days after the date he or she has filed the notice of protest. With respect to a protest of the specifications contained in an invitation to bid or in a request for proposals, the notice of protest shall be filed in writing within 72 hours after the receipt of notice of the project plans and specifications or intended project plans and specifications in an invitation to bid or request for proposals, and the formal written protest shall be filed within ten (10) days after the date the notice of protest is filed. Failure to file a notice of protest or failure to file a formal written protest shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. The School Board may, in its discretion, waive any procedural irregularity or defect in procedures so long as any opposing party is not materially prejudiced by such waiver.

The provisions specified herein constitute the exclusive remedy for any adversely affected party with respect to a bid protest. The formal written protest shall state with particularity the facts and law upon which the protest is based.

(d) Upon receipt of the formal written protest which has been timely filed, the School Board shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved by final agency action, unless the School Board, by duly enacted resolution sets forth in writing the particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process without delay in order to avoid an immediate and serious danger to the public health, safety or welfare.

The School Board finds that a substantial interest in the public welfare is the timely award of contracts when required as a condition of receiving grants or funds from outside sources which will be in addition to the regular school budget.

- (e) The School Board shall conduct an informal administrative hearing, acting as the agency head, where there are no disputed issues of material fact. The informal hearing shall be held within seven days, excluding Saturdays, Sundays and legal holidays of receipt of the formal written protest, unless the parties, with the consent of the School Board, agree to extend the time for the hearing. The School Board shall have the right to schedule the hearing subject to these provisions.

The School Board, under Section 120.57(1)(a)1, Florida Statutes, declares that it shall act as the agency head for purposes of a formal hearing of the bid protest where there are disputed issues of material fact. The hearing shall be conducted where there are disputed issues of material fact within 15 days of the formal written protest. The School Board shall have the right to schedule such hearing within the 15 day period. The Board finds it is essential to its orderly function that it act as the quasi-judicial body to consider bid protests.

(4) Proposals

Bids may not be required for the purchase of professional, contractual, or insurance services except where required by Florida Statutes; however, proposals in writing shall be requested for all such services. Proposals shall also be requested for contract services to students, including those for school pictures, graduation supplies and such items as class rings.

(5) Pool Purchases

Pool purchases with other districts, the State Department of Education, or other governmental agencies are authorized if such purchasing is an advantage to the District. Pool purchases shall require agreements as stated in State Board Regulation 6A-1.013.

(6) Property Records

Acquisition, supervision, control, transfer, and disposal of all tangible personal property owned by the School Board shall be done in accordance with Chapter 274, Florida Statutes and Chapter 10.40 of the Rules of the Auditor General. The Superintendent is authorized to publish a Property Records Manual and Surplus Property Manual defining guidelines and procedures for conducting the function of maintaining Property Records in the District.

(7) Multi-Year Contracts

No contract may obligate the Board to make payments beyond the current fiscal year except as expressly authorized by statute.  
*Amended 6/29/83*

(8) Hazardous Purchases *Adopted 6/30/92*

The purchase of chemicals for use in Science Labs and Art classrooms and the purchase of playground equipment must be authorized by the Risk Management Department to ensure that proper safety standards are met.

G. Capital Outlay *Amended 6/30/92*

The Capital Outlay Fund shall be administered in accordance with State Board Regulation Chapter 6A-2 and any other regulations governing capital outlay funds and expenditures.

(1) School Plant Survey

If at any time there is reason to believe that conditions in the District have changed so that the conditions of the most recent survey have become obsolete and invalid, the Board may arrange for a new survey and prepare a new priority list in accordance with the provisions of Regulations 6A-2.043.

(2) Cooperative Use of Facilities

The School Board may participate with one or more adjacent school districts in a cooperative project to establish a common school facility to accommodate pupils residing in the respective districts. In this event the cooperating district shall:

- a. Adopt and submit to the Commissioner of Education a joint resolution indicating their commitment to the utilization of the requested facility.
- b. Request the Commissioner to have a school facility needs survey conducted to determine the school facility necessary for the proposed use; and
- c. Designate the school district in which the facility is to be located and which is to assume responsibility for the operation, maintenance, and control of the facility.

All facilities established pursuant to this section shall maximize the use of modular and relocatable units

235.42(9), 235.22, 235.195, F.S.

(3) Retainage on Construction Contracts

Construction contracts shall specify a retainage of 10% to be held

until the Certificate of Final Inspection (CFI) is received from the Department of Education. Release of retainage shall not include sums necessary for punch list items. Retainage on contracts may be reduced only by the direction of the Board. (Authority State Board of Regulation 6A-2.024(1).

235.42(9), 235.22, 235.195, F.S.

H. General Operating Petty Cash Accounts *Amended 6/30/92*

The Superintendent and each principal and support service administrator (food services, maintenance, transportation and media center) are authorized to maintain a petty cash fund not to exceed two hundred dollars (\$200) each for the purpose of making small expenditures for the operation of his office. Petty cash funds shall be kept separate from all other funds. The maximum one time disbursement from petty cash shall be thirty dollars (\$30).

The Board may reimburse the petty cash fund as often as necessary upon the presentation of receipts equal to the amount of the requested reimbursement. These funds shall never be used as a loan or advancement to anyone and shall not be used to cash a personal check. The petty cash fund shall be replenished at the close of business on the last working day of the fiscal year.

The District Purchasing Manual shall include procedures for the operation of petty cash accounts.

I. Fidelity Bonds

Each and every official or other person responsible for handling or expending school funds or property shall be adequately bonded at all times in the amount specified in and in accordance with State Board Regulation 6A-1.692.

J. Workers' Compensation

All employees of the School Board of Osceola County, Florida are entitled by law to the benefits of Workers' Compensation, as provided in Chapter 440, Florida Statutes. *Amended 7/23/91*

In the event of accidental injury, a Notice of Injury, prepared in accordance with directions from the Risk Management Department, on forms provided by that department, shall be filed the first (1st) working day following the accident by the the principal or department head.

If an employee has sustained an injury/illness in the course and scope of his employment and the authorized treating physician has stated in writing that the employee is able to return to work with restrictions, the Risk Management Department may assign the employee to light duty. If the immediate supervisor cannot accommodate the restrictions, the Risk Management Department will coordinate with the Personnel Department for placement into one of the Board approved light duty positions with a salary commensurate with the job assignment. Light duty is a temporary assignment not to exceed six (6) months. However, in the case of injury

occurring under such circumstances as in the opinion of the School Board warrants it, an additional light duty assignment may be granted.  
*Adopted 7/23/91*

An employee who has been assigned a permanent impairment rating shall receive consideration for open positions within the School District, provided the employee is qualified for the position. If there are no positions available for which the employee is qualified, the employee will be terminated and be eligible for wage loss as required by the workers' compensation statutes.

Auth: 230.22, F.S.

Imple: 237.01, 237.02, 237.041, 237.071, 237.081, F.S.; SBE Regulations 6A-1.02, 6A-1.03, 6A-1.06, and 6A1.08; 230.22(5), F.S.; 236.084 and 236.035,F.S., and SBE Regulation 6A-1.09; 236.02, F.S.; 237.101, F.S. and SBE Regulation 6A-1.07; SBE Regulation 6A-1.12, and 230.23(10)(j), F.S.; SBE Regulation 6A-7.42(2)(g)2, and 228.195,F.S.; SBE Regulation 6A-1.13; SBE Regulations 6A-1.15, 6A-1.29 and 6A1.30, 229.053 and 229.512,F.S.; 236.612,F.S., and SBE Regulations 6A1.301 and 6A-1.34; SBE Regulation 6A1.57; SBE Regulation 6A-1.692, and 237.191,F.S.; 237.34,F.S. and SBE Regulation 6A1.87 and 6A1.85; 233.46(1), 215.19 and Chapters 230, 235, 274, and 440, F.S.

### 2.2.3 Investments *Revised 6/28/94*

- A. The Superintendent is authorized to invest and reinvest any funds not needed for immediate expenditure in the Local Government Surplus Funds Trust Fund, or other investments authorized by law.
- (1) Such investments shall be selected to earn the maximum yield available considering preservation of principal and liquidity requirements.
  - (2) When investments are made in funds other than the Local Government Surplus Funds Trust Fund, the Superintendent shall report such transactions to the School Board at its next regular meeting.
- B. When any funds invested are needed for the purposes originally intended, the Superintendent is authorized to liquidate investments at the then prevailing market price and to pay the proceeds into the appropriate accounts of the School Board.

Auth: 230.23(10), F.S.

Imple: 236.24, F.S.

## 2.3 BUDGETING CONCEPTS AND PROCEDURES

### 2.3.1 Concept

Sound business management requires careful planning. The preparation and maintenance of the annual budget is a year-around job. To ensure economy and

efficiency of the financial operations and to keep expenditures within anticipated receipts, a budget system has been established by Florida Statutes for the control of finances. To be effective and to produce budgetary control that is required and necessary will demand the cooperation of all School Board employees.

A good school budget is essentially the financial plans developed to meet the educational needs. These plans should include expenditures for the next fiscal year and long-range problems. Budget requirements include both instructional and non-instructional programs.

In formulating the school budget, the principal shall involve the teachers and staff in curriculum development and in instructional procedures so as to adequately estimate supply expense, equipment and utility requirements. Plans shall be supported by statement of purpose, reason for change and summaries of research and experience. Requests from department heads shall be based on an inventory of school equipment and supplies, plans and needs for the coming year, and projected long-term plans.

Auth: 230.22, F.S.  
Imple: 230.23(10) and 237.041, F.S.

### 2.3.2 Budget Review Committee

A Budget Review Committee shall be appointed by the Superintendent to serve at his discretion for the purpose of developing and reviewing the District School Budget.

Auth: 230.22, F.S.  
Imple: 236.02 and 236.081, F.S.

### 2.3.3 School and Department Budgets

The Budget Review Committee shall develop an allocation formula for allocating funds to the schools and departments for development of their operational budgets. The formula and allocations shall be approved by the Superintendent prior to being released to school and department heads.

In the event the fund balance of the District operational fund is sufficient to ensure an adequate budget for the succeeding year, the Superintendent may recommend to the Board as an additional allocation to school and department budgets, any portion of the school or department's unencumbered balance for the prior year's operation, not to exceed ten percent (10%) of their total budget, excluding salaries and benefits in the 5,000 and 6,000 functions.

Auth: 230.22, F.S.  
Imple: 236.081 and 237.071, F.S.

## 2.4 SALARY SCHEDULE RULES

### 2.4.1 A. Salary Schedule

The Board shall, prior to the beginning of the new employment period for each school fiscal year, adopt and spread on its minutes a salary schedule for employees of the District in accordance with State Board Regulation 6A-

1.052. When the summer school rate is based on an experience factor, then such factor shall be the same as used to compute said employee's pay during the immediately preceding ten (10) month period.

Auth: 230.22, F.S.  
Imple: SBE Regulation 6A-1.052, and 236.02(4),F.S.

B. Salary Corrections

Amounts overpaid to employees shall be recovered by deductions from subsequent salary payments within the same fiscal year that the error is discovered. The number of subsequent checks to be effected shall be no greater than the number of checks that contained the error. If an employee terminates prior to reimbursing the District in full, the remaining balance due to the Board shall be deducted from the final check. In the event that the amount due to the Board is greater than the final check, or if the overpayment occurred on a person who is no longer an employee, recovery shall be by direct reimbursement and shall be due and payable within thirty (30) days of notice of the amount due.

Auth: 230.22, F.S.  
Imple: SBE Regulation 6A-1.052, and 236.02(4), F.S.

2.4.2 Payroll Periods

Payroll period schedules and pay date schedules shall be adopted annually by the Board.

Auth: 230.22, F.S.  
Imple: 236.02(4), F.S. and SBE Regulation 6A-1.052

2.4.3 Special Retirement Benefits

A. Accumulated Sick Leave

All personnel eligible to retire as provided by law, shall be entitled to payment for the maximum accumulated sick leave allowed by law.

Auth: 230.22 F.S.  
Imple: 231.40 (2)

B. Group Insurance

All personnel, upon normal retirement, shall be allowed to remain as participants in any or all group insurance programs provided by the School Board. Personnel choosing to remain as participants shall be required to reimburse the Board for the premium in advance of due date according to the schedule of due dates provided by the Superintendent. When permitted by Law, the Board may pay so much of this premium as may from time-to-time be paid for the benefits currently employed personnel.

Auth: 230.22,F.S.  
Imple: 230.33(7), F.S.; SBE Regulations 6A-1.052,

#### 2.4.4 Deductions

No deductions shall be made from the salaries of employees of the Board unless such deductions are required by law or are approved in writing by the employee to be affected. Termination of any deduction must be in writing to the Payroll Department. Deductions for group hospital insurance shall be limited to one (1) group insurance company.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.052 and 236.02(4), F.S.

#### 2.4.5 Casual Labor

At certain times it may become necessary or desirable for the Superintendent or principal of a school to request part-time unit work of school personnel, apart from their regular duties. Such labor shall be paid for on an hourly pay scale through the regular payroll account after appropriate deductions are made. A monthly report shall be made to the District office of such unit work and reimbursement to the employee made by County warrant after the District has been reimbursed from the appropriate internal fund.

Auth: 230.22, F.S.

Imple: SBE Regulations 6A-1.0502 and 6A-1.052 and 231.15, 236.02(4), F.S.

#### 2.4.6 Twelve Month Personnel - Holidays - Vacation

Administrative personnel and other personnel who are recommended for twelve (12) month employment by the Superintendent and approved by the School Board shall observe only those holidays approved by the Board. Such employees may earn annual vacation, however, as specified in the appropriate chapter of the rules manual relating to that particular employee.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.082; 231.39, 236.02(3), F.S.

#### 2.4.7 Request for Payroll Change

Any payroll changes requested by personnel must be made in writing to the Finance Department by the due date for personnel changes on the Board adopted Payroll Date Schedule. Any change received after that date will be processed on the following payroll.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.052(3) and 236.02(4), F.S.

#### 2.4.8 Travel

##### A. Authorization for Travel

Overnight Travel - All travel outside of the District that requires the employee to be away from his official station overnight or for a period of time that extends for more than one (1) day must be approved in advance by the Superintendent of Schools or his designated representative on the form provided. No travel outside of the state may be undertaken until



recommended by the Superintendent or his designated representative to the Board and approved by them.

Travel on a Per Day Basis - No travel may be undertaken by an employee unless approved in advance by the Superintendent of Schools or his designated representative.

The Superintendent may designate certain members of his staff to a permanent travel status, using an approved form. This will be a blanket travel authorization for employees to travel as their jobs require on a day-to-day basis. This excludes overnight travel and meals.

All other travel must be on a by-trip basis, approved by the Superintendent of Schools or his designated representative in advance on an approved form.

B. Reimbursement

All personnel and officials of the District shall be reimbursed for any expenses incurred while on authorized travel not to exceed the maximum allowed by current laws and SBE rules, the terms of which shall be disseminated to such personnel by the Superintendent in administrative memos, effective July 1, 1979.

Auth: 230.22(2), F.S.

Imple: 112.061, F.S.

2.5 GIFTS

2.5.1 Gifts to Employees *Amended 6/30/92*

Any gifts or property received by an employee of the Board with a value between \$10 and \$25, inclusive shall not be accepted from any person, natural or corporate, doing business or soliciting business with the Board or any public school within the District, unless reported in writing to the Superintendent. Gifts of less than \$10 value need not be reported. Gifts in value of more than \$25 may not be accepted by the individual employee. Gifts or bonuses which are advertised as accompanying a purchase of goods, materials, or equipment of any kind and ordered in the name of the school, District, students or employees of the Board may be accepted, providing such gifts or bonuses become and remain the property of the school or District.

The willful violation of this rule by an employee shall be cause for suspension or dismissal.

Auth: 230.22(1), F.S.

Imple: 230.23(2), F.S.

2.5.2 Gifts to Schools

Gifts or property in excess of \$10, which is donated to the District, the Board, or any school, must be reported to the Superintendent and accepted by the Board. Gifts may be received by the Board or any public school within the District from any source, and such gifts may be tendered to any Board member or employee for acceptance on behalf of the Board. Such gifts shall be acknowledged within three

(3) working days of receipt by filing with the Superintendent a statement upon a form approved by the Board, indicating the name and address of the donor, a description of the gift, the value of the gift as agreed to by donor and recipient, the name of the recipient, and the date and place of receipt. The gift shall then be entered upon the inventory list of the District and shall become the property of the Board, or, if cash, shall be deposited in the appropriate fund. The word "gift" as used herein, includes any bonus, rebate, refund, gratuity or personal property. The Superintendent shall transmit all gift reports received to the Board at the next regular Board meeting.

The willful violation of this rule by an employee shall be cause for suspension or dismissal.

Gifts in the form of chemicals for Science Labs or Art Classrooms and playground equipment must be reported to the Risk Management Department to ensure that proper safety standards are met. *Adopted 7/23/91*

Auth: 230.22, F.S.  
Imple: 230.23(10), F.S.

### 2.5.3 Purchase of Awards and Gifts with Budgetary Funds *Amended 6/30/92*

The Superintendent may authorize the expenditure of budgetary funds to provide non-monetary awards such as, but not limited to, plaques, certificates, medals and ribbons of recognition for outstanding and meritorious service to district employees, students, school volunteers, or advisors/committee members. Expenditures for such awards shall not exceed fifty dollars (\$50) per award.

Auth: 230.22(2), F.S.  
Imple: 230.23(5)(g)

### 2.5.4 Monetary Awards *Adopted 6/30/92*

The Board may authorize monetary awards to persons who propose procedures or ideas which are adopted by the Board and which result in eliminating or reducing School Board expenditures or improve district or school center operations. No award granted under the provisions of this rule shall exceed \$1000 or ten (10%) percent of the first year's gross savings, whichever is less.

Auth: 230.22920, F.S.  
Imple: 230.23(5)(g)

## 2.6 PROMOTIONS AND PUBLIC RELATIONS FUNDING

- A. Schools are authorized to spend internal account funds generated by enterprise activities and undesignated gifts on promotions and public relations as defined in State Board Regulations. Such funds generated by students shall be limited to activities involving students or their parents. School internal accounts may not be spent on hospitality of business guests.
- B. The Superintendent is authorized to expend undesignated gifts to the District for promotions and public relations for the following activities:

Official meetings and receptions

Visiting Committees  
Orientation and work conferences  
Inservice training sessions

Any other use of these funds allowed in State Board Regulations shall require prior Board approval.

Auth: 229.053(1)  
Imple: 237:046, F.S

## 2.7 USE OF SCHOOL BOARD OWNED OR LEASED VEHICLES

Use of School Board owned or leased vehicles by employees for personal purposes is not permitted. Use of any such vehicle, except school buses, for commuting between an employee's residence and post of duty is specifically prohibited, except in emergency situations approved by the Superintendent.

Auth: 230.22(2)F.S.

## 2.8 PAYMENT OF PROFESSIONAL MEMBERSHIP DUES

The Superintendent may authorize the expenditure of budgetary funds to provide professional membership to non-profit educational and community organizations on behalf of a school or the school district.

School Board budgetary funds shall not be used for the purpose of purchasing an individual membership in a professional organization.

Auth: 230.22(2) F.S.  
Imple: 230.23(10)(j)

## 2.9 INTERNAL ACCOUNTS

### 2.9.1 Principles

A. School Organizations are those whose existence is derived from the school program or from personal associations in the school setting. Members normally consist of students. Adult leadership, in the form of teacher, coach, or sponsor, and space and equipment are normally provided by the School District. Bands, choruses, other music classes, and combined groups involving more than one such organization from the same school or from different schools are included. Football, basketball, and all athletic teams fielded by the school are included. All student classes and clubs with a Board employee as sponsor approved by the Principal to meet on school grounds are included. Any group with funds on deposit in internal accounts is included.

The receipts of all school organizations, regardless if derived on or off school grounds, or during or outside the normal school day, will be deposited in internal accounts. Parking fees, concession stand sales, program sales, etc., that are derived from performances by school organizations and athletic events will be deposited to the internal account of that organization unless another school organization or school-related organization conducts the sale and is authorized by the Principal to receive

the proceeds. Admission charges will be deposited to internal accounts. Financial operations of all school organizations will be subject to state and local rules governing internal accounts.

- B. School-Related Organizations (or organizations operating in the name of the school) are those holding themselves out to be associated with or supporting a school or school organization but not meeting the definition of school organization. Included are PTO's, Band Booster organizations, and Athletic Booster organizations.

All such organizations will maintain their financial records on the same fiscal year as the School District. Annual Reports will be filed with the Board in the format prescribed by the Accounting Department by the due date for the District's Annual Financial Report established in State Board Rules.

School-related organizations may not make payments directly to Board employees for services covered by Board-approved salary schedules. Any such payments must be processed through the District's payroll system and be in accordance with rules of the Board. No payments may be made in excess of the Board-approved salary schedule.

No school-related organization may solicit funds in a manner implying that such funds will become property of the school unless such funds are deposited directly in internal accounts.

No school-related organization may utilize students in door-to-door sales or solicitations. School-related organizations may not solicit contributions from the general public through the mail.

With the Principal's permission, school-related organizations may collect funds on campus for their own accounts before or after the students day or during lunch. *Amended 7/23/91*

A maximum of one fund raising activity per semester by school-related organizations may be permitted on campus during the student day. Use of school facilities requires the recommendation of the Superintendent and Principal, and approval of the School Board as prescribed in School Board Rule 3.12.A.2.

The Principal may veto activities of school-related organizations that are in conflict with the school program or detrimental to the reputation of the school.

Failure to comply with these rules will disqualify the organization from using the school name, from using any school facility, and from making any contribution, in kind or monetary, to the District or any school or school organization.

- C. External Organizations include any individual or group not described in A or B above. No external individual or group is permitted on campus without authorization of the Principal. The Superintendent or Assistant Superintendent must authorize in writing any sales, solicitation for sales, advertising, distribution of literature, etc., by external groups or individuals

on campus and the time period during which such activities will be permitted. Any such activities will be primarily for the benefit or convenience of students rather than the benefit of the external individual or organization. Funds will not normally be handled by school personnel; any funds that are handled by school personnel will be deposited in internal accounts.

Common consumable supply items, including those for music and athletics, will be stocked in the school store and not sold by teachers or outside vendors on campus.

External organizations shall not make payments to Board employees for services compensated by the Board.

- D. Direct Support Organizations. At the request of the organization, and with the approval of the Principal or Director in charge, direct support organizations authorized by Section 237.40, F.S., may have all financial transactions accounted for in internal funds.
- E. Faculty and staff funds will be accounted for in internal funds.
- F. The hierarchy of authority governing internal accounts is as follows:
  - Florida Statutes
  - State Board of Education Rules
  - Red Book Chapter 7
  - School Board Rules
  - Superintendent's Procedural Directives
  - Accounting Procedural Memoranda
  - (1) The Superintendent is authorized to issue Procedural Directives as necessary to ensure uniformity and control over internal accounts.
  - (2) The Accounting Department is authorized to issue Accounting Procedural Memoranda prescribing forms and procedures for recording and documenting transactions. Forms will be approved by the District Forms Control Committee.
  - (3) All persons involved with internal accounting shall be governed by directives issued by the Superintendent and Accounting Department.
  - (4) In interpreting rules, each higher level will prevail over all lower levels. No higher level restriction may be removed by a lower level rule. In the absence of other conflict, the most restrictive rule will apply.
- G. The Accounting Department will disseminate information relating to internal accounts at periodic meetings called by the Director of Finance. The Principal will provide for the bookkeeper, or another representative if the bookkeeper is absent, to attend such meetings.
- H. The Principal is responsible for achieving compliance with internal account rules at his facility. He is authorized and required to approve all internal account activities. He is responsible for maintaining financial records in

compliance with established accounting procedures that provide adequate explanation of the source and disposition of all funds.

- I. Budget. School organizations with funds in internal accounts will submit budgets for approval by the Principal on forms approved by the Board. Budgets will be submitted within thirty days of the opening of school or establishment of the organization. These will become part of the official records of the school and will be retained for audit. Budgets are not required for trust accounts. Principals may require additional information or detail in excess of that which is included on District forms.
- J. Funds collected from students shall, insofar as is possible, be spent to benefit those students currently in school from whom the funds were collected and for the purpose collected.
- K. Funds generated by students will not be diverted for the benefit of sponsors or other non-students. Nonessential travel by non-students, non-student banquets costing in excess of twice the Class C meal allowance, and purchases of alcoholic beverages are examples violating this principle.
- L. Fees. Public schools are required to provide free education for grades K-12. No fees may be charged any student for participation in the required thirteen years of basic instruction. Booster clubs or other external organizations may not charge fees in violation of this rule. This rule does not prohibit charging students for destruction of school property or extraordinary wear and tear.

#### 2.9.2 General Practices

- A. Purchase orders. All purchases from internal funds will be based on purchase orders approved by the Principal. The Principal may authorize an Assistant Principal (or equivalent administrator) to sign internal accounts purchase orders when he is away from the school. Signature authorizations will be on forms prescribed by the Accounting Department.
- B. The collection of money from students will be kept to a minimum to control accounting requirements and in order that teachers may devote the maximum amount of time to assigned instructional duties.
- C. No school organization shall incur expenditures in excess of the cash resources available to that organization. Items may be purchased for resale, however, when the cost is to be paid from proceeds of the sale even though sufficient cash is not on hand to pay for the items when they are received. An expenditure occurs at the time goods are received, regardless of the date paid.
- D. Internal accounts may not be obligated under notes, installment purchase contracts, or capital lease arrangements except in emergency situations approved by the School Board.

#### 2.9.3 Standards, Practices and Procedures

##### 2.9.3.1 Control of Cash Resources

## CHECK SIGNATURES

- A. All disbursements except petty cash shall be by check. Checks shall be signed by the Principal and another responsible member of the staff as authorized by the Principal. The Principal may authorize an Assistant Principal (or equivalent administrator) to sign for him when he is away from the school. At no time will anyone co-sign a check on which he/she is payee. Signature authorizations will be on forms prescribed by the accounting department.

## CASH COLLECTIONS AND DEPOSITS

- B. Any type of collection of funds from students on campus during normal school hours must be approved individually, in advance, and in writing by the Principal.
- C. All funds collected will be turned in to the bookkeeper each day. No funds will be left in classrooms overnight.
- D. Cash will be collected from school-operated vending machines at least once each week.
- E. Departmental Receipts. Pre-numbered subsidiary (departmental) receipts will be issued by staff members when cash is collected from students in accordance with procedures prescribed by the Accounting Department. These will be issued in all cases where other adequate accounting internal controls are not in place or if students or parents request a receipt.. They will not be required for collections of less than \$3.00 if individual student names are listed on a Report of Monies Collected.  
  
The bookkeeper is responsible for controlling issuance of departmental receipt books and will maintain a log by receipt numbers showing to whom issued and when returned. All departmental receipt books will be returned to the bookkeeper at the end of each fiscal year and retained for audit.
- F. Reports of Monies Collected will be prepared by teachers listing individual student names and departmental receipt numbers for all collections deposited with the school bookkeeper.
- G. Official Receipts. All funds deposited with the school bookkeeper must be receipted into the books of record by Official Receipts issued from the District Warehouse. Receipts must be issued to all individual remitters. Official Receipts are pre-numbered and must be accounted for by the bookkeeper. A physical inventory of unused Official Receipts will be prepared at the end of each fiscal year. Teachers will be instructed through teacher handbooks and staff meetings to expect an Official Receipt at the time funds are turned in to the bookkeeper.
- H. Daily Deposits. Cash receipts will be deposited to the bank intact each day. No deposit is required for the day if total receipts for deposit are less than \$50.00, except all receipts on hand must be deposited the last business day of each week.
- I. The Principal is responsible for sending a report to the Accounting

Department each month showing that a deposit was made each day with bank verified deposit slips attached. If no deposit is made, a statement that no funds were collected or that funds collected totaled less than \$50.00 is required. *Amended 6/29/93*

- J. Adequate cross-training shall be provided so other office personnel can carry out the essential duties of the bookkeeper during periods of absence. In the event other personnel are not available, the duty to ensure funds are properly collected and deposited will fall to the Principal.
- K. The Principal may set up change funds as necessary to support activity ticket sales and concessions.
- L. Pre-numbered tickets shall be used at all functions of school organizations where an admission is charged. All tickets will be controlled by the school bookkeeper who will maintain an inventory of tickets received, used, and returned. A physical inventory of unused tickets will be prepared at the close of each fiscal year.
- M. Collections for student pictures and school insurance will not be handled by school personnel and will not be deposited in internal accounts. Transactions will be handled directly between the parent or student and vendor.

#### INVESTMENTS

- N. Internal funds which are temporarily idle shall, as required by law, be invested using any medium of investment legal for public funds, and may not exceed insurance protection or other legal collateral limits provided for such public funds. If material, interest earned on deposits of classes and clubs shall be allocated to the appropriate subsidiary accounts. Otherwise, interest shall be credited to the general fund.

#### 2.9.3.2 School Activity Projects

- A. The Principal will assign a sponsor other than the bookkeeper to every ledger account. An official assignment list will be approved by the Principal and retained for audit. Separate ledger accounts should be created for field trips and book orders as needed to show that collections equal disbursements.
- B. School Store. The sale of school supplies within a school shall be authorized only under the following conditions:
  - (1) The Principal shall determine that the sale of school supplies provides a convenience to students.
  - (2) The supplies sold shall be limited to common, essential supplies required by students in their regular school duties, except that a student operated store may be conducted as part of a vocational program. School T-shirts, hats, and similar items bearing the school name or insignia may be sold through the store.
  - (3) Any profits derived from such sales shall be utilized by the



sponsoring group with the approval of the Principal, or will be transferred to the general miscellaneous account.

- (4) All receipts of the school store shall be deposited in internal accounts.
- (5) Year end physical inventories showing item, quantity, and resale value will be prepared and retained for audit. This inventory will be used in the yearly accounting for school store activities and become the opening inventory for the subsequent year.

#### CLASSES, CLUBS, DEPARTMENTS

- C. Graduating classes or other disbanding organizations may designate all or a portion of their residual funds to a specific project or another internal account. Otherwise, such balances will be transferred to the General Miscellaneous account by the end of the following school year.
- D. The Principal must grant approval, in writing, before a school organization undertakes any project extending beyond the current school year or accepts a restricted donation to be used over a period of time beyond the year in which received. Such approval will be retained for audit. These funds will be accounted for in trust accounts. Scholarship funds that may not be distributed in the current year are an example of this activity.

#### 2.9.3.3 Purchasing

##### REQUIREMENTS

- A. The Principal is authorized to sign purchase orders and contracts to be paid from internal funds. School Board approval is not required.

The purchase of chemicals for use in Science Labs and Art classrooms and the purchase of playground equipment by schools or school related groups must be authorized by the Risk Management Department to ensure that proper safety standards are met. *Adopted 7/23/91*

- B. Contracts will not be for more than one year duration, and will not bind the school beyond the ensuing fiscal year.
- C. Notwithstanding the above, the following purchases must be approved by the Superintendent:
  - (1) Any purchase order in excess of \$1,000.00. Splitting purchases to meet this requirement is prohibited.
  - (2) Any items being purchased from an employee of the School Board, from a business controlled by any such employee or from the spouse, child, or parent of any employee.
- D. Gifts associated with any purchase or contract in the name of the school are subject to the provisions of School Board Rule 2.5.1.

## BIDS

- E. Bids and quotations are required for all purchases made from internal accounts under the same schedule applicable to District expenditures. Bids will be handled by the Purchasing Department.

## PETTY CASH

- F. Petty Cash Funds. The Principal of each school is authorized to maintain a petty cash fund in internal accounts, not to exceed fifty dollars (\$50.00), for the purpose of making small expenditures for internal account activities. Such petty cash fund shall be separate from all other funds. Each petty cash fund shall be replenished so as to be intact at the close of business on the last working day of the fiscal year.

Internal Account petty cash funds are subject to the same dollar limitations and procedures as District petty cash funds.

Refunds to students up to \$2.00 each may be made from petty cash provided receipts are obtained from the students and the disbursement is witnessed by a responsible school employee other than the bookkeeper. One time petty cash funds may be created for this purpose.

Disbursement of petty cash to the petty cash custodian are prohibited.

## RESTRICTED EXPENDITURES

- G. Travel. Any payment for meals, transportation, conference registration fees, or lodging, except on student trips as described below, is subject to this section.

District rules pertaining to travel will apply to internal accounts. All travel reimbursements will be authorized by the Principal in advance. Travel vouchers will be completed. Limitations on meal reimbursements will apply. Out of state travel must be approved by the School Board in advance.

Travel expenses will not be paid from internal accounts when other school board funds are available.

Travel expenses will be paid on a reimbursement basis unless paid directly to a vendor, e.g., hotel or conference sponsor.

Reimbursements to employees involving taxable meals will be paid through the District Payroll System in order to include the reimbursement in the employee's W-2.

Staff expenses for travel not associated with a particular school organization may be paid only from faculty or staff funds.

- H. Student Trips. Field trips, trips to athletic competitions, and other travel by student groups, including expenses of adult chaperones, are subject to this section. Actual costs of these trips will be paid. Travel vouchers are not required. Funds may be advanced to pay expenses enroute provided

receipts are returned at the completion of the trip. Meal allowances shall not exceed Class C travel amounts.

- I. Items of equipment or furniture for the school's administrative offices or faculty areas, including drapes, rugs, desks, chairs, or ornamental items, may be purchased only from faculty or staff funds.
- J. Promotions and public relations. Schools are authorized to spend internal account funds generated by enterprise activities and undesignated gifts on promotions and public relations as defined in State Board Regulations. Such funds generated by students shall be limited to activities involving students or their parents. School internal accounts may not be spent on hospitality of business guests.
- K. Gifts and awards. Awards, plaques, etc., in recognition of outstanding performance or service may be purchased for students, employees, and others involved in internal account activities subject to the dollar limit for such awards purchased from District funds. This rule does not restrict scholarships from club or trust accounts nor the distribution of money or property to students as awards when donated to the school specifically for this purpose.
- L. The number of activity supplements and the remuneration of each shall be approved by the Board. Payments from internal accounts or by school related organizations in excess of those approved are prohibited.

#### PROPERTY ACQUISITION AND CONTROL

- M. Property Dispositions. Tangible personal property donated to an internal fund for resale may be sold and the proceeds retained in internal accounts. The donor's intention must be established in writing. For example, a car may be donated to a vocational program for repair or resale. Otherwise, all donated and purchased tangible personal property is subject to normal rules for disposition administered by the Purchasing Department. Proceeds will be deposited to the District's General Fund. In unusual circumstances, the School Board may authorize the redeposit of proceeds from asset sales to the internal account that purchased the property.

#### 2.9.3.4 General Standards, Practices, and Procedures

##### REPORTS

- A. Reports. The Accounting Department is authorized to require reports necessary to provide control over internal account operations and prescribe the format for such reports.

Major reports and required filing dates are as follows:

Principal's Annual Report	July 15
Monthly Report on Internal Accounts, Bank Reconcili- ation, Cash Receipts/ Disbursements Journal	15th

Daily Bank Deposit Receipt	next day
Audit Response	21 days after receipt

The assigned sponsor will review and initial the account's activity on each monthly report.

A report of any outstanding obligations, by vendor and account, shall accompany the Principal's Annual Report.

- B. Personnel responsible for school stores, yearbooks, and all other resale activities shall provide an accounting of the activity on forms prescribed by the accounting department. Such accounting will include a computation of the sales value of merchandise sold, taking inventories into consideration, and a comparison to actual receipts.

These reports will be prepared at the conclusion of the sales activity, or at the end of the fiscal year for ongoing activities, and be approved by the principal. Shortages will be adequately explained. In such cases where goods are distributed to students for sale, adequate records will be maintained to fix responsibility to the individuals involved.

- C. Donation Reports. Gifts of money or property in excess of \$10.00 received by school internal funds from any source shall be reported to the Superintendent within three (3) working days.

AUDITS

- D. Audit Response: Audit responses will be prepared by the current Principal of the school at the time comments are released.

FUND RAISING

- E. Each fund raising activity shall have the approval of the organization sponsor and the principal.
- F. In order to limit public solicitations and competition with private businesses, no school organization may participate in more than one commercial sale or one fund raising activity in which donations or pledges are solicited from the public per school year.

Commercial sale means the purchase and resale of a commodity in which the cost of the commodity constitutes a substantial portion of the selling price. Bake sales of donated items and car washes are not commercial sales.

- G. Advertising. Elementary and middle school solicitation of advertising from the public shall be limited to the support of one (1) activity per school. Senior high school solicitation of advertising from the public shall be limited to the support of five (5) publications, e.g., newspapers, football programs, yearbooks, etc., per school, unless otherwise approved by the Superintendent.

- H. Door-to-door sales. Elementary and middle school students shall not be permitted to sell items, or solicit contributions, pledges, or orders door-to-door for fund raising activities sponsored by the school or by school-related organizations.
- I. Charitable Fund Raising. Door-to-door fund raising drives or public solicitations for external organizations such as United Way, March of Dimes, or Red Cross shall not be conducted by students in Osceola District Schools. Such organizations are not permitted to organize students on campus or to distribute literature in schools encouraging student participation in door-to-door fund raising drives or public solicitations. The name of the school or any school organization will not be associated with charitable fund raising by mail, door-to-door, or public solicitation.

With the Principal's approval, schools and school organizations may make contributions of time, goods, and money to philanthropic, educational, and charitable causes of interest to the school. Such activities shall not conflict with the educational program.

- J. School buildings, shall not be used during regular school hours for profit making shows or entertainment sponsored or produced by a person, group, or organization outside the school system. The use of school buildings shall be subject to the provisions of School Board Rule 3.12.
- K. Vending machines which are not fully controlled by the school shall not be installed or operated on school property where they will be accessible to students without specific authorization by the Board. Receipts, including commissions or rents if operated on that basis, of all vending machines located on property of the School District will be deposited in the school's internal accounts. Pay phones are included under this rule.
- L. Admission Fees      *Adopted 6/29/93*

Admission fees may be charged for school-sponsored events, such as athletic competitions, held during the regular school day under the following conditions:

1. Attendance is optional and voluntary,
2. Attendance is not required as part of any academic program or for credit in any class, and
3. Time in attendance for students participating in these programs shall not be used to meet or reduce FTE contact hours as mandated by law.

#### SALES OF FOOD AND BEVERAGES

- M. Sales of food items and beverages in schools is restricted under School Board Rule 8.8.3.D.

Auth: 230.22, F.S.  
Imple: 237.02(4)(a), F.S.

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## Chapter 3

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### **3.0 GENERAL OPERATING RULES**

#### **3.1 TRANSPORTATION**

##### **3.1.1 Student Transportation** *(Formerly section 6.6 - Moved 6/28/94)*

- A. The district will transport students who reside two (2) or more miles from their designated school by the most direct traveled route.
- B. The district may transport students residing less than two (2) miles from their designated school if the Director of Exceptional Student Education certifies that the student is handicapped and is unable to walk to school.
- C. A student eligible for transportation that is beyond the accessibility of a school bus may be provided transportation by payment to the parent(s) or legal guardian for private automobile or other conveyance for this purpose. The minutes of the School Board shall indicate the amount of the transportation assistance, the name of the student served, the school attended and the mileage of the route.
- D. Transportation service shall not be provided for a student living in another school district unless an agreement has been entered into by the Osceola County School Board and the School Board of the district in which the student lives and the said agreement is included in the official School Board minutes of the respective School Boards.
- E. No person shall be eligible for transportation on a field trip or extracurricular school trip unless he/ she is authorized by the principal or designee.
- F. A student who arrives early or remains late because of transportation service shall be under school supervision at all times and shall, if practicable have a planned schedule of activities.
- G. In planning and establishing bus routes, travel each morning and afternoon shall not exceed one (1) hour for a student, provided, that in unusual circumstances an exception may be allowed by the School Board.

Auth: Section 230.22(2), F.S.

Imple: Sections 230.23(8), 234.01, 234.02 F.S. SBR: 6A-3.001, 6A-3.017

##### **3.1.2 School Buses**

School buses shall not be used for any trips, other than on regular routes, without the approval of the Director of Transportation or the Superintendent.

The principal of a school may apply to the Superintendent for use of school buses, under the following conditions:

- A. For short activity trips, for the transportation of pupils, teachers and chaperones, for pupil participation in an activity approved by the Superintendent.
- B. For instructional field trips, for the purpose of pupil participation in an

activity directly related to the work of a particular course or program of instruction, which trip shall not end later than 2:00 p.m., except upon prior approval of the Superintendent.

Use of school buses shall be confined to Osceola County and the counties adjoining Osceola County, and to a maximum distance of 100 miles radius from the school unless otherwise approved by the School Board.

Expenses for use of school buses for activity, instructional, and non-school organization field trips shall be paid by the sponsoring organizations. Rates shall be determined by the Director of Transportation, Finance Dept. and Superintendent. Drivers shall be assigned by the Director of Transportation. The rate of pay shall be fixed by the School Board as per Florida Statutes 234.211

Sponsoring organizations shall be responsible for the general conduct of students while riding on school buses. All trips shall be properly supervised by at least one (1) chaperone for each bus. The principal shall instruct chaperones as to transportation regulations concerning pupil conduct.

Application for use of school buses for the above mentioned purposes must be made to the Superintendent not later than five (5) working days prior to the date of the anticipated trip. The application shall include the destination, routing, and identity of chaperones, and shall describe briefly the purpose of the trip. The Superintendent shall approve such application if satisfied that the trip is of educational value or is of service to the community, if buses are available, if charges are to be paid in advance, and if bodily injury and property damage insurance will cover the trip.

Auth: 230.22, F.S.

Imple: 234.01, F.S. as per GA-3.017(4)(d),GA-3.017(4)(d),GA-3.017(i)l.g,  
FAC

### 3.1.3 Board Owned and Private Passenger Vehicle Operation for Authorized Transportation *A-F Revised 6/28/94*

The following standards set forth the minimum requirements for operation of Board owned or leased vehicles for business use and the transportation of students. Further, this rule includes the authorized travel by employees or volunteers and the transportation of students in private passenger vehicles.

- A. All prospective employees, current employees, and students that operate board owned or leased vehicles shall be required to possess and maintain a valid motor vehicle drivers license of appropriate classification.
- B. Current employees and students shall notify their respective supervisor or teacher of any suspension, revocation, restriction or Driving Under the Influence (D.U.I.) charge within 48 hours of the action being taken or the D.U.I. charge.

- (1) The following criteria shall be used to suspend driving



privileges for owned/leased vehicles as required by State Law:

12 points < 12 months:	suspension 30 days
18 points < 18 months:	suspension 60 days
24 points < 36 months:	suspension 1 year
1st D.U.I. =	suspension 1 year

- (2) If found guilty of D.U.I., each operator shall be required to complete a State Advanced Driver Improvement Course or D.U.I. class; complete the Board policy suspension time; and, provide evidence of reinstatement prior to restoring driving privileges.
  - (3) Upon a second conviction, a D.U.I. offender shall be restricted from operating Board vehicles until all State waiting periods are fulfilled or for two years, whichever is longer.
- C. All employees who are required to transport students in the performance of their job responsibilities shall have driving record information obtained by the Risk Management Department from the Florida Department of Highway Safety and Motor Vehicles (FDHSMV).
  - D. Drivers who operate a Board vehicle while under the influence or in the possession of alcohol, illegal drugs, or narcotics will be subject to immediate termination.
  - E. Restraint belt use is mandatory for all drivers and passengers in all vehicles used for Board business and authorized student transportation, whether the vehicles are owned, rented, leased, or employee owned provided the vehicle is equipped with restraint belts.
  - F. Principals shall not permit school activity trips in vehicles which are not properly licensed and insured. All parents, volunteers, and other persons transporting students on Board approved, off-campus activities shall be required to show proof of Personal Injury Protection (PIP) insurance as required by Florida Statutes (\$10,000 per person) and minimum \$100,000 per person/\$300,000 per accident liability and \$25,000 property damage coverage limits.
    - a. The use of vans for student transportation is prohibited. This exclusion includes Multipurpose Passenger Vehicles (MPV's). The definition of MPV's includes the various types of vans, minivans, trucks and utility vehicles built on a light duty truck chassis.
    - b. Drivers shall be District employees or non-employees who are not K-12 students and must be at least 18 years of age.
  - G. All field trip requests, whether or not the use of school-owned buses is involved, must follow the provisions of 3.1.1 and must have the

approval of the Superintendent. Trips for a distance of more than 100 miles must be approved by the School Board.

School-sponsored field trips are not permitted during non-student days, unless directly related to instruction or an ongoing activity of an established District-supported extra-curricular function.  
*Amended 6/30/92*

No mode of transportation, commercial carrier or private vehicle, may

be used unless liability coverage at limits specified by the Superintendent is provided. The sponsoring organization is responsible for providing evidence of insurance. *Amended 6/30/92*

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-3.17, 230.23(8) and 230.33(10), F.S.

#### 3.1.4 Bus Insurance

The Board shall provide insurance for bodily injury for transported pupils and for property damage in an amount equal to at least the minimum levels of coverage required by Florida Statutes.

Auth: 230.22, F.S.

Imple: 234.03, F.S.

#### 3.1.5 Bus Driver Responsibilities

It shall be the responsibility of each bus driver to:

- A. Know and observe local and state traffic laws.
- B. Pass an annual physical examination and meet the requirements of the State and District Board.
- C. Be neat and clean in personal appearance, refrain from the use of tobacco while on duty, and use no profane or vulgar language in the presence of students.
- D. Attend and participate in conferences and training classes for school bus drivers and be prepared at any time to successfully pass a reasonable examination concerning traffic laws, state and local transportation regulations and driving skills.
- E. Require pupils to observe regulations of the State and County, and the District School Board with regard to their transport and safety. Distribute and collect school bus regulation sheets for parent signature.
- F. Maintain order and discipline on the bus at all times and do not allow students to bring objects on the bus that would be injurious to other students such as, sharp objects, large band instruments, or any object that would block front door or aisles in the bus in case of an emergency.

- G. Permit a child to leave the bus only at the regular stop except upon written request of a parent and at the discretion of the principal.
- H. Require pupils to move away from the bus immediately upon being discharged, in view of the driver, and require children who leave the bus and cross the highway to cross in front of the bus, under the direction of the driver, only after all approaching traffic has stopped. If an unusual hazard exists, the driver shall conduct the child across the highway.
- I. Post the rules governing the conduct of pupils and the daily schedule in the front of the bus. Routes and bus stops shall not be changed without specific authorization of the Superintendent. Such information may be distributed by the Director of Transportation for the Superintendent.
- J. Supervise emergency evacuation drills at least twice each school year as directed by the school principal.
- K. Use the bus only to transport students to and from school except upon specific direction of the Superintendent, the Director of Transportation or the principal, with the approval of the Superintendent. As per #6A-3.017 (1) #2(K).
- L. Prepare immediately after every accident involving the bus or a school bus passenger an accident report on the required form, to be filed with the Superintendent in duplicate. As per 6A-3.017
- M. Actuate the amber lights at a point approximately two hundred (200) feet from the student stop or at such greater distance as is necessary due to traffic speed and road conditions, as a warning to traffic that the bus is approaching a student passenger stop. When the bus has stopped, before the door is opened, the amber lights shall be deactivated and stop signal arm, supplemented by flashing red lights, shall be displayed as due warning that students are being loaded or unloaded. The bus door shall not be opened to unload students until approaching traffic in the immediate vicinity of the bus has stopped.
- N. Ascertain and ensure that all students are off the bus before filling fuel tank.
- O. Turn on emergency flashers before bringing the bus to a stop at least fifteen (15) feet from the nearest rail of a railroad grade crossing. The Driver shall not proceed across the tracks until after looking carefully in each direction, opening the door and listening for the sound of an approaching train, and determining that it is safe to proceed. The bus door shall be closed before proceeding across the tracks of a railroad. The Driver shall not change gears until bus has cleared tracks. *Amended 6/30/92*
- P. Drive the bus at a safe speed, bringing the bus to a full stop before entering or crossing an arterial highway or dangerous thoroughfare not safeguarded by a traffic control signal, and proceeding only when safety is assured. Driving conditions shall be the governing factor as to speed, and the bus shall be pulled completely off the highway at the first opportunity in the event of rain or fog conditions which reduce visibility to the danger point. In such instance the bus shall remain parked with the running lights and

emergency flashers operating until the hazard has been lifted.  
*Amended 7/23/91*

- Q. Cooperate with duly authorized school officials, mechanics and other personnel in the mechanical maintenance and repair of the bus in overcoming hazards which threaten the safety or efficiency of service.
- R. Make daily pre-trip and post-trip inspection of the bus and report any defect affecting safety or economy of operation immediately to authorized service personnel.
- S. Keep the bus clean at all times.
- T. Submit prompt and accurate reports, keep all records required, and otherwise assist school officials in mapping bus routes, planning schedules and obtaining information for the effective operation of the school program as it relates to student transportation.
- U. Report immediately to the school principal or other designated official:
  - (1) Misconduct on the part of any pupil while on the bus or under his immediate supervision. The driver shall not attempt to handle student disciplinary problems with parents.
  - (2) Complaints requiring the attention of school authorities.
  - (3) Any hazards arising which would offer either an actual or potential threat to the safety of students in his care, including the license number of any vehicle which passes the bus illegally.
  - (4) Causes for failure to maintain school bus time schedule.
- V. Maintain as far as practicable by patient and considerate treatment of parents a feeling of security in the safety of students transported.
- W. Permit students to ride only those buses to which they have been assigned, either permanently or temporarily, and allow non-student riders only as authorized by the Superintendent, the Coordinator of Transportation or the school principal.
- X. Be trained in the principles of first aide for use in case of an emergency.
- Y. Be knowledgeable of and exercise that authority given to school bus drivers in Board Policy 7.2.5.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-3.17(1)(d) 2 and 230.23(8), F.S.

### 3.1.6 Transportation Grants

Transportation grants to persons providing transportation to isolated students as approved by the Superintendent shall be paid at the established rate. All grants must have prior approval by the Board.

Auth: 230.22, F.S.  
Imple: SBE Regulation 6A-3.17(11), 230.23(8) and 230.33(10), F.S.

### 3.1.7 Transportation Hazard Surveys

The School Board, with the assistance of the Superintendent, school principals, teachers, bus drivers, parents, pupils, the Department of Transportation and local agencies and officials responsible for traffic safety, shall annually conduct a survey and report on those hazards on or near public sidewalks, streets, and highways which endanger the life or threaten the health or safety of pupils between their homes and the school in which they are enrolled. Reports shall be submitted promptly in writing to the mayor or manager of the city, to the Board of County Commissioners or to the Department of Transportation, according to the location of the hazard reported, and, until such hazards are corrected, the School Board shall take or cause to be taken such precautions as are necessary to safeguard students, as provided in Section 234.082 Florida Statutes.

Auth: 230.22, F.S.  
Imple: 234.082, F.S.

### 3.1.8 Transportation of Physically Handicapped Students

Parents of physically handicapped students including the trainable mentally handicapped, profoundly handicapped, hearing impaired, visually impaired and physically impaired are required to "provide the necessary assistance and protection for their children while in route to and from the bus stop." SBR 6A-3.121(5)(a). If parents fail to abide by this rule a warning letter will be sent informing them of the policy. After the warning letter has been sent by certified mail to the parent or guardian, any subsequent failure to abide by this rule will result in a discontinuation of transportation services pending a parent conference at the school with the bus driver, principal and Director of Transportation.

Auth: 229.053(1)  
Imple: 234.02

## 3.2 INSTRUCTIONAL MATERIALS

Instructional materials shall be purchased pursuant to Florida Statutes and District adopted guidelines. *Adopted 6/29/93*

The principal of each school shall submit to the Superintendent an annual inventory of textbooks and other instructional materials for his school, not later than June 30, upon a form approved by the School Board and provided by the Superintendent.

Textbooks and other instructional materials not in use shall be stored in a dry room and shall be arranged by title, subject or grade.

The principal shall be responsible for the maintenance and replacement value of textbooks in use or reported lost, destroyed, or damaged, in accordance with Section 233.46, Florida Statutes.

Auth: 230.22, F.S.  
Imple: 233.43 and 233.46, F.S.

3.2.1 Use of Instructional Materials by Students

To assure maximum use of instructional materials provided by the School Board to students, the following procedures shall be observed by the Superintendent, principals, and teachers:

- A. Students shall not mark in any textbook or other instructional material designed for use for two or more years.
- B. Students shall be given instruction at the beginning of each school year relating to the proper care of instructional materials, and shall be informed of the requirement that books lost, destroyed or unnecessarily damaged shall be paid for by the student or his parent.
- C. Textbooks, library books, and reference materials shall be assigned serial numbers. This serial number of each instructional material shall be stamped or printed in indelible ink on the inside front cover, and the name of the student to which is assigned shall be written on the inside front cover in ink.
- D. Students shall be encouraged to use instructional materials in a responsible manner, and shall not be discouraged from taking their assigned instructional materials home for use.

Auth: 230.22, F.S.  
Imple: 233.34(3), F.S.

3.2.2 Requisition and Purchase of Texts

The Superintendent shall requisition and purchase adopted instructional materials in accordance with the provisions of Section 233.22, Florida Statutes.

Auth: 230.22, F.S.  
Imple: 233.22, F.S.

3.2.3 Sale of Instructional Materials

Upon request by a parent of a student in any school within the District, the principal of such school may sell to the parent one (1) copy of any instructional material used in the school. The sale price thereof shall consist of the purchase price, less a discount based upon the physical condition of the materials, computed in the same manner as for instructional materials lost, destroyed or unnecessarily damaged. The principal shall sell only the student edition of any instructional material, but may show in lieu thereof the teacher's edition if a surplus copy is available for inspection by a parent in the school building during normal school hours. The condition of instructional materials sold to parents shall be equivalent to the average condition of said materials used in the school at the time of sale to the parent. All money collected from the sale shall be transmitted to the Superintendent to be deposited in the District school fund and added to the District appropriation for instructional materials. In the event that a school has insufficient copies of any instructional material to meet a parent's request to purchase, the Superintendent shall locate the materials from any available source in the district and sell or arrange the sale of the materials to the parent.

Auth: 230.22, F.S.  
Imple: 233.09 (3) (c) and 233.46 (2) F.S.

### 3.2.4 Copyright

The School Board of Osceola County, Florida in recognizing the importance of the Copyright Law of the United States (Title 17, United States Code) hereby notifies all employees that a willful infringement of the law may result in disciplinary action. No school board employee may make copies of any materials protected by the 1976 Copyright Act, as amended, except as provided for in the act. Materials included are such items as literature, music, poetry, tests, workbooks, computer software, video tape, audio tape, film, etc. The performance or display of audiovisual works by instructors or pupils must be in the course of FACE-TO-FACE teaching activities of a nonprofit educational institution, in a classroom or similar place devoted to instruction. In the case of a motion picture, video or other audiovisual work, the performance, or display of individual images must be given by means of a copy that was lawfully obtained. If the person responsible for the performance knew or had reason to believe the motion picture, video, etc., was not lawfully made, it shall constitute a willful infringement of the law. The document "Copyright and You" produced by the Media Center, shall be distributed to each principal and shall become a part of each school's faculty handbook.

### 3.2.5 Basic Texts

There shall be a basic text or approved materials established for each course offered in the regular school program. Textbooks will be adopted according to State Board of Education Rules. Challenges to textbooks and other classroom materials will follow the same procedure as challenges to Library/Media materials.

### 3.2.6 Rules of Selection of Media Center Materials

#### A. Philosophy of Selection

The primary goal of a school media center is to help implement, enrich, and support the educational program of the school. Other goals are concerned with the development of each pupil's reading skill, literary, discrimination in choice of materials, and with instruction in the use of books and media centers. School media centers are equipped to generate understanding of American freedoms and the preservation of these freedoms. It is a function of the media center to provide a wide range of materials on all levels of difficulty, with a diversity of appeal presenting different points of view.

#### B. Responsibility for Selection of Materials

The School Board of Osceola County shall determine and adopt such rules and programs as are deemed necessary by it for the efficient operation and general improvement of the district.

Selection of materials involves many people: principals, teachers, students, supervisors and media specialists. The responsibility for the selection of media center material is delegated to the professionally trained media center personnel under the direction of the principal, in accordance with Board adopted guidelines.

C. Criteria for Selection of Media Center Materials

- (1) The process of evaluating materials for inclusion in collections is continuous and systematic. It is preferable to examine materials before purchasing them; however, this is often impractical if not impossible. In such cases, selection is based upon bibliographic sources, selected lists, and reviews in reputable professional journals and publications.
- (2) First consideration is given to the needs of the individual school based on knowledge of the curriculum, of the existing collection, and of the needs of the children. Requests from users (administrators, teachers, parents, students) of the collection are given high priority. Materials are selected so as to provide a wide range of levels of difficulty.
- (3) Materials for purchase are considered on the basis of overall purpose, timelines, importance of the subject matter, quality of writing or production, readability and popular appeal, authoritativeness, reputation of the author, artist, publisher, producer, format, and cost.
- (4) Special consideration is given to treatment of the following elements: religion, ideologies, sex education, sex, profanity, and science.
  - a. Religion - Factual unbiased material which represents all major religions is included in the collection.
  - b. Ideologies - Factual information on any ideology or philosophy which exerts a strong force in society is included in the collection.
  - c. Sex Education - Factual information appropriate for the age group or related to the school curriculum is included in the collection.
  - d. Sex - Pornographic, sensational, or titillating materials are not included, but the fact of sexual incidents appearing in the materials does not automatically disqualify them.
  - e. Profanity - The fact that profanity appears in material does not automatically disqualify a selection. Care is taken to exclude materials using profanity in a lewd or detrimental manner.
  - f. Science - Factual information about medical and scientific knowledge is included in the collection without any biased selection of facts.

D. Procedures for Selection

- (1) In selecting materials for purchase, the school library media specialists shall evaluate the existing collection and consult:



- a. Reputable, unbiased, professionally prepared selection aids.
  - b. Media staff, curriculum consultants, teachers, students, and community representatives.
  - c. The media committee appointed by the principal to serve in an advisory capacity in the selection of materials.
- (2) In determining materials to be purchased, library media specialists follow these procedures:
- a. Multiple items of outstanding and frequently used materials are purchased as needed.
  - b. Worn and missing basic items are replaced periodically.
  - c. Out-of-date or no longer useful materials are withdrawn from the collection and replaced by new and appropriate materials.
  - d. Sets of materials and subscription materials are examined carefully, and are purchased only to fill a definite need.
- (3) Further detailed criteria are listed in the Media Manual for Osceola District Schools.

**E. Reconsideration of Challenged Materials**

- (1) The principal invites the complainant to file his or her objections in writing on the form, Request for Reconsideration of School Library Materials, FC-820-244.
- (2) A complainant who does not complete and return the form receives no further consideration.
- (3) The principal shall, within ten (10) days of receipt of written complaint, call a special meeting of the School Library Media Center Advisory Committee or the School Advisory Committee and the Media Specialist. The complainant may be present to make a verbal and/ or written complaint to the committee. The principal will notify the Coordinator of Instructional Materials and the Superintendent immediately.
- (4) The principal shall receive the recommendation of the School Library Media Center Advisory Committee or the School Advisory Committee and notify the complainant, the Coordinator of Instructional Materials, and the Superintendent immediately.
- (5) If the complainant wishes, he may immediately contact the Superintendent and request, in writing, further review of the materials. The Superintendent will have the District Media Review Committee review the complaint and the recommendations of the School Library Media Center Advisory Committee or the School

Advisory Committee. This should be accomplished within ten (10) school days.

- (6) The complainant will be notified by the Superintendent of the findings of the District Media Review Committee. The District Media Review Committee shall consist of no less than two (2) lay persons from the community, two (2) principals, the Coordinator of Early Childhood & Elementary Education or the Coordinator of Middle & Secondary Education, and the Coordinator of Instructional Materials.
- (7) The Superintendent shall submit the findings of the District Media Review Committee and the Superintendent's recommendation to the School Board at the next School Board meeting.
- (8) The complainant may appeal to the Board at the next School Board meeting either verbally and/or in writing.
- (9) The final decision regarding the challenged materials is made by the School Board.

### 3.2.7 Disposal of Library/Media Materials

Print and non-print materials that are worn or obsolete should be clearly marked "DISCARD" and these items should be surplus. Property Transfer, FC-200-301, is to be completed and the Purchasing Department contacted for pick up of materials.

### 3.3 FIRST AID -- FIRST AID EQUIPMENT

Each school shall be equipped with a complete first aid cabinet or kit approved by Student Services and have it available for use at all times in the first aid room.  
*Amended 6/30/92*

Each first aid room shall be staffed and supplies maintained by the school health aide or principal's designee. Any person so designated by the principal shall have completed first aid and CPR training. *Amended 6/29/93*

Auth: 230.22, F.S.  
Imple: 402.32(5), F.S.

### 3.4 RELEASE OF STUDENT NAMES *Amended 7/23/92*

No names or addresses of students shall be released to any company, corporation, or individual without approval by the School Board, unless a school directory is published. This policy does not include releasing names and addresses of students from school to school, to colleges or other institutions of education, public or private, or to any of the branches of the Armed Forces of the United States.

Auth: 230.22, F.S.  
Imple: 232.23, F.S.

### 3.5 PUPIL CONTROL

The principal or his designee shall be responsible for the safety and conduct of pupils during the time they are being transported to and from the school at public expense, and during the time they are attending school or are on school premises, in accordance with Section 232.25, Florida Statutes, and as specified in Chapter 6 of this manual.

Auth: 230.22, F.S.  
Imple: 232.25, F.S.

### 3.6 DISMISSAL OF SCHOOL

All schools shall maintain a regular schedule. No school shall dismiss prior to the regularly scheduled hour without permission of the County Superintendent, except when in case of an extreme emergency the welfare of children requires immediate dismissal. A regular schedule shall be interpreted as attendance in accordance with the daily schedule of classes or participation in regularly scheduled field trips. Planned room parties within the classroom or school area will be recognized, but should be limited to a few special occasions and restricted as to length. The following shall not be regarded as a part of the regular schedule:

- (1) School parties and picnics outside the school area.
- (2) Attendance at athletic events during class hours.

Auth: 230.22, F.S.  
Imple: 232.02 and 230.33(6), F.S.

### 3.7 CUSTODIAL SERVICES

The custodial manager is directly responsible to the principal. The custodial staff report to the custodial manager and they are responsible to the Principal. The duties of all the custodians are contained in the job descriptions to be found in the Job Description Handbook. *Amended 6/29/93 & 6/28/94*

Auth: 230.22, F.S.  
Imple: 230.23(5), F.S.

### 3.8 ADVERTISING

No materials from outside of school sources may be distributed to homes through pupils without prior approval of the Superintendent. Advertising materials may be accepted for classroom and school purposes provided that they:

- A. Are of the type teachers need for instructional purposes.
- B. Are provided without cost to the District, school, teacher, or student.
- C. Contain a minimum amount of commercial advertising.
- D. Are not of a sectarian nature.

- E. Fulfill a legitimate purpose of the school curriculum.
- F. Do not prominently display a selfish or private purpose of the sponsor.
- G. Do not have a blatant advertising feature.
- H. Do not violate the attitudes which are recognized as ideals of the school system or of our society.

Auth: 230.22, F.S.            Imple: 233.43, F.S.

### 3.9 BUILDINGS AND GROUNDS

- A. The principal of each school shall be responsible for the care, maintenance, and use of school buildings and grounds and shall supervise the custodial staff of the school in providing an adequate program of proper care and maintenance.
- B. Maintenance or repairs which cannot be handled by the school custodial staff shall be reported to the Superintendent and shall become the responsibility of the District Maintenance Department. *Amended 9/17/91*
- C. The School Board shall condemn and prohibit the use for public school purposes of any building which can be shown for sanitary or other reasons to be no longer suitable for such use and when any building is condemned by any state or other government agency as authorized in chapter 235, see that is it no longer used for school purposes. *Amended 9/17/91*
- D. The principal shall make recommendations regarding needed repairs to or renovations of school buildings to the Superintendent as such time as they are needed.
- E. All projects that require remodeling, new construction or any alterations to facilities in the District shall be placed under the direction of the Director of Facilities. *Amended 6/30/92 & 6/28/94*
- F. It shall be the responsibility of the principal of each school to provide for the display of the United States Flag and the official flag of Florida on the school grounds, in compliance with 228.101 and 256.032 F.S., except in inclement weather. The flags shall also be displayed indoors at all times when functions are being held in the auditorium, cafeteria, lunchroom, multipurpose room, or gymnasium in accordance with 256.11, F.S.

Auth: 230.22, F.S.  
 Imple: 230.23(9)(c), 231.085(5) and 235.01, F.S.

### 3.10 LABORATORY SAFETY AUDIT *Amended 6/29/93*

- A. Each school shall be responsible for maintaining safe laboratory conditions in an attempt to prevent accidents.
- B. Each laboratory teacher will perform a safety audit within ten (10) working

days at the beginning of each semester or each new assignment and submit it to the principal.

- C. The principal will promptly initiate corrective action on those items reported as unsatisfactory.

### 3.11 SCHOOL OFFICE HOURS

The hours of the principal and his office staff shall be equal in length to those of the District office, and the school office shall remain open on the same days. Any changes in schedule shall have prior approval of the Superintendent.  
*Amended 6/29/93*

Auth: 230.22, F.S.

Imple: 230.33(6) and (7), and 231.085(5), F.S.

### 3.12 USE OF SCHOOL BUILDINGS, GROUNDS AND EQUIPMENT

*Revised 1/18/94*

The following shall apply to the use of school and ancillary buildings, grounds and equipment:

#### A. Use of Buildings and Grounds

**Facilities Are Only For Use In The Educational Program And Are Not For Personal Political Activity**

- (1) It is the policy of the School District that the right of free speech and access shall be granted in accordance with law. However, the paramount purpose of the School District is the provision of its program of education. Accordingly, all School District property, equipment and facilities, including all methods of communication through the use of School Board facilities and equipment such as, but not limited to, duplication machines, photocopying machines, telecommunication facilities and wires, computer transmission facilities, including modems, desktop publishing and facsimile transmission or telecopy facilities, are deemed facilities dedicated for use in the educational program and not for use by any person or group except as expressly permitted in this policy.

Nothing in this policy prohibits the use of any School District facility by an employee of the District in the performance of the employee's job, including the use of the District facilities for communications between employees of the District which are related to the performance of their work, communications with School Board members which are related to any business of the District, or to communicate with students and their families in connection with the work of the employee for the District (but not including the use of District facilities for communicating to students or their families the personal opinion, unrelated to the educational program of the District, of the employee concerning any issue pending before the School Board or the voters of Osceola County at any general or special election, including any referendum).

(2) Restriction On Use of Facilities For Private Or Personal Profit

No individual, including an employee of the School Board, group, or organization may use buildings for private profit or personal gain. However, non-profit and youth organizations shall be permitted to use buildings for fund-raising purposes, when prior approval is obtained from the Board, upon recommendation of the school principal and the Superintendent. The term "non-profit" shall mean those organizations which are 501(c)(3) exempt and recognized as such by the Internal Revenue Service. The term "youth organizations" shall refer to charitable non-profit organizations which are deemed to operate for the benefit of the children of Osceola County.

(3) All non-school organizations, groups or individuals desiring to use buildings and grounds must schedule their use in advance with the building administrator and must provide in advance, proof of insurance coverage in amounts prescribed by the Board, and assume all liability of or damage to property, whether owned by the Board or otherwise, and for personal injury, whether by negligence or intent of any person, occurring on Board property during the use of the building or grounds. Notwithstanding the foregoing, the public may have access to the resources generally made available to the public in the Support Services Building under the control and supervision of the Media Specialist for the School District.

(4) All such use shall be under the supervision of the building administrator. Specific fees for use of school facilities shall be based on annual fee schedule as recommended by the Superintendent, and shall be payable to the Board. Payment must be made in advance. Fees may be reduced or waived by direction of the Superintendent, but only for those groups that directly benefit the students and/or programs of the school district.

*Amended 6/30/92*

(5) Persons using buildings and grounds must take proper and ordinary care of them and shall be held responsible for any damage or vandalism incurred as a direct result of their use.

(6) Alcoholic beverages and gambling are forbidden on premises.

(7) The use of tobacco products is forbidden in all school district buildings. *Amended 6/30/92*

Auth. 386.201, 202, 203, 204 & 205 F.S.

(8) Students are not to be in the school buildings without faculty supervision, except for the attendance at public gatherings or by special permission of the school principal.

(9) See Board Rule 8.11 for rules governing the use of cafeteria kitchens.

(10) Firearms *Adopted 6/29/93*

- a. No person shall, while on the grounds or in any building owned or operated by the School Board of Osceola County, Florida, possess, carry and/or transport on or about their person or discharge any firearm, as defined in Section 790.001(6), Florida Statutes, excluding duly authorized law enforcement officers in the lawful performance of their duties.
- b. The authority to approve exceptions to this rule is granted exclusively to the Superintendent and may not be delegated to any other person.

B. Use of School Equipment

- (1) It should be understood by each employee of this district that all school equipment if purchased by tax dollars is intended for use in the educational process of the students attending the Public Schools of Osceola County.

These materials may be checked out by parents of students attending Public Schools in Osceola County after execution of Form #FC-820-894. This form:

- indicates acceptance of financial responsibility
- indicates educational purpose
- indicates agreement to return said materials immediately upon request
- indicates date checked out and date to be returned
- indicates complete parent/guardian information i.e., social security number, address, phone number, etc.

- (2) Personal use of school equipment is prohibited and employees should refrain from submitting such requests to the principal.

Employees requesting the use of equipment which directly relates to their job responsibilities may be granted permission by the appropriate administrator upon execution of Form #FC-820-894.

- (3) Non-Profit organizations with good cause may be exempt from the above rule provided advanced approval is secured from the Principal. The term "non-profit" shall mean those organizations which are 501(c)(3) exempt and recognized as such by the Internal Revenue Service. The Principal may not approve of any practice or use in violation of this policy.

Auth: 230.22, F.S.  
Imple: 235.02, F.S.

C. Regulation of Employee Use of Facilities, and Statement of Equal Access

- (1) To the extent any School Board facility or property is permitted by this policy to be used by any person or group for any purpose other

than the delivery of the educational program, then such use will be made available on similar terms and conditions to any person or group without regard to the content of the particular message being communicated and without discrimination on the basis of whether the person using the facility is or is not a School Board employee and without discrimination based on any other classification prohibited by general or special federal or state law or applicable regulation.

- (2) All employees of the School Board reserve their right to freedom of expression. However, no employee shall have the right to utilize any facility of the School District for personal gain or advantage under terms and conditions which are not generally available to other residents of the County under the same general terms and conditions unless the School Board has, previous to such use, expressly permitted such a privilege. Additionally, the facilities of the School District shall not be used by any School Board employee for the purposes of advocating a position concerning an issue pending before the School Board or the voters of Osceola County at any general or special election, including any referendum.

Nothing herein shall limit the right of the School Board to determine in a particular campaign that the School District should actively participate in a campaign, the outcome of which will have a substantial bearing on the general ability of the School Board and the District to furnish a public education program consistent with School Board policy. No School Board employee shall have the right to decide when the use of a School District item or property or a District facility is for the betterment of the District, only the School Board has the authority to dedicate the use of its facilities and property for such purposes. Nothing herein limits the right of any employee of the Board to speak or appear before the Board.

D. Exceptions *Adopted 6/28/94*

Exceptions to this rule include, but are not limited to the following:

1. District personnel may use Electronic Mail for sending announcements such as blood drives, funerals, united fund drives, meetings, etc., in accordance with guidelines determined by the Superintendent or Board.
2. Personal use of telephones on an occasional basis is reasonable as long as the privilege is not abused. Long distance personal calls shall be paid by the caller.
3. Professional Organizations, in which some district personnel belong, may promote the school district as a community participant (FASPA, FASA, FASBA, Rotary, Kiwanis, Red Cross, Salvation Army, Chamber of Commerce, FASCD, Educational Organizations, etc.) through use of the courier, Electronic Mail, and other means of communication. Organizations must gain the approval of the Superintendent



prior to using the facilities of the district. The Superintendent shall notify the Board of the organizations receiving approval.

4. The Osceola County Administrative Association and other bonafide nonprofit employee organizations may use computers, equipment, and the courier for business purposes of communicating notices, minutes and agendas.
5. District personnel may use computers and equipment for school work or professional development or to improve their personal skills, subject to guidelines issued by the Superintendent.
6. District personnel may use copy machines at employee rates.
7. District personnel may use phone calls to notify parents of upcoming events (meetings). Such calls shall be limited to date, place, time and agenda.

The Superintendent may issue administrative guidelines that clarify these exceptions or specify forms and procedures concerning these exceptions.

### 3.13 TRANSPORTING STUDENTS FROM OTHER COUNTIES

Osceola County will cooperate with other districts in transporting students from adjoining districts into the Osceola County School System, but out-of-district students shall obtain annual permission from both Boards prior to attending Osceola County Schools.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-3.01(1); 230.23(8) and 230.33(10), F.S.

### 3.14 NEPOTISM

The School Board shall not employ two or more close relatives or family members where one individual is the immediate supervisor of another. Such close relatives or family members are defined as: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, sister-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

All instances of nepotism shall be investigated annually by the Superintendent. All persons concerned shall be consulted and steps taken to eliminate such practice when recommended in individual cases. Recommendations made shall be subject to Board approval. *Amended 6/30/92*

Auth: 230.22, F.S.

Imple: 116.111, F.S.

3.15 GRIEVANCE PROCEDURE *Amended 6/30/92*

This grievance procedure shall apply to any problem dealing with the treatment of personnel due to the alleged violation of existing School Board rules or policies.

Whenever an employee feels that he has a grievance, every effort shall be made to arrive at a satisfactory resolution of the problem on an informal basis. When this cannot be done, the more formal procedures stated herein an effort to resolve grievances and preserve good morale. No grievance shall be processed anonymously.

A. Definitions:

Grievance - Any claim by an employee or group of employees that there has been a violation, misinterpretation or misapplication of a School Board rule or policy. The term "grievance" as used in this section and for the purposes of the procedures set forth herein, shall not apply to any matters or procedures covered by the terms of any contract entered into pursuant to Chapter 447, Florida Statutes.

Representative - Any person or legal counsel designated by the grievant.

Grievant - Any person or group of persons who initiates a grievance unable to be resolved in an informal manner.

Superintendent - The Superintendent, as duly holding office in Osceola County.

School Board - The School Board of Osceola County, Florida.

Administrative Channel - The normal chain of command of administrative responsibility of the Osceola District Schools.

Days - Actual working days.

Rights - The rights of employees to:

- (1) Call upon any representative to aid and assist in any level of the grievance procedure.
- (2) Request and receive for his representative a copy of all information pertaining to the grievance.
- (3) Have all documents, communications and records dealing with the processing of the grievance kept separate from the assessment file of the participants.
- (4) No reprisals of any kind shall be taken against any participant in the grievance procedures by reason of such participation.
- (5) Sample forms shall be made available to all persons by the Superintendent.

- (6) The number of days of each level shall be considered a maximum except when extended in writing by mutual consent.
- (7) If an individual does not file a grievance within ten (10) days after becoming aware of the act or condition on which the grievance is based, or after a reasonable person under similar circumstances should have become aware of such act or condition, then the grievance shall be considered to have been waived.
- (8) Failure of the grievant to appeal the grievance to the next level within five (5) days shall be deemed to be acceptance of the decisions rendered at that level. *Amended 6/28/94*
- (9) The grievant and his representative shall have the right to be present at any and all levels.
- (10) No employee, including probationary or substitute employee (OPS), may use the grievance procedure in any way to appeal discharge or a decision by the Superintendent not to renew his contract. *Amended 6/28/94*
- (11) Failure at any step of this procedure to communicate the decision on a grievance within the specified time shall permit the grievant to appeal at the next step of this procedure.

B. Procedure for Resolving Grievances

For individual grievances, the following procedures shall apply in the order specified below:

- Level 1 - The grievant shall discuss the grievance with the principal or worksite supervisor for the purpose of resolving the grievance. If satisfactory results are not obtained within five (5) days, then
- Level 2 - The grievant may file the grievance by submitting a written "Statement of Grievance" on a form (FC-120-183) provided by the School Board with the Assistant Superintendent of Personnel and Administrative Services, and a copy to any representative of his choice. It shall include the name of the employee involved, the facts giving rise to the grievance, the identity by appropriate reference of all rules or policies alleged to be violated, the contention of the employee with respect to those provisions, and the specific relief requested. The Assistant Superintendent of Personnel and Administrative Services shall respond in writing within five (5) days. Copies shall be sent to any representative designated by the grievant.
- Level 3 - If the grievant is not satisfied with the disposition of the grievance at level two (2) or if no decision has been rendered in writing within five (5) days the grievant may forward the written grievance form directly to the Superintendent, with copies to the person who caused the grievance and any other representative of his choice.

The Superintendent shall, within ten (10) days file his reply in writing to the grievant with copies to the person who caused the grievance and the grievant's representative.

If satisfactory results are not obtained at this level, then

Level 4 - The grievant or his representative may forward the written grievance form within five (5) days directly to the School Board with copies to all concerned. Within fifteen (15) days after receipt of the grievance, the School Board Chairman shall call a meeting for the purpose of resolving the grievance. The School Board, at the discretion of the Chairman, may appoint an independent committee of its choosing to investigate the grievance. Within twenty (20) days after the above meeting, the Board shall communicate its decision in writing and state its reason in writing, if requested, to the grievant.

Auth: 230.22, F.S.  
Imple: 230.23(5), F.S.

### 3.16 CHILDREN OF EMPLOYEES

During the workday employees shall make arrangements for their children away from the employee's place of employment at times other than the student school day. Emergencies shall be dealt with by the Principal/District Administration.

Auth: 230.22, F.S.  
Imple: 230.23(5), F.S.

### 3.17 CROWD CONTROL AT ATHLETIC EVENTS

- A. Athletic events are a vital part of the total school program. In order that students and the community may enjoy these events they shall be conducted in a manner that will reflect credit to the school and community.
- B. The school administrator (principal, assistant principal) or athletic director shall be on duty at each athletic event.  
  
The law officer in charge will be given the name of the school official on duty.
- C. The Student Code of Conduct will be enforced for students at all extra-curricular activities. Offenses pertaining to alcohol, drugs, fighting, and direct and willful disobedience will be strictly enforced.
- D. No child under age 8 will be admitted to an event without an accompanying adult.
- E. No alcoholic beverages will be permitted on the property, including the parking lot.

- F. No one under the influence of alcoholic beverages will be admitted to events.
- G. Anyone leaving the game and going outside the gates must purchase another ticket to re-enter.
- H. The gates will not be opened at any time for free admission.
- I. Those persons out of uniform and authorized to be on sidelines at football games (press, photographers, student managers, assistant coaches, etc.) must display a sideline pass to be worn around the neck.

These passes will be issued by the school with a list given to the law officer in charge. Anyone out of uniform without a pass will not be permitted to remain. NO EXCEPTIONS.

- J. Profane, abusive language, or language or actions in the opinion of the administrator, or law officers on duty, are likely to incite riot or provoke trouble will not be permitted. Such actions will lead to ejection from property, and such other actions as deemed necessary.
- K. Upon receipt of a police report notifying the School Board of the ejection of any person under these rules, the Board shall decide if such actions by a fan merits further discipline. If further action is merited, the Board will notify the fan of date, time and place of hearing, Party may be subject to civil action or barred from attending any school function for any length of time deemed necessary.
- L. Violation of these rules by Osceola County fans at out-of-county high school events may also lead to a Board Hearing for disciplinary action.

Auth: 230.22, F.S.  
 Imple: 230.23 (13)a, 230.23 (14)

### 3.18 CONTRACTED EDUCATIONAL SERVICES

Organizations and institutions may apply for contracted educational services from the School District of Osceola County, Florida under the guidelines of the State's General Appropriations Act of 1987. Both the School District and the institution must agree on other supplies, consumables, lab materials, and textbooks as necessary. Both parties must agree that the education program manager is to be responsible for coordination the education program, is to conduct the selection and evaluation of the instructional personnel, and is to collaborate in developing operational procedures for efficient management of the educational program.  
 Amended 7/23/91

### 3.19 HAZARDOUS WORKING CONDITIONS OF MAINTENANCE EMPLOYEES *Revised and moved from Section 3.10 on 6/29/93*

The hazards of maintenance employees entering confined spaces as defined herein are recognized by maintenance management. This policy and the associated procedure is intended to guide all maintenance employees who encounter a confined space in the process of carrying out a repair or replacement. It is the policy of the

Board to contract specialized work when the nature of the job required skills or equipment not available in-house. Entry into confined areas of unknown air quality involves hazards requiring specially trained personnel and equipment. When either of these requirements cannot be met, the job, or that portion of the job shall be referred to the Director of Maintenance for re-assignment to be qualified contractor.

- A. When qualified personnel and the appropriate equipment are available in-house, the following mandatory procedure must be followed.
- B. Confined Area: A space which by design has limited openings for entry and exit, unfavorable natural ventilation, which could contain or produce dangerous air contaminants, and which is not intended for continuous employee occupancy. Confined spaces encountered by maintenance employees include but not limited to manholes, sewers, pump wells, deep pits, boilers, tanks (including new tanks) or other man-made closed containers. Some attics and crawl spaces may also fit the description of a confined space. There shall be no smoking within a 20 foot entrance or exit or a confined space. There shall be no smoking in a confined space.

**NOTE: IT IS IMPERATIVE THAT ALL TRADES FOREMEN AND TRADESMEN BE ALERT AS TO WHAT CONSTITUTES A CONFINED SPACE WITH THE ATTENDANT HAZARDS. RECOGNIZING THE DANGER IS THE FIRST STEP IN AVOIDING ACCIDENTS OF THIS TYPE.**

- C. (1) Training - all employees attempting to perform work in a confined space shall be certified in the required safety precautions, the use of air quality test equipment and emergency rescue equipment. Certification is by satisfactory completion of an appropriate course conducted by the National Safety Council or other organization approved by Maintenance management.
- (2) Equipment - The following equipment, as a minimum, shall be available at the site before entry is attempted:
  - a. Air supplied hood
  - b. Clean air pump
  - c. Air pump supply hose (100') for #2b
  - d. Personal oxygen monitor
  - e. External sensor with 20' capable for #4b
  - f. Combustible gas indicator
  - g. Toxic gas indicator
  - h. Harness, full body
  - i. Lifeline (1/2" rope) 100' for #8h
  - j. Ventilating equipment - blower fan

- (3) Pre-entry tests - Pre-entry tests shall be conducted for toxic gases, combustible gases, and oxygen levels by remote means before entry is attempted.

NOTE: All confined areas are to be considered lethal prior to the testing.

- a. Unlock and/or open the access door (from an upwind position for sewer manholes) and place or lower the air quality instruments into the confined space.
  - b. If the instruments indicate there are no excessive levels of toxic, lethal, or combustible gases, set up a ventilation blower (fan) and direct the blower into the space for a minimum of 15 minutes.
  - c. If toxic, lethal, or combustible gases are present or if the oxygen level is below 19.5 % the area shall not be entered and Director of Maintenance notified.
- (4) Entry - one (1) person may enter the confined space wearing a full body harness with attached rope. This rope shall not be attached lower than the shoulder blades. An air supply hood may be ordered by the foreman. A second individual (rope person) must hold the rope attached to the worker entering the confined area. This person shall have no other duties assigned while he is in this position. The person entering the space shall carry no tools, they shall be lowered to him later. If the confined area is being entered from the top, a winch shall be available at the site to effect rescue in the event of an emergency.
- a. If the confined area is out of sight of the entrance i.e., a passageway, radio contact must be maintained with the person entering the area.
  - b. When air quality in the confined space shows excess levels (as in #3c), the Director of Maintenance shall arrange for qualified, trained assistance. When the work is completed, and employees evacuated, the area shall be sealed and locked. The Director of Maintenance shall, depending on the circumstances, arrange to have the source of contamination located and corrected immediately or as a separately scheduled, project.
- (5) If an emergency rescue is necessary, use the following procedure:
- a. Call or send for help as soon as an emergency condition is recognized.
  - b. If the person in the space is unable to return to safety, the rope person, positioned above, is to secure the end of the rope and use a lifting device, winch, come-a-long, etc., to pull, lift, or remove the stricken employee from the confined

space. When the person has been removed, the rope person shall assess the nature of the injury and begin first aid.

- c. The rope person is not to enter the confined area without a "top" person at the entrance. The rope person or other rescuer is not to enter the confined area without a harness, scuba gear and a new rope person.
- d. Maintenance workers shall be required to use provided safety equipment in accordance with established safety procedures

3.20 Trespass Upon Facility or School of the Osceola County School District  
*Adopted 1/18/94*

- A. The Principal of each school in the District in order to maintain on the campus or facility administered by the Principal, shall notify the law enforcement agency with jurisdiction on each occasion the Principal has good cause to believe that a person is trespassing upon school grounds.
- B. The Principal, charged with the responsibility to maintain order on the campus, may take a person into custody and detain such person in a reasonable manner for a reasonable length of time pending the arrival of a law enforcement officer when the Principal has reasonable cause to believe that the person taken into custody and detention by the Principal shall not render the Principal criminally or civilly liable for false arrest, false imprisonment or unlawful detention, as provided in section Section 228.091, Florida Statutes, as it may be amended from time to time. Further, said statute, as it may be amended from time to time, provides that any law enforcement officer may arrest, any person on or off the school premises, and without warrant, any person he has probable cause for believing has committed the offense of trespass upon the grounds of any facility owned or operated by the School Board.
- C. A person is a trespasser on a school facility if such person enters or remains upon the campus or any other facility owned or operated by the School Board, and;
  - (1) Is not a student. For the purposes of this policy a person is not a student if that person is currently under school suspension (off campus) or expulsion; or
  - (2) Is not an employee of the school and School Board, required by his or her employment to be on such campus or facility; or
  - (3) Is not a parent, guardian or person who has legal custody of a student enrolled at such school or facility. Provided that the parent, guardian or person who has legal custody of a student enrolled in such school shall report at the office of the Principal and check in to remain authorized to stay on the school campus for such legitimate purpose as may be reported to the Principal ; (Note - School officials are authorized to report any invitee on the campus, including a parent, guardian or person who has legal custody of a student



enrolled at the school to the law enforcement agency with jurisdiction of the school, whenever such person shall disturb the functioning of the school through loud, obnoxious, threatening or violent behavior, or behaves in any other way which may be a violation of Section 231.07, Florida Statutes, as it may be amended.); or

- (4) Is not a person with legitimate business on campus or the facility. Provided that any person with any business or purpose on campus of the facility shall report to the office of the Principal and check in to remain authorized to stay on the school campus for such purpose as may be reported to the school Principal ; or
- (5) Is not a person invited (either individually, or as part of a group of guests on campus) to attend a function on campus such as an athletic event or school program. A person attending a school-wide program or event is not required to check in with the Principal.

D. This policy applies to all facilities and properties owned or operated by the School Board. Whenever the context requires, the term "Principal" shall refer also to the Chief Building Administrator or Director of a facility.

F. At each school in the District, notices shall be conspicuously posted that state the following:

All persons who are not students or employees of this school shall report to the office of the Principal and sign in. Any person who fails to check in with the Principal may be guilty of criminal trespass as provided in section 228.091, Florida Statutes, as it may be amended from time to time. A student who is suspended or expelled from school, may be guilty of criminal trespass as provided in Section 228.091, Florida Statutes, as it may be amended, if such person comes on the campus.

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## Chapter 4

### Employment Rules

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## **4.0 PROFESSIONAL SUPPORT STAFF**

### **4.1 EMPLOYMENT RULES**

#### **4.1.1 Qualifications of Professional Support Staff**

A. To be eligible for appointment to any position in the School District of Osceola County, a person shall be of good moral character and when required by law, hold a certificate or license issued under regulations of the State. No individual under the age of sixteen (16) may be employed, except as provided in Board rule 6.9.8 and State Board Regulation 6A-1.097. *Amended 7/23/91*

B. All new employees, all employees returning from a leave of ninety (90) or more days and all former employees with a break in service of ninety (90) or more days, shall have a tuberculosis skin test or, at their own expense, a chest X-ray, at the beginning of the school year or within the ninety (90) day probationary period. Certificates verifying negative TB test results are valid for up to a period of one year. *Amended 6/30/92*

C. Required Medical Examinations *Adopted 6/29/93*

In the event any employee is unable to perform the essential functions of the job notwithstanding attempts to provide reasonable accommodations, then the School District shall have the right to require a physical, medical and/or psychological examination at any time conditions indicate the need. Any examination required by the School District shall be at the School District's expense. An employee who refuses a physical, medical and/or psychological examination when the School District directs the examination may be subject to job action; including but not limited to suspension or dismissal for insubordination.

D. Florida Statutes 876.05 provides that all persons who are on the payroll of the School District shall be required to take an oath of office to support the Constitution of the United States and of the State of Florida. The oath, as amended by the United States Supreme Court, is included in the Appendix to these rules.

E. All new employees, except school-based food service workers and professional support staff substitutes, will pay the full cost of drug screening. *Amended 7/23/91*

F. All new employees, except school-based food service workers and professional support staff substitutes, will pay the full cost of physicals. *Amended 7/23/91*

G. All new employees and former employees with a break in service of ninety (90) or more days upon employment shall file a complete set of fingerprints taken by an authorized law enforcement officer. These fingerprints shall be submitted to the Department of Law Enforcement for state processing and to the Federal Bureau of Investigation for federal processing.

(1) If through no fault of the employee, a determination on a set of fingerprints cannot be obtained from the Florida Department of Law

Enforcement (FDLE) and the Federal Bureau of Investigation (FBI), then a second set of prints will be required. *Amended 6/30/92*

- (2) If both sets of fingerprints are illegible, then the FDLE and the FBI will give clearance based on a name search. This will meet the requirements under F.S. 231.02. *Amended 6/30/92*
  - a. Substitute employees (substitute teachers, temporary contracted employees and part-time Adult Education teachers) working within the past fiscal year will not be fingerprinted again. If these employee types have not worked within the past fiscal year, fingerprinting will be required.
  - b. Substitute employees (substitute teachers, temporary contracted employees and part-time Adult Education teachers) transferring to full-time status will be fingerprinted if they have not been fingerprinted under Florida Statute 231.02(2)(a).
  - c. Employees returning from a Board approved leave of absence or sabbatical will not be fingerprinted.

H. All new employees, except school-based food service workers and professional support staff substitutes, will pay the full cost for processing of fingerprints with the Florida Department of Law Enforcement and the FBI. *Amended 7/23/91*

I. All professional support staff positions shall require either a high school diploma or a G.E.D. after July 1, 1990. Current employees without high school diplomas shall be "grandfathered" and allowed to continue working in their current positions.

If an area is determined to be a "critical shortage" area by the Personnel Department, the Superintendent may waive this requirement by notifying the School Board of the dates for such a waiver.

J. Applicants shall provide true and accurate information on the application form when applying for a position. If inaccurate information is given, the applicant may not be considered for employment until one (1) year after the date of application. Any applicant or employee who is discovered to have given inaccurate, incomplete, or false information on the application form shall be considered for disciplinary action up to and including termination. *Amended 6/30/92*

A review panel, consisting of the employee's administrative supervisor and the Assistant Superintendent for Personnel and Administrative Services, shall determine the appropriate disciplinary action to be taken, which may include an additional probationary period.

K. An administrator, with written approval from the Personnel Department, may place a current employee into an advertised vacant position, for which the employee qualifies, for a period of time not to exceed sixty (60) days.

The employee shall be called "Acting..." and shall be entitled to all benefits due the position being occupied.

The administrator will recommend that the employee return to his/her former status or be given the "acting" position on a permanent basis prior to the close of the sixty (60) days.

- L. All new employees are required to be members of the Florida Retirement System. Before starting employment, a copy of the employee's social security card must be on file.
- M. All employees must complete a W-4 Form to authorize proper withholding of monies for income tax purposes.
- N. All professional support staff shall meet the qualifications required by law and perform those duties described in the Professional Support Staff Job Description Handbook.

Auth: 230.22, F.S.

Imple: 230.23(5), 231.02 and 876.05, F.S., and SBE Regulations 6A-1.97

O. Drug Screening

- (1) All new employees will be required to take a drug screening test and prospective employees will not begin work until the results are returned. (Substitute employees will be available in emergency situations.) *Amended 6/30/92.*
- (2) Prior to being recommended for employment by the Superintendent, each applicant shall be required to submit a urine sample for a screening test. If the screening shows the presence of an illegal drug, the sample shall be then tested by the GCMS method.
- (3) No prospective employee will be hired if the results of the drug screening test indicate the presence of an illegal drug, regardless of the frequency or occasion. However, the prospective employee may request a waiver if he/she can show a valid prescription for the drug, issued by a licensed medical practitioner or if he/she can provide evidence the drug was purchased pursuant to the provisions of section 893.08, Florida Statutes. The Superintendent or his designee shall verify the validity of the prescription or compliance with the provisions of section 893.08, and consider the request in light of the extent, duration and frequency of use of the drug; the underlying cause for use of the drug; and any other considerations relevant to the performance requirements of the position for which applied.

The Superintendent's decision on any request for waiver shall be final.

- (4) The term "illegal drug" shall be defined as any drug listed or defined as a "controlled substance" by Chapter 893, Florida Statutes. *Amended 6/30/92.*

- (5) Applicants whose results are positive on the drug screening test may not reapply for employment until one (1) year after the date the sample was given.
- (6) Please note the following related to whom is to be tested and confidentiality of testing:
  - a. Employees returning from a Board approved leave of absence or sabbatical will not be tested.
  - b. The successful applicant from all employee groups (Administration, Instructional, and Professional Support Staff) will be tested as well as Adult Education teachers and substitutes. *Amended 6/30/92*
  - c. Test results are confidential medical records.
- P. All new employees and former employees with a break of service of ninety (90) days or more shall be required to take a drug screening test for illegal drugs prior to an offer of employment. The following information will define when an employee will be drug tested: *New 6/30/92*
  - (1) Substitute employees (substitute teachers, temporary contracted employees and part-time Adult Education teachers) working within the past fiscal year will not be drug tested. If these employee types have not worked within the past school year, drug testing will be required.
  - (2) Substitute employees (substitute teachers, temporary contracted employees and part-time Adult Education teachers) transferring to full-time status will be drug tested if they have not been previously tested under this rule.
  - (3) Employees returning from a Board approved leave of absence or sabbatical will not be tested.

#### 4.1.2 Employment Procedure

##### A. Appointment

The selection of new appointees shall be originated by the administrator of the unit in which the individual is to work, and proceed through the chain of command.

Application forms shall be provided by the District Office and shall be filled out by the applicants to provide pertinent data for evaluation. Applications and test scores remain on file for a period of one (1) year. *Amended 6/29/93*

At least three (3) references relative to character and performance of duty shall be submitted along with recommendations.

Appointments shall be made by the Board, and notice thereof shall be given to each appointee after spreading upon the minutes a record of such appointment. *Amended 7/23/91*

If an appointment is to a position of temporary or substitute employment, the record of appointment in the Board minutes and the notice of appointment shall so state. *Amended 7/23/91*

Professional support staff employees shall be required to pass skill proficiency tests as determined by the Superintendent. The criteria for administering and scoring shall be approved by the Board.

B. Year of Service and Pay Levels *Amended 7/23/91*

- (1) The minimum time which shall be recognized as a year of service for pay purposes shall be at least one (1) day more than half of the number of work days required in the year.
- (2) When a year of experience is required for a level upgrade, the administrator and the Personnel Department will be required to verify a complete year of experience. The following rules apply for Professional Support Staff upgrades:
  - a. Employee pay levels 10D and higher may only be upgraded one level per fiscal year.
  - b. An employee may receive a level upgrade on or after his anniversary date with the completion of an additional experience year, any other level requirements and the recommendation of the supervisor.
  - c. If an employee meets all experience level requirements and is recommended for an upgrade by the supervisor, he may be promoted during the same year once he meets other requirements (education, training, technical skills, etc.) and receives the recommendation of the supervisor.
  - d. Upgrades will become effective upon approval by the Board.

C. Employment Status

(1) Probationary Period

All new professional support staff employees shall be placed on a ninety (90) day probationary period. If an employee's fingerprint report does not clear within the ninety (90) day probationary period, the probationary period will continue. Benefits may be extended to the employee after ninety (90) days of employment if the delay in clearance of fingerprints is due to no fault of the employee. Probation may be waived by the Superintendent for returning employees provided that the prior employment with the School District has been within the past five (5) years. This waiver provision shall not apply to temporary employment contracts. At the conclusion of the probationary period the employee shall either be placed on annual employment status or terminated. During the probationary period, an employee may be terminated without cause. *Amended 4/16/91 & 6/28/94*

(2) Annual Employment *Adopted 6/28/94*

The School Board shall employ all professional support staff personnel in accordance with Section 231.434, Florida Statutes. All professional support staff employees shall be employed on an annual basis for a minimum of three (3) years. At the conclusion of any fiscal year, an employee on annual status may be non-renewed without cause. Notification of non-renewal shall be made in writing not later than May 15. Such non-renewal shall not be subject to review or appeal nor subject to the procedures contained in Section 4.3.

(3) Continuous Employment Status *Adopted 6/28/94*

a. The School Board shall provide continuous employment status as prescribed herein provided there is a position available at the worksite for the employee and the employee:

1. Has completed three (3) years of satisfactory service in the District, during a period not in excess of five (5) successive years, such service being continuous except for leave duly authorized and granted; and

2. Has been recommended by the Superintendent for continuous employment and reappointed by the School Board based

on successful performance of duties and demonstration of professional competence.

3. The period of service provided herein may be extended to four (4) years when prescribed by the supervisor or administrator and agreed to in writing by the employee at the time of reappointment.

b. The continuous employment status shall be effective at the beginning of the fiscal year following the completion of all requirements therefore.

c. Any employee who has previously held continuous employment status in this district and returns to the District may be placed on continuous employment status after completing one year of satisfactory service in the district.

d. The continuous service status shall be renewed each year unless the Superintendent, after receiving the recommendations charges the employee with unsatisfactory performance and notifies the employee in writing, no later than April 1 of the fiscal year, of performance deficiencies which may result in termination of employment. This action shall not be subject to the provisions of Chapter 120, but the procedures in Section 4.3 shall apply



(4) Return to Annual Status *Adopted 6/28/94*

Any member of the professional support staff who is under continuous employment status who transfers to a different position with substantially different job responsibilities, shall be returned to annual status for a period of one year.

- a. At the conclusion of one year, if the employee's performance is deemed satisfactory by the administrator or supervisor, the employee shall be granted continuous employment status.
- b. If, at any time during the year, the employee's performance fails to meet the expectations of the administrator or supervisor, the employee will be given the opportunity to return to the previously held position, if it is available. If the previously held position is not available, the employee shall be offered a similar position in the District, if such a position is available.
- c. If the employee's performance is deemed unsatisfactory in the opinion of the administrator or supervisor, and no position is available at the previous level, the employee may be non-renewed at the end of the fiscal year.
- d. An employee who returns to a previous level shall retain the employment status previously held at that level.

(5) Reduction in Force *Adopted 6/28/94*

- a. In the event the Superintendent determines that there is to be a reduction in employee allocations for any reason, an affected employee shall be given the opportunity to transfer to an available position, provided the employee meets the qualifications of the new position and has clearly demonstrated the ability to meet the requirements of said position.
- b. In making involuntary transfers or lay-offs, length of service in the District shall be considered.

(6) Initial Implementation of Continuous Employment Status  
*Adopted 6/28/94*

- a. During the 1994-95 fiscal year, all professional support staff employees in the District shall be placed on annual status.
- b. At the conclusion of the 1994-95 fiscal year, those professional support staff employees who have documented three or more years of service within the past five years may be recommended for continuous employment status. However, at the discretion of the administrator or supervisor, an employee may be placed on an additional year of annual service.

- c. Any employee with an unsatisfactory evaluation during the past five years shall serve a minimum of three years on annual status beginning with the 1994-95 fiscal year.

#### 4.1.3 Salary Schedules

- A. Salary schedules for professional support staff shall provide for the various classifications of employees of the District. Salary differentials shall be based on objective factors which shall be set forth in the salary schedule. The Board shall annually adopt and spread on its minutes a salary schedule for employees. New positions or classifications added during the year for which provisions were not made in the annual salary schedule shall be included in such salary schedule by proper amendments officially adopted by the Board. Salary policies and schedules shall be found in the Salary Handbook as annually adopted by the Board. *Amended 6/29/93*
- B. All regular employees of the School District, employed on an hourly, daily, or monthly basis and for which payroll deductions are required, shall receive all compensation for services rendered by School District Warrants.
- C. Testing criteria and procedures for professional support staff office positions will be adopted by the School Board. *Amended 7/23/91*
- D. Experience Pay
  - (1) Experience pay shall be granted, provided the experience is in the area of work being done at the present time. Outside work experience up to a maximum of five (5) years may be brought into the system and verification on approved forms must be returned to the Personnel Department before the end of the ninety (90) day probationary period.
  - (2) Verified past work experience to be used for pay purposes must be complete, properly filled out and returned to the Personnel Department during the ninety (90) day probationary period. Verified experience will be paid retroactively from the first day of current employment. *Amended 6/29/93*
  - (3) Personnel transferring or being promoted into new positions will have ninety (90) days to verify their work experience for pay purposes in the new position. However, if an employee attempted to obtain the verification as documented in the personnel file and through no fault of his own, the deadline was not met, the ninety (90) day requirement may be extended or waived at the discretion of the Superintendent. *Amended 6/30/92*
  - (4) Personnel transferring within the same pay grade (example: aide to aide, secretary to key punch) shall maintain their level of experience, provided the person meets the qualifications that the new position requires.
- E. No deductions shall be made from the salaries of the employees of the School District unless such deductions are required by law or approved in

writing by the employees to be affected. Such authorization shall continue until terminated in writing. *Amended 7/23/91*

Auth: 230.22, F.S.

Imple: 230.23(5)(d), F.S. and SBE Regulation 6A-1.52

#### 4.1.4 Definitions of Professional Support Staff

- A. Full-time employees are those who are employed to work four (4) or more hours each day and five (5) days each week unless otherwise stipulated by School Board Rules.

Full-time employees are entitled to all fringe benefits provided by the School District.

- B. Part-time employees are those who work less than twenty (20) hours weekly. *Amended 7/23/91*

Any part-time employees hired after adoption of this rule are not entitled to fringe benefits by the School District, however, those currently employed will continue to receive fringe benefits until their employment is terminated.

- C. Temporary employees are those who are paid only for the hours they actually work. They are not entitled to the fringe benefits provided by the School District. Employees shall be informed at the time of employment that such employment is of a temporary basis rather than permanent. This employment shall not be in excess of six (6) calendar months in a school year. *Amended 7/23/91*

- D. Substitute employees are those who perform services which are normally performed by a permanent employee and which are performed during the absence of a permanent employee not receiving pay. They are not entitled to the fringe benefits provided by the School Board.

## 4.2 LEAVES OF ABSENCE

### 4.2.1 General Rules

- A. Leaves shall be officially granted in advance and shall not be granted retroactively, provided that leave for sickness or other emergencies may be deemed to be granted in advance if a prompt report is made to the designated authority at the termination of leave. Such proper absence from duty shall be in accordance with and subject to the provisions of State Board Regulation 6A-1.077.

Any such leave shall be classified as one of the following:

- (1) Illness-in-line-of-duty leave (with pay)
- (2) Military Leave (without pay)
- (3) Personal Leave (without pay beyond six [6] charged to sick leave)
- (4) Staff Development Leave (with pay)

- (5) Sick Leave (with pay)
- (6) Adoptive Leave (without pay)
- (7) Jury Duty Leave (with pay)
- (8) Witness Leave (with pay)
- (9) Vacation Leave (with pay)
- (10) Extended Leave (without pay)
- (11) Maternity Leave (without pay beyond the sick leave balance)

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- (5) Sick Leave (with pay)
- (6) Adoptive Leave (without pay)
- (7) Jury Duty Leave (with pay)
- (8) Witness Leave (with pay)
- (9) Vacation Leave (with pay)
- (10) Extended Leave (without pay)
- (11) Maternity Leave (without pay beyond the sick leave balance)

- B. Family Medical Leave *Adopted 6/28/94*

The School District of Osceola County offers up to twelve (12) weeks of job-protected leave to eligible employees as mandated in The Family and Medical Leave Act of 1993.

- (1). In order to be eligible, an employee must have been employed by the District for a minimum of one year and worked a minimum of 1250 hours over the previous twelve (12) months.
    - a. All available sick and annual leave must be used prior to receiving leave under this policy. The twelve (12) weeks of available Family Medical Leave shall be reduced by the number of sick and annual leave days available.
    - b. Application for Family Medical Leave should be made at least thirty (30) days in advance when the leave is foreseeable.
    - c. When the leave is for a serious health condition, the District may require medical certification.
      1. The District reserves the right to require a second or third medical opinion.
      2. When the employee is ready to return to work, the District may require a fitness-for-duty report.
  - (2) A maximum of twelve (12) weeks during a twelve (12) month period may be requested under this policy.
  - (3) Leave may be granted for any of the following reasons:
    - a. To care for a child after birth.
    - b. To care for a child upon adoption.
    - c. To care for a foster child.
    - d. To care for a spouse, son, daughter, or parent who has a serious health condition.
    - e. To seek medical care for a condition that renders the employee unable to perform assigned job responsibilities.
  - (4) Job Benefits and Employment Rights
    - a. While on Family Medical Leave, the Board will continue to provide health coverage for the employee. The employee will be responsible for any required premium payments.
    - b. Upon return to work, the employee will be placed in the position held prior to the leave, if available. If the previous position is not available, the employee will be placed in a similar position, if available.
- C. Vacation and sick leave will not be earned for months on leave without pay. A suitable vacancy must exist for an employee who wishes to return to work during the school year in which leave without pay is granted.

D. Employees on authorized leave without pay shall be eligible to continue on School District group insurance benefits. The employee shall be personally responsible for full payment of the premiums or costs.

E. Released Time

Each principal or Administrative Department head shall have the authority to release members of his professional support staff for less than one-half (1/2) day for temporary absence without requesting approval of the Superintendent or the Board, provided, however, that these temporary absences are kept to a minimum.

RETURNING FROM LEAVE

Employees shall be required to show a doctor's release to return to work after maternity leave, any long-term medical leave or worker's compensation.

Auth: 230.22, F.S.

Imple: 231.48, F.S. and SBE Regulation 6A-1.077

4.2.2 Extended Leave

- A. Extended leave shall be defined as leave without pay for more than ten (10) consecutive days. *Amended 7/23/91*
- B. Employees shall be eligible for extended leave without pay after three (3) or more years of continuous service. The three (3) year requirement may be waived in extenuating circumstances as recommended by the Superintendent and approved by the Board. Extended leave, when granted, shall not exceed one (1) year, except that military leave shall be granted for a longer period as necessary for the completion of active duty. Maternity leave is exempt from the three (3) year provision.
- C. An extended leave without pay request must be made in writing on the form prescribed by the District. The request shall specify the time of the leave and the reason for the request. The length of the leave and the reason for the request shall be recorded in the Board minutes. The School Board shall have the right to determine that the leave is used for the purpose set forth in the application, and if not so used, the Board shall have authority to cancel the leave.
- D. The leave must be approved by the employee's immediate supervisor and the Superintendent or his designee before it is presented to the Board for approval.
- E. Extended leave may be renewed upon request for an additional period not to exceed one (1) year, subject to Board approval. Automatic renewal of an extended leave is not granted. It shall be the responsibility of the person on leave to request renewal. If no request for renewal is made prior to the expiration of the leave, employment shall be terminated.
- F. Personal leave without pay may be requested for, but not limited to:

- (1) Leave to serve in the armed services
- (2) Leave for academic study
- (3) Leave for serving in the Peace Corps
- (4) Leave for child-rearing (for natural or adoptive child)
- (5) Leave for child-bearing
- (6) Leave to run for or serve in an elected office
- (7) Leave to participate in exchange programs in other states or countries

Auth: 230.22, F.S.

Imple: 231.48, F.S. and SBE Regulation 6A-1.080

#### 4.2.3 Military Leave

Military leave shall be granted and compensation paid in accordance with State Board Regulation 6A-1.083.

The School District shall supplement the military pay of employees who are reservists called to active military service for the first thirty (30) days with full pay and, thereafter, in an amount necessary to bring their total salary, inclusive of their base pay plus supplements, to the level equal at the time they were called to active military service. The School District will continue to provide dependent health insurance coverage, upon request, at the expense of the employee.  
*Amended 3/19/91*

#### 4.2.4 Sick Leave

Any member of the professional support staff who is unable to perform his daily duties because of illness or because of the illness or death of a father, mother, brother, sister, husband, wife, child, or other close relative or member of his household, and who consequently has to be absent from duty, may claim sick leave. Sick leave must be taken only when necessary and must be certified by an application signed by the applicant and approved by the principal or supervisor.

- A. Effective July 1976, family members and close relatives, for the purposes of sick leave, shall be defined by the Internal Revenue Service publication, Your Federal Income Tax.

Sick leave may be taken for maternity disability. Sick leave for professional support staff shall amount to one (1) day for each month of employment to be credited at the end of the month and may be earned at the rate of one day per month. An employee earning pay for at least seventy-five percent (75%) of the workdays in the month shall be treated as earning benefits for a month of employment. Such sick leave shall be cumulative from year to year. There shall be no limit on the number of days of sick leave a member of the professional support staff may accrue.

In cases of investigated sick leave abuse, the supervising administrator may

recommend to the Superintendent that the employee present a certificate of illness from a licensed physician. *Adopted 6/29/93*

Employees working in a combination of two (2) or more positions shall be assigned a primary position and shall be entitled to all benefits earned in that position. All other work shall be considered as extra pay and no additional benefits will be earned. *Amended 7/23/91*

Employees formerly employed by the School District shall have any accumulated sick leave reinstated upon reemployment. The reinstated leave shall be reduced only to the extent that the number of days used in another district exceeds the number earned in that district.

B. Terminal Pay for Accumulated Sick Leave.

Professional support staff eligible to retire as proved by law, or his/her beneficiary if service is terminated by death, and retirees returning to active employment shall be entitled to payment for the maximum accumulated sick leave allowed by law at time of termination. Payment shall be made at the current daily rate of pay.

Imple: 231.40 F.S

C. Employees' Voluntary Sick Leave Bank

(1) Membership

Any full-time employee of the District, having been employed by the School District for at least one (1) year and having at least ten (10) days accrued sick leave by the end of September of each year (inclusive of four [4] days sick leave advanced), may enroll in the sick leave bank by voluntarily contributing one (1) sick leave day to the Bank. The enrollment shall be opened each year during the months of September and February only. Employees on leave returning to service may join the Bank within ten (10) days of their employment if they meet all other criteria.

- a. Enrollment must be made on the prescribed form furnished by the Personnel Department.
- b. Any sick leave day contributed pursuant to this section shall be removed from the personally accumulated sick leave balance of that employee and shall not be returned except as provided in section (9).
- c. Membership in the Sick Leave Bank shall be continuous from the initial enrollment until an individual member has withdrawn from the plan or has drawn the maximum allowed from the Bank (see [6d]).

(2) Establishment and Duration

- a. The Sick Leave Bank will not come into existence until at least 20% of the total number of employees eligible to join



the pool elect to do so and will remain in existence unless the participation drops below 20% of the number of employees eligible. The District shall provide for the establishment of a Sick Leave Bank no later than February 1, 1986.

- b. In the event the Sick Leave Bank is discontinued, distribution of remaining sick leave days will be in accordance with section (9) below.

(3) Replenishment Contributions

If the Bank is depleted during a school year, members may be assessed up to a maximum of three (3) days per year.

(4) Administration and Governance

- a. A Personnel Department Committee will administer the Sick Leave Bank and will determine the validity of claims against the Bank.
- b. The Personnel Department will make available an annual report of usage of the Bank to the School Board and to participating members.
- c. Appeals shall be handled by the Superintendent who will establish a five member Appeals Committee, representative of both Association and management for the purpose of settling any dispute arising from claims against the Bank. The Committee will be comprised of two members appointed from the OCTA appointed by the President and two members appointed by the Superintendent, and one professional support staff employee mutually agreed upon by the Association President and the Superintendent. This Appeals Committee shall be the final authority on all disputes or interpretation involving eligibility for benefits.

(5) Eligibility

In the event of a serious personal illness, accident or injury over which the employee has no control, causing a participating employee to be absent from work for an extended period of time, the employee may receive paid leave as follows:

- a. All accumulated sick leave of the employee must first be expended, followed by a leave, not charged to sick, of five (5) work days per incident.
- b. Applications must be made to the Personnel Department including a statement from a doctor attesting to the member's extended illness, accident, or injury. The statement must certify:
  - 1. The nature of the illness, accident, or injury.

2. That in the event of an operation, it is absolutely necessary and could not reasonably be delayed until a break in the employee's duty schedule.
  3. The probable date the member would be able to return to work.
- c. Application must also provide permission to investigate medical records and other information needed for review or appeal.
  - d. A participating member shall not be eligible to use sick leave from the Bank if the employee is on leave for injury or illness in the line of duty, worker's compensation, or on medical retirement.

(6) Benefits

- a. All cases will be reviewed by the Sick Leave Bank Approval Committee when each twentieth (20th) day of benefits has been reached up to the maximum amount allowable. At this time, the Committee may request additional medical certification. Also, at this time, any sick leave which may have been accrued by the participant must then be used before resumption of drawing from the Sick Leave Bank.
- b. Upon approval of application, a member will be allowed to draw up to a maximum of forty (40) paid sick leave days from the Bank, provided there remain sufficient leave days in the Bank.
- c. The employee shall not have to pay back in any manner the number of days used from the Sick Leave Bank except as outlined in Section (7) below.
- d. In the event a member draws from the Sick Leave Bank, that individual membership shall be suspended from the Bank membership after drawing all days authorized from the Bank. Such individuals may reinstate membership by meeting qualifications in section (1) above.

(7) Participation Abuse

Alleged abuse of the Sick Leave Bank shall be investigated by the Personnel Department. If an employee is found to have abused the use of the Sick Leave Bank, the employee shall repay all sick leave credited (in dollars) drawn from the Sick Leave Bank and, after review by the Appeals Committee, be subject to such other disciplinary action as determined by the School Board.

(8) Withdrawal from Participation

Any participating employee who wishes to withdraw from participation in the Sick Leave Bank may do so and withdrawal will

be effective immediately upon receipt by the Personnel Department of written notification of the employee's intent to withdraw. Any previously contributed sick leave will become the property of the Sick Leave Bank.

(9) Discontinuance of Sick Leave Bank

If it becomes necessary to terminate the Sick Leave Bank, unused sick leave in the Bank will be distributed in the following manner:

- a. Each member will receive an equal share of the unused days to be credited to his personal accumulated sick leave account in fourths of a day.
- b. Any balance left will be disposed of at the sole discretion of the Board.
- c. In no instance will the days credited back to members be greater than the number remaining in the Bank.
- d. Any member joining this Sick Leave Bank acknowledges that the limits of liability for any challenge to the Appeals Committee's decision is limited to the number of days the individual contributed to the Bank.

D. Professional support staff personnel who are granted leaves of absence may be credited with earned accumulated annual leave upon re-employment.

4.2.5 Illness-In-Line-Of-Duty

Any professional support staff employee shall be entitled to illness-in-line-of-duty leave when he has to be absent from his duty because of a personal injury received in the discharge of duty or because of illness from any contagious or infectious disease contracted in school work. The amount of illness-in-line-of-duty leave available to any such employee shall be ten (10) days during the school fiscal year. However, in the case of injury occurring under such circumstances as in the opinion of the School Board warrants it, additional in-line-of-duty leave may be granted out of local funds for such term and under such conditions as the School Board shall deem proper.

Auth: 230.22, F.S.  
Imple: 231.48, F.S.

4.2.6 Annual Vacation Leave

Twelve month professional support staff shall accumulate vacation as follows:

One (1) day for each month of employment for those employed by the District for less than five (5) active service years.

One and one-fourth (1-1/4) days per month of employment for those employed five (5) active service years or more.

One and one-half (1-1/2) days per month of employment for those employed ten (10) active service years or more.

Earned leave shall be credited at the end of the month. An employee earning pay for at least seventy-five percent (75%) of the workdays in the month shall be treated as earning benefits for a month of employment.

- A. A full-time employee whose normal working day is less than eight hours shall earn and use vacation days in proportion to hours worked. No professional support staff employee shall earn more than one and one-half (1-1/2) eight hour vacation days per month. A maximum of forty-eight (48) vacation days may be carried over at the end of each fiscal year. Each employee must use half of each year's earned vacation within the year in which it is earned.
- B. Annual vacation leave time for an individual employee shall be approved by the Superintendent or his designee and scheduled so that there will be a minimum disruption of the operation of the school system.
- C. Employees in positions earning vacation leave who transfer or are assigned to positions which do not earn vacation leave may receive payment for unused vacation leave at the time of transfer or reassignment.
- D. At the time of retirement or separation of employment, unused vacation leave shall be paid as terminal pay. A leave application shall be filed with the Superintendent showing the annual leave dates. *Adopted 1/22/91*

Auth: 230.33, F.S.  
Imple: 231.48, F.S.

#### 4.2.7 Personal Leave

##### A. With Pay

Any member of the professional support staff employed by the District may be absent no more than six (6) days each school year with pay for personal reasons. Such absences shall be charged only to accrued sick leave, and leave for personal reasons shall be noncumulative. Applications for such leave shall be submitted for approval. No reason need be given by the employee for personal leave other than "personal reasons". Leaves for personal reasons shall be granted in advance and shall not be granted retroactively.

##### B. Without Pay

Professional support staff employees may be granted personal leave without pay for ten (10) days or less by the supervisor provided the request is submitted at least one (1) week prior to the beginning date of the leave. Employees absent without leave shall be subject to dismissal. An employee having vacation or personal charged to sick leave available may not receive personal leave without pay except in circumstances approved by the Superintendent. *Amended 7/23/91*

An employee may not be approved for personal leave without pay if he has vacation or sick leave available except as approved by the Superintendent in advance.

Auth: 230.22, F.S.

Imple: 231.48, F.S.

- C. An employee on personal leave, without pay, may not receive holiday pay unless he works or is on paid leave the day before and day after the holiday. Anyone on personal leave without pay for more than ten (10) days shall be placed on extended leave, if eligible, and the position advertised. Professional support staff employees who are not eligible for extended leave will be terminated after ten (10) days of personal leave without pay. The Superintendent may extend this leave in extenuating circumstances.

#### 4.2.8 Jury Duty

An employee shall be authorized to be absent from assigned duties, and shall receive his regular salary plus court fees while serving as a juror in any court case. If notice of jury duty is received, the supervisor should be immediately notified in writing. Proper leave shall be requested. *Amended 7/23/91*

#### 4.2.9 Witness Leave

An employee of the District may be absent from assigned duties and shall receive his regular salary, plus any witness fees, while serving as a witness in any court case or other legal or administrative proceeding under the following conditions:

- A. That the employee has been subpoenaed by the court or agency having subpoena powers.
- B. That the employee shall submit a copy of the subpoena or letter from either attorney in the case to the supervisor. *Amended 7/23/91*

In the event that the employee is excused from further attendance, the employee shall return to his place of assignment as expeditiously as possible. Leave forms will show adjustment.

Auth: 230.22, F.S.

Imple: 231.39, F.S.

#### 4.2.10 Temporary Duty Elsewhere

In certain instances employees may be assigned to be temporarily absent from their regular duties and places of employment for the purpose of performing other educational services including participating in school surveys, professional meetings, study courses, workshops, etc. Such assignment to temporary duty, ordinarily initiated by the District administration, shall be in conformance with State Board Regulation 6A-184. *Amended 3/16/91*

Employees shall receive their regular pay and be reimbursed for expenses in accordance with Board Rule 2.4.8

Auth: 230.22, F.S  
Imple: SBE Regulation 6A-184 and 231.42 F.S

#### 4.3 SEPARATION OF PROFESSIONAL SUPPORT STAFF

##### 4.3.1 Resignation

- A. Resignation of employees shall require at least two (2) weeks written notice in advance of the date of termination. Unused vacation days and personal leave charged to sick may be used toward all or part of this requirement.
- B. All leave forms, termination forms, insurance card, prescription drug card and other required paper work must be on file in the District Personnel Office before the final pay check can be released. Failure to give proper notice may delay the release of the final check one pay period. Compensation for services rendered shall be made following the established payroll date schedule.
- C. An exit interview shall take place prior to or at the time of receiving the last check. Termination of all benefits shall be effective as of the last official day of employment.

Auth: 230.22,F.S.  
Imple: 230.23(5), F.S.

##### 4.3.2 Discipline and Termination

- A. Unsatisfactory Performance by an Employee with Continuous Employment Status *Adopted 6/28/94*
  - (1) On receiving notice of unsatisfactory performance, the employee, on request, shall be accorded an opportunity to meet with the Superintendent or his designee for an informal review of the determination of unsatisfactory performance.
  - (2) An employee notified of unsatisfactory performance may request an opportunity to be considered for a transfer to another appropriate position, with a different supervising administrator, for subsequent employment.
  - (3) During the remainder of the fiscal year, the employee shall be provided assistance and/or inservice training opportunities to help correct the noted performance deficiencies. The employee shall also be evaluated periodically and be kept apprised of progress achieved.
  - (4) Not later than May 15 of the fiscal year, the Superintendent, after receiving and reviewing the recommendation, shall notify the employee, in writing, whether the performance deficiencies have been corrected. If the performance deficiencies have not been corrected, the Superintendent will issue a notification of termination of employment. If the employee wishes to contest the termination, the employee will have fifteen (15) days from the receipt of the

Superintendent's notification to demand, in writing, a hearing. In such a hearing, the employee may raise as an issue, among other things, the sufficiency of the Superintendent's charges of unsatisfactory performance. Procedures for conducting such hearing are found below.

B. Discipline and Termination of Professional Support Staff on Annual or Continuous Employment Status. *Adopted 6/28/94*

Suspension and dismissal of professional support staff personnel shall be conducted in accordance with the procedures contained below except that the Superintendent may suspend members of the professional support staff in an emergency.

- (1) An employee may be suspended without pay, discharged and/or returned to annual status for reasons including but not limited to the following:
  - a. Violation of a policy of the School Board of Osceola County, Florida.
  - b. Violation of work rules.
  - c. Gross Insubordination - Refusal to follow a proper directive, order or assignment from a supervisor.
  - d. Immorality.
  - e. Misconduct in Office.
  - f. Incompetency.
  - g. Willful Neglect of Duty.
  - h. Drunkenness.
  - i. Conviction of any crime involving Moral Turpitude.
  - j. Endangering the health, safety or welfare of any student or employee of the District.
  - k. The conviction of a felony in the State of Florida or notice of conviction of a substantially parallel offense in another jurisdiction.
  - l. An act committed while off duty, which because of its publication through the media or otherwise, adversely affects the employee's performance or duties, or disrupts the operations of the District. its schools or other facilities.
  - m. Improper use of leave.
  - n. Failure to perform work-related assigned duties.

- o. Intentional or negligent damage to School Board property.
  - p. Unethical use or administration of test materials.
  - q. Failure to report to work.
  - r. Any violation of The Code of Ethics and the Principles of Professional Conduct of the Education Profession of Florida.
  - s. Other infractions, as set forth from time to time in writing and disseminated by the Superintendent.
- (2) An employee recommended for suspension without pay, termination and/or return to annual status may request a hearing. Such request shall be submitted in writing to the Superintendent within fifteen calendar days of receipt of notification of the action being taken.

C. Hearing Procedures *Adopted 6/28/94*

- (1) The Board shall determine whether to conduct the hearing or remand it to a hearing panel. This determination may be made as a standard of operation and need not be made in each individual case.
- a. The hearing shall be conducted within 30 days of receipt of the written appeal.
  - b. The hearing shall be conducted in accordance with the Rules of the School Board of Osceola County, Florida.
- (2) In the event the School Board determines to hear the case, a majority vote of the School Board shall be required to change the Superintendent's decision. The determination of the School Board shall be final as to the sufficiency or insufficiency of the grounds for termination of employment.
- (3) If the hearing is conducted by an a hearing panel, an impartial hearing panel consisting of three employees of the School Board shall be selected by the Superintendent from a pool of eligible employees approved by the School Board. The recommendation of the hearing panel shall be made to the School Board. A majority vote of the School Board shall be required to change the hearing panel's recommendation. The determination of the School Board shall be final as to the sufficiency or insufficiency of the grounds for termination of employment.

D. Return to Annual Status *Adopted 6/28/94*

Any member of the professional support staff who is under continuous employment status may be returned to annual status in accordance with the procedures contained above.



E. Absence After Leave Expires

Professional support staff employees who are not eligible for extended leave shall, after ten (10) days of absence from their position and after sick leave expires, may be recommended for dismissal.

F. The provisions contained herein shall not apply to employees during their probation period nor employees on annual status who are not recommended for re-employment at the end of their employment period. *Amended 6/28/94*

G. Unethical use or administration of test materials may constitute violation of Florida Statutes 228.301, Test Security, and may result in fines, imprisonment, and/or dismissal of involved employees.

Auth: 230.22, F.S.

Imple: 230.23(5), F.S.

4.4 TEACHER AIDES

It is the intent of the Board that teacher aides be used to the greatest advantage possible, including substitute teaching, consistent with the provisions of Section 231.141, Florida Statutes, and State Board Regulation 6A-1.70. *Amended 6/30/92*

Auth: 230.22, F.S.

Imple: 231.141, F.S. and SBE Regulation 6A-1.70.

4.5 RETIREMENT ANNUITIES PROGRAM

A. The Board will consider annually, upon the recommendation of the Superintendent, requests for retirement annuities for school personnel with 25 years or more years of creditable service (at least five [5] of which must have been in this district) who have reached the age 55 and have applied for retirement under the Florida Retirement System or Teachers Retirement System.

(1) All requests must be received between February 1 and February 28 of the calendar year for those requesting retirement during or at the conclusion of that school year or four (4) months prior to retirement if planning retirement before February of that school year.

(2) A copy of the official determination, by the Division of Retirement, of the projected monthly benefits at the effective date of retirement based on the average monthly compensation and creditable service as of the member's early retirement date and the actual early retirement benefits shall accompany the request.

(3) Requests of applicants between the ages of 50 and 54 may also be considered by the Board if the Board first determines for that year that is economically feasible to do so.

B. Between January 1 and February 1 an annual survey and study will be conducted prior to the determination of the Superintendent and Board on the feasibility of the program being offered during that school year with no commitment to offer the program in future years unless the Board opts to do

so after reviewing the annual survey. The employee may be required to contribute to the annuity in order to qualify.

- C. The Board upon the recommendation of the Superintendent will determine before April 1, whether or not the program will be offered for that year.
- D. If the program is offered, the Superintendent shall make recommendations pertaining to either the investment in a specific amount of current funds or the purchase of an adequate annuity either of which would provide earned income in an amount sufficient to provide the annual early retirement supplemental benefit for the named employee.
- E. The maximum monthly benefit to any individual shall be in compliance with Florida Statutes.

Auth: 230.22, F.S.  
Imple: 231.495, F.S.

#### 4.6 MISCELLANEOUS

A. Pallbearer

The Superintendent or any principal or administrator has authority to allow an employee time off to act as a pallbearer and to permit the employee to make up the time to avoid loss of pay.

B. Workers' Compensation

All employees of the District are entitled to benefits of Workers' Compensation when qualified as prescribed under Florida Law. The employee shall receive his regular salary less Workers' Compensation payments while on illness-in-line-of-duty leave.

C. Garnishment

In every case in which an attempt is made to join the District as garnishee, the District shall impose its right of exemption as an agency of the State.

D. Credit Inquiry

The Superintendent, in response to a proper request by an appropriate recognized lending institution or credit bureau, is authorized for credit purposes to give the following information:

- (1) The length of employment
- (2) The status of employment
- (3) Salary earned

In no case shall the Superintendent give any opinion as to the character of the employee.

Auth: 230. 22, F. S.  
Imple: 231.38, 230. 23(5), Chapter 440, and 230 . 33 ( 23), F . S .

E. Reimbursement for Damage to Personal Items

The Board shall reimburse professional support staff for damage to clothing, dentures, eyeglasses, prosthetic devices or artificial limbs where such damage occurs as a result of:

- (1) Breaking up a fight
- (2) Protecting students or other employee(s) from physical harm or injury
- (3) Assault and/or battery occurring in the course of the legal performance of assigned duties. Such reimbursement shall not exceed the replacement cost nor be paid when the above loss is reimbursable from other sources.

Auth: 230.22, F.S.  
Imple: 230.23 (5), Chapter 440, and 230 . 33 (23), F.S

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## Chapter 5

### Instructional Personnel

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## 5.0 INSTRUCTIONAL PERSONNEL

### 5.1 EMPLOYMENT PRACTICE

#### 5.1.1 Recruitment, Selection and Appointment

##### A. Personnel Philosophy

In order to secure quality educational leadership for the children of Osceola County, the School Board expects all schools to strive to acquire teaching faculties who exemplify the following attributes:

- (1) A high degree of teaching competency.
- (2) Good physical health.
- (3) Good mental health.
- (4) Healthy social attitudes.
- (5) A high degree of dedication to doing utmost for children.
- (6) Staunch adherence, active as well as passive, to the conviction that each child is valuable and should be treated in such a manner as to develop to the fullest degree possible his potential and talents.
- (7) A desire to cooperate and work with other personnel for the betterment of operational procedures, such as pupil discipline, building control, etc.
- (8) A profound and vital respect for the teaching profession and the nation, state, and community it serves.

##### B. Qualifications of Instructional Personnel

- (1) A person shall be of good moral character and, when required by law, shall hold a certificate or license issued under regulations of the State Board of Education, except as provided in Section 231.02, Florida Statutes.
- (2) No person may be employed who has not reached the age of eighteen (18) years, except as provided in Section 231.03, Florida Statutes.
- (3) All teachers shall be certified in the area in which their major assignment is made unless the Superintendent shall have approved any exceptions and reported such to the Board. Any teacher who is teaching out-of-field must complete six (6) semester hours in accordance with Board rule 5.1.2 E. *Amended 6/30/92*
- (4) All new employees are required to participate in the Florida Retirement System. Instructional employees who are members of the Teachers Retirement System may continue in that system in

accordance with Board Rule 5.4.1. All members of the Florida Retirement System shall also contribute to Social Security.

- (5) All employees must complete a W-4 form to authorize proper withholding of monies for income tax purposes.
- (6) Florida Statute 876.05, requires all persons who are on the payroll of the School District to take an oath to support the Constitution of the United States and of the State of Florida. The oath, as amended by the United States Supreme Court, is included in the Appendix to these rules.
- (7) All new employees and former employees with a break in service of ninety (90) days or more shall be required to take a drug screening test prior to an offer of employment. *Amended 6/30/92.*

Prior to being recommended for employment by the Superintendent, each applicant shall be required to submit a urine sample for a screening test. If the screening shows the presence of an illegal drug, the sample shall then be tested by the GCMS method.

No prospective employee will be hired if the results of the drug screening test indicate the presence of an illegal drug, regardless of the frequency or occasion. However, the prospective employee may request a waiver if he/she can show a valid prescription for the drug, issued by a licensed medical practitioner or if he/she can provide the drug was purchased pursuant to the provisions of Section 893.08, Florida Statutes. The Superintendent or his designee shall verify the validity of the prescription or compliance with the provisions of Section 893.08, and consider the request in light of the extent, duration and frequency of use of the drug; the underlying cause for use of the drug; and any other considerations relevant to the performance requirements of the position for which applied.

The Superintendent's decision on any request for waiver shall be final.

The term "illegal drug" as used in this rule shall mean, any drug listed or defined as a "controlled substance" by Chapter 893, Florida Statutes.

Applicants whose results are positive on the drug screening test may not reapply for employment until one (1) year after the date the sample was given.

Please note the following related to whom is to be tested and confidentiality of testing:

- a. Employees returning from a Board approved leave of absence or sabbatical will not be tested.
- b. Prospective employees will not begin work until the results are returned. (Substitute employees will be available in emergency situations.)

- c. The successful applicant from all employee groups (Administration, Instructional, and Professional Support Staff) will be tested as well as Adult Education teachers and substitutes. Other personnel who have contact with students as determined by the Personnel Department will be tested.
- d. Substitute employees (substitute teachers and temporary contracted employees) working within the past school year will not be required to take a drug screening test. If these employees have not worked within the past school year, a drug screening test will be required. *Amended 6/30/92*
- e. Substitute employees (substitute teachers and temporary contracted employees) transferring to full-time status will be required to take a drug screening test if they have not been previously tested under Board Rules. *Amended 6/30/92*
- f. Test results are confidential medical records.

All new instructional employees, including substitutes, shall pay the full cost of drug screening. *Amended 7/23/91*

- (8) All new employees and former employees with a break in service of ninety (90) or more days upon employment shall file a complete set of fingerprints taken by an authorized law enforcement officer, at the beginning of the school year or within the ninety (90) day probationary period. *Adopted 6/30/92*

If, through no fault of the employee, a determination on a set of fingerprints cannot be obtained from Florida Department of Law Enforcement (FDLE) and Federal Bureau of Investigations (FBI), then a second set of prints will be required. *Amended 6/30/92*

If both sets of fingerprints are illegible then the FDLE and FBI will give clearance based on name search. This will meet the requirements under F.S. 231.02. *Amended 6/30/92*

- a. Substitute employees (substitute teachers and temporary contracted employees) working within the past year will not be fingerprinted. If these employee types have not worked within the past fiscal year, fingerprinting will be required. *Amended 6/30/92*
  - b. Substitute employees (substitute teachers and temporary contracted employees) transferring to full-time status will be fingerprinted if they have not been fingerprinted under Florida Statute 231.02(2)(a). *Adopted 6/30/92*
  - c. Employees returning from a Board approved leave of absence or sabbatical will not be fingerprinted.
- (9) All new employees, all employees returning from leave of ninety (90) or more days and all former employees with a break in service

of ninety (90) days or more, shall have a tuberculin skin test or, at their own expense, a chest X-ray, at the beginning of the school year or within the ninety (90) day probationary period. Certificates verifying negative TB test results are valid for up to a period of one (1) year. *Amended 6/30/92*

- (10) Applicants shall provide true and accurate information on the application form when applying for a position. If inaccurate information is given, the applicant may not be considered for employment until one (1) year after the date of application. Any employee who is discovered to have given inaccurate or false information on the application form shall be considered for disciplinary action up to and including termination. *Adopted 6/30/92*
- (11) Prior to being recommended for employment by the Superintendent and prior to the first day of employment, the prospective instructional employee must have a completed application on file. This consists of an application, four (4) reference forms (on the District's forms), TB test results, an application for Florida certification, and official transcripts of all degrees or evidence of application for such transcripts. Exceptions may be made by the Assistant Superintendent for Personnel and Administrative Services in extenuating circumstances only. *Adopted 6/29/93*

C. Employment Procedures - Instructional

(1) Statutory - Record of Personnel

The Superintendent shall, for the purpose of improving the quality of instructional, administrative and supervisory services, establish procedures for assessing the performance of duties and responsibilities of all instructional personnel, pursuant to subsection (2) of Section 231.29, Florida Statutes.

(2) Application Form

Application forms for instructional positions may be obtained from the Personnel Department. The completed application shall be given to the Superintendent or his designee.

Completed application forms submitted at the District Office are classified into teaching areas, numbered and posted. The applications are made available to all principals upon request, and any principal interested in an application may have the application or a copy of it.

Employment applications will be kept on file for a period of one year and may be renewed annually, in writing, by the applicant. *Amended 6/30/92*

(3) Responsibility of Principal

The principal shall initiate requests for employment, re-employment, promotion, or dismissal of employees in his school. He shall aid in



securing references and investigating professional qualifications of teachers to be employed. He shall not consider any applicant who cannot qualify for a valid Florida Educator's Certificate. The level of the certificate may, in part, determine the base salary.

Four (4) or more official references from the most recent places of employment are required when considering an application of a new employee. The principal shall be governed by the District's personnel philosophy contained in this Chapter of Board Rules.

(4) Personnel Interviews and Application Reviews

All candidates selected by the principal as those who will be recommended for appointment must be reviewed by Personnel and Administrative Services. When reviewing applications for employment, the District shall evaluate all applications with the primary objective of selecting persons best suited to meet the educational needs of the children.

(5) Disposition of Applications

An applicant who has been appointed by the Board shall be notified of the appointment, and shall be given a period not to exceed fifteen (15) days to accept or reject the appointment. A record of appointments shall be spread upon the Board minutes prior to or at the time of written notice is given to the applicant. If the appointment is a position of temporary or substitute employment, the record of appointment and written notice shall so state.

(6) Examination Requirements

A person applying for a teaching position in Osceola District Schools must take or present evidence of having taken one of the following:

- a. The National Teachers Examination - Commons Examination Section.
- b. The Graduate Record Examination. (Verbal and Quantitative Sections)
- c. The Wesman Personnel Classification Inventory

Exceptions:

...former Osceola District Schools' teachers making re-application who have a satisfactory record of past performance in Osceola District Schools may be rehired without presenting evidence of taking a test

...instructional applicants applying for positions requiring less than a four (4) year degree

(7) Acceptance of Appointment

Any person employed on the basis of a WRITTEN offer of a SPECIFIC POSITION by a duly authorized agent of the Board for a stated term of service at the rate specified in the adopted salary schedule and who accepted such offer by telegram or letter or by signing the regular contract form, shall be considered as having a legal contract binding to both parties and shall be subject to the provisions of Section 231.36, subsection (2), Florida Statutes, with regard to its violation.

(8) Required Medical Exams *Adopted 6/29/93*

In the event any employee is unable to perform the essential functions of the job notwithstanding attempts to provide reasonable accommodations, then the School District shall have the right to require a physical, medical and/or psychological examination at any time conditions indicate the need. Any examination required by the School District shall be at the School District's expense. An employee who refuses a physical, medical and/or psychological examination when the School District directs the examination may be subject to job action; including but not limited to suspension or dismissal for insubordination.

D. Teacher Recruitment

Effective recruiting of quality instructional employees may include provisions for paying appropriate expenses relating to such recruitment. Such expenses may include moving expenses for teachers in areas determined as critical need, as determined by action of the School Board.

Auth: 230.22, F.S.

Imple: 230.23(5), 231.02, 231.03, 231.031, 231.14, 231.17, 121.051, 876.05, 231.29(2), and 231.36(2), F.S.

5.1.2 Certification of Instructional Personnel

A. General Information

It shall be the responsibility of each teacher to secure and renew his teaching certificate.

Application forms may be obtained from the Certification Office. All certificate applications may be processed through the District contact for certification in the District Office in order to receive priority attention from the Certification Division of the State Department of Education.

All new and full-time substitute instructional employees will pay the full cost of processing fingerprints with the Florida Department of Law Enforcement and the FBI.

When there is a change in name, the name shall be changed on the certificate and the new certificate recorded in the Superintendent's office before any records may be changed.

This shall be done by sending the appropriate form and fee to the Certification Section, Department of Education, Tallahassee, Florida. In the event the certificate was issued by the School District, the appropriate form and fee shall be sent to the School District of Osceola County, Florida.  
*Amended 7/23/91*

Each member of the instructional staff shall file a copy of his or her certificate with the Superintendent immediately upon receipt thereof.

B. Professional Orientation Program

A beginning teacher must satisfactorily complete the Osceola Professional Orientation Program prior to receiving a regular certificate. The Professional Orientation Program is incorporated and made a part of the Osceola Master Inservice Plan.

F.S. 231.17 - 3 (a) amended 1990

C. Extension of Certificates

The extension of teaching certificates shall be made in accordance with the provisions of Section 231.24, Florida Statutes, and State Board Regulation 6A-4.05, and shall be a responsibility shared between the individual and the State Department of Education. Inservice training may be used to extend a certificate, as outlined in the Master Inservice Plan.

D. Non-certificated Instructional Personnel

In each community there are persons who possess expert skill in, or knowledge of, a particular subject or talent, but who do not hold a Florida teaching certificate. These persons constitute an invaluable community resource for the education of the pupils in that district. It is hoped that the principals and teachers of the District will utilize the services of such expert persons in the community in an appropriate instructional capacity. Such persons may serve as non-paid volunteers or as paid members of the instructional staff to render instructional service to their individual fields of specialty, but shall not be required to hold a Educator's Certificate. Qualifications for such non-certificated instructional personnel shall include, but shall not be limited to, the following:

- (1) Health and Age - Health and age requirements shall be the same as those required for certificated instructional personnel.
- (2) Employment Procedures - Employment procedures shall be the same as those followed for certificated instructional personnel, except that non-certificated instructional personnel shall not be entitled to a contract as prescribed by State Board Regulation 6A-1.64(1).
- (3) Personnel Records - The District Personnel records shall contain information considered necessary by the District to establish the specialty of the individual, and a statement of the instructional duties assigned to and performed by each person.

- (4) Salary - Persons possessing skills in a certain job or teaching area which are considered equivalent to Bachelor's, Master's, Specialist or higher shall be paid in accordance with the Board-approved Adult Education salary schedule. Persons whose qualifications do not warrant the above mentioned pay shall be paid at the non-certified rate as provided in the Board-approved salary schedule.
- (5) Assignment, suspension, and dismissal procedures for non-certificated instructional employees shall be the same as those for certificated employees. Such procedures shall be provided in writing to each employee at the time of employment.
- (6) Assessment of performance - Procedures for assessing the performance of duties and responsibilities of all noncertificated instructional employees shall be developed by the Superintendent to ensure that each person adequately performs the duties assigned.
- (7) Pupil Welfare - Each non-certificated instructional employee who at any time is expected to assume responsibility for the health, safety, and welfare of pupils, shall possess, in advance of assuming the responsibility, a clear understanding of State and District rules, policies, and regulations relevant to instructional responsibilities. When assigned duties require knowledge of rules, regulations, or policies of a special nature, the employee occupying a supervisory position is responsible to ascertain that the teacher possesses, in advance of assuming the duties, the necessary knowledge to perform such duties in a proper and reasonable manner.
- (8) Instructional Practices and Policies - Each non-certificated teacher who at any time is expected to assume responsibility for promoting pupil learning shall possess, in advance of assuming this responsibility, a clear understanding of all State and District instructional practices and policies relevant to instructional responsibilities.
- (9) Non-certificated teachers shall not be employed to teach for more than 160 clock hours during any fiscal school year.
- (10) A non-certificated person employed pursuant to this section shall be accorded the same protection of the laws as that accorded the certificated teacher.

Auth: 230.22, F.S.

Imple: 231.14, F.S., and SBE Regulations 6A-1.501, 6A-1.64, 6A-4.05 and 6A-1.502.

E. Out-of-Field Rule *Revised 6/29/93*

The hiring and/or assignment of out-of-field teachers may occur if a qualified, certified teacher is unavailable.

- (1) Out-of-field Assignment Other Than ESOL (English to Speakers of Other Languages)

A teacher out of field in a subject other than ESOL shall complete at least six (6) semester hours of college credit or the equivalent toward the appropriate certification within one (1) calendar year from date of initial appointment to the out-of-field assignment and each calendar year thereafter until all course requirements are completed for the appropriate certification.

(2) Out-of-field Assignment in Only ESOL

A teacher out-of-field in only ESOL shall complete at least three (3) semester hours of college credit or the equivalent toward the ESOL requirements within the first two calendar years from date of initial assignment and three (3) semester hours or the equivalent during each calendar year thereafter until all course requirements for certification in ESOL are completed.

(3) Out-of-field Assignment in ESOL and Another Subject

A teacher out-of-field in ESOL and another subject shall complete at least six (6) semester hours of college credit or the equivalent toward the appropriate certification within one (1) calendar year from the date of initial appointment to the out-of-field assignment and each calendar year thereafter until all course requirements are completed for the appropriate certification. The training shall be completed in the following manner: During the first two (2) years, at least three (3) of the required hours or the equivalent shall be completed in ESOL strategies. Beginning with the third year and each year thereafter, at least three (3) semester hours or the equivalent shall be completed in ESOL strategies and at least three (3) semester hours in the other out-of-field subject requirements until all course requirements are completed for the appropriate coverage and the ESOL endorsement. All out-of-field teachers shall sign an agreement to work toward the appropriate certification. The Principal shall be responsible for obtaining signatures on the agreement and a copy shall be placed in the personnel file.

Auth: 230.22, F.S.  
Imple: 231.095, F.S., SBR 6A-1.0503

F. Non-degreed Full-time and Part-time Vocational Instructional Personnel

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 authorized the employment of non-certificated teachers to teach full-time in non-degreed vocational programs to comply with Section 231.1725(1)(c), Florida Statutes.

(1) Basic Qualifications

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

(2) Occupational Expertise

Each candidate shall 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 a high school diploma, and establishes the minimum competency in the area of assignment based on one of the following plans:

- 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 (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 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 educational in the state where the institution is located; or
  4. A valid certificate, registration, or license which was issued by the 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 State Director of the Division of

Vocational, Adult and Community Education shall be used to determine the appropriate credentials; 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 test (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 a notarized affidavit or company letterhead and shall 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. Company letterhead may be considered for verification for salary purposes; *Amended 6/30/92*
- 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 appropriate license described in 2(b)(4) above;
- 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 skills or theory courses related to the area of assignment; or
3. Completion of a vocational training program as described in (2)b.3. above, or completion of an apprenticeship program as described in (2)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.

(4) Initial Temporary and Part-time Certification

- a. The Osceola District Schools' Certificates shall be issued in accordance with Chapter 231, Florida Statutes and the School Board Rules of Osceola County pertaining to employment of instructional personnel. The cost of each certificate and certificate renewal shall be determined by the School Board. *Adopted 6/29/93*
- b. An applicant for a full-time non-degreed vocational certificate may be granted a three-year temporary certificate when the appropriate fee, application, and supporting documentation have been received. *Amended 6/30/92*
- c. An applicant for a part-time non-degreed vocational certificate may be granted an initial five-year certificate when the appropriate fee, application, and supporting documentation have been received. *Amended 6/30/92*

An instructor holding a valid part-time non-degreed vocational certificate from another Florida school district may be issued an Osceola District Schools' certificate by completing the appropriate application. Documentation of experience and the fee will be waived for those individuals employed in our district. *Adopted 6/30/92*

(5) Initial Professional Certification

- a. An instructor holding a valid full-time non-degreed vocational certificate may be issued a five-year professional certificate when the following criteria are met:



1. Three (3) years of successful teaching (under an Osceola District Schools' issued full-time vocational certificate) in the area for which occupational expertise was established, and completion of twelve (12) semester hours of college credit in education as specified below: *Amended 6/30/92*
  - (a) Three (3) semester hours in principles and philosophy of vocational education;
  - (b) Three (3) semester hours in general methods of teaching vocational education which includes testing and evaluation;
  - (c) Three (3) semester hours in methods of teaching agriculture, business, health occupations, home economics, industrial, marketing, or public service 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 vocational classroom and laboratory;
  - (d) Three (3) semester hours in vocational education designed for the special needs student;

OR

2. Three (3) years of successful teaching (under an Osceola District Schools' issued full-time vocational certificate) in the area for which occupational expertise was established and completion of the district vocational teacher education program which is approved by the Department of Education as part of the District Master Inservice Plan. The program must include a minimum of 240 inservice points which are equivalent to twelve (12) semester hours. *Amended 6/30/92*

AND

3. Presentation of passing scores on the reading, writing, math and professional sub-tests of the FTCE.
4. Demonstration of successful instructional performance.
5. Submittal of appropriate fee and application. *Adopted 6/30/92*

- b. An individual who has met the requirements for an Osceola District Schools' five-year professional certificate and who also holds a valid Florida Educator's Certificate shall receive an initial Osceola District Schools' certificate with the same validity period as the Florida Educator's Certificate when the individual submits an application for an Osceola District Schools' certificate and an appropriate fee. *Adopted 6/30/92*
- c. An individual who has not met the requirements for a five-year professional certificate and whose three-year temporary certificate has expired shall receive a one-year temporary certificate when the requirements specified below have been met: *Adopted 6/30/92*
  - 1. Documentation of extenuating circumstances beyond the individual's control that is approved by the Superintendent; and *Adopted 6/30/92*
  - 2. Submittal of an application for a district issued certificate and appropriate fee. *Adopted 6/30/92*

(6) Renewal of Full-Time Vocational Certificates *Adopted 6/30/92*

An individual who holds a five-year professional Osceola District Schools' certificate must complete the following for renewal:

- a. Completion of a minimum of six (6) semester hours of college credit which shall include three semester hours specific to each area of coverage during each five-year validity period; or
- b. A combination of semester hours of college credit and inservice points. Each twenty (20) inservice points approved in the District Master Inservice Plan shall be considered equivalent to one (1) semester hour of college credit. The combination should be equivalent to six (6) semester hours of college credit; or
- c. A total of 120 inservice points; and
- d. Submittal of an application for an Osceola District Schools' certificate, appropriate fee and supporting documents to renew their five-year professional certificate.

(7) Renewal of Part-Time Vocational Certificates *Adopted 6/30/92*

An instructor holding a valid part-time non-degreed vocational certificate may be issued another five-year certificate upon submission of the application and fee within the last year of the validity period.

(8) Certificate Revocation *Adopted 6/29/93*

The Superintendent may revoke any Osceola District Schools' teaching certificate arising from misconduct, including but not limited to immorality, intoxication while on duty, gross insubordination, willful neglect of duty, assaults upon other persons, incompetency, unjustified interruption of the orderly conduct of a school or any school activity, conviction of any crime involving moral turpitude or other serious misconduct.

(9) Professional Status

- a. All full-time non-degreed vocational instructors will have the same expectations, rights and privileges afforded the regular, full-time degreed staff.
- b. All part-time non-degreed vocational teachers will have the same expectations, rights, and privileges afforded the regular, part-time degreed staff.

G. Teacher of Adult Education (Rank I, II or III)

(1) Full-time Instructional Personnel

Instructional personnel who are employed to teach full-time in the adult education cost category program numbers 401, 402, or 416 shall hold a valid full-time Educator's Certificate issued by the State Department of Education in the area of assignment and shall be governed by the same school board policies as other full-time teachers. *Amended 6/30/92*

(2) Part-time Instructional Personnel

Instructional personnel who are employed to teach part-time in the adult education cost category program numbers 401, 402 or 416 shall be employed as teachers in compliance with Section 2.32.1725(1)(b), Florida Statutes, and shall be governed by the criteria specified below: *Amended 6/30/92*

- a. The Superintendent shall ensure that each candidate for employment in a part-time teaching position in an adult education program meets minimum requirements for employment and shall maintain records of such information in the candidate's personnel file.
- b. Educational Training: The candidate shall hold a bachelor's or higher degree with an undergraduate or graduate degree major in the area of assignment or hold a bachelor's or higher degree in another area and thirty (30) semester hours in courses related to the area of assignment. The degree or college credit must have been completed at an accredited institution as specified in Rule 6A-4.003, FAC.

- c. When the basic qualifications are verified and the appropriate fee and application is received, Osceola District Schools will issue a part-time adult education certificate valid for five years. The certificate will be renewable upon submission of the application and appropriate fee within the last year of the validity period. *Adopted 6/30/92*

5.1.3 Health Certificate *Deleted by amendment to 5.1.1 B (9) on 6/30/92*

5.1.4 Assignment and Transfers

The School Board shall act on recommendations of the Superintendent regarding transfer and promotion of any employee. Assignments shall be based on the qualifications of personnel and the requirements of positions, and shall be made in accordance with Section 230.23, subsection (5) (e) and Section 230.33, subsection (7)(d), Florida Statutes.

Auth: 230.22, F.S.

Imple: 230.23(5)(e) and 230.33(7)(d), F.S.

5.1.5 Contracts

A. Annual Contracts

The School Board shall issue contracts to all instructional personnel in accordance with Section 230.23, subsection (5)(b), Florida Statutes. Florida law provides that the Board cannot pay salary to a regular instructional employee unless it has a contract with him. Further, the Board cannot enter into a contract with the prospective employee until he has a valid Florida certificate to teach. However, if an application for a certificate has been filed through the District contact for certification, with the necessary attachments, a contract may be issued on the basis of a State Department of Education number assignment on the DOE Official Receipt and Acknowledgement form on the status report sent to the District contact person each month. If, after the second pay period since employment began, a valid certificate is not presented to the District Office, further checks may be withheld.

B. Continuing Contracts

- (1) A continuing contract is a contract for teaching service (as defined below), issued under the provisions of Section 231.36, Florida Statutes, entitling the holder to continuing employment without annual appointment.
- (2) An employee who had continuing contract status prior to July 1, 1984, shall be entitled to retain such contract and all rights arising therefrom in accordance with existing laws, rules of the State Board of Education, or any repealed laws unless the employee voluntarily relinquishes his continuing contract. *Amended 7/23/91*

C. Professional Service Contract

- (1) The School Board of each district shall provide a professional service contract as prescribed herein. Each member of the instructional staff, excluding supervisors and principals, in each district school system who is employed with an effective date of initial employment subsequent to July 1, 1982, who:
  - a. Holds a regular certificate as prescribed by s. 231.17 and rules of the State Board of Education;
  - b. Has completed three (3) years of probationary service in the district, one (1) year of which shall be the beginning teacher program where required, during a period not in excess of five (5) successive years, such service being continuous except for leave duty authorized and granted; and
  - c. Has been recommended by the Superintendent for such professional service contract and reappointed by the School Board based on successful performance of duties and demonstration of professional competence shall be issued a professional service contract in such form as may be prescribed by rules of the State Board.
- (2) The professional service contract shall be effective at the beginning of the school fiscal year following the completion of all requirements therefore.
- (3) The period of service provided herein may be extended to four (4) years when prescribed by the School Board and agreed to in writing by the employee at the time of reappointment.
- (4) A School Board may issue a professional service contract to any employee who has previously held a professional service contract or continuing contract in the same or another district within this state.
- (5) A professional service contract shall be renewed each year unless the Superintendent, after receiving the recommendations required by s. 231.29(5), charges the employee with unsatisfactory performance as determined under the provisions of s. 231.29 and notifies the employee in writing, no later than six (6) weeks prior to the end of the post-school conference period, of performance deficiencies which may result in termination of employment, if not corrected during the subsequent year of employment (which shall be granted for an additional year in accordance with the provisions in F.S. 231.36(1), except as otherwise hereinafter provided, this action shall not be subject to the provisions of chapter 120, but the following procedures shall apply:
  - a. On receiving notice of unsatisfactory performance, the employee, on request, shall be accorded an opportunity to meet with the Superintendent or his designee for an informal review of the determination of unsatisfactory performance.

- b. An employee notified of unsatisfactory performance may request an opportunity to be considered for a transfer to another appropriate position, with a different supervising administrator, for the subsequent year of employment.
- c. During the subsequent year, the employee shall be provided assistance and inservice training opportunities to help correct the noted performance deficiencies. The employee shall also be evaluated periodically so that he will be kept apprised of progress achieved.
- d. Not later than six (6) weeks prior to the close of the post-school conference period of the subsequent year, the Superintendent, after receiving and reviewing the recommendation required by s. 231.29(5), shall notify the employee, in writing, whether the performance deficiencies have been corrected. If so, a new professional service contract shall be issued to the employee. If the performance deficiencies have not been corrected, the Superintendent may notify the School Board and the employee, in writing, that the employee shall not be issued a new professional services contract; however, if the recommendation of the Superintendent is not to issue a new professional service contract, and if the employee wishes to contest such a recommendation, the employee will have fifteen (15) days from the receipt of the Superintendent's recommendation to demand, in writing, a hearing. In such a hearing, the employee may raise as an issue, among other things, the sufficiency of the Superintendent's charges of unsatisfactory performance within 45 days of receipt of the written appeal. The hearing shall be conducted in accordance with the provisions of Section 2.120.57(1)(a)1 Florida Statutes. A majority vote of the School Board shall be required to sustain the Superintendent's recommendation. The determination of the School Board shall be final as to the sufficiency or insufficiency of the grounds for termination of employment; or
- e. A hearing conducted by a hearing officer assigned by the State Division of Administrative Hearings of the Department of Administration. The hearing shall be conducted within 45 days of receipt of the written appeal in accordance with Chapter 120, Florida Statutes. The recommendation of the hearing officer shall be made to the School Board. A majority vote of the School Board shall be required to sustain or change the hearing officer's recommendation. The determination of the School Board shall be final as to the sufficiency or insufficiency of the grounds for termination of employment.

D. Choosing Between Personnel on Continuing Contract or Professional Service Contracts

Should the Board have to choose from among its personnel who are on continuing contracts or professional service contracts as to which should be retained, such decisions shall be made pursuant to the terms of a collectively bargained agreement.

E. Return to Annual Contract Status

Any member of the instructional staff who is under continuing contract or professional service contract may be dismissed or returned to annual contract status only after a due process hearing as prescribed in Board Rule 10.1.

Auth: 230.22, F.S.

Imple: 230.23(5)(b), 231.36(3) - (5);120.53(1) 12s.57 - 129.59, and 230.22(2), F.S.

5.1.6 Suspension and Dismissal

A. Suspension and dismissal of instructional personnel shall be conducted in accordance with the procedures contained in Board Rule 10.3 except that the Superintendent may suspend members of the instructional staff in an emergency in accordance with the provisions of Section 230.33, subsection (7)(e), Florida Statutes.

B. Unethical use or administration of test materials may constitute a violation of Florida Statutes 228.301, Test Security, and may result in fines, imprisonment, and/or dismissal of involved employees.

Auth: 230.22, F.S.

Imple: 230.33(7)(e), 120.53(1), 120.57 - 120.59,231.085(2) and 231.36(6), F.S.

5.1.7 Resignations and Terminations

A. Resignation

(1) All instructional personnel requesting to be released from their contract shall submit to the Superintendent the proper resignation form. Resignation of teachers shall require at least two (2) weeks written notice prior to termination unless authorized by the Superintendent. Unused vacation days and personal leave charged to sick may be used toward all or part of this requirement.

(2) All leave forms, termination forms, insurance card, prescription card and other required paper work must be on file in the District Personnel Office before the final pay check can be released. Failure to give proper notice may delay the release of the final check one pay period. Compensation for services rendered shall be made following the established payroll date schedule.

(3) An exit interview shall take place prior to or at the time of receiving the last check. Termination of all benefits shall be effective as of the last official day of employment.

B. Release from Contract

Any teacher who shall violate the terms of his contract by leaving his position without first being released from his contract by the Board shall be reported to the Educational Practices Commission. The Board shall take official action on such violation and furnish a copy of the proceedings to the certification section of the State Department of Education in accordance with Section 231.36, subsection (2), Florida Statutes.

5.1.8 Personnel Files

A. Social Security Card

An original Social Security Card must be presented at the time of employment and a copy will be maintained in the employee's personnel file.

- B. A complete statement of the academic preparation, professional training, and teaching experience of each person to whom a certificate is issued, shall be furnished by the applicant to the Superintendent, on forms furnished by the Department of Education.

C. Performance Assessment

For the purpose of improving the quality of instructional, administrative, and supervisory services in the public schools of the District, the Superintendent shall establish procedures for assessing the performance of duties and responsibilities of all instructional personnel employed in the District and for the proper record keeping of the same.

An annual evaluation of each teacher shall also be prepared as prescribed by the Superintendent, and made available for inspection by the School Board, the Superintendent, the principal, the teacher and such other persons as the teacher or the Superintendent may authorize in writing in accordance with Section 231.29, subsections (2) and (3), Florida Statutes.

Auth: 230.22, F.S. Imple: 231.29(2) and (3), F.S.

5.1.9 Substitute Teacher

A. Substitute Teacher Certification

The purpose of substitute teacher certification is to provide evidence that substitute teachers in Osceola County are adequately qualified in order to protect the educational interests of students, parents and the public at large. Substitute teachers who obtain certification in Osceola County shall possess relevant and adequate skills to demonstrate an acceptable level of professional performance. A four (4) year college degree is preferred, but not required at this time.

The Osceola County Substitute Certificate shall be issued in accordance with Chapter 231, Florida Statutes and the School Board Rules of Osceola County pertaining to employment of instructional personnel. The cost of each certificate and certificate renewal shall be determined by the School Board. *Amended 7/23/91*



It shall be the responsibility of each applicant to qualify for a valid certificate.

The Osceola County Substitute Certificate shall be valid for five (5) fiscal school years and may be issued to an applicant who completes all application requirements outlined in School Board Rules.

Application requirements are as follows:

- (1) Complete application on file.
- (2) File a complete set of fingerprints.
- (3) Be at least 18 years of age.
- (4) Have a valid high school diploma or GED certificate.
- (5) Complete all forms for employment.
- (6) File two (2) completed references.
- (7) File the results of TB testing.
- (8) Present an original Social Security card.
- (9) Complete drug screening.
- (10) Complete interview with Personnel.

B. Compensation

- (1) Compensation for substitute teachers and Adult Education Instructors shall be computed using the School Board approved salary schedule. *Amended 6/30/92*
- (2) For salary rating purposes, substitute teachers and Adult Education instructors must have a minimum of a high school diploma or equivalent, or official transcript. The official transcript must be sent directly from the college or university to the Personnel Department. If an official transcript cannot be sent directly from the college or university, the Superintendent may consider an alternate method of verification. *Adopted 6/30/92*
- (3) All degrees must be from accredited colleges and universities as recognized by the Florida Department of Education. *Adopted 6/30/92*
- (4) Compensation for short-term contracts shall be paid to State-certified teachers with a bachelor's degree or higher. The daily rate would be the same as that paid to full-time employees with the same qualifications and status.

C. The Superintendent shall compile a list of qualified substitutes who may be called upon for substitute teaching. Each substitute shall be approved by the School Board prior to substitute teaching.

D. Short-term Contracts

A substitute teacher with State certification may be considered for a short-term contract when the instructional employee being replaced is on personal leave or when a vacancy exists that cannot be filled by a qualified certificated person.

E. Reciprocal Agreement

Osceola District Schools will accept substitute certification from other Florida counties that have entered into a reciprocal agreement acknowledging a basic set of criteria.

F. Osceola County Substitute Certificates shall be renewed every five (5) years following an interview and a notarized statement on non-criminal activity.

Auth: 230.22, F.S.

Imple: 231.47, F.S. and SBE Regulation 6A-1.54.

## 5.2 EMPLOYMENT CONDITIONS

### 5.2.1 Time Schedule - School Day, Week and Year

A. Work Year

Instructional personnel are required to work each school year not less than 196 days of service excluding Sundays and holidays, which shall include at least 180 actual teaching days, or the equivalent on an hourly basis, as specified by Section 236.02, subsection (3), Florida Statutes, and State Board Regulation 6A-1.451(3).

B. Supervision of Students

All members of the faculty are responsible for the supervision of the students during school hours regardless of specific scheduled assignment.

Teachers desiring to leave the campus between the time school starts and the end of the school day for students shall obtain permission from the principal.

C. Released Time

Each principal shall have the authority to release members of his staff for less than one-half (1/2) day for temporary absence without requesting approval of the Superintendent or Board, provided, however, that these temporary absences are kept to a minimum and that the principal assumes responsibility for such absences. In cases where other staff members are able to conduct the class of the excused teacher and a substitute is not required, it shall not be necessary to charge the excused teacher with personal or sick leave; however, if personal leave is charged, the

Superintendent shall be consulted. Each principal shall keep a record of such temporary absences, the time involved, and the reason for each absence.

D. School Hours

All schools shall maintain regularly scheduled school hours. In no case shall school be dismissed for a sports event or any other activity at an hour other than the scheduled time for dismissal without prior approval of the Superintendent. Exceptions may be made by the principal in case of emergencies where the safety and welfare of the students are in jeopardy.

The principal of each school shall design a working schedule which will best serve the needs of the community and which shall be approved by the Superintendent and coordinated with the operation of the transportation system.

Auth: 230.22, F.S.

Imple: 236.02(3), 230.33(7)(f), and 231.085(5), F.S.

5.2.2 Vacations and Holidays

Twelve (12) month instructional personnel shall be given vacation days and holidays as may be recommended by the Superintendent and approved by the Board.

Auth: 230.22, F.S.

Imple: 231.39 and 236.02(3), F.S.; and SBE Regulation 6A-1.82

5.2.3 Temporary Duty Assignment of Employees

When mutually agreed upon, employees may be assigned to be temporarily absent from their regular duties and places of employment for the purpose of performing other educational services, including participation in school surveys, professional meetings, study courses, workshops, etc. Such assignment to temporary duty shall ordinarily be initiated by the District administration, but an employee may request assignment to temporary duty, subject to approval by the Superintendent. Employees shall receive their regular pay and may be allowed expenses as provided in Board Rule 2.4.8. Such temporary duty shall be considered equal to the regular duties of the individual, and employees performing such assigned temporary duties shall not be considered to be on leave. Employees may not be assigned for temporary duty for the purpose of earning college credits, improving rank or renewing certificates, except when participating in a staff development program approved by the Board.

Auth: 230.22, F.S.

Imple: 231.42, F.S. and SBE Regulation 6A-1.84.

5.2.4 Wearing Apparel

Teachers' dress shall be dignified, non-disruptive and in good taste. The Principal may direct any teacher whose wearing apparel, in the Principal's opinion, violates this policy, to change into suitable clothing. If the teacher refuses to do so, the Superintendent may suspend the teacher until the teacher complies with the

Superintendent's request. Such suspensions shall be pursuant to Section 231.36, subsection (6), Florida Statutes.

Auth: 230.22, F.S.

Imple: 231.09(2), 231.36(6), 120.53(1), 120.57-120.59, 230.33(7)(e), and 231.085(2), F.S.

#### 5.2.5 Workers' Compensation

All employees of the Board are entitled to benefits of Workers' Compensation when qualified as prescribed under Florida Law. The employee shall receive his regular salary less workers' compensation payments while on illness-in-line-of-duty leave.

#### 5.2.6 Pallbearer

The head of a district department or a principal has the authority to allow any member of the instructional staff to act as pallbearer.

Auth: 230.22, F.S.      Imple: 231.085, F.S.

#### 5.2.7 Tutoring

No member of the instructional staff shall receive compensation for tutoring a pupil enrolled in his or her class. Teachers who receive compensation for tutoring shall not use public school facilities for such purpose.

Auth: 230.22, F.S.

Imple: 232.02, F.S., and SBE Regulation 6A-1.951.

#### 5.2.8 Residence

Teachers employed by the Board are encouraged but not required to live in Osceola County. Living out of the county does not exempt the teacher in any way from his prescribed duties.

#### 5.2.9 Inter-school and Intra-school Visitation

A member of a school's instructional staff may be recommended by the principal and Director of Staff Development for a maximum of two (2) days of visitation per year for the purpose of improving instruction. The teacher shall make necessary arrangements with the school to be visited. Under no circumstances shall a teacher visit another school unless the visit has been prearranged and provided, further, that the teacher, upon arrival to the host school, reports first to the office of the principal. Application should be made according to provisions of the Master In-service Plan, a copy of which shall be available in each school library.

Auth: 230.22, F.S.      Imple: 231.601(4)(c), F.S.

### 5.3 LEAVES OF ABSENCE

During the school year, when it is necessary to be absent from duty, any member of the instructional staff may secure leave of absence as prescribed by law, pursuant to rules of the Board. Any such leave shall be classified as one of the following:

- A. Illness-in-line-of-duty leave
- B. Maternity leave
- C. Military leave
- D. Personal leave
- E. Professional leave
- F. Staff Development leave
- G. Sick leave
- H. Sabbatical leave
- I. Adoptive leave
- J. Jury Duty Leave
- K. Witness Leave

Auth: 230.22, F.S.  
 Imple: 231.39 - 231.43, F.S.,  
 SBE Regulation 6A-1.76 and 6A-1.77

#### 5.3.1 Authority for Leave

The Superintendent may grant leaves as authorized by Board Rules. When leave is granted, it shall be with or without pay as provided by law and Board rule, and shall be allowed only when the operation of schools is protected against undue interruption because of the absence of employees. *Amended 7/23/91*

Auth: 230.22, F.S.  
 Imple: 231.39 - 231.43, F.S.,  
 SBE Regulation 6A-1.76

#### 5.3.2 Advance Granting of Leave

Leaves shall be officially granted in advance and shall not be granted retroactively, provided that leaves for sickness or other emergencies may be deemed to be granted in advance if prompt reporting is made to the proper authority.

Auth: 230.22, F.S.  
 Imple: 231.39 - 231.43, F.S.,  
 SBE Regulation 6A-1.76.

#### 5.3.3 Purpose Specified

Leave granted on the request of an employee shall be for a particular purpose or cause which shall be set forth in a written application. The Board reserves the right to determine that the leave is issued for the purpose or cause set forth in the application. If not so used as specified, the leave approval is subject to cancellation by the Board.

Auth: 230.22, F.S.  
Imple: SBE Regulation 6A-1.79 and 231.39, F.S.

#### 5.3.4 Records of Absence

The principal of each school shall see that records of leave are kept and submitted to the Superintendent at least once a month on forms prescribed for that purpose in accordance with Section 231.45, Florida Statutes. The Superintendent shall keep complete records of all instructional personnel with regard to absences, and shall consult with the Board concerning the disposition of any claims for payment of benefits as provided herein.

Auth: 230.22, F.S.  
Imple: 231.45 and 231.46, F.S., SBE Regulation 6A-1.77

#### 5.3.5 Illness-in-line-of-Duty Leave

"Illness-in-line-of-duty" is absence from duties necessary because of personal injury received in the discharge of duty or because of illness from a contagious or infectious disease determined to have been contracted in school work.

Auth: 230.22, F.S.            Imple: 231.41, F.S.

#### 5.3.6 Maternity Leave

Maternity leave shall be granted for absence necessary by reason of pregnancy and child birth. Sick leave may be granted for maternity leave, to the extent of an employee's eligibility for sick leave, at the option of the employee.

Auth: 230.22, F.S.            Imple: 231.39(s) and 231.40, F.S.

#### 5.3.7 Military Leave

Military leave shall be granted without pay, except as provided in Section 115.07, Florida Statutes, to employees who are required to serve in the Armed Forces of the United States or of this State in fulfillment of obligations incurred under Selective Service laws or because of membership in the reserves of the Armed Forces or National Guard. At the termination of this service, employees must make application for reemployment within six (6) months following the date of discharge or release from active duty. The School Board shall have a period not to exceed six (6) months, to reassign the employee to duty in the school system. Military leave shall not be counted as years of service toward a continuing contract.

Auth: 230.22, F.S.  
Imple: 231.39(2) and 115.07 F.S.

#### 5.3.8 Personal Leave

##### A. Without Pay

Instructional personnel may be granted personal leave without pay by the Principal or Administrator. A person on personal leave without pay may

not receive holiday pay unless he works or is on paid leave the day before and the day after the holiday. *Amended 7/23/91*

B. Charged to Sick Leave

A member of the instructional staff may be absent with pay for personal reasons. Such absences shall be charged only to accrued sick leave as provided by law and leave for personal reasons shall be noncumulative.

Auth: 230.22, F.S. Imple: 231.43, F.S., 231.40(2)(a)2

5.3.9 Professional Leave

Professional leave is defined as leave granted to a member of the instructional staff to engage in activities which will result in his professional benefit and advancement, including earning of college credits and degrees, or that will contribute to the profession of teaching.

Auth: 230.22, F.S. Imple: 231.39(1), F.S.

5.3.10 Sick Leave

A. Sick Leave

Any member of the instructional staff, who is unable to perform his/her required duties because of personal illness, or because of the illness or death of father, mother, brother, sister, husband, wife, child or other close relative or member of his own household and who consequently has to be absent from work, shall be granted leave of absence for sickness by the Principal or Administrator.

In cases of investigated sick leave abuse, the principal may recommend to the Superintendent that the employee present a certificate of illness from a licensed physician. *Amended 6/29/93*

Absence because of illness beyond accumulated sick leave is considered personal leave without pay. *Amended 7/23/91*

B. Terminal Pay for Accumulated Sick Leave

Instructional personnel eligible to retire as provided by law, or his/her beneficiary if service is terminated by death, and retirees returning to active employment shall be entitled to payment for the maximum accumulated sick leave allowed by law at time of termination. Payment shall be made at the current daily rate of pay.

Imple: 231.40, F.S.

5.3.11 Unauthorized Leave

All absence from duty for good reason shall be covered by leave duly authorized. Any employee willfully absent from duty without leave shall forfeit compensation for the time of such absence and shall be subject to discharge and forfeiture of tenure and all other rights and privileges provided by law. If an employee granted

leave fails to return to duty at the termination of leave, his employment shall be subject to cancellation by the School Board.

Auth: 230.22, F.S.

Imple: 231.44, F.S. and SBE Regulation 6A-1.77

#### 5.3.12 Sabbatical Leave

Sabbatical leave for study, research, educational travel or such reason as approved by a sabbatical committee shall be granted by the Board to teachers who have four (4) or more years of service in Osceola County. This leave shall be granted for a period not to exceed one (1) year.

#### 5.3.13 Adoptive Leave

A teacher adopting a child of pre-school age or less shall be entitled to adoptive leave without pay not to exceed one (1) year.

#### 5.3.14 Jury Duty

An employee shall be authorized to be absent from assigned duties, and shall receive his regular salary plus court fees while serving as a juror in any court case. If notice of jury duty is received, the Principal or Administrator should be immediately notified in writing. Proper leave shall be requested. *Amended 7/23/91*

Auth: 230.22, F.S.

Imple: 231.39, F.S.

#### 5.3.15 Witness Leave

An employee of the Board may be absent from assigned duties and shall receive his regular salary, plus any witness fees, while serving as a witness in any court case or other legal or administrative proceeding under the following conditions:

- A. That the person has been subpoenaed by the court or agency having subpoena powers.
- B. That the employee shall submit a copy of the subpoena or letter from either attorney in the case to the Principal or Administrator. In the event that the employee is excused from further attendance, the employee shall return to his place of assignment as expeditiously as possible. Leave forms will show the adjustment. *Amended 7/23/91*

Auth: 230.22, F.S.

Imple: 231.39, F.S.

### 5.4 BENEFITS AND DUTIES

#### 5.4.1 Retirement and Retirement Annuities Program

- A. Florida Retirement System



All new school employees must participate in the Florida Retirement System (FRS) as a condition of employment.

B. Teachers Retirement System

Instructional Personnel on the Teachers Retirement System (TRS) prior to December 1, 1970, may continue in the Teachers Retirement System, provided there has been no break in continuity of service. Teachers in question should check with the Personnel Department or with the Retirement System as to their status. Contributions by members of the TRS shall be outlined in Section 238.11 Florida Statutes.

C. Retirement Annuities Program

- (1) The Board will consider annually, upon the recommendation of the Superintendent, requests for retirement annuities for school personnel with 25 years or more years of creditable service (at least five [5] of which must have been in this district) who have reached the age 55 and have applied for retirement under the Florida Retirement System or Teachers Retirement System.
  - a. All requests must be received between February 1 and February 28 of the calendar year for those requesting retirement during or at the conclusion of that school year or four (4) months prior to retirement if planning retirement before February of that school year.
  - b. A copy of the official determination, by the Division of Retirement, of the projected monthly benefits at the effective date of retirement based on the average monthly compensation and creditable service as of the member's early retirement date and the actual early retirement benefits shall accompany the request.
  - c. Requests of applicants between the ages of 50 and 54 may also be considered by the Board if the Board first determines for that year that is economically feasible to do so.
- (2) Between January 1 and February 1 an annual survey and study will be conducted prior to the determination of the Superintendent and Board on the feasibility of the program being offered during that school year with no commitment to offer the program in future years unless the Board opts to do so after reviewing the annual survey. The employee may be required to contribute to the annuity in order to qualify.
- (3) The Board upon the recommendation of the Superintendent will determine before April 1, whether or not the program will be offered for that year.
- (4) If the program is offered, the Superintendent shall make recommendations pertaining to either the investment in a specific amount of current funds or the purchase of an adequate annuity either of which would provide earned income in an amount

sufficient to provide the annual early retirement supplemental benefit for the named employee.

- (5) The maximum monthly benefit to any individual shall be in compliance with Florida Statutes.

Auth: 230.22, F.S.  
Imple: 231.495, F.S.

#### 5.4.2 Social Security

Social Security is required of every member of the Florida Retirement System.

Auth: 230.22, F.S.      Imple: 121.05(3), F.S.

#### 5.4.3 Legal Duties

Instructional Personnel shall be subject to the rules and regulations of the State Board, Section 231.09, Florida Statutes, and to those rules of the School Board contained herein in the performance of their duties.

Auth: 230.22, F.S.      Imple: 231.09, F.S.

#### 5.4.4 Professional Duties

##### A. Co-Curricular Responsibilities

Each member of the instructional staff, acting under the guidance of the principal, shall carry, regardless of class load assignment, his/her fair share of the total concerns of the school including inservice training, faculty meetings, policy making, noon activity duty, committee assignments, and such other duties and responsibilities as are necessary to make the school function as a total unified entity; provided, however, the additional duties and responsibilities as described herein shall be subject to the provisions of any collective bargaining agreement entered into between the Board and members of the instructional staff.

Duty for Guidance Counselors will be assigned in accordance with the Board adopted 75/25 plan as specified by State Statutes.

##### B. Faculty Meetings

Each principal shall hold regular faculty meetings and may hold such special faculty meetings as may be considered necessary. No teacher shall be absent from a faculty meeting without the principal's prior approval. Faculties shall consider among other items the following matters:

- (1) Administrative problems and procedures
- (2) School policies
- (3) Professional study for improvement
- (4) Involvement in total curriculum

- (5) Youth guidance

C. Field Trips

Teachers planning field trips shall:

- (1) Schedule each trip with school principal, specifying the destination, the method of transportation, and the period of absence from school.
- (2) Complete all necessary arrangements with the organization, firm, or owner or the property to be visited.
- (3) Obtain from parents of all pupils who are to participate in a field trip written permission, on the District form, for their children to be away from school during the time required for the trip and to participate in the planned activity.
- (4) Notify Food Service in advance of any trips interrupting normal lunch periods. (Refer to Chapter 8, Section 8.8.4 of these Rules)

School buses may be used for school activity trips for which approval has been obtained from the Superintendent as provided in Rule 3.1.1.

Auth: 230.22, F.S.      Imple: 231.085 and 231.09, F.S.

5.4.5 Attendance Records

It shall be the responsibility of the principal to ensure that complete and accurate attendance records are maintained. It shall also be the principal's responsibility to ensure that teachers keep complete and accurate records of individual class attendance in their grade books. The teachers' grade books are kept at the school as back-up documentation to attendance.      *Amended 6/30/92*

Auth: 230.22, F.S.  
Imple: 231.085(3) and 231.09(7), F.S.

5.4.6 Lesson Plans

Each teacher shall follow a regular system of unit and lesson planning. The practice of merely giving text and workbook pages shall be considered inadequate. The principal shall assist teachers in the development of satisfactory unit and lesson plans to ensure an adequate instructional program.

Auth: 230.22, F.S.      Imple: 231.09(1), F.S.

5.4.7 Teacher Salaries and Benefits

A. General

Teachers shall be paid at the level of experience and degree or its equivalent as shown on the official transcript from an accredited college or university in combination with appropriate experience when required and shall accrue

benefits under the provisions of employment set forth in subsections 230.33(7)(b) and 230.23(5)(d), and Sections 231.02 and 236.0711, Florida Statutes, and in accordance with State Board Regulation 6A-1.52. The salary schedule shall be based on a full day schedule of assigned responsibilities during the 196-day or longer school year.

B. Experience

Teaching and vocational experience shall be allowed based on criteria recommended by the Superintendent and approved by the Board. Administrative experience shall count as teaching experience on the salary schedule.

C. Substitute Teachers

The Superintendent is authorized to act on behalf of the Board in appointing emergency teachers in accordance with the provisions of State Board Regulation 6A-1.54 and Board Policy Chapter 5.

D. Annual Contracts

Any certificated, full-time instructional employee who does not meet the requirements for a continuing contract or professional service contract as provided by law and State Board of Education regulations shall be placed on an annual contract status.

E. Professional Service Contracts.

A professional service contract shall be issued by the School Board to any member of the instructional staff who meets the requirements of Board Rule 5.1.5 C, as prescribed by Section 231.36, F.S. *Amended 7/23/91*

F. Personnel Employed Beyond Ten Months

In order to be eligible for summer programs, instructional personnel shall have been employed by the School Board in the preceding regular ten (10) month term and have been re-employed for the following school year.

G. Summer School Salary Schedule

Instructional personnel employed for summer programs shall be paid in accordance with the salary schedule of the preceding regular ten (10) month term.

H. Year's Service

The minimum time which may be recognized as a year of service shall be 99 days of full-time actual service in any one regular school year. Half-time teaching shall be combined for salary credit, i.e. two (2) one-half (1/2) years or two (2) half-time years equal one (1) year of experience.

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## Chapter 6

### Student Services

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## **6.0 STUDENT SERVICES**

### **6.1 STUDENT SERVICES**

Student Services is an organized, cooperative team effort of professional and instructional personnel, designed for the purpose of meeting student needs. It shall be the responsibility of the Student Services Team to help students achieve their goals, cope with their concerns, and develop positive and healthy self-concepts.

The Student Services Team shall share the responsibility with the home and community in giving professional aid to students in all areas of development, particularly in providing them with the opportunity to acquire the minimum skills necessary to function effectively and meet the challenges of today's society. The following services shall be among those provided: guidance and counseling which shall include occupational information, attendance services, psychological services, health services, conflict resolution services and testing services. *Amended 6/28/94*

Auth: 230.22, F.S.  
Imple: 230.2313, F.S.

#### **6.1.1 Guidance and Counseling**

Each elementary, middle, high, and postsecondary student in Osceola County will have access to services provided by certified guidance personnel. School counselors are required to spend seventy-five percent of work time providing direct counseling-related service to students and no more than twenty-five percent of work time to administrative activities, which must relate to guidance services. *Amended 6/29/93 & 6/28/94*

Auth: 230.22, F.S.  
Imple: 230.2313(3)(a) and 233.066(2), F.S.

#### **6.1.2 Occupational And Career Placement Specialists**

Follow-up studies shall be conducted which will include all students graduating or leaving the public school system, or completing a vocational program. Placement services will be provided on a county-wide basis to meet employer and student needs, secondary and post secondary. An exit interview shall be conducted with each student who withdraws from the secondary school. Evidence shall be kept on file for three (3) years or until after the FTE audit is completed, whichever is longer.

In compliance with the Blueprint for Career Preparation, middle school occupational specialists must document individual career counseling for each middle school student. Evidence shall be kept on file for three (3) years or until the FTE audit is completed, whichever is longer. *Amended 6/29/93*

Auth: 239.67(2), F.S.; 230.22, F.S.  
Imple: 230.2313(3)(d), F.S. and SBR Regulation 6A-6.71(4)

#### **6.1.3 Attendance Services**

Each school principal shall develop procedures based on guidelines set forth by the

Superintendent's office for contacting parents regarding school or class absence. These procedures shall be on file in the Superintendent's office.

Auth: 230.2313(3)(c), 232.01, 232.09, 232.17 and 232.19, F.S.

#### 6.1.4 Psychological Services

Psychological services shall be provided by certified psychologists, who shall be assigned to schools by the Director of Student Services.

#### 6.1.5 Health Services

- A. Health services shall be provided at each school. The registered nurses shall have a schedule of regular visits to the schools and shall train and supervise a health aide in each school. A checklist of skills shall be used by the nurses to determine when the aides have developed needed skills. Records relating to health and immunizations shall be kept up-to-date by the health aide.
- B. Referrals to Student Services of suspected health disabilities shall be handled by the registered nurse assigned to the appropriate school.
- C. When a student is diagnosed as having AIDS (Acquired Immune Deficiency Syndrome), AIDS-related complex or symptomatic infection, the Superintendent shall be notified. The Superintendent shall immediately establish a review panel to consider the facts and make recommendations as to how the student may best be served. Upon the receipt of the panel's recommendations, the Superintendent shall make a decision as to the placement of the student. The decision of the Superintendent shall be final. The panel shall include, but not be limited to, the Director of Student Services and other appropriate educational personnel, the County Health Unit Director or designee, the student's physician and the parent or guardian. The School Nurse shall serve as the liaison with the review panel as the student's advocate in the school and as the coordinator of services provided by other personnel. The liaison will be responsible for monitoring the behavior and medical condition of the student and recommending to the review panel any changes in placement. Any infected student experiencing a mental, emotional, or physical handicapping condition due to AIDS shall be served according to rules and policies governing the appropriate exceptional student education category. Any infected student determined for medical or behavioral reasons to pose a risk of transmission of the AIDS virus to other students shall be placed in an educational environment which will minimize such risk of transmission to others. The review panel shall make recommendations to the Superintendent for placement in a setting other than the regular classroom on the basis of well-documented evidence. The decision of the Superintendent as to placement shall be final. As with all changes in placement, the appropriate existing staffing and due process shall be followed. Examples of such cases include students who have exhibited aggressive or violent behavior, who cannot control body functions, or who exhibit behaviors in school or have conditions which are likely to transmit the disease to others. A student with AIDS may require a change in placement for his own protection when cases of chicken pox, measles or other communicable diseases occur within the school population.

Such a decision shall be made in consultation with members of the review panel. Considerations for such decisions should include such factors as the condition of the infected student, incidence of diagnosed cases and the degree of exposure of the child.

Any student's right to privacy and confidentiality of records shall be protected in accordance with procedures established in state and federal laws. Knowledge that a student is infected with the AIDS virus shall be limited to those who have a legitimate need to know. These persons should be provided with appropriate information concerning necessary precautions and confidentiality requirements.

- D. A student who is found to have head lice shall be excluded from school until cleared by the School Health Nurse or any approved school board personnel.

When contact with a parent cannot be made before the close of the school day for a bus student, the student will be transported home by bus that day. Parents will be required to accompany the student to school for clearance. Once cleared, bus transportation will be resumed. *Amended 7/23/91*

- E. Pursuant to Section 464.022 (5), F.S., nursing assistants, also known as health aides, may render services while under the supervision of a registered professional nurse (R.N.). In any facility in which nursing assistants (health aides) perform functions which constitute the practice of professional or practical nursing, the R.N. charged with the responsibility for supervision of the nursing assistant (health aide) shall have the responsibility for nursing practice acts performed by the nursing assistant (health aide) which implement any treatment or pharmaceutical regimen likely to produce side or toxic effects, allergic reactions or other unusual effects that may endanger a patient's life or well-being. The R.N. shall be readily available for and provide direction, consultation and instruction to the nursing assistant (health aide), review and compare medication orders and medications for accuracy, monitor patients receiving medication, including conditions which contraindicate continued administration of medication.

Auth: 230.22, F.S.  
Imple: 402.32(5), F.S.

#### 6.1.6 Working with Community and Governmental Agencies

Student Services shall work closely and cooperatively with out-of-school community and governmental agencies in an attempt to meet the needs of students in the community. School personnel shall be given a listing of all community and governmental agencies, their contact people and responsibilities. Student Services shall act as liaison between the school system and these agencies. Such agencies shall be given guidelines for requesting information from the school principal and all other circumstances as they relate to students.

Auth: 230.22, F.S.  
Imple: 230.23(12), F.S.



6.1.7 Testing Services

The Purpose of the District Testing Program, an integral part of the instructional process, is to identify strengths and weaknesses in students' learning and to assess the attainment of educational goals of the school district and the State of Florida.

The information gained from the testing results will be used to provide better learning opportunities for students.

The District Testing Program shall be administered in a consistent manner throughout the district with every effort made to ensure proper use of objective, valid, reliable measures, and interpretation of all test data.

Unethical use or administration of test materials may constitute a violation of Florida Statutes 228.301, Test Security, and may result in fines, imprisonment, and/or dismissal of involved personnel.

Guidelines and procedures for implementing this policy are found in the District Testing Handbook.

6.1.8 Conflict Resolution Services *Adopted 6/28/94*

Each school may request conflict resolution services from the Department of Student Services. These activities are meant to diffuse hostilities between students, promote positive relationships, and lessen the likelihood of disciplinary action.

6.2 SCHOOL ATTENDANCE AND ADMISSION

6.2.1 School Attendance

A. General Requirements

All children who have attained the age of six (6) years or who will be six (6) years of age by February 1st of any school year, or who are older than six (6) but have not attained the age of sixteen (16) years, are required to attend school regularly during the entire school year.

A child who attains the age of sixteen (16) years during the school year shall not be required to attend school beyond his sixteenth (16) birthday.

B. Certification of Exemption

Children within the compulsory attendance age limits who hold valid certificates of exemption issued by the Superintendent in accordance with Florida Statutes 232.06, shall be exempt from attending school. A certificate of exemption shall cease to be valid at the end of the school year in which it is issued.

C. Responsibility for Attendance

Each parent of a child within the compulsory attendance age shall be responsible for such child's school attendance as required by Florida Statutes, 232.09.

Whenever a child of compulsory attendance age is absent without the permission of the person in charge of the school, the parent of the child shall report and explain the cause of such absence to the proper person at each school, as provided in Florida Statutes, 232.10.

The Superintendent may delegate the enforcement of compulsory school attendance and child welfare to attendance personnel as provided in Florida Statutes 232.16.

D. Reporting Procedures

It shall be the responsibility of the principal and the teacher to encourage regularity of attendance and punctuality, and to check student attendance as prescribed below.

The principal shall be responsible for the administration of attendance rules and procedures and for the accurate reporting of attendance in the school under his direction.

All officials, teachers and other employees shall keep records and shall prepare and submit all reports that may be required by law and State Board Regulation 6A-1.044.

Attendance checks shall be made as early in the day as practicable. Students who are not present in school at the time attendance is checked shall be marked absent for the day unless presence is verified by attendance personnel. (This is not to be confused with class attendance). All absences whether "excused, or "permitted", or "unexcused", shall be recorded each day.

E. Absences

Non-attendance in a class shall be considered an absence unless the student is participating in a school activity. Absences shall be classified as:

(1) Excused Absences

Absences shall be excused for the following reasons:

- a. Illness or injury of the student.
- b. Illness, injury or death in the immediate family of the student. The immediate family shall be defined as listed in the United States Internal Revenue Service guidelines.

If there is a reasonable doubt concerning the illness claimed, the principal shall be authorized to require a statement from an accepted medical authority. Failure to comply with this requirement shall result in the absence being "unexcused".

In cases of excused absences, the student shall be allowed to make up the work and teachers of the students shall give every reasonable assistance.

Make-up work shall be completed during a period of time equal to at least twice the time for which the absence is excused, unless more time is allowed by the teacher.

(2) Permitted Absences

"Permitted" absences may be granted. Only the principal shall have the authority to grant "permitted" absences and then only after he has considered the merits of each case. It shall be the principal's responsibility to give to the parents a copy of the School Board rules pertaining to permitted absences. Arrangements for make-up work shall be made in advance with the instructor of classes to be missed. The student shall assume complete responsibility for the make-up work. The teachers shall cooperate by making assignments, grading materials, and recording grades. A timeline, which shall not exceed twice the number of days of absence, shall be set by the teacher for receiving the student's work for credit.

Examples of situations warranting "permitted" absences include:

- a. Attendance at an important public function.
- b. Attendance at church meetings, or observances of religious holidays.
- c. Travel with parents in urgent circumstances.
- d. Attendance at non-school conventions or conferences.
- e. Other situations with parental permission and the approval of the principal.
- f. Participation in a non-instructional activity.

A student who wishes to participate in a non-instructional activity must:

1. Meet the academic requirements as set forth by the School Board,
2. Make arrangements, in advance, with the teacher for missing classes, and
3. Accept the responsibility for making up time and work.

(3) Unexcused Absences

All absences other than "excused" or "permitted" shall be deemed "unexcused", and a failing grade shall be recorded for the period of the "unexcused" absence, except that students who are suspended from school during grade period exams or semester exams shall be allowed to make up these exams.

F. Grading of Make-up Work

Students whose absences have been approved as "excused" or "permitted", and who complete the make-up assignments as required by school policy, shall receive grades for the periods of such absences in the same manner as if not absent from school. Each school shall establish procedures to ensure good attendance in each grading period.

Auth: 230.22, F.S.

Imple: 232.02, F.S. and Chapter 75-130, Laws of Florida; 232.06, 232.08, 232.10, 232.26, 230.23(4)(a), 230.232, 230.23(4)(d), 232.23, 231.085, 231.09(7), 232.021, 236.013(3), 232.17, F.S. and SBE Regulation 6A-1.451

G. Place of Enrollment

Parents shall enroll their child in the appropriate grade level within the attendance area as established by the Board. *Amended 9/17/91*

Any exceptions to this rule must be for extraordinary circumstances which warrant special and individual considerations, and shall be permitted only under the following conditions:

- (1) The Superintendent may require a student to attend a school out of his attendance zone when he deems it necessary to meet an individual educational need or for disciplinary reasons.
- (2) The parent or guardian of a student may request that the student attend a school out of his assigned attendance zone by making such request to the principal of the school to which the student is assigned on a form to be provided.
  - a. If that principal recommends that the transfer not be granted, the request shall be forwarded to the Director of Student Services who shall notify the parent or guardian that the request has been denied.
  - b. If the principal recommends that the transfer be granted, the request shall be forwarded to the principal of the school to which the transfer has been requested who shall make his recommendation and forward the request to the Director of Student Services.
  - c. If the receiving principal recommends that the transfer not be granted, the Director of Student Services shall notify the parent or guardian that the request has been denied.
  - d. If the receiving principal recommends that the transfer be granted, the Superintendent shall determine if such extraordinary circumstances exist to warrant the transfer and shall grant or deny the request. The Director of Student Services shall notify the parent or guardian and, if the transfer has been approved, determine the effective date of the transfer so as to cause the least disruption of the

student's educational program. NO SUCH TRANSFER SHALL BE EFFECTIVE BEYOND THE SCHOOL YEAR IN WHICH GRANTED.

The Superintendent or principal may revoke any transfer previously allowed if the student's conduct or attendance at the "out-of-zone" school falls below acceptable standards, or for other reasons he may deem sufficient that were not known at the time of the original transfer.

The parent or guardian may appeal the denial of the request or the revocation of any transfer to a five-member review panel appointed by the Superintendent. The panel shall consist of three principals, a representative of Student Services, and a representative of Exceptional Student Education. Principal membership shall be rotated in order that an appeal not be heard by either the sending or receiving principal. Decisions shall require a majority vote of the panel and a majority of the panel must be present in order to render a decision. *Amended 5/3/94*

The parent or guardian may appeal the decision of the Review Panel to the School Board. A request for appeal must be submitted in writing to the Superintendent within ten calendar days of the decision of the Review Panel or the right to appeal will be forfeit. An appeal filed within the proper timeline will then be placed on the agenda of the next regularly scheduled meeting of the School Board. Both the sending and receiving principal will be notified of the date and time of the meeting. At that meeting, the Board will be presented with the findings of the Review Panel, hear arguments from both parties and render a final decision. *Adopted 5/3/94*

The parent or guardian requesting such transfer shall be solely responsible for transporting the student to and from the "out-of-zone" school.

The School Board reserves the right to establish an application period for currently enrolled students to request an out-of-zone transfer. *Adopted 5/3/94*

The Superintendent shall report all requests for out-of-zone transfers at each regular Board Meeting. The report may be included in the consent agenda and shall be approved or disapproved by the Board.

H. Married Students

Students who are married, pregnant, or who have children, shall not be prohibited from regular school attendance and instruction as provided in Florida Statutes, 232.01(1)(c) 2.

I. Out-of-County Admissions *Revised 9/17/91 & Amended 6/28/94*

- (1) Students who do not reside in Osceola County may not be enrolled in Osceola District Schools except in the following circumstances:
  - a. When specifically approved by the School Board upon written application of the student, parent or guardian, based only on medical need or other specific hardship to be determined at the discretion of the Board

- b. Pursuant to an agreement with another district school board establishing a multi-district attendance area for a specific school and providing for joint maintenance of facilities, entered into pursuant to Florida Statutes Section 230.23(4)(d).
- (2) No out-of-district transfer shall be effective beyond the school year in which granted.
- (3) No out-of-county student shall be admitted after the last day of the third (3rd) FTE Survey Week, normally the second (2nd) week of February, of any given school year.

J. Foreign Exchange Visitor Program Amended 6/29/93

Any student from a foreign country sponsored by a foreign exchange visitor program who fulfills eligibility requirements, including the written approval of the Principal, is entitled to attend an Osceola County high school:

- (1) Eligibility Requirements - Students must meet the following eligibility requirements:
  - a. Agree to attend two successive semesters
  - b. Be at least 15 but not more than 17 years of age on the first day of school
  - c. Be enrolling as a freshman, sophomore, or junior.
  - d. Have appropriate medical insurance coverage
  - e. Not have received a terminal degree from a high school
  - f. Obtain written approval of the principal subject to the following restriction: The principal may grant approval for entrance of foreign exchange students up to a maximum of one per every 300 students enrolled. No more than two (2) students of the same nationality and speaking the same native language may be approved for admission to any one school.
- (2) Procedure for Admission

The sponsoring organization must apply for admission of the student at least six (6) weeks prior to the student's enrollment date. The application shall include the student's school transcript, pertinent information about the student, the student's health record and an assurance of appropriate medical insurance coverage.

The application will be initially received and processed through the Student Services Department

Written approval of denial will be given to the sponsoring organization by the Principal within ten (10) working days after receiving the completed application.

(3) Notification to the Student

A copy of this School Board rule and a copy of the school rule will be sent to the student and host family after the student has been approved for admission to an Osceola County high school.

(4) Enrollment

The exchange student, accompanied by a representative of the sponsoring organization and a member of the host family, will meet with the principal and a counselor to enroll the student. The student will be expected to follow school rules and to participate fully in the educational program provided.

(5) Employment

Exchange students are not permitted to take regular part-time jobs during their stay in the United States. However, non-competitive small jobs, not to exceed ten hours a week, such as tutoring, grass cutting, and baby, pet, or people sitting will be allowed. Consequently, exchange students will not be enrolled in cooperative programs.

(6) Grade Classification

Grade classification will be determined at time of enrollment after examination of transcript.

K. FTE Reporting

Reporting of attendance for the purpose of determining full-time equivalent students shall be made in accordance with the provisions of Florida Statutes, 236.013, and State Board Regulation 6A-1.451.

6.2.2 School Admission

All children who have attained the age of six (6) years or who will have attained the age of six (6) years by February 1 of any school year or who are older than six (6) years of age but who have not attained the age of sixteen (16) years are required to attend school regularly during the entire school term.

Students less than eighteen (18) years of age are entitled to enroll in the school to which they are assigned unless an active expulsion is in effect. *Amended 6/29/93*

A. Admission to Kindergarten

Children attaining the age of five (5) years on or before the date prescribed by state statutes shall be eligible for admission to kindergarten during that school year.

B. Admission to First Grade

Any child who will attain the age of six (6) years on or before September 1, shall be admitted at the beginning of that school year or at any time during the first month of the school year to the first grade, provided the child has demonstrated a readiness to enter the first grade in accordance with rules adopted by the State Board of Education.

No student shall be admitted to the first grade who has not attended kindergarten in a public school or satisfactorily completed kindergarten in a non-public school from which the district school board accepts transfer of academic credit.

Any student presented for grade 1 enrollment who has successfully completed Kindergarten in a non public school which permitted entry earlier than the state minimum requirement (5 years old on or before September 1 of the school year) shall be enrolled in Kindergarten until such time as the student has demonstrated a readiness to enter the first grade.

C. Requirements for Initial Admission to Osceola County Schools

(1) Date of Birth

Evidence of date of birth shall be presented to the principal.

Evidence submitted shall be one from the following priority list:

- a. Birth certificate, or
- b. Certificate of baptism, with sworn affidavit, or
- c. Two-year old life insurance policy on child, or
- d. Bible record, with sworn affidavit, or
- e. Passport showing age, or
- f. Four-year-old school transcript stating date of birth, or
- g. Affidavit of age sworn to by parent and a certificate of age signed by health officer, school physician or licensed physician.

(2) Health Requirements

- a. Certificate of Physical Examination *Amended 6/30/92*

A certificate of a physical examination within the twelve-month period immediately proceeding enrollment shall be presented before a child is allowed to attend classes. The certificate shall be signed by a licensed practicing physician, or an Advanced Registered Nurse Practitioner or Physicians Assistant operating under the supervision of Osceola County's Public Health Director certifying that the pupil has



no contagious or communicable disease which would warrant the pupil's exclusion from public schools.

Students, other than children of military personnel, transferring from a foreign country must possess an examination certificate issued within the United States.

Exceptions:

1. Pupil has previously been enrolled in a Florida school
2. Parental objections in writing on religious grounds.

b. Proof of Tuberculin Test

All first time enrollees at the high school level in Osceola County must present evidence of a Tuberculin test, with a negative reading, administered within the last twelve months before class attendance will be allowed. *Amended 7/23/91*

c. Immunization

Each pupil who is otherwise entitled to admittance to an Osceola County School, shall be required to present a certificate of immunization on a Florida form, showing that the student has received inoculations for those communicable diseases for which immunization is required by the Division of Health, and Florida Statutes 232.032.

Exceptions may be granted as follows:

1. Parental objections in writing on religious grounds
2. Written certification for exemption for medical reasons by a competent medical authority or the Division of Health

(3) Residency Requirements *Amended 6/29/93*

A resident parent or guardian admitting a pupil to an Osceola County School shall have:

Established proof of residency by verifying that he has

- a. lived in Florida one year or longer, or
- b. purchased a home or property in Florida which is occupied by him as his residence, or
- c. filed a manifestation of domicile in the district where the child is enrolled.

(4) Non-Residents of Florida

- a. Definition - For the purpose of this section a non-resident is defined as a person who has lived in Florida for less than one (1) year, has not purchased a home which is occupied by him as his residence prior to the enrollment of his child or children in school and has not filed a manifestation of domicile in the county where the child is enrolled.
- b. Tuition - Pupils in kindergarten through the twelfth grade, whose parent, parents or guardians are nonresidents of Florida but are American Citizens, shall be charged a tuition fee of \$50, payable at the time the pupil is enrolled. This tuition shall not be refundable.

The tuition shall be paid at the County School Board Office. Pre-numbered receipts shall be issued upon payment of fee, and each receipt shall show name of pupil, name of parent, date, purpose, name of district, and signature of individuals receiving payment.

Exceptions shall be as follows: *Amended 6/28/94*

- 1. The student was previously enrolled in a public school in Florida during the current school year, or
- 2. The student is in a certified exchange program, or
- 3. The parent is a migratory agricultural worker

E. Students Who Are Not Residing with Their Natural Parents or Legal Guardians

Any student wishing to enroll in school who is not residing with his or her natural parent or legal guardian shall have the responsible adult with whom the student is living sign an Affidavit of Responsibility form available through Student Services at the District Office.

The responsible adult shall present proof that he or she has parental consent or legal right to accept responsibility: Parental consent shall be notarized.

F. Students 18 Years or Older Requesting Enrollment in Osceola County Schools

A student who is 18 years or older and who desires to enroll in the regular school program shall present his/her request to a Review Committee composed of a guidance counselor, the principal, and the Student Services Director, which will determine the most appropriate educational placement for him/her.

G. Student Custody

Any person or agency who has been given exclusive care, custody, or control over any student by order of any court having jurisdiction to enter

such order, may provide a certified or otherwise authenticated copy of such order, Marriage Certificate, or other extraneous criteria not covered by specific rule, to the principal of the school in which such student is enrolled. The order shall be placed in the student's official records and thereafter such person or agency shall be recognized for all purposes as the sole parent or guardian of the student until such time as subsequent or additional orders changing such status are likewise provided.

Imple: 232.04, 232.01, 232.031, 232.032, 320.38, 322.031; SBE Regulation 6A-1.98;228.212, 316.003 (62); 228.041 (1) (a), 228.061 (2); F.S.; SBE Regulation 6A-6.311 and 6A.6341 and 230.23 (4) (m), F.S.

### 6.3 PUPIL PROGRESSION PLAN *Amended 6/28/94*

The purpose of the instructional program in the schools of Osceola County is to provide appropriate instructional and selected services to enable students to perform at or above their grade level academically. Promotion, however, is based primarily on pupil achievement and is not automatic.

Decisions regarding student promotion, retention and administrative placement are primarily the responsibility of the individual school's professional staff. The final decision in regard to grade placement is the responsibility of the principal.

The Pupil Progression Plan for the School District of Osceola County, Florida is found in the appendices to these Rules.

Auth: 232.245, F.S.

### 6.4 EDUCATIONAL RECORDS OF STUDENTS

#### A. Confidentiality - Student Records

The Osceola County Public Schools shall 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 interest of the student.

The rules of the School Board of Osceola County shall be consistent with Florida Statutes and State Board of Education Regulation. Rules shall be consistent with the Federal Family Educational Rights and Privacy Act of 1974.

The Principal of each school shall be responsible for the control and supervision of Student Records and for the following State Department of Education Regulations and School Board rules related to student records and interpretation of same to the school staff, students, and the community. The Superintendent of Schools or designee shall be responsible for the privacy and security of all pupil or adult student records that are not under the supervision of a school principal.

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.

### Student Records

- (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 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 educational importance which is subject to change. The permanent student record copy file shall contain Category A Permanent Information. The permanent information record shall be maintained on the form prescribed by the Superintendent.
- (2) Those determined to have a legitimate educational interest in students or student records shall include but not be limited to parents, teachers, principal, staff within the school responsible for assigning or directing student programs within the school, and county staff as designated by the Superintendent.
- (3) Criteria for determining legitimate educational interest shall be consistent with its meaning as used in 6A-1.955 (4) FAC.
- (4) Each school shall make provisions for disclosure of personally identifiable information in health and safety emergencies, Criteria for determining the existence of emergencies involving health or safety shall include but not be limited to:
  - a. The seriousness of the threat to the health or safety of a pupil or adult student or other individuals,
  - b. The need for information to meet the emergency;
  - c. Whether the parties to whom the information is disclosed are in a position to deal with the emergency; and
  - d. The extent to which time is of the essence in dealing with the emergency.
- (5) Information pertaining to Category A and B educational records shall be maintained at the individual school sites and/or Records Retention Center. *Amended 6/30/92*
- (6) Definitions
  - a. Education Records: The term "education records" shall mean those records, files, documents and other materials as defined in Florida Statutes 228.093(2) which contain information directly related to a pupil or an adult student, which are maintained by an educational institution or by a

person acting for such institution, and which are accessible to other professional personnel for purposes listed in Rule 6A-1.955(1), FAC.

- b. Child: A child shall mean any person who has not reached the age of majority.
- c. Pupil: A pupil shall mean any child who is enrolled in any instructional program or activity conducted under the authority and direction of a district school board.
- d. Adult Student: Adult student shall mean any person who has attained 18 years of age and is enrolled in any instructional program or activity conducted under the authority and direction of a district school board.
- e. Parent: A parent is defined as a natural parent, adoptive parent, legal guardian, or any other person recognized by the Osceola County Public Schools as being responsible for a student.
- f. Directory Information: Directory information shall mean a student's name, address, listed telephone number, date and place of birth, participation in school sponsored activities and sports, weight and height of members of athletic teams, date of attendance, graduation date and awards received, major field of study, and the most recent previous educational agency or institution attended by the student.
- g. School Officials: School officials are those parties working directly with students in the individual school or those assigned supervisory or administrative responsibility for the program in which students are involved.

- (2) The cumulative record folder shall be under the control of the principal and shall be kept current.

Category A Permanent Information shall include the following and be retained indefinitely:

- a. Full legal name of student and any known changes by marriage or adoption, authenticated birthdate, birthplace, race, sex and student identification number. A notation shall be made on the cumulative record folder indicating the source document (birth certificate or other document) from which the legal name and birthdate were obtained, the date recorded, and the name of the person making the notation. (Parents shall not be asked to surrender custody of legal documents to the school.)
- b. Last known residence and mailing address of student
- c. Name of student's parents or guardian

- d. Number of days present and absent; date enrolled; date withdrawn
  - e. Name and location of last school attended
  - f. Courses taken and record of achievement, such as grades, units or certification of competence
    - 1. Elementary - Teachers' name, subjects taken and grades earned (end of year average).
    - 2. Secondary - Subjects taken, grades and credits earned.
    - 3. Vocational/Technical/Adult - Subject taken, grades and credits earned if applicable, and/or hours completed.
    - 4. The level of the work and an explanation of the grading system shall be noted on the record. If a student withdraws in the middle of a grading period, the withdrawal grades shall be recorded on the withdrawal form and placed in the cumulative record folder and recorded on the white card.
  - g. Results of required State Assessment Program
  - h. Date of graduation or date of program completion.
- (8) If it is of clear educational importance, the following information may be added to the student's cumulative record folder on a temporary basis:
- a. Health Information - A copy of the immunization record and any other health information necessary for the educational planning and placement shall be placed in the cumulative record folder
  - b. Family background data
  - c. Standardized testing information
  - d. Educational and vocational plans
  - e. Personal attributes
  - f. Honors and activities
  - g. Work experience, including employer ratings
  - h. Teacher/Counselor comments
  - i. Correspondence from community agencies, private professionals, or parents

- j. Driver education certificate
- k. List of schools attended
- l. Custody Documents
- m. Telephone numbers and emergency contacts
- n. Exceptional Educational information:

Temporary Information shall be reviewed annually.

- (9) A folder designated to contain exceptional student education information and reports shall be maintained in the cumulative folder. The following information shall be placed in the folder:
  - a. Psychological summaries and/or reports
  - b. school copy of Staffing Committee Meeting Records
  - c. copy of exceptional education placement letters
  - d. school copies of referral forms to exceptional education
  - e. copies of parent authorization for psychological and exceptional education evaluations and placement authorizations, where applicable.
  - f. observations and exceptional education specialist reports (if applicable)
  - g. social history (if applicable)
  - h. other pertinent information and observational data, such as medical, psychiatric, agency reports, and Individual Education Plans.

Duplicate psychological reports and parent authorizations are maintained by the Department of Exceptional Student Education.

- (10) The permanent record copy file shall be maintained for each student in attendance.

**B. Storage of Cumulative Folders and Permanent Record**

Cumulative record folders and permanent record copies shall be placed in a locked secure location where they are secure from general scrutiny, but where they are, nevertheless, accessible to teachers and authorized school personnel for use on a regular basis. It is the responsibility of the school principal or designee to keep cumulative folders and permanent records in a location, in so far as is possible, secure from fire and vandalism. The Superintendent or designee shall be responsible for the privacy and security

of all student records that are not under the supervision of a school principal.

C. Access to Student Records - Confidentiality

Student records shall be open to inspection only by the Superintendent and his staff, professional staff of the school, and parent or guardian of the pupil, a court of competent jurisdiction, and to such other persons as the parent or guardian may authorize in writing.

A parent who wishes to review his/her child's record should make an appointment with the principal or school counselor. School personnel are available to interpret school record information. All such requests should be honored within thirty (30) days.

Whatever rights are vested in the parent shall pass to the student whenever the student has attained eighteen (18) years of age or is attending an institution of post-secondary education. Parents of a dependent student or dependent former student shall have access to student records. "Dependent" shall be as defined in 26 U.S.C. (Section 152 of the Internal Revenue Code of 1954).

When any other information concerning a student is combined with information on other students, the parents of any student shall be entitled to receive, or be informed of, the information pertaining to their child.

D. Child Custody and Access to Student Records

The school shall presume that either parent of any student has the right to inspect and review the education records of the student unless the school has been provided with evidence that there is a court order governing this matter which provides to the contrary.

E. Directory Information

Any school in the District system may elect to publish a School Directory each year. The following information may be published:

Student's name, address, listed telephone number, date and place of birth, participation in school activities and sports, weight and height of members of athletic teams, dates of attendance, honor roll, graduation date and awards received.

The parent may refuse to permit the designation of any or all of the above categories as direction information with respect to their child by notifying the principal in writing within ten (10) calendar days of the beginning of school.

List of students will not be released unless a directory is published.

Auth: PS 228.093 (3)(0)

F. Public Notification



Each school shall provide to parents and eligible students annual notification of their right of access to student records, a right to a copy of the record, right of waiver of access, right to challenge information contained in the record and to a hearing, and right of privacy. The notification should be distributed at the beginning of the school year and in so far as is practicable must be in the language of the parent of the eligible student.

This annual notice should also include the policy on Directory Information. The Departments of Student Services and Exceptional Education shall be responsible for updating and providing annually a copy of the Public Notice to each Principal. The Principal shall determine the method and procedure for delivery to parents.

G. Transfer of Student Cumulative Records, Transcripts of Student Permanent Record Copy, and/or Release of Student Records

Requests for the transfer of cumulative record folders or other student records shall be made in writing by the parent except as outlined in this section. A release form shall be provided for use in the schools, and such a form shall designate that parents have the right of access to student records, right to a copy of the records right of waiver of access, right to challenge information contained in the record and to a hearing, and right of privacy.  
*Amended 7/23/91*

Under no circumstances shall the student record be released to the student, parent or guardian for transmittal from one school to another(a copy can be provided to them).

Report cards or other evidence of grade placement and progress to date with student identification, a receipt for textbooks returned, a copy of the Student Health Record and a statement of any out-standing financial obligation shall be given to the parent or student at the time of withdrawal.

Prior to the transfer of the cumulative folder, or copy of same, the information shall be reviewed.

The transfer of records shall be made immediately upon written request of an adult student, a parent or guardian of a student or a receiving school. The principal or designee shall transfer a copy of all category A and category B information and shall retain a copy of Category A information.

No student records or information may be transferred or released or disclosed to any individual or institution without prior parental written consent, signed and dated, except to:

- (1) Officials of schools, school systems, area vocational technical centers, community colleges, or institutions of higher learning in which the pupil or student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent, guardian, pupil, or student upon request.
- (2) Other school officials, including teachers within the educational institution or agency, who have legitimate educational interests in the information contained in the records.

- (3) The United States Secretary of Education, the Director of the National Institute of Education, the Assistant Secretary for Education, the Comptroller General of the United States, or state or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable federal statutes and regulations of the U.S. Department of Education, or in applicable state statutes and rules of the State Board of Education.
- (4) Other school officials, in connection with a pupil's or student's application for, or receipt of, financial aide.
- (5) Individuals or organizations conducting studies for or on behalf of an institution or a board of education for the purpose of developing, validating, or administering predictive tests, administering pupil or student aid programs, or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of pupils or students and their parents by persons other than representatives of such organizations and if such information will be destroyed when no longer needed for the purpose of conducting such studies.
- (6) Accrediting organizations, in order to carry out their accrediting functions.
- (7) For use as evidence in pupil or student expulsion hearings conducted by a district school board pursuant to the provisions of chapter 120.
- (8) Appropriate parties in connection with an emergency, if knowledge of the information in the pupil's or student's educational records is necessary to protect the health or safety of the pupil, student, or other individuals.
- (9) The Auditor General in connection with his official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General shall be protected in such a way as will not permit the personal identification of students and their parents by other than the Auditor General and his staff, and such personally identifiable data shall be destroyed when no longer needed for the Auditor General's official use. 228.093 (3) d F.S.
- (10) A court of competent jurisdiction in compliance with an order or that court or the attorney of record pursuant to a lawfully issued subpoena upon the condition that the student and his parents are notified of the order or subpoena in advance in compliance therewith by the educational institution or agency.
- (11) A person or entity pursuant to a court of competent jurisdiction in compliance with an order of that court or the attorney of record pursuant to a lawfully issued subpoena, upon the condition that the pupil or student, or his parent if he is either a minor and not

attending an institution of postsecondary education or a dependent of such parent as defined in 26U.S.C. s 152 (Section 152 of the Internal Revenue code of 1954), is notified of the order or subpoena in advance of compliance therewith by the educational institution or agency.

- (12) Credit bureaus, in connection with an agreement for financial aid which the student has executed, provided that such information may be disclosed only to the extent necessary to enforce the terms or conditions of the financial aid agreement. Credit bureaus shall not release any information obtained pursuant to this paragraph to any person.

The written consent of the parent shall include:

- a. Specifications of the records to be disclosed.
- b. The purpose of the disclosure, and
- c. The party of class of parties to whom the disclosure is to be made.

#### H. Third Party Restriction

Neither a student's educational record nor any personally identifiable information shall be released except on the condition that the information being transferred will not be subsequently released to any other party or used for any purpose other than that for which the disclosure was made without obtaining the consent of the parent or eligible student, signed and dated.

Released copies of educational records and personally identifiable information must be destroyed when no longer required by the person to whom the information was appropriately released.

In order to comply with the two sections noted above, a stamp should be used to mark all copies of the information being released to any other person without the written consent of the parent or eligible student; and that copies of the information be destroyed when no longer needed.

#### I. Record of Disclosure

The school shall maintain a record of all records or information disclosed, transferred or released from the education records of a student. Such a record shall be kept with the student's education records and indicate the parties who have requested or obtained personally identifiable information from the student's education records, and the record must also specify the legitimate interest that these parties had in requesting or obtaining the information. The record of disclosure may be inspected by the parent or eligible student and school official responsible for the custody of the records. The record of disclosure is not necessary when disclosure is to the parent of a minor student or an eligible student or to school officials who have a legitimate interest.

J. Transfer of Records

The transfer of records shall be made immediately on request of parent or receiving school. The principal or designee shall transfer a copy of all category A and category B information and shall retain a copy of category A information and the original of category B information. Under no conditions shall the transfer of a student's records be delayed for failure to pay a fine or fee assessed by the school; however, all reasonable effort shall be made to collect for damaged or lost library books and textbooks.

K. Schedule of fees for Reproduction of Student Records *Revised 6/29/9*

- (1) Student records transferred to another school within the School District of Osceola County system, shall be at no cost to the parent/guardian or adult student. Records shall be mailed directly to the requesting school or to the school designated by the parent/guardian or adult student.
- (2) "Official" copies of student records, certified by use of school or District seal, and/or stamped "Official Copy" and made for the transfer to a private school, or another school system, shall be at no cost to the parent/guardian or adult student. "Official" copies of student records shall be mailed directly to the requesting school or to the institution designated by the parent/guardian or adult student.
- (3) "Unofficial" and/or "Student Copy" copies of student records shall be furnished at no cost to the parent/guardian or adult student.

L. Right to Contest the Contents of Student Records Hearing Procedures

In addition to a parent's right of access for the inspection and review of their child's education record, they shall also have an opportunity for a hearing to contest the contents of said record if they think it to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. The right includes an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

If records are to be corrected, deleted or expunged, then a written agreement between the adult student or parent and the designated school official shall be entered into. The agreement shall only indicate that the record has been corrected, deleted or expunged.

Schools may attempt to resolve such matters through informational meetings and discussions; however, when such informal proceedings are not satisfactory to either the school or the parent, the following procedures are to apply:

- (1) The parent or eligible student shall make a request in writing to the principal naming the record to be reviewed and the information in question.
- (2) The principal shall schedule an appointment for a hearing, designating date and time of the hearing. The hearing shall be

scheduled within five (5) school days after request. Parents and school personnel shall have an opportunity to present information and to be heard.

- (3) The principal shall serve as the hearing officer. It shall be the hearing officer's responsibility to review the information in question and to make a decision regarding the request. Such decision shall be in keeping with the rules of the Osceola County, Florida, Public Schools.
- (4) The principal shall prepare a written report on his decision and forward a copy to the Superintendent. The written report must include a summary of the evidence and the reason for the decision.
- (5) An agreement which shall be reduced to writing, signed and dated by the adult student or the parents or guardians of the pupil and designated school officials if records are to be corrected, deleted or expunged. The agreement shall only indicate that the record has been corrected, deleted or expunged.
- (6) The parent or eligible student may appeal the decision of the hearing officer to the Superintendent by written request within ten school days. The Superintendent shall appoint a three-member review committee to review the case and make recommendations to the Superintendent for final disposition.
- (7) If the decision is adverse to parent or eligible student, then the parent or eligible student shall be informed of the right to place in the student's record a statement commenting on the information in said records and/or set forth any reasons for disagreeing with the disposition. Parent or eligible student may do this at any stage in lieu of a hearing or appeal.

M. Microfilming of Student Records      *Amended 6/30/92*

(1) General Information

- a. Upon the termination of a student's attendance, through transfer, graduation or withdrawal, his/her records shall be stored for a minimum of five (5) years in the school which he/she attended.

Immediately following the end of the fifth year of inactivity, the records shall be purged and boxed for removal to the School District of Osceola County Records Management Section. The records will be microfilmed and destroyed in accordance with Florida Statutes

- b. Student records shall be purged of Category B information. A list of Category B information, as specified by State Board Rules and Student Services can be obtained from the Records Management Section. Category B information shall be handled in accordance with Records Management Section guidelines and destroyed following State approval.

- c. Student records which are microfilmed shall be Category A information, as per State Board Rules, in addition to any other records specified by Student Services. A list of this information can be obtained from the Records Management Section
- d. Preparation and Removal of records to Records Management Section-Records Center:
  - 1. Records shall be in alphabetical order and placed in records storage boxes. These are supplied by the Records Management Section.
  - 2. A "Student Records Index" form FC-260-1043 shall be completed for each box of records. This form and instructions can be obtained from the Records Management Section.
  - 3. A "Records Inventory Sheet" form FC-260-0786 shall be completed for each box of records. This form and instructions can be obtained from the Records Management Section.
  - 4. Authorization for pick-up and removal of records must be received by calling the Records Management Section.
- e. Preparation of records for microfilming will be done by the Records Management Section at the Records Center. Records will be filmed and destroyed in accordance with Florida Statutes.
- f. The Records Management Section-Records Center will maintain duplicate rolls of microfilm for access purposes. Silver halide original microfilm rolls will be sent to the Florida Department of State, Division of Library and Information Services, Bureau of Archives and Records Management for archival storage.
- g. When a school receives a request for records, and it has been five (5) or more years since the student attended the school, the request will be forwarded in a timely manner, to the Records Management Section. The Records Management Section will supply certified copies using the district seal.

## 6.5 SOCIAL FUNCTIONS

### 6.5.1 Picnics and Parties

- A. All social functions sponsored by a school shall be properly chaperoned by the school faculty. Parents shall be invited to assist with the chaperoning. In the case of swimming parties, a senior lifeguard, qualified by the Red Cross, shall be on duty.

- B. No more than three (3) class parties may be held in the elementary classrooms during a school year. Plans for parties shall be approved by the principal. The loss of class instruction time shall be held to a minimum by limiting such activities to times near the close of a school day and to the school building.
- C. Classes and organizations in secondary schools shall not hold picnics and parties during school hours.
- D. Principals shall make provision for the supervision and safety of all pupils on school outings. Particular attention to safety shall be given to those outings where swimming is involved. School parties and picnics shall not be conducted during the closing days of the school session. The days shall be devoted to testing and evaluation.

Auth: 230.22, F.S.

Imple: 232.25 and 231.085(f), F.S.

#### 6.5.2 Student Activities

##### A. Field Trips

Instructional field trips must be:

- (1) Approved by the principal,
- (2) Directly related to performance standards of the course and,
- (3) Incorporated into the sponsoring teacher's unit plans.

Reward field trips for organizations and clubs and non academic endeavors shall be held on non school days. Only instructional field trips may be scheduled during a regular school day. Field trips or parties under the sponsorship of the school will not be held at water parks.

##### B. F.H.S.A.A. Membership

Principals of qualifying high schools within the District are authorized to secure and maintain continuous membership in the Florida High School Activities Association, Incorporated, a non-profit corporation for the benefit of their respective high schools, and to abide by those rules and regulations not inconsistent with law or Board rule.

##### C. Student Standards for Participating in Extracurricular Student Activities *Revised 6/29/93*

Extracurricular activities are a vital part of the total school program. Such activities include any after-school faculty-sponsored group such as athletic teams, music groups, and special-interest organizations.

- (1) In general for a high school student to participate in extracurricular activities: 9th and 10th graders must maintain a 1.75 grade point

average and 11th and 12th graders must maintain a 2.0 grade point average (on a 4.0 scale), unless (s)he qualifies under the "probationary status" section (4) below.

- (2) In order for a high school student to participate in extracurricular activities during the first grading period of the regular school year, (s)he must meet all requirements of the Florida High School Activities Association (FHSAA), including the earning of five (5) credits the preceding school year and have an overall 1.5 grade point average (on a 4.0 scale) for the preceding school year.
  - a. Grades earned in summer school (a maximum of one full credit as per FHSAA guidelines) will affect the grade point average requirement for eligibility for the first grading period of the next school year.
  - b. Credits (a maximum of one full credit) earned in summer school will be utilized in determining FHSAA eligibility for the first grading period of the next school year.)
  - c. Incoming, first time ninth graders do not have a "preceding school year: requirement.
- (3) In order for a high school student to be eligible to participate in extracurricular activities during the second, third, and/or fourth grading periods: 9th and 10th graders must maintain a 1.75 grade point average and 11th and 12th graders must maintain a 2.0 grade point average on a 4.0 scale, for the grading period immediately preceding participation, unless (s)he qualifies under the "probationary status" section (4) below.
- (4) A student may qualify for eligibility under "Probationary Status" if his/her preceding grading period grade point average falls between the state's 1.5 grade point average requirement for eligibility and the District's 1.75/2.0 grade point average requirement for eligibility, depending on the grade level classification of the student.
  - a. In order for students in the 9th or 10th grades, whose preceding grading period grade point average is at least a 1.5 but below a 1.75, to become eligible to participate (s)he must enroll, maintain regular attendance, and successfully complete, during the next two immediate regular grading periods, one of the "study skills" courses as outlined by the District's Eligibility Rules Committee.
  - b. In order for students in the 11th or 12th grades, whose preceding grading period grade point average is at least a 1.5 but below a 2.0 to become eligible to participate, (s)he must enroll, maintain regular attendance, and successfully complete during the next two immediate regular grading periods, one of the "study skills" courses as outlined by the District's Eligibility Rules Committee.



- (5) The student shall also be progressing satisfactorily toward graduation as provided in the Pupil Progression Plan for Osceola County.
- (6) The principal or his designee may suspend a student from participation in an activity for Level II - Level IV offenses as outlined in the Osceola County School District Code of Student Conduct.
- (7) Those students unable to meet the criteria because of extenuating circumstances may appeal to the school activities committee, a standing committee whose membership shall include, but not be limited to, representatives from extracurricular sponsors, classroom teachers, the guidance department, administration, exceptional student education, and the school advisory committee.

Auth: 230.22, F.S.  
 Imple: 230.23 (14)

D. Athletic Insurance

The principal and coaches shall arrange for group insurance for the protection of school participants in athletic events. Moreover, the principal shall require, and keep on file in his office, the parent's written consent and the doctor's approval for each participant. *Amended 7/23/91*

E. Student Activity Restrictions

- (1) Participation by students in functions outside the county and not under the sponsorship of the Florida High School Activities Association shall require approval from the Board.
- (2) Eligibility for participation in extra curricular activities, including athletics and cheerleading, shall be determined by School Board Rules, the Florida High School Activities Association and local Bylaws. (Bylaws of each group shall be subject to approval of the Superintendent.) All participants shall have the approval of the principal. *Amended 7/23/91*
- (3) School bands may participate in civic and non-school functions with the approval of the principal, provided such functions are non-partisan nor political.
- (4) The beginning practice date for football and other sports shall be determined by the Florida High School Activities Association. The procedure for students who wish to begin participating in athletic competition after the first practice session shall be determined by the coach and principal of each school. Students shall be made aware of these dates and procedures.
  - a. Whenever a sport seasons ends, s student may participate in another sport without penalty. If two (2) or more sport seasons are in progress simultaneously, and a student

desires to drop one sport and go to another, he shall obtain the approval of each coach concerned.

- b. If a student is dismissed from a sport for disciplinary reasons, or drops out of a sport without the approval of the coach, the student may not participate in another sport until the end of the season for the sport in which he is participating. The rule may be waived upon the approval of both coaches and the principal.
- (5) The school calendar shall be maintained on which all rehearsals, practices and other activities shall be recorded. All activities shall be scheduled on non-conflicting dates whenever possible. If a schedule conflict arises, the sponsors of the activities shall meet and attempt to resolve the conflict. In the event of a performance conflict, any student otherwise expected to participate in both shall be free to choose either without penalty.
  - (6) Participation in Band and Chorus activities outside the school day may not affect a student's grade in a Band or Chorus class at the Middle School level.
  - (7) Band and Chorus directors at the high school level may develop a "performing" class which shall be in addition to the regular Band and Chorus class as defined by the Florida Course Code Directory.
    - a. If sufficient enrollment needed to offer either a performing or non-performing course at a particular high school does not exist, a combination of Band/ Performing Band or Chorus/Performing Chorus may be offered.
    - b. Student performance at practice, parades, special programs and competition, etc., may be a part of the student's grade in the performing course only.
    - c. Students and their parents shall be apprised of the expectations of the performing course at the beginning of each semester, and enrollment in this course shall not be a requirement of any other course.
    - d. Grades for students enrolled in a combination course will be based on their selection of a performing or non-performing course at the time of registration .
  - (8) Standard school procedures, constitution and bylaws pertaining to activities, sponsors and participants shall be enforced and copies of said bylaws shall be filed in the Superintendent's office.
    - a. Constitutions and bylaws of each group shall be subject to approval of the Superintendent.
    - b. It shall be the responsibility of the Principal to annually update the files at the Superintendent's office.

Auth: 230.33, F.S.  
Imple: 232.25 and 231.085, F.S.

## 6.6 MISCELLANEOUS

### 6.6.1 Safety on School Grounds

- A. Every member of the staff is responsible for the safety of pupils while on the school grounds. The principal shall eliminate all hazards on school grounds insofar as possible.
- B. Teachers shall be assigned to supervise pupils on the school grounds before and after classroom instruction. Principals shall see that all activities are properly supervised and that all precautions are taken by teachers and pupils. Insofar as is practical, there shall be a teacher or properly instructed aide responsible for supervising pupils as they board and unload from buses at the school site. The person shall be on alert for any safety hazard, and shall attempt to maintain orderly procedures on the part of the pupils.
- C. The parents of a seriously injured student shall be notified immediately, and the student shall be taken to the doctor or the hospital indicated on the emergency procedure card as quickly as possible. Transportation will be based upon the best judgment of the school principal. The Superintendent shall be notified as to the nature of the accident and steps taken to assist the child and the parents.

Auth: 230.22, F.S.  
Imple: 232.25 and 402.32(5), F.S.

### 6.6.2 Senior's Open Lunch

Members of the senior class who comply with the following guidelines shall be free to leave the school campus during the lunch period, provided that:

- A. Principal has given permission.
- B. A notarized permission slip on a form approved by the Board has been signed by the parent, relieving the school of responsibility.
- C. Seniors exercising this privilege shall not be party to transporting students who are not eligible to be off the school premises.

The open lunch privilege may be revoked for abuse of the privilege.  
*Amended 7/23/91*

Auth: 230.22, F.S.  
Imple: 232.25, F.S.

### 6.6.3 Pupil Insurance

- A. Contracts

- (1) The School Board shall arrange to make available to parents some plan of pupil group insurance to protect students enroute to and from the school and during the school day.
- (2) Rules affording insurance coverage with respect to injuries sustained by students as a result of accidents are private contracts between the insurance company and the respective parents. The School Board shall have no obligation for placing the insurance, collection and delivery of insurance premiums, or enforcement of the terms of the rule.

B. Solicitation

- (1) Insurance companies which have, prior to the first day of the school year, obtained the permission of the Superintendent, may deliver to the schools for delivery by students to their parents, all materials needed for the sale of policies and the collection of premiums.
- (2) Salesmen must be cleared through the principal's office before contacting any employee.

C. Contact Sports Insurance

A student shall provide written proof of accident insurance coverage to the principal before being allowed to try out, practice or participate in a contact sport.

6.6.4 Public Visitation

- A. An individual or group desiring to tour a school shall receive permission from the Superintendent or the school principal.
- B. Members of the public wishing to contact pupils during the school day shall receive permission to do so from the principal. The principal should grant permission only under extreme circumstances and then only if contact cannot be made before or after the school day.
- C. Non-enrolled students will not be allowed to visit teachers or classes during the school day unless they are participating in a career day or presenting a classroom activity. Clearance shall be made by that teacher or sponsor with the principal prior to the school visit.

6.6.5 Loitering

Loitering on school premises during school hours by a person not a student in the school or an employee of the Board shall not be tolerated. When it occurs, the police or sheriff's department shall be notified.

6.6.6 School Day Picture Specifications - Elementary and Secondary Schools

- A. School pictures may be offered as an optional services to parents. The principal shall enter into a contract with a vendor on a yearly basis. Every effort should be made to secure proposals from various vendors for the service. The award of the contract shall be made based upon the cost of the

packet to students, quality of services offered and terms of the contract which address vendor's obligations to the school. Pictures may be handled on pre-pay, proof or standard procedure by mutual agreement between the principal and the photographer. *Amended 6/29/93*

- B. The assignment of school personnel to facilitate the picture taking process shall be limited to the supervision of students.
- C. The vendor shall furnish notices to be sent home by the students to inform parents when pictures shall be taken. Such notices shall be received by the school five days before pictures are to be taken.
- D. The vendor must have a local Florida representative who is licensed to do business in Osceola County. An address and telephone number where contact can be made with the photographer is required.
- E. Each school shall receive the following services without charge:
  - (1) A gummed-back picture not less than 1" x 1 1/2" for school records shall be furnished on all students photographed.
  - (2) For Annualette or yearbook purposes, each school shall be provided with one 1 3/4" x 2 1/2" Black and White glossy print picture of each student and teacher and twenty 5" x 7" Black & White Activity pictures. (Club groups, etc.) These pictures shall be taken on the same dates as the regular school day pictures or at a time mutually agreed upon by the Photographer and Principal. This service may be omitted if permission to omit is obtained by the school principal.

#### 6.6.7 Employment and Age Certificates

- A. The principal of each school shall have the delegated authority to issue employment and age certificates in accordance with State Board Regulation 6A-1.97. A letter of approval must be on file with each food service and lodging establishment. Age Certificates shall not be issued until letter is on file.
- B. Each cooperative teacher must have a work permit number for each student on all appropriate student records and teacher reports. Age certification for students issued judicial exemptions must be issued by the Superintendent.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.97, 232.07 and 232.08, F.S.

#### 6.6.8 Minimum Age Exception

The minimum age of sixteen (16) years for School Board employees shall be waived in the case of a work study or similar program.

Auth: 230.22, F.S.

Imple: SBR 6A-2.97 and 6A-6.70, 232.07 and 233.068, F.S.

#### 6.6.9 Leaving School Grounds

- A. A principal shall not permit a pupil to leave in the custody of a person other than the child's parents or legal guardian unless that person has verified authorization of one of the parents or legal guardian.
- B. Pupils shall be required to remain on the school grounds from the morning bell until dismissal in the afternoon unless prior approval of the school principal has been given.
- C. The Superintendent or his designee may release pupils to properly identified officers of the law or employees of the Department of Health and Rehabilitative Services when circumstances regulate it. Proper documentation must be presented prior to release.

Auth: 230.22, F.S.  
Imple: 232.25, F.S.

#### 6.7 DROP OUT PREVENTION COMPREHENSIVE PLAN (PROGRAMS)

The Board may adopt policies regarding placement of students in Alternative Education Programs designed to meet the needs of students who are disruptive, disinterested, or unsuccessful in the school environment.

Examples of such programs may include:

- A. Preventive programs such as the ALPHA Program whose purpose it is to prevent the development of severe maladaptive behavior problems.
- B. In-School Suspension Programs.
- C. Other programs as recommended by the Superintendent to the Board.

Criteria for Eligibility - Students will be eligible for alternative education programs according to the guidelines set forth in State Board Rules 6A-1.994(2).

The Superintendent shall delineate procedures for eligibility, maintenance of records, and evaluation of Alternative Programs.

#### 6.8 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag shall be recited at the beginning of the day when students are present. Exemption from participation may be provided a student upon written request of the parent or guardian.

#### 6.9 DRIVER'S LICENSE *Adopted 7/23/91*

##### A. Students Under Eighteen Years of Age

##### (1) Adult Education

Students under the age of eighteen who are enrolled in an adult education program and are classified as an adult student must maintain continuous enrollment in the regularly scheduled adult

program in order to maintain or be eligible to apply for a Florida driver's license.

(2) Home Instruction

a. Fifteen Years of Age

Students who are fifteen (15) years old and are enrolled in a home instruction program may be granted a compliance form if they can show that they are meeting all the requirements of the law governing home instruction.

b. Sixteen and Seventeen Years Old

Students who are sixteen (16) or seventeen (17) years of age and are enrolled in a home instruction program may be granted a compliance form for a restricted or operator's license if they can show that they are meeting all the requirements of the law governing home instruction.

c. Withdrawing To Home Instruction

Students who withdraw to home instruction and who have a restricted or operator's license will not lose said license so long as the student's withdrawal code indicates the student is withdrawing to home instruction and is meeting all the requirements of law governing home instruction. A student who withdraws from school using any drop-out code and then determines to enroll in a home instruction program will not be granted a compliance form for a restricted or operator's license unless and until the student has been enrolled in said home instruction program for one calendar year and has satisfied all of the requirements of the law governing home instruction.

(3) Private Schools

The School Board shall grant compliance forms to students who are enrolled in accredited private schools. Proof of accreditation lies with the private school. Students must meet attendance requirements as specified by the laws of the State of Florida.

(4) All compliance form requests will be processed by the Department of Student Services.

B. Students must complete an approved monitored traffic law and substance abuse education course or satisfactorily complete a Department of Education driver's education course prior to application for a driver's license compliance form.

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## Chapter 7

### Official School Board Position on Discipline

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## **7.0 OFFICIAL SCHOOL BOARD POSITION ON DISCIPLINE**

### **7.1 PHILOSOPHY**

The Board finds and declares that:

- A. The development of self-discipline and self-direction is an educational goal toward which disciplinary procedure can contribute its forces. Discipline provides experiences and establishes procedures which make the students responsible for keeping themselves in order. Disciplinary action is the corrective measure used when a breach of discipline has occurred.
- B. The key to both student and teacher morale lies in how successfully the rules on discipline are applied and how this is reflected in classroom order. Educators, students, and parents must feel that, whatever rules are followed, they are not only uniform for all, but are just and fair. Disciplinary action, where imposed, should be as rational, non-arbitrary, and judicious as possible. It should encourage free discussion and setting of standards through the participation of students. The dignity and worth of the individual should always be respected and, because of this, disciplinary action should be free from harsh, abusive, and vindictive forms of punishment. Also, the student should never be subjected to sarcasm, public ridicule, or intimidation. Disciplinary action cannot be effective if its purpose is merely to demonstrate the superior authority of the teacher or administrator. The best results will be derived from cordial and realistic teacher-pupil relationships which are reinforced by firm and just policies of the administration at all levels.
- C. These policies are not made with the intention of creating coercive or punitive powers, but simply to help maintain discipline in the school setting.  
*Amended 6/28/94*
- D. The teacher is the essential element in proper discipline within the schools. There are certain aspects of classroom management which must be left to the discretion and good judgement of the individual teacher, especially the instances regarding talking, movement of students in the room, and other activities which might be perfectly acceptable in one classroom situation and inappropriate in another.

Auth: 230.22, F.S.

Imple: 230.23 (6) (c) and 232.27, F.S.

### **7.2 GENERAL POINTS OF EMPHASIS**

#### **7.2.1 Designated Responsibility**

- A. Employees of the Osceola County School Board shall make a concerted effort to prevent or correct common discipline problems found in the District schools. All people involved with the handling of discipline shall take a firm stand and insist that students behave in such a manner that the school is conducive to good education for all individuals.
- B. Teachers are expected to assist in correcting discipline problems as they might occur on the school grounds.

- C. Each year the School Board shall distribute a copy of the Code of Student Conduct to students and teachers. The code, which is based upon the School Board's rules governing student conduct and discipline shall also be available to parents at the beginning of the year. The code shall be discussed at the beginning of every school year in the appropriate venue determined by the principal. *Amended 6/29/93*
- D. A committee composed of teachers, principals, and community representatives will make a periodic review of the Code of Conduct.

Auth: 230.22, F.S.  
Imple: 232.25, F.S.

#### 7.2.2 Classroom Management

Minor offenses, insofar as is possible, shall be handled at the teacher level. Those things which are against classroom regulations shall be made clear at the beginning of the school year, reiterated from time to time, and enforced continuously. Only in case of chronic disobedience to these rules shall the individual be referred to an administrator. Before any referral is made, the teacher shall first use whatever corrective measures are available, including the contact of parents or guardians. The teacher shall immediately inform the administrator of any contact with parents which might require his involvement in the situation.

Auth: 230.22, F.S.  
Imple: 232.27, F.S.

#### 7.2.3 Records

Disciplinary records shall be maintained separately from a pupil's permanent record in a place designated by the principal and shall be destroyed when the pupil is promoted from the elementary to middle school or from middle school to high school. Records shall be made available for parental inspection upon the request in the same manner as permanent records.

Letters of expulsion shall be filed in the student's cumulative folder. No other items relative to discipline shall be filed in the permanent record.

Auth: 230.22, F.S.  
Imple: 230.23 (11), 232.23 and 231.085 (3), F.S.

#### 7.2.4 Authority of Classroom Teachers

Each teacher may offer directive guidance to a pupil through informal counseling sessions, may invite the pupil's parent or guardian to participate in informal counseling sessions or otherwise to confer with the teacher, and may detain a pupil before or after school hours up to one (1) hour per day, provided that the parent or guardian shall have advance notification of such detention. It shall be the students responsibility to notify the parents of the detention and the parent responsibility to arrange for adequate transportation to and from home. *Amended 6/29/93*

When a discipline problem disrupts the entire class and makes the learning process ineffectual, the students involved shall be removed from the class, upon approval of

the principal, in order that order may be restored and teaching resumed. Parents shall be notified that the student is temporarily removed from the class or all classes until the school has the assurance of the student and his parents that his behavior will improve. Temporary removal shall not exceed ten (10) days. This class period shall be spent in a well-supervised study room within the school building or in an In-School Suspension setting.

Teachers shall not refuse to serve a student scheduled to their class nor have the authority to bar a student from their class.

Auth: 230.22, F.S.  
Imple: 232.27, 232.25, and 231.09 (3), F.S.

#### 7.2.5 Authority of School Bus Drivers

The principal shall delegate to the school bus driver such authority as may be necessary for the control of pupils being transported to and from school, or school functions, at public expense.

Any pupil who persists in disorderly conduct on a school bus shall be reported to the principal by the driver of the bus, and may be suspended by the principal of the school he attends from being transported to and from school and school functions at public expense in accordance with section 7.3.1 C. *Amended 6/29/93*

The school bus driver shall preserve order and good behavior on the part of all pupils being transported, but he shall not suspend the transportation of or give physical punishment to any pupil, or put any pupil off the bus at other than the regular stop for that pupil, except by order of the parent or the principal in charge of the school the pupil attends; provided, that should an emergency develop due to the conduct of pupils on the bus, the bus driver may take such steps as are reasonably necessary to protect the pupils on his bus.

Auth: 230.22, F.S.  
Imple: 232.28, F.S., and SBE Regulation 6A-3.17(1)(d) 2

#### 7.2.6 Authority of School Principal

The principal shall be responsible for the provision of pupil guidance and counseling, including parent conferences, and also for the supervision of detention procedures when such are deemed necessary by instructional personnel.

The principal shall have the authority to administer corporal punishment in accordance with Board Rule 7.4 and shall have the authority to suspend a student from any or all classes and assign the student to a well supervised study room within the school. "In-school suspension" shall be limited to ten (10) days for any one (1) infraction or instance of misbehavior. The principal also has the authority to require students, as a disciplinary measure, to perform custodial services on buildings or grounds. These activities shall not pose a potential source of harm to the student. Such activity is specifically exempt from the provisions of the Child Labor Laws in Chapter 450, Florida Statutes. *Amended 6/29/93 & 6/28/94*

If suspension of a student becomes necessary, an initial effort shall be made to contact the parents and inform them of the problem before the student is suspended. The procedure for suspension of students is set forth in Board Rule 7.5.1.

The Principal or his designated representative may recommend to the Superintendent the expulsion of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority of a member of his staff, violence against persons or property, or any other act which substantially disrupts the orderly conduct of school. Any recommendation of expulsion shall include a detailed report by the principal or his designated representative on the alternative measures taken prior to the recommendation of expulsion. The procedure of expulsion of students is set forth in Board Rule 7.5.3.

The Principal or his designated representative shall include an analysis of suspensions and expulsions in the annual report of school progress.

Auth: 230.22, F.S.

Imple: 231.085 and 232.26, F.S.

7.2.7 Standard for Student Search and Search of Student Locker or other Storage Area  
*Adopted 1/18/94*

A. Florida law provides relaxed standards of search and seizure under the state constitution with respect to searches of students' effects by school officials. This relaxed standard of search is owing to the special relationship between students and school officials and, to a limited degree, the school officials' standing in loco parentis to students. Accordingly, it is the purpose of this policy to provide procedures by which school officials may search the students' effects within the bounds of Florida Law.

B. Search of Student Lockers, Motor Vehicles or other Storage Areas

(1) A Principal, if he has reasonable suspicion that a prohibited or illegally possessed substance or object is contained within a student's locker or other storage area, may search the locker or storage area. The term "storage area" as used in this policy shall include bags, purses, backpacks, knapsacks, briefcases, satchels, and any other item or receptacle of any kind whatsoever within which an object or item may be concealed, contained or carried.

(2) The Principal, if he has reasonable suspicion that a prohibited or illegally possessed substance or object is contained within a motor vehicle (including a motorcycle, moped or automobile) that is parked on School Board property and which vehicle was driven on to the property by a student enrolled in any school in the District, may search the motor vehicle. Provided, that the student will first be requested to unlock the motor vehicle so as to prevent damage from occurring to the motor vehicle prior to the conduct of the search. If the student refuses to voluntarily unlock the vehicle and permit the search, the school officials may forcibly enter the vehicle only if there is an emergency involving a substantial health, safety or welfare interest of a student. Absent an emergency situation, any student who fails to voluntarily unlock the vehicle shall be subject to discipline, including expulsion from school for gross defiance of a direct and authorized order issued by a school official, and the code of student conduct shall be deemed amended to include as a level IV

offense for gross defiance of a school official's order to unlock a vehicle for the purpose of permitting a reasonable suspicion search of the vehicle on school property for illegal substances or other contraband. Additionally, the law enforcement agency with jurisdiction shall be contacted and notified of the circumstances and the refusal of the student to voluntarily permit the search.

- C. A Principal, if he has reasonable suspicion that a prohibited or illegally possessed substance or object is contained on or about the person of a student may search the student, but in doing so, the Principal shall take the following action, as reasonably appropriate under the circumstances, to do the following:
  - (1) The student search shall be conducted in a private area where other students and unnecessary employees will not observe the search. Reasonable precautions, appropriate to the circumstances, shall be taken such that the dignity of the student is preserved.
  - (2) The student will be given a reasonable opportunity to voluntarily reveal and display the contents on or about the person of the student before the search is initiated, unless such opportunity would be unreasonable under the circumstances.
  - (3) The safety and security of the students, employees of the School District and the integrity of the educational program are the paramount objectives of the school system. Accordingly, school officials are authorized to take such action as is reasonably necessary to preserve the safety and security.
- D. A notice (or notices) shall be posted in each school in Osceola County, in a place obvious and readily seen by students. Said notice (or notices) shall state the following:
 

A student's locker or other storage area, and motor vehicle are subject to search, upon reasonable suspicion, for prohibited or illegally possessed substances or objects.
- E. This policy shall not be construed to prohibit the use of metal detectors or specially trained animals in the course of a reasonable suspicion search authorized hereunder, nor to prohibit the use of such in random or fixed-entry stationary searches as permitted by Florida and federal law.

7.3 BOARD RULE ON OFFENSES - STUDENT CODE OF CONDUCT

7.3.1 In order that justice may be handled with mercy and understanding, the discretion of interpretation is in all instances left to the individual teacher, assistant principal, or principal to modify corrective measures suggested whenever extenuating circumstances seem to be present.

A. Elementary Code of Student Conduct Amended 6/30/92, 6/29/93 & 6/28/94

<u>LEVEL I</u>	<u>EXAMPLES</u>	<u>PROCEDURES</u>
Minor misbehavior	Class disturbances	Immediate inter-

on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school.

Dishonesty (Cheating, Lying etc.)  
 Dress Code Violations  
 Failure to carry out directions. (non-defiant)  
 Public display of affection.  
 Profanity or abusive language, including verbal assaults or rude gestures toward students.  
 Hall violations.  
 Lack of supplies.  
 Infractions of school or classroom rules.  
 Throwing objects.

vention by staff member who is supervising the student or who observes the misbehavior.

Repeated misbehavior indicates the need for a parent/guardian conference with the teacher and/or guidance counselor and/or school administrator.

A proper and accurate record of the offense and disciplinary action is maintained by the staff member.

FIRST OFFENSE

REPEATED OFFENSE

Written report to parents.  
 Verbal reprimand.  
 Written educational assignment.  
 Special assignment related to offense.  
 Behavior contract.  
 Correct inappropriate dress.  
 Withdrawal of classroom privileges.  
 Time-out area.  
 Strictly supervised study.  
 Loss of credit for work (For dishonesty or failure to turn in work.)  
 Opportunity to secure supplies.  
 Detention.

Additional detention.  
 Withhold privileges.  
 Parent notification and/or conference.  
 In-school suspension.  
 Corporal punishment.

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LEVEL II

EXAMPLES

PROCEDURES

Misbehavior of frequency or seriousness that tends to disrupt the learning

Continuation of Level I misbehaviors.  
 Defiance of school personnel author-

Student is referred to administrator for appropriate disciplinary

climate of the school and from which educational consequences are serious enough to require corrective action on the part of the administrative personnel. These infractions, which usually result from the continuation of Level I misbehaviors, require the intervention of personnel on the administrative level because the execution of Level I disciplinary options has failed to correct the situation.

ity.  
 Disruptive behavior.  
 Disruption on the school bus.  
 Insolent attitude.  
 Gambling.  
 Truancy or skipping class.  
 Simple assault (A threat or attempt to beat another without touching him/her.)  
 Use of tobacco.  
 Using forged notes or excuses.  
 Inappropriate printed material.  
 Unauthorized use of personal alarm devices.  
 Possession of cellular telephones.

action.  
 Proper and accurate record of the offense and disciplinary action is maintained by administrator.  
 Parents are informed. The teacher is informed of the administrator's actions.  
 Become familiar with School Board policy.

FIRST OFFENSE

REPEATED OFFENSE

Teacher/schedule change.  
 Detention.  
 Administrative reprimand.  
 Behavior modification program.  
 Loss of credit for work (In case of dishonesty or failure to turn in work.)  
 Counseling.  
 Referral to outside agencies.  
 Corporal punishment.  
 In-school suspension.  
 Financial restitution.  
 Others.

Additional corporal punishment.  
 In-school suspension.  
 Work detail.  
 Short term out-of-school suspension. (1-5 days)  
 Refer to Student Services.  
 Behavioral contract.  
 Refer to Director of Exceptional Students.

\*\*\*\*\*

LEVEL III

EXAMPLES

PROCEDURES

Acts directed against persons or property but the consequences of which do not seriously endanger the health or

Continuation of of Level II misbehaviors.  
 Fighting. (Physical conflict.)  
 Gambling.  
 Extortion.

Administrator initiates disciplinary action by investigating the infraction and conferring with

safety of others in the school. These acts might be considered dangerous or criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interest of all students.

Possession of dangerous items or stolen property.  
Sex related offenses.  
Stealing.  
Minor vandalism.  
Verbal or physical assault or rude gestures toward staff.  
Assault of other students.  
Possession or under the influence of alcoholic beverages, drugs or other controlled substances.

staff on the extent of the consequences. Administrator/student/parent conference about student's misconduct and resulting disciplinary action. Proper and accurate record of offenses and disciplinary actions is maintained by administrators. Restitution of property and/or payment for damages. Consider referral to outside agencies.

FIRST OFFENSE

REPEATED OFFENSE

Corporal punishment.  
Work detail.  
Temporary removal from class.  
Psychological counseling.  
In-school suspension.  
Short term out-of-school suspension.  
Others.

Refer to Director of Exceptional Students.  
Long term suspension.  
Recommendation for expulsion.

\*\*\*\*\*

LEVEL IV

EXAMPLES

PROCEDURES

Acts which result in violence to another's person or property or which pose a direct threat to the safety of others in the school.  
  
These acts are clearly criminal and are so serious that they always require admin-

Unmodified and continued Level III violations.  
Arson.  
Vandalism and burglary.  
Lewd and lascivious sexual conduct.  
Malicious destruction of school or personal property of staff.  
Possession of a knife.  
Possession of

Administrator verifies the offense, confers with the staff involved and meets with the student, allowing the student the opportunity to relate his or her version of what occurred.  
The student is immediately removed from



istrative actions which result either in the immediate removal of the student from school, the intervention of law enforcement authorities or referral to Student Services for possible Board action.

explosive material or mace.  
 Possession of electronic Beepers/pagers.  
 Possession of handcuffs.  
 .....  
 \*Aggravated assault (An assault with a deadly weapon.)  
 \*Assault and Battery (An unlawful injury to another.)  
 \*Possession/use/transfer of deadly weapons, E.G., firearms, brass knuckles, or any realistic facsimiles of the above.  
 \*Furnishing/selling drugs or counterfeit drugs.  
 \*Bomb threats.  
 \*Fraudulently summoning emergency services.

the school environment. Parents are notified. Administrator contacts law enforcement agency and assists in prosecuting offender. Complete and accurate report is submitted to the Superintendent for possible Board action.  
 .....  
 \*Follow procedures listed above and make recommendation for expulsion.

FIRST OFFENSE

REPEATED OFFENSE

Out-of-school suspension.  
 Recommendation for Expulsion.  
 Others.

Recommendation for Expulsion.

Compliance with the drug and alcohol issues in the Student Code of Conduct is mandatory.

Auth: 230.22, F.S.  
 Imple: 231.09(2),230.2313(2)(c), 230.23(11)(c), 231.085, 232 . 26-232 . 28, F . S .

B. Secondary Code of Student Conduct *Amended 6/30/92, 6/29/93 & 6/28/94*

LEVEL I

EXAMPLES

PROCEDURES

Minor misbehavior on the part of the student which impedes orderly classroom proce-

Disruptive Behavior dishonesty (Cheating, lying etc.)  
 Dress Code viola-

Immediate intervention by staff member who is supervising the student or who

dures or interferes with the orderly operation of the school.

tions.  
 Failure to carry out directions. (non-defiant)  
 Inappropriate printed material  
 Public display of affection.  
 Profanity or abusive language.  
 Hall violations.  
 Lack of supplies.  
 Infractions of school or classroom rules.  
 Throwing objects.

observes the misbehavior.  
 Repeated misbehavior indicates the need for a parent/guardian conference with the teacher and/or guidance counselor and/or school administrator.  
 A proper and accurate record of the offense and disciplinary action is maintained by the staff member.

FIRST OFFENSE

REPEATED OFFENSE

Written report to parents.  
 Verbal reprimand.  
 Written educational assignment.  
 Special assignment related to offense.  
 Behavior contract.  
 Correct inappropriate dress.  
 Withdrawal of classroom privileges.  
 Time-out area.  
 Strictly supervised study.  
 Loss of credit for work (For dishonesty or failure to turn in work.)  
 Opportunity to secure supplies.  
 Detention.

Additional detention.  
 Withhold privileges.  
 Parent notification and/or conference.  
 In-school suspension.  
 Corporal punishment.

\*\*\*\*\*

LEVEL II

EXAMPLES

PROCEDURES

Misbehavior of frequency or seriousness that tends to disrupt the learning climate of the school and from which educational consequences are

Continuation of Level I misbehaviors.  
 Defiance of school personnel authority.  
 Disruptive classroom behavior.  
 Disruption on the

Student is referred to administrator for appropriate disciplinary action.  
 Proper and accurate record of

serious enough to require corrective action on the part of the administrative personnel. These infractions, which usually result from the continuation of Level I misbehaviors, require the intervention of personnel on the administrative level because the execution of Level I disciplinary options has failed to correct the situation.

school bus.  
 Insolent attitude.  
 Gambling.  
 Truancy or skipping class.  
 Simple assault (A threat or attempt to beat another without touching him/her.)  
 Possession or use of tobacco  
 Using forged notes or excuses.  
 Unauthorized use of personal alarm devices.  
 Possession of cellular telephones.

the offense and disciplinary action is maintained by administrator.  
  
 Parents are informed. The teacher is informed of the administrators actions.  
  
 Become familiar with School Board Policy.  
  
 Consider referral to Student Services.

FIRST OFFENSE

REPEATED OFFENSE

Teacher/schedule change.  
 Detention.  
 Administrative reprimand.  
 Behavior modification program.  
 Loss of credit for work (In case of dishonesty or failure to turn in work.)  
 Counseling.  
 Referral to outside agencies.  
 Corporal punishment.  
 In-school suspension.  
 Financial restitution.  
 Saturday School.  
 Others.

Additional corporal punishment.  
 In-school suspension.  
 Work detail.  
 Short term out-of-school suspension. (1-5 days)  
 Refer to Student Services.  
 Behavioral contract.  
 Refer to Director of Exceptional Students.

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LEVEL III

EXAMPLES

PROCEDURES

Acts directed against persons or property but the consequences of which do not seriously endanger the health or safety of others in the school.

Continuation of of Level II misbehaviors.  
 Fighting. (Physical conflict.)  
 Gambling.  
 Extortion.  
 Possession of dangerous items

Administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the

These acts might be considered dangerous or criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interest of all students.

or stolen property.  
Sex related offenses.  
Stealing.  
Minor vandalism.  
Verbal or physical assault or rude gestures toward staff.  
Assault of other students.  
Sexual Harassment or creating a hostile environment.

consequences.  
Administrator/student/parent conference about student's misconduct and resulting disciplinary action.  
Proper and accurate record of offenses and disciplinary actions is maintained by administrators.  
Restitution of property and/or payment for damages.  
Consider referral to outside agencies.

FIRST OFFENSE

REPEATED OFFENSE

Corporal punishment.  
Work detail.  
Temporary removal from class.  
Psychological counseling.  
In-school suspension.  
Out-of-school suspension.  
Referral to outside agencies.  
Saturday school.  
Others.

Refer to Director of Exceptional Students.  
Long term suspension.  
Recommendation for expulsion.

\*\*\*\*\*

LEVEL IV

EXAMPLES

PROCEDURES

Acts which result in violence to another's person or property or which pose a direct threat to the safety of others in the school.  
  
These acts are clearly dangerous or criminal and are so serious that they always require administrative actions in the immediate

Unmodified and continued Level III violations.  
Arson.  
Possession of a knife.  
Possession of explosive materials or mace.  
Possession of electronic beepers/ pagers.  
Vandalism and burglary.  
Lewd and lascivious sexual conduct.  
Malicious destruc-

Administrator verifies the offense, confers with the staff involved and meets with the student, allowing the student the opportunity to relate his or her version of what occurred.  
The student is immediately removed from the school environment.

removal of the student from school, the intervention of law enforcement authorities or referral to Student Services for possible Board action.

tion of school or personal property of staff.  
 Possession of handcuffs.  
 .....  
 \*Aggravated assault (An assault with a deadly weapon.)  
 \*Assault and Battery (An unlawful injury to another.)  
 \*Possession/use/transfer of deadly weapons, e.g., firearms, brass knuckles, or any realistic facsimiles of the above.  
 \*Furnishing/selling drugs or counterfeit drugs.  
 \*Bomb threats.  
 \*Fraudulently summoning emergency services.

Parents are notified. Administrator contacts law enforcement agency and assists in prosecuting offender. Complete and accurate report is submitted to the Superintendent for possible Board action.  
 .....  
 \*Follow procedures listed above and recommendation for expulsion.

FIRST OFFENSE

REPEATED OFFENSE

Out-of-school suspension.  
 Recommendation for Expulsion.  
 Others.

Recommendation for Expulsion.

Compliance with the drug or alcohol issues in the Student Code of Conduct is mandatory.

Auth: 230.22, F.S.  
 Imple: 231.09(2),230.2313(2)(c), 230.23(11)(c), 231.085, 232 . 26-232 . 28, F . S .

C. Student Transportation

The responsibilities of pupils transported at public expense shall be as follows:

To occupy the seat assigned by the driver and to refrain at all times from moving around while the bus is in motion. To observe classroom conduct(except for ordinary conversation)while getting on and off the bus, and while riding the bus. To keep hands inside the bus at all times, except in case of emergency egress.

To obey the driver and to report to the school principal when instructed to do so by the driver.

To warn the driver of approaching danger if there is reason to believe the driver is not aware of the danger.

To be at the designated place in the morning and after school, ready to board the bus at the prescribed time. *Amended 7/23/91*

To walk to the bus stop on the left side of the road, facing traffic, and to stay off the roadway at all times while waiting for the bus.

To wait until the bus has come to a full stop before attempting to get on or off.

To enter or leave the bus only at the front door after the bus has come to a full stop, except in case of emergency.

To cross the highway, when necessary, as follows:

- (1) Upon alighting from bus, stand at the side of the road ten (10) feet in front of the bus, within sight and hearing of the driver and wait for his signal to cross the road or proceed to the park strip.
- (2) Upon signal from the driver, look both ways and proceed in front of the bus across the road or to the park strip.

Ride assigned bus only. Any change must be requested in writing by the parent and receive written approval of the principal before implementation of the requested change.

Auth: 230.22, F.S. Imple: 232.25, F.S.

## SCHOOL BUS VIOLATIONS

### Definitions

Acts which distract the bus driver from giving full attention to the roadway and which ultimately pose a direct threat to the safety of the students riding the bus or to the safe operation of the school bus.

### Examples of Violations

School Bus Safety Rules shall be distributed to students upon enrollment and posted in the front of ALL school buses. Any infraction shall be considered a violation.

### Procedures

The bus driver will submit a written referral to the Principal whenever students violate Bus Safety Rules and fail to heed the verbal warning of the Bus Driver.

The Principal will review the reported incident with the student.

Parents will be notified.

A proper and accurate record of the offense and the disciplinary action will be maintained by the administrator.

#### 1st Offense

A warning, alternative action or suspension from the bus.

#### Repeated Offenses

Second offense - Warning, alternative action or bus suspension.

Third offense - Suspension of bus riding privileges/afternoon detention. Action waived if parent attends a conference at the school with the principal, bus driver and Transportation Supervisor. Alternative action is an administrative option for ESE Students. *Amended 6/29/93*

Fourth offense - Three (3) day suspension of bus riding privileges or one (1) day for ESE students. A follow-up IEP meeting will be scheduled for Exceptional Students. *Amended 6/30/92 & Amended 6/29/93*

Fifth offense - Ten (10) day suspension of bus riding privileges and Discipline Review Hearing for Exceptional Students. *Amended 6/30/92*

Sixth offense - Permanent revocation of bus riding privileges for remainder of the semester. If less than ten (10) days are remaining, the suspension will carry over to the next semester. *Amended 6/30/92*

### 7.3.2 Misbehavior

Overt actions by students which show disrespect for any school personnel, intimidation, fighting, violent antagonism toward classmates, or general misconduct which disrupts the learning situation, shall not be tolerated. If a situation cannot be handled by the teacher, it shall be referred to an administrator. Behavior described in this rule shall be responded to swiftly, with appropriate disciplinary action.

Auth: 230.22, F.S.

Imple: 231.09(2), 230.2313(1)(c), 230.23(11)(c), 231.085, 232.16-232.28, F.S.

### 7.3.3 Dangerous or Disruptive Items

A. Any item used by a student which disrupts class order, detracts from attention to instruction, defaces school property, or in any way endangers the safety of any student, may be taken by the teacher and turned over to the principal, or held until such time as the teacher can talk to the student about the situation. Students who refuse to cooperate shall be turned over to the appropriate administrator for punishment for willful disobedience. Students shall not carry any object that is usually considered to be a weapon or any realistic facsimiles, such as a knife or other dangerous and harmful object. If the principal believes that the intent of a student is to harm another person

or property, the punishment may be suspension for a period not to exceed ten (10) days until such time as the Board can rule on a request for expulsion of the student. *Amended 6/29/93 & 6/28/94*

- B. No student shall, while on the grounds or in any building owned or operated by the School Board of Osceola County, Florida, possess, carry and/or transport on or about his person or in any vehicle or other conveyance or discharge any firearm, as defined in Section 790.001(6), Florida Statutes. Any student violating this policy shall be recommended to the Superintendent for expulsion. *Adopted 6/29/93*

Auth: 230 . 23, F . S .

Imple: 231.09(2), 230.2313(1) (c) ,230.23(11) (c), 231.085,232.16-232.28, 120.53, 230.23(6),230.22(8)(c) and 120 . 57 (1), F. S .

#### 7.3.4 Willful Disobedience

Students shall at all times show proper respect for faculty members. Appropriate disciplinary action shall be taken if any student willfully disobeys a faculty member, and shall depend upon the degree and intent of disobedience.

Auth: 230.22, F.S.

Imple: 231.09(2),230.2313(1) (c), 230.23(11) (c), 231.085, 232.26-232.28, F.S.

#### 7.3.5 Wearing Apparel and Accessories

The school, as a center of learning, shall provide for the development of habits and attitudes conducive to acceptable wearing apparel, and good grooming. Wearing apparel shall not be of the type which would detract from the primary purpose of the school, which is academic instruction, nor shall accessories carried by children to school be disruptive to the conduct of the school or hazardous to student welfare.

Wearing apparel which tends to identify association with secret societies as prohibited in Florida Statutes shall not be worn. *Adopted 6/28/94*

Deliberate defiance of the wearing apparel and accessories dress policy established by the Board shall be treated the same as willful disobedience. Cleanliness of the physical persons consistent with the maintenance of good health and to avoid offensiveness to others is mandatory. Wearing apparel and accessories shall be in accordance with community and school standards developed with the assistance of the parent advisory committee.

Auth: 230. 22, F. S.

Imple: 231.09(2), 230.2313(1)(c),230.23(11)(c), 231.085, 232.26, 232.28, F.S.

#### 7.3.6 Public Affection

Students shall conduct themselves at all times in a responsible manner in accordance with the Code of Student Conduct.

Auth: 230. 22, F. S .

Imple: 231. 09 ( 2) and 232.25, F.S .



### 7.3.7 Intoxicants and Hallucinogenic Drugs

- A. Student having possession of or under the influence of intoxicating beverages or drugs or combinations of drugs having hallucinatory effects at any school function or on school property shall be suspended. Students found to be in possession of drug paraphernalia while on school property or at any school function are liable for suspension. Students found to be in violation of the preceding for the second time shall be recommended to the Superintendent for expulsion. *Amended 7/23/91*
- B. The Principal shall recommend for expulsion any student found to be selling or offering for sale a non-controlled substance as a controlled substance.
- C. Students found to be selling, offering for sale, or giving away any intoxicant, drug, controlled substance or that which is presented as a controlled substance while on school property or in attendance at a school function shall be recommended to the Superintendent for expulsion. *Amended 7/23/91 & 6/28/94*

Auth: 230.22, F.S.

Impl: 230.26(2) and (3), 120.57, Chapters 404 and 893, F.S.; SBR 6A-1.956.

### 7.3.8 Use of Tobacco

Students shall not be permitted to use or possess tobacco in Osceola County school buildings or on school grounds.

Auth: 230.22, F.S. Impl: 231.085 and 232.25, F.S.

### 7.3.9 Skipping and Excessive Absence (Truancy)

Any student who fails to attend class and has no acceptable excuse for his absence shall be considered truant and referred to the appropriate administrator for punishment. Every effort should be made for the student to make up the time and work missed in after-school detention. Parents shall be notified of unexcused absences and of after-school detention resulting there from, in accordance with Board Rule 7.2.4. No student who is required by law to attend school shall be suspended for unexcused absence or truancy. Students sixteen (16) years of age or older may be suspended for unexcused absence or truancy.

Auth: 230.22, F.S. Impl: 230.2313(3)(c), 232.08, 232.10, and 232.27, F.S.

### 7.3.10 Theft and Pilfering

Any student involved in the act of stealing or in possession of stolen property may be suspended from school. In such cases, the attendance of parents or guardians at a conference with school officials shall be requested. Thefts shall be reported to the proper authorities. Efforts shall be made to secure reimbursement or replacement of the money or items taken.

Auth: 230.22, F.S.

Impl: 232.26, F.S.

### 7.3.11 Blackmail and Extortion

Any student who blackmails or otherwise threatens any person for payment of money or any other consideration, may be suspended from school, and parents or guardians shall be called for a conference with school officials. In such cases, efforts shall be made to secure reimbursement or otherwise recover damages. The appropriate law enforcement agency will be notified.

Auth: 230.22, F.S.

Imple: 232.26, 120.53(1), 230.23(6), and 230.33(8)(c), F.S.

### 7.3.12 Profanity

Profanity shall mean any profane, vulgar, or unnecessarily crude utterance or gesture, whether directed toward a teacher or classmate, or merely done overtly. Such instances shall be handled by the teacher, if possible, and referred to the appropriate administrator if further action becomes necessary.

Auth: 230.22, F.S.

Imple: 232.26 and 232.27, F.S.

### 7.3.13 Vandalism and Burglary

Destruction of or damage to school property due to burglary or vandalism shall be reported immediately to the police or sheriff's department and to the Superintendent. The immediate area of the loss or damage shall be kept clear of personnel, and nothing shall be moved or touched, until the proper law enforcement agency has made an investigation.

A full and complete report of loss or damage shall be made to the Superintendent as soon as possible following the investigation.

Appropriate action against any student known to have committed vandalism shall include having the parents or guardians come to the school for a conference with school officials and an arrangement for restitution for damage. A student eighteen (18) years of age, or the parents of a minor student found guilty of damaging, defacing, taking or destroying school property, either during school hours or at any other time, shall be required to repay the cost of repairing the damage, and the student may be subject to a penalty of suspension from school for a period up to ten (10) days, and/or face expulsion from school.

Auth: 230.22, F.S.

Imple: 741.24, 232.26, 120.53(1), 230.23(6), 230.33(8) (c) and 120.57.(1), F.S.

### 7.3.14 Arson

Any student who deliberately sets fire or attempts to set fire to school property shall be suspended for a maximum of ten (10) days or until parents or guardians can be contacted for a conference with school officials and arrangements made for restitution. The penalties for arson may include expulsion from school. Incidents of arson shall be reported to the appropriate fire department and police officials.

Auth: 230.22, F.S.

Imple: 741.24, 232.26, 120.53(1), 230.23(6), 230.33(8)(c), and Chapter 806, F.S.

### 7.3.15 Destruction of Personal Property or Harassment of School Board Employees

The principal shall have the authority to suspend, or to recommend for expulsion, any student for disturbing or bringing harm against a teacher, Board Member, or any employee of the Board; or disturbing or inflicting damage upon a home or personal property of any of them; or insulting any of the aforementioned persons in a public place. *Amended 6/28/94*

Auth: 230.22, F.S. Imple: 232.26, F.S.

### 7.3.16 Bomb Threats

The principal shall recommend to the Superintendent the expulsion of any student conspiring to or making a report concerning the placing or planting of any bomb, dynamite, or other explosive.

### 7.3.17 Continued Incurability

In cases where students are suspended out of school in excess of fifteen (15) days per year, the principal may forward a recommendation for expulsion to the Superintendent. This recommendation must contain documentation of counseling activities and strategies, evidence of requests for parent conferences, review of records for evidence of possible handicaps, and other interventions intended to improve the student's performance in school. *Amended 6/28/94*

### 7.3.18 Sexual Harassment/Hostile Environment *Adopted 6/30/92*

Students must refrain from creating a hostile environment for their peers by expressing verbal comments, sexual name calling, gesturing, spreading sexual rumors or other behaviors which are intended to degrade their classmates.

### 7.3.19 Native Language *Adopted 6/30/92*

Students have the right to and will not be disciplined for speaking responsibly in their native language.

### 7.3.20 Legal

None of the foregoing shall be construed in such a manner as to violate any federal, state or community law. Breaches of such law may be reported to appropriate non-school authorities for separate prosecution.

Auth: 230.22, F.S.  
Imple: 230.23(12), F.S.

## 7.4 CORPORAL PUNISHMENT

Corporal punishment shall be defined as the moderate use of physical force or physical contact by the principal or designee as may be necessary to maintain discipline or to enforce school rules. Corporal punishment shall be limited to the use of the open hand, ruler or paddle as approved by the principal. It shall be directed only to the student's buttocks or back of the thigh. The student shall receive no more than three (3) licks for any one offense. Students shall not receive

corporal punishment more than once in a forty-eight (48) hour period. If a discipline problem warrants corporal punishment immediately following the forty-eight (48) hour period, an attempt to contact the parent/guardian should be made prior to it being administered. *Amended 6/29/93*

Any student shall be exempt from corporal punishment upon request in writing from the parents or guardians to the principal, prior to the time a problem arises. The request shall be renewed yearly. If a parent requests exemption from corporal punishment, the parent shall also agree to the child's suspension or expulsion from school until the problem is solved. Parents who request exemption from corporal punishment may change this decision after a conference with the principal, by a statement in writing.

Any student exempted from corporal punishment due to parental request, and suspended, may also be subject to expulsion.

- A. The use of corporal punishment shall be approved in principle by the principal before it is used and shall be in accordance with Florida Statutes. *Amended 6/29/93*
- B. The principal or designee may administer corporal punishment only in the presence of another adult who is informed beforehand, and in the student's presence, of the reason for the punishment. Corporal punishment shall be limited to the use of the open hand, ruler, or paddle as approved by the principal directed only to the student's buttocks or back of the thigh. *Amended 6/29/93*
- C. The principal or designee who has administered punishment shall make a record of such punishment so that the student's parent or guardian can be provided with a written explanation of the reason for the punishment and the name of the other adult who was present. This record shall be filed in the principal's office at the end of each school day. The Superintendent shall prescribe the appropriate forms for keeping these records. *Amended 6/29/93*

Nothing herein shall be construed in such a manner as to authorize the violation of Federal or State law, or State Board of Education regulations.

## 7.5 SUSPENSION AND EXPULSION

### 7.5.1 Suspension

It is the policy of this Board that maintaining good discipline in all schools is essential to the proper and orderly preservation of the educational and extracurricular programs to all students. It is recognized that suspension is both a form of punishment for misconduct and a method to ensure the orderly conduct of the school programs for all students. Suspensions shall be made with due regard for all these factors.

#### A. Length and Reasons

A principal may suspend a pupil from school for a period not to exceed ten (10) days, for willful disobedience, open defiance of authority of a member of the staff, use of profane or obscene language, other serious misconduct,

or repeated misconduct of a less serious nature; any act or conduct which disrupts or tends to disrupt the orderly conduct of the school, or any other conduct for which suspension or expulsion is either required or permitted by the Code of Student Conduct, any other Rule of the Board, Rule of the State Board of Education or Statute.

B. Exceptional Education Student

Except for the gifted, no exceptional education student may be suspended for more than nine (9) days for one offense. If an exceptional student is suspended, prior to the end of nine (9) days of suspension or prior to ten (10) days of cumulative suspension throughout the year, an IEP meeting shall be held to review the student's program and placement.  
*Amended 7/23/91*

A profoundly handicapped, trainable mentally handicapped, or autistic child shall not be suspended until an IEP review has been held to review the behavior which has caused the school to recommend such suspension. Such review should include at a minimum the principal or designee, exceptional student education administrator or designee, Resource Compliance Specialist, the district Behavior Analyst, the child's teacher, and the child's parent. *Adopted 6/30/92*

C. Unexcused Absences or Truancy

No student who is required by law to attend school may be suspended for unexcused absences or truancy.

D. Semester and Grade Period Tests

Semester and grade period tests missed during any period of suspension may be made up.

E. Procedure

- (1) Prior to suspension, a good faith effort shall be made by the principal or his designated representative to employ parental assistance or other alternative measures to suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct. A serious breach of conduct is hereby defined as any Level IV offense as set forth in the Code of Student Conduct, and any other act or conduct for which suspension or expulsion is required by any other Rule of this Board, Rule of the State Board of Education, or Statute.
- (2) Prior to suspending a pupil for any length of time, the principal shall give to the pupil an oral or written charge against him and, if the pupil denies the charge, an explanation of the evidence supporting the charge and an opportunity for the pupil to present his side of the story. There shall not necessarily be any period of delay between the time notice is given to the pupil and the informal investigation required by this paragraph, nor shall the pupil necessarily be given the opportunity to secure legal counsel, confront or cross-examine witnesses to verify his version of the incident. However, the

principal may exercise his discretion in the interest of fairness and justice by summoning the accuser, permitting informal cross-examination and allowing the pupil to present his own witnesses in cases where there are serious disputes of material facts and arguments about cause and effect. The student shall be given an opportunity to respond to the charges and the evidence, explain his actions, and bring to the attention of the principal any additional information. The principal shall specifically inform the student of these rights. *Amended 6/29/93*

- (3) Following an informal investigation, the principal, at the request of the student's parents, may convene an informal hearing and offer the student an opportunity to question and cross-examine witnesses, and present testimony and further evidence. *Amended 6/29/93*
- (4) A principal is not required to hold an informal hearing prior to suspending a student for ten (10) days or less if the student's presence poses a continuing danger to persons or property, or if the student represents an ongoing threat of disrupting the educational process. In such cases, the notice and informal hearing shall be provided as soon thereafter as is practicable. *Amended 6/29/93*

F. Felony Charges

Suspension proceedings may be initiated, in accordance with Florida Statutes, against any student who is formally charged with a felony by a proper prosecuting attorney for an incident which allegedly occurred on property other than public school property, if that incident is shown, in an administrative hearing with notice provided to the parent or legal guardian or custodian of such pupil by the principal of the school to have an adverse impact on the educational program, discipline or welfare in the school in which the pupil is enrolled. The student may be suspended until the determination of guilt or innocence, or dismissal of the charge is made by a court of competent jurisdiction. The hearing officer shall make a decision regarding suspension or non-suspension during the time prior to the official sentencing of the student. If the student is found guilty of a felony, measures may be taken in accordance with Florida Statutes. *Amended 6/29/93 & 6/28/94*

G. Controlled Substances

- (1) Any pupil who is subject to discipline or expulsion for unlawful possession or use of any substance controlled under Chapter 893, F.S. may be entitled to a waiver of the discipline or expulsion if he divulges information leading to the arrest and conviction of the person who supplied such controlled substance to him. *Amended 6/29/93*
- (2) Any pupil subject to discipline or expulsion for unlawful possession or use of any substance controlled under Chapter 893, F.S., may receive a waiver of the discipline or expulsion if the pupil commits himself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.

(3) When a student is formally charged with a felony by a proper prosecuting attorney for the unlawful possession sale or use of any substance controlled under Chapter 893, F.S. the principal shall, in accordance with Section 232.26 (2) F.S., conduct an administrative hearing for the purpose of determining his or her guilt. Proper procedures shall be followed by the principal in instituting and conducting the administrative hearing; however, the School Board may, upon written approval of the Commissioner, utilize its own hearing policy in lieu of this rule.

H. If a suspension is assigned, the principal shall immediately notify the Superintendent and the suspended student's parents or guardians by telephone or in writing within 24 hours of the action taken and the reasons for the suspension.

Auth: 230.22, F.S.

Imple: 120.53(1), 230.23(6), 230.33(8)(c), and 232.26, F.S.

#### 7.5.2 Expulsion

##### A. Expulsion From School

Expulsion from school shall be authorized only by the School Board. If a principal requests expulsion of a student from school, a written request shall be sent to the Superintendent. The principal may recommend to the Superintendent that a student's suspension be extended by the Superintendent until the next administrative hearing regarding expulsion recommendations. The Superintendent in turn shall notify the parents or guardians in writing of the charge against the pupil, including the rule violated and pupil's alleged conduct. The parents or guardians, and the student, shall be informed of their right to request a hearing before the School Board regarding the expulsion recommendation. They shall also be informed of their right to obtain legal counsel at no cost to the School Board, to call and examine or cross-examine witnesses, to introduce evidence and to submit rebuttal evidence. If no hearing is requested, the expulsion recommendation shall be placed on the consent agenda of the next possible meeting of the School Board. If the parents or guardians or student request a hearing, notice shall be given of such meeting according to Florida Statutes. Any hearing that is conducted at parent or guardian or student request must be a closed hearing, as provided in the Administrative Procedures Act, 120.57(2), Florida Statutes, unless an open hearing is requested by the parents, guardians or student. At the hearing the pupil may be represented by his parents or guardians or by counsel, and all parties may introduce and examine evidence, call and examine or cross-examine witnesses, and submit rebuttal evidence. The rules of evidence observed by courts shall not be applicable. Any party may, at his own expense, have the right to record and have transcribed the proceedings of the entire hearing. The decision of the Board shall be based solely upon evidence presented at the hearing, and a copy of the findings of fact and the decision of the Board shall be furnished to the pupil in writing. *Amended 6/29/93*

B. Exceptional Education Student *Adopted 7/23/91*

In accordance with State Board Rules, when an exceptional (nongifted) student's behavior could warrant expulsion consistent with the District's policies, the following provisions shall apply:

- (1) A staffing committee shall meet to determine whether the misconduct is a manifestation of the handicap and to determine the appropriateness of the student's current education placement. The membership of the staffing committee shall be in accordance with State Board Rules. *Amended 6/29/93*
- (2) If the misconduct is a manifestation of the student's handicap, then the student may not be expelled; however, a review of the individual educational plan shall be conducted and other alternatives considered.
- (3) If the misconduct is not a manifestation of the student's handicap, then the student may be expelled; however, any change in placement shall not result in a complete cessation of special education and related services.
- (4) A suspension of an exceptional education student shall not be extended beyond nine (9) days. If the district believes that an exceptional education student should be kept out of his or her educational program for greater than nine (9) days to ensure the safety of that student and others, the district shall seek an injunction from the district or federal court to that effect. *Adopted 6/29/93  
Amended 6/28/94*

Any recommendation for the expulsion of a handicapped student shall be made in accordance with the rules promulgated by the State Board of Education.

C. Withdrawal From School *Amended 12/15/92*

1. If a student withdraws from school before the expulsion recommendation is heard by the Board, the recommendation may be held in abeyance until the end of the recommended period of expulsion. If the student re-enters any Osceola County Public school during the recommended period of expulsion, the recommendation for expulsion may be presented to the Board at the first meeting date that falls ten (10) days after the date of enrollment.
2. Upon the recommendation of the Superintendent, the expulsion hearing for a student accused of a serious breach of the Code of Student Conduct, including but not limited to violence against staff members and other students, sale of drugs on campus, or weapons violations may be referred to the School Board for action regardless of the student's enrollment status.



D. Withdrawal in Lieu of Expulsion

If district personnel offer withdrawal from school as an alternative to expulsion, they shall inform parents, guardians and/or students of the right to a hearing to review and challenge the recommendation for expulsion and of the corresponding rights which accompany the right to the hearing. At that time, parents shall also be provided with information regarding their obligation to home instruct their child if he or she is withdrawn from school and the student is of mandatory school age. *Adopted 6/29/93*

E. Returning to School

A student returning to school after an expulsion or recommendation for expulsion shall be placed on a Behavior Contract for a period of time (not to exceed one school year) as designated by the principal of the school in which said student enrolls. *Amended 6/30/92*

Auth: 230. 22, F. S.

Imple: 230.23(6)(c), 232.26, 230.33(8)(c), and 120.57(1), F.S.

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## **8.0 SCHOOL FOOD SERVICE**

### **8.1 RESPONSIBILITIES OF THE BOARD**

In providing a healthy and nutritious School Food Service for the students and staff of Osceola County Schools, it shall be the responsibility of the Board to:

- A. Provide facilities and materials in all departments.
- B. Secure and make bid awards for all items specified by State Board Regulations.
- C. Assure that all foods purchased will conform to the Federal Food, Drug and Cosmetic Act, the Meat Inspection Act, and any regulations of the State of Florida relating to the specific item being purchased.
- D. Provide an adequate supervisory staff at the District level for the administration of the program, and adequate clerical and secretarial help for the centralized system.
- E. Submit to the State Department of Education all required reports, requested information, agreements, and applications for federal reimbursement and commodities.
- F. Provide for audits of all records at the schools and the central office, as required by law and State Board regulations.
- G. Assure a nutritionally adequate and nonprofit School Food Service Program by providing sufficient funds.
- H. Prohibit the operation of any public lunch program under a fee, concession, or contract agreement with a food service management company, or under a similar agreement.
- I. Make facilities and materials available during disaster or emergencies in schools designated as disaster centers.

Auth: 230.22, F.S.

Imple: 228.195(3), 237.01, 237.02, and 230.23(15), F.S.; and SBE Regulations 6A-7.40, 6A-7.41, 6A-7.42(2), 6A-7.45, and 6A-7.46

### **8.2 DIRECTOR OF SCHOOL FOOD SERVICE**

The Director of School Food Service shall work under the authority delegated by the Superintendent, and shall administer school food programs which shall meet the obligations assumed by the School Board of Osceola County, Florida and the Superintendent. These responsibilities and duties shall include:

- A. Organization, promotion and program development
- B. Food supply, preparation and service
- C. Personnel direction

D. Use of plant space, facilities and equipment

E. Educational opportunities

Auth: 230.22, F.S.

Imple: 230.33(6)(j) and 228.195(3), F.S.; and SBE Regulations 6A-7.42(2)(e), 6A-7.45, and 6A-7.46

### 8.3 PRINCIPALS

The principal shall cooperate with the Director of School Food Services in administering and operating an adequate School Food Service Program in compliance with federal and state laws, State Board Regulations, and the School Board of Osceola County Rules.

The principal shall be responsible for the assessment of the School Food Service Manager. *Adopted 6/28/94*

Auth: 230.22, F.S.

Imple: 228.195(3), F.S. and SBE Regulation 6A-7.42(3).

### 8.4 SCHOOL FOOD SERVICE MANAGER

The School Food Service Manager shall be under the administrative supervision of the principal and with the technical support of the Director of School Food Services. The Manager shall be responsible for the efficient and satisfactory operation of the department, following procedures and regulations of the District Food Service Program. Specific duties of the Manager shall be listed in the School Food Service Handbook. *Amended 6/30/92*

Auth: 230.22, F.S.

Imple: 228.195(3), F.S., and SBE Regulation 6A-7.40, 6A-7.41, 6A-7.42(2), and 6A-7.46(3)

### 8.5 SCHOOL FOOD SERVICE PERSONNEL

All other School Food Service Personnel are directly responsible to the Manager for the performance of their assigned duties. Major responsibilities shall be listed in the School Food Service Handbook.

Auth: 230.22, F.S.

Imple: 228.195(3), F.S.

### 8.6 PERSONNEL PRACTICES

#### 8.6.1 Applications and Appointments

Persons desiring employment with School Food Service shall file applications with the District Personnel Office. All new employees shall be appointed on a trial basis for a ninety (90) calendar day period.

The Director of School Food Services shall present a list of qualified applicants for any vacant managerial position to the principal for his consideration, and in turn the

principal in conjunction with the Director of Food Service shall submit the choice to the Superintendent and the School Board.

#### 8.6.2 Drug Testing

All new employees will be required to take a drug screening test effective October 1, 1989.

Prior to being recommended for employment by the Superintendent, each applicant shall be required to submit a urine sample for a screening test. If the screening shows the presence of an illegal drug, the sample shall be then tested by the GCMS method.

No prospective employee will be hired if the results of the drug screening test indicates the presence of an illegal drug, regardless of the frequency or occasion. Provided, however, the prospective employee may request a waiver if he/she can show a valid prescription for the drug, issued by a licensed medical practitioner or can provide evidence that the drug was purchased pursuant to the provisions of Section 893.08, Florida Statutes. The Superintendent or his designee shall verify the validity of the prescription or compliance with the provisions of Section 893.08, and consider the request in light of the extent, duration and frequency of use of the drug; the underlying cause for use of the drug; and any other considerations relevant to the performance of the requirements of the position applied for. The Superintendent's decision on any request for waiver shall be final.

The term 'illegal drug' as used in this rule shall mean, any drug listed or defined as a 'controlled substance' by Chapter 893, Florida Statutes.

Applicants whose results are positive on the drug screening test may not reapply for employment until one (1) year after the date the sample was given.

Please note the following related to who is to be tested and confidentiality of testing:

- A. Employees returning from a Board approved leave of absence or sabbatical will not be tested.
- B. Prospective employees will not begin work until the results are returned. (Substitute employees will be available in emergency situations.)
- C. The successful applicant from all employee groups (Administration, Instructional, and Non-Instructional) will be tested as well as Adult Education teachers and substitutes. Other personnel who have contact with students as determined by the Personnel Department will be tested.
- D. Test results are confidential medical records.
- E. We have no plans to recommend random drug testing of current employees.

Auth: 230.22, F.S.

Imple: 228.195, 230.23(5) and 230.33(7), F.S.

### 8.6.3 Qualifications for Employment

All individuals applying for a food service position shall, at the time of their appointment, meet the qualifications required in the established job description for that position.

### 8.6.4 Procedures for School Food Service Employees      *Amended 6/28/94*

School Food Service employees shall be employed for the number of days established by the District salary schedule. At the discretion of the Director of School Food Service some staff will be assigned additional time to open and close the department.      *Amended 6/30/92*

School Food Service Managers shall be employed for the hours established by the salary schedule. The particular number of hours worked by employees shall be established by the Manager based on the current staffing formula.

Auth: 230.22, F.S.

Imple: 228.195, 230.23 (5) and 230.33(7), F.S; and SBE Regulation 6A-7.46(3)

### 8.6.5 Personal Health and Hygiene Requirements

All personnel shall comply with the provisions of the Florida Sanitary Code and the guidelines of the School Food Service Handbook. All new employees of the School Board within the ninety (90) day probationary period and all food service employees returning from extended leave of one (1) year shall have a tuberculin skin test or at their own expense a chest x-ray.

Auth: 230.22, F.S.

Imple: 228.195(3) and 230.23 (5), F.S.

### 8.6.6 Work Habits and Work Schedules

Employees shall maintain good working habits and follow work schedules as established by the manager and described in the School Food Service Handbook.

Auth: 230.22, F.S.

Imple: 228.195 (3) and 230.23 (5), F.S.

### 8.6.7 Student Assistants      *Amended 6/29/93 & 6/28/94*

Students may work in kitchen areas with the consent of the parent(s), teacher(s), principal, and manager. Students under the age of fifteen shall not be around, nor operate, power equipment, dishwashers, slicers, stoves or work in the cooler/freezer areas. In addition, elementary students may not work on hot food serving lines.

Students engaged in Culinary Arts Training may, as a part of their instructional program, be assigned to different areas of the Food Service Program for on site training.

Students shall not be required to work as a condition to receive free or reduced meals. All personal health and hygiene standards required of adult workers shall be observed by student helpers. As compensation for their services, students

employed may be given a lunch. All regulations of child labor laws shall be strictly followed regardless of the student's grade level.

Prior to any students being assigned to work in the kitchen area of a school, the school food service manager, the principal and the Director of Food Service, shall determine the procedures to be used.

## 8.7 OPERATING RULES

### 8.7.1 Equipment *Amended 6/29/93*

The Board shall furnish and equip new departments, provide additional equipment for expansion, and pay all utility costs.

Expendable and nonexpendable equipment at each school shall be replaced during the school year by the School Food Service Department at each school from regular operating funds when available and shall follow specifications developed by the Director of the School Food Service.

At the end of each school year, inventories of expendable and nonexpendable equipment shall be completed. No School Food Service equipment shall be taken from the premises, except that for school-related use or by non-profit organizations. The group must first contact the manager for permission. The manager will initiate the proper form listing the equipment to be used and obtain the principal's signature and approval. If borrowed equipment is damaged or not returned, it shall be repaired or replaced by the borrower.

Auth: 230.22, F.S.  
Imple: 228.195(3) and SBE Regulation 6A-7.42(2)

### 8.7.2 Commodities

Commodities shall not be sold, traded, taken home or otherwise utilized except in plate-lunch programs. They shall not be used for PTA refreshments, special meals, school benefits dinners, or similar affairs. Accurate records shall be maintained on commodities in school storerooms.

Some commodities may be used by home economics teachers for laboratory instruction. The home economics teacher shall requisition commodities from the School Food Service Manager at least ten (10) days in advance. A copy of the requisition should be sent to the Director of School Food Service. (Refer to the current Florida School Food Service Program Requirements for the latest requirements of the USDA Commodity Program.)

Auth: 230.22, F.S.  
Imple: 228.195, F.S., and SBE Regulations 6A-7.41 and 6A-7.42(2)

### 8.7.3 Lunch Prices

#### A. Sale Prices *Amended 6/29/93 & 6/28/94*

Sale prices for the School Food Service Program shall be established by the Board, subject to change due to food price fluctuations and commodities available. The Food Service Departments in the District shall participate in

the National School Lunch Program and serve Type A lunches priced as a unit. In addition, schools may have a la carte offerings with per-unit pricing.

B. Economically Needy Children *Amended 6/29/93*

Children who meet the criteria for support under the guidelines of Federal Regulations Title VII, Part 245. shall be supplied a lunch without cost or at a reduced price.

Using the current income eligibility scale or recommendations of a key person such as the pupil's teacher, counselor, School Food Service Manager or personnel of the Welfare Department, the principal may initiate an application. A file of all economically needy lunch applications shall be maintained in the Director of Food Service's office. All applications shall be kept on file for three (3) years and until the appropriate audit is performed, then authorization for disposal may be requested.

C. Left-over Foods *Amended 6/29/93*

Left-over foods, including both purchased foods and commodities, shall not be taken from the School Food Service Department, but shall be stored for future use. Left-over perishable food shall be served as "seconds" to children, or scrapped. Careful planning shall be practiced at all times to minimize overproduction.

D. Sale of Additional Foods *Amended 6/29/93*

Sale of any food or beverage items in elementary schools other than by the food service program is prohibited. In elementary and middle schools when the Food Service Department sells additional foods and drinks, these must meet the nutritional needs of the pupils.

The sale of food and beverage items in competition with the district food service program may be permitted in middle and high schools only, with the approval of the school board, one hour following the close of the last lunch period provided they comply with existing federal and state regulations.

Sale of foods after the student day is permitted at all levels with permission of the principal.

Sale of food items in all schools shall be in compliance with applicable accreditation standards.

E. Adult Lunches

No adult meals shall be given free, except for School Food Service personnel. Adults in a school on official business at lunch time may, upon payment of the established price, eat in the School Food Service Department. Relatives of School Food Service personnel shall not be regular customers in the cafeteria. Every guest or his host shall pay for meals eaten in the lunchroom. Parents may make occasional visits to the School Food Service Program. This privilege may be exercised by having parents visit on special days, or as individuals, to become acquainted with



the program. The principal shall see that this privilege is not abused, as the School Food Service Program is not in competition with commercial establishments. Adults may buy a la carte items at the current adopted prices.

Auth: 230.22, F.S.

Imple: 228.195(3), 230.2313, 231.085(5); and SBE Regulations 6A-7.40, 6A-7.41, and 6A-7.42(2)

#### 8.7.4 Field Trips and Special Events

It will be the responsibility of the principal to see that the manager is informed at least two (2) weeks prior to any field trip or event where the students will not be eating a school lunch.

Any teacher requesting packed lunches must do so a minimum of two (2) weeks prior to the date needed. A count of the actual number to be packed must be given to the manager the day before they are needed. The requester will be responsible for providing payment for the packed lunches the day before the event

Economically needy children will be provided a packed lunch without cost or at a reduced price. *Adopted 6/29/93*

#### 8.8.5 Operating Procedures

##### A. Discipline

Discipline in the dining room or cafeteria shall be the responsibility of the adult in charge, and the principal. School Food Service employees shall not be responsible for discipline.

##### B. Keys

Delivery personnel and maintenance staff may be temporarily issued a key only when authorized by the principal. Only the manager and food service director shall have keys to the food storage areas; except where the principal is required to have access to a electrical breaker box for safety reasons. *Amended 6/30/92*

##### C. Unauthorized Personnel in the Food Preparation Area *Amended 6/29/93*

The principal shall prevent the entry of unauthorized persons in food preparation areas. An unauthorized person shall be anyone other than the School Food Service staff, the principal, and school personnel on official business.

Teachers shall be served from the serving line, and may not enter the kitchen for special service.

Relatives of School Food Service employees shall not be authorized to enter the food preparation area, or granted privileges denied others.

D. Student Lunch Period Restrictions

Students are not permitted to bring soft drinks into the cafeterias during the lunch hours.

High school students who have permission to leave campus for lunch will consume their lunch off campus. It is not to be brought back onto campus for consumption.

- E. The principal will be responsible for having a staff member take daily temperature readings of the walk-in refrigerator and freezer during holidays and the summer. The form for this procedure will be provided by the Food Service Director. The forms must be returned to the Food Service Director's office at the end of each holiday and summer break.

Auth: 230.22, F.S.

Imple: 228.195(3), 232.25, 231.085(5), F.S.; and SBE Regulations 6A-7.42(2) and 6A-7.41.

8.8 CUSTODIAL DUTIES RELATING TO SCHOOL FOOD SERVICE

At the beginning of the year, the principal shall assign regular dining room cleaning duties to the custodian(s). The School Food Service Manager shall be informed of the cleaning schedule. *Amended 6/29/93*

Auth: 230.22, F.S.

Imple: 228.195(3) and 231.085, F.S.

8.9 SANITATION AND SAFETY

School Food Service Programs shall meet the same state and local sanitary standards required of any food-handling establishment. The Osceola County Health Department may make a routine inspection of each department. EACH MANAGER MUST THEREFORE READ AND APPLY THE CURRENT REVISED BULLETIN 33-F, ENTITLED "SANITATION AND SAFETY FOR CHILD FEEDING PROGRAMS".

Auth: 230.22, F.S.

Imple: 228.195(3), F.S., and SBE Regulation 6A-7.42(2)

8.10 EXTRACURRICULAR USE OF THE SCHOOL FOOD SERVICE DEPARTMENT *Amended 6/29/93*

Any organization desiring the use of the School Food Service Department shall make arrangements through the principal and Manager well in advance of the function. The use of facilities shall be subject to School Board Rule 3.12.

The School Food Service Manager, or someone from the food service staff, shall be present at any time the kitchen facilities are used by an organization. This individual shall be paid at an hourly rate established by the Board.

The School Food Service Department shall be left in the condition in which it was found. The sponsor or teacher in charge shall be responsible for all damages and any replacements which have to be made. School Food Service Managers shall

cooperate with Red Cross and Civil Defense officials in case of emergencies. When School Food Service kitchens are used for such emergencies, they shall be left in the same condition as they were found, and all damages repaired or items replaced.

Auth: 230.22, F.S.  
Imple: 228.195(3) and 230.23(12), F.S.

#### 8.11 FINANCE

The approved money-collection system is cashiering through the line. Checks SHALL NOT be accepted by cashiers. Managers shall be responsible for daily deposits. No monies shall be left in the department overnight.

Any loss or theft of records, cash, or goods shall be reported immediately to the principal, Director and Superintendent. *Amended 6/28/94*

Auth: 230.22, F.S.  
Imple: 228.195(3) and 237.01, F.S.

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## Chapter 9

### Administrative Personnel

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## 9.0 ADMINISTRATIVE PERSONNEL

### 9.1 EMPLOYMENT PRACTICES

#### 9.1.1 Definition of Administrative Personnel

Administrative personnel is comprised of the Superintendent, Assistant Superintendents, Executive Directors, Directors, Coordinators, Principals, Assistant Principals, and those persons who may be employed as professional administrative assistants to the Superintendent or to the principal, but do not include secretarial, clerical or other office assistants. *Amended 6/30/92*

Auth: 230.22, F.S.

Imple: 230.23(5), F.S.

#### 9.1.2 Recruitment, Selection, and Appointment

##### A. Personnel Philosophy

In order to secure quality educational leadership for the children of Osceola County, the School Board shall strive to acquire administrative personnel who possess the following attributes:

- (1) A high degree of competency in their area of specialization.
- (2) Good physical health.
- (3) Healthy social attitudes.
- (4) Good mental health.
- (5) A high degree of dedication to doing their utmost for children.
- (6) Staunch adherence, active as well as passive, to the conviction that each child is valuable and should be treated in such a manner as to develop to the fullest degree possible his potential and talents.
- (7) A desire to cooperate and work with other personnel for the betterment of operation procedures.
- (8) A profound and vital respect for the teaching profession and the nation, state and community it serves.

##### B. Qualifications of Administrative Personnel

- (1) A person shall be of good moral character and shall when required by law, hold a certificate or license issued under regulations of the State Board of Education, Section 231.02, Florida Statutes.
- (2) No person shall be employed as administrator who has not had three (3) or more years of experience in his area of specialization, and has not attained the age of twenty-three (23) years. In addition, no person shall be employed as a Principal, Assistant Principal, or any instructional administrator at the district level who has not had three

- (3) or more years of experience in an instructional position. This requirement may be waived by the Board upon the recommendation of the Superintendent, except in the case of the Board's appointment of principals, or for the office of Superintendent. *Amended 6/30/92*
- (3) All employees requiring certification shall be certified in the area in which their major assignment is made. The Superintendent shall approve any exceptions and report such to the Board.
  - (4) Florida Statutes 876.05 requires all persons who are on the payroll of the School District to take an oath to support the Constitution of the United States and of the State of Florida. The oath, as amended by the United States Supreme Court, is included in the Appendix to these Rules.
  - (5) All employees not under the Teacher Retirement System are required to become members of the Florida Retirement System. All employees belonging to the Florida Retirement System must contribute to Social Security.
  - (6) All employees must complete a W-4 form to authorize proper withholding of monies for income tax purposes.
  - (7) All new employees will be required to take a drug test effective October 1, 1989.
    - a. Prior to being recommended for employment by the Superintendent, each applicant shall be required to submit a urine sample for a screening test. If screening shows the presence of an illegal drug, the sample shall be then tested by the GCMS method.
    - b. No prospective employee will be hired if the results of the drug screening test indicates the presence of an illegal drug, regardless of the frequency or occasion. However, the prospective employee may request a waiver if he/she can show a valid prescription for the drug, issued by a licensed medical practitioner or if he/she can provide evidence that the drug was purchased pursuant to the provisions of Section 893.08, Florida Statutes. The Superintendent or his designee shall verify the validity of the prescription or compliance with the provisions of Section 893.08, and consider the request in light of the extent, duration and frequency of use of the drug; the underlying cause for use of the drug; and any other considerations relevant to the performance requirements of the position for which applied.

The Superintendent's decision on any request for waiver shall be final.
    - c. The term "illegal drug" as used in this rule shall mean, any drug listed or defined as a "controlled substance" by Chapter 893, Florida Statutes. *Amended 6/30/92*

- d. Applicants whose results are positive on the drug screening test may not reapply for employment until one (1) year after the date the sample was given.
- e. Please note the following related to whom is to be tested and confidentiality of testing:
  - 1. Employees returning from a Board approved leave of absence or sabbatical will not be tested.
  - 2. Prospective employees will not begin work until the results are returned. (Substitute employees will be available in emergency situations.)
  - 3. The successful applicant from all employee groups (Administration, Instructional, and Professional Support Staff) will be tested as well as Adult Education teachers and substitutes. Other personnel who have contact with students as determined by the Personnel Department will be tested.
  - 4. Test results are confidential medical records.
- f. The full cost of drug screening for all new administrative employees shall be paid by the employee. *Amended 9/17/91*

C. Employment Procedures - Administrative

(1) Statutory - Record of Personnel

For the purpose of improving the quality of administrative services, the Superintendent shall establish procedures for the performance of duties and responsibilities of administrative personnel as provided in subsection (2) of Section 231.29, Florida Statutes, and shall open the assessment file only to those individuals designated in subsection (3) of Section 231.29, Florida Statutes.

(2) Application Forms

Application forms for administrative positions may be obtained from the Superintendent's Office. The completed application shall be given to the Superintendent or his designee.

(3) Personnel Interviews and Application Procedures

The Superintendent shall be expected to recommend for administrative positions only the best qualified candidates from as large a list as possible of eligible persons.

In accordance with State Statutes, all school based administrative positions must be filled utilizing the Board approved HRMD Plan for application and interview processes.

(4) Disposition of Application

An applicant who has been appointed by the Board shall be notified in writing of the appointment and shall be given a period not to exceed fifteen (15) days to accept or reject the appointment.

Auth: 230.22, F.S.

Imple: 231.02, 230.23(5), 231.03, 231.031, 231.15-231.17, 121.051, 876.05, 230.33(7), 231.29(2) and (3), F.S.

9.1.3 Certification

A. General Information

It is the responsibility of the employee to secure a valid certificate, where required. Application forms may be secured from the Superintendent's office. All certificate applications should be processed through the District contact for certification in order to receive priority attention from the Certification Section of the State Department of Education.

When there is a change in name, the name shall be changed on the certificate and the new certificate recorded in the Superintendent's office before any records may be changed.

This shall be done by sending the old certificate and the appropriate form and fee to the Certification Section, State Department of Education, Tallahassee, Florida. Each member of the administrative staff holding a certificate shall file it with the Superintendent immediately upon receipt thereof.

All new administrative employees will pay the full cost of processing fingerprints with the Florida Department of Law Enforcement and the FBI.

B. Extension of Certificate

The extension of teaching certificates shall be made in accordance with the provisions of Section 231.24, Florida Statutes, and State Board Regulation 6A-4.04 and shall be a responsibility shared between the individual and the State Department of Education. Inservice training may be used to extend a certificate.

Auth: 230.22, F.S.

Imple: 231.02 and 231.24, F.S.; and SBE Regulations 6A-4.02, 6A-1.69, and 6A-4.05

9.1.4 Health Certificates

All employees of the Board shall have a tuberculin skin test or, at their own expense, a chest X-Ray on the initial date of employment or within sixty (60) days after employment begins. Additional tuberculin tests may be required at the Superintendent's discretion.

Auth: 230.22, F.S.

Imple: 230.23(5), F.S.



### 9.1.5 Assignments and Transfers

The School Board shall act on recommendations of the Superintendent regarding transfer and promotion of any employee. Assignments shall be based on the qualifications of the employee and the requirements of the position to which he would be transferred.

Auth: 230.22, F.S.                      Imple: 230.23(5), F.S.

### 9.1.6 Contracts

The School Board shall provide written contracts for all administrative personnel. The contract shall be in accordance with the salary schedule adopted by the School Board and shall be in writing for definite amounts for definite terms of service, and shall specify the number of monthly payments to be made. All such contracts shall be executed in duplicate and true signature copy retained by the Board in the office of the Superintendent. The School Board is prohibited from paying any salary to any member of the administrative staff, except when this provision has been observed. The Board cannot enter into a contract with the prospective employee until the employee has a valid Florida certificate, where required. However, if an application for a certificate has been filed through the District contact for certification, with the necessary attachments, a contract may be issued on the basis of a State Department of Education number assignment on the SDE Official Receipt and Acknowledgement form on the status report sent to the District contact person each month. If, after the second pay period since employment began, a valid certificate is not presented to the District office, further checks may be withheld.

#### A. Return to Annual Contract Status

Any administrative employee under continuing contract may be dismissed or returned to annual contract status after due process, as provided in Board Rule 10.2.

#### B. The Necessity to Choose Between Personnel on Continuing Contract

Should the Board have to reduce personnel due to consolidation, the criteria for determining which employees on continuing contract shall remain shall be based on the conditions set forth in Section 231.36, subsection (5), Florida Statutes, and the Board shall follow those procedures set forth in Board Rule 10.1.

#### C. Administrative Contracts

Each administrator shall be issued an administrative contract in accordance with Florida Statutes.

Auth: 230.22, F.S.  
Imple: 231.36, 120.53(1) and 120.57-120.59, F.S.

### 9.1.7 Suspension and Dismissal

Suspension or dismissal of administrative employees shall follow those procedures contained in Board Rule 10.3, except that the Superintendent may suspend

administrative employees in an emergency in accordance with provisions of Section 230.33, subsection (7)(e), Florida Statutes.

Unethical use or administration of test materials may constitute a violation of Florida Statutes 228.301, Test Security, and may result in fines, imprisonment, and/or dismissal of involved employees.

Auth: 230.22, F.S.

Imple: 230.33 (7) (e), 120.57-120.59, 231.085 (2), and 231.36(6), F.S.

#### 9.1.8 Resignations and Terminations

##### A. Resignation

All administrative personnel requesting to be released from their contract shall submit a letter in writing, giving reason and effective date, to their immediate superior, who shall forward the letter with a recommendation to the Superintendent for Board consideration.

##### B. Release from Contract

Any employee who shall violate the terms of his contract by leaving his position without first being released from his contract by the Board shall be reported to the Educational Practices Commission. The Board shall take official action on such violation and furnish a copy of the proceedings to the Certification Section of the State Department of Education in accordance with Section 231.36, subsection (2), Florida Statutes.

##### C. Release from Appointment

The Board shall not feel obligated to release an employee from contractual obligations unless sufficient notice is given for appointment of a replacement. Moreover, such release shall not be made if it would be to the detriment of the school and the educational welfare of the children.

Auth: 230.22, F.S.

Imple: 231.36 (2), F.S.

#### 9.2 EMPLOYMENT CONDITIONS

##### 9.2.1 A. Working Day

The minimum administrative employee working day, and the conditions involving the particular responsibilities assigned, shall be determined by the Superintendent.

With the approval of the Superintendent, the administrative department heads and principals shall designate working schedules for employees under their supervision which will best meet the needs of the school district.

##### B. Year's Service

The minimum time which may be recognized as a year of service shall be at least one (1) day more than half of the number of work days required in the year.

- C. A copy of the employee's social security card must be in the personnel file before starting employment.

Auth: 230.22, F.S.

Imple: 230.33 (7), F.S.

### 9.2.2 Vacations

Administrative personnel shall accumulate vacation as follows:

- A. One (1) day for each month of employment for those employed by the Board for less than five (5) active service years.
- B. One and one-half (1-1/2) days per month of employment per year for those employed five (5) active service years or more by the Board.
- C. Earned vacation leave shall be credited at the end of the month. An employee earning pay for at least seventy-five percent (75%) of the workdays in the month shall be treated as earning benefits for a month of employment.
- D. At the time of retirement or separation of employment unused vacation leave shall be paid as terminal leave pay. Employees in positions earning vacation leave who transfer or are assigned to positions which do not earn vacation leave may receive payment for unused vacation at time of transfer or reassignment.
- E. Vacation shall not be taken until it is earned; however 50% of the annually earned vacation must be used annually.
- F. The Christmas vacation period, other than legal holidays during this period, shall be a part of the vacation period, unless the employee is actually on duty.
- G. Vacation time shall be scheduled with the approval of the Superintendent or Supervisor so that there will be a minimum of disruption in the operation of the school system. *Amended 7/23/91*

Auth: 230.22, F.S.

Imple: 230.23(5), F.S.

### 9.2.3 Temporary Duty Assignment Of Employees

When mutually agreed upon, employees may be assigned to be temporarily absent from their regular duties and places of employment for the purpose of performing other education services, including participation in school surveys, professional meetings, study courses, workshops, etc. Such assignment to temporary duty shall ordinarily be initiated by the District administration, but an employee may request assignment to temporary duty, subject to the approval of the Superintendent. Employees shall receive their regular pay and may be allowed expenses as provided in Board Rule 2.4.8. Such temporary duty shall be considered equal to the regular duties of the individual, and employees performing such assigned duties shall not be considered to be on leave. Employees may not be assigned for temporary duty

for the purpose of earning college credits, improving rank or renewing certificates, except when participating in a staff development program approved by the Board.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.84 and 231.42, F.S.

#### 9.2.4 Evaluations

For the purpose of improving the quality of instructional, administrative and supervisory services in the public schools of the state, the Superintendent shall establish procedures for assessing the performance of duties and responsibilities of administrative and supervisory employees of the District and for the proper record keeping of the same, in accordance with Section 231.29, subsection (2) of the Florida Statutes.

Auth: 230.22, F.S.

Imple: 231.29(2), F.S.

#### 9.2.5 Assessment File

The assessment file of each employee shall be open to inspection only by the School Board, the Superintendent, the Principal, the employee, and such other persons as the employee or the Superintendent may authorize in writing, in accordance with Section 231.29, subsection (3), Florida Statutes.

Auth: 230.22, F.S.

Imple: 231.29(3), F.S.

#### 9.2.6 Professional Organizations

Administrative employees are encouraged to participate in the activities and meetings of professional organizations related to their assignments and in which they hold membership. These organizations may be local, state or national in scope. Payroll deductions for membership dues shall be authorized by the employee, upon approval of the Superintendent.

Auth: 230.22, F.S.

Imple: 231.42, F.S.

#### 9.2.7 Workers' Compensation

All employees of the Board are entitled to benefits of Workers' Compensation when qualified as prescribed under Florida Law. The employee shall receive his regular salary less workers' compensation payments while on illness-in-line-of-duty leave.

Auth: 230.22, F.S.

Imple: 231.39, F.S.

#### 9.2.8 Pallbearer

The Superintendent, head of a department, or a principal shall have the authority to allow any employee to act as a pallbearer.

Auth: 231.22, F.S.

Imple: 230.33(7) and 231.085, F.S.

### 9.2.9 Residence

Administrative personnel employed by the Board are encouraged, but not required, to live in Osceola County. Living out of the county does not exempt the administrator in any way from his duties.

Auth: 230. 22, F.S.

Imple: 230 . 23 (5), F.S.

### 9.2.10 Required Medical Examinations      *Adopted 6/29/93*

In the event any employee is unable to perform the essential functions of the job notwithstanding attempts to provide reasonable accommodations, then the School District shall have the right to require a physical, medical and/or psychological examination at any time conditions indicate the need. Any examination required by the School District shall be at the School District's expense. An employee who refuses a physical, medical and/or psychological examination when the School District directs the examination may be subject to job action; including, but not limited to suspension or dismissal for insubordination.

## 9.3 LEAVES OF ABSENCE

A. During the school year, when it is necessary to be absent from duty, any administrative employee may secure leaves of absence as prescribed by law, pursuant to rules of the Board. Any such leave shall be classified as one of the following:

- (1) Illness-in-line-of-duty leave (without pay)
- (2) Maternity leave (without pay)
- (3) Military leave (without pay)
- (4) Personal leave (without pay beyond the six [6] charged to sick leave)
- (5) Professional leave (with pay)
- (6) Extended professional leave ((without pay)
- (7) Sabbatical leave (with pay)
- (8) Sick leave (with pay)
- (9) Vacation (with pay)
- (10) Adoptive leave (without pay)
- (11) Jury Duty leave (with pay)
- (12) Witness leave (with pay)

Auth: 230.22, F.S.

Imple: 230.23(5), F.S.

B. Family Medical Leave *Adopted 6/28/94*

The School District of Osceola County offers up to twelve (12) weeks of job-protected leave to eligible employees as mandated in The Family and Medical Leave Act of 1993.

- (1). In order to be eligible, an employee must have been employed by the District for a minimum of one year and worked a minimum of 1250 hours over the previous twelve (12) months.
  - a. All available sick and annual leave must be used prior to receiving leave under this policy. The twelve (12) weeks of available Family Medical Leave shall be reduced by the number of sick and annual leave days available.
  - b. Application for Family Medical Leave should be made at least thirty (30) days in advance when the leave is foreseeable.
  - c. When the leave is for a serious health condition, the District may require medical certification.
    1. The District reserves the right to require a second or third medical opinion.
    2. When the employee is ready to return to work, the District may require a fitness-for-duty report.
- (2) A maximum of twelve (12) weeks during a twelve (12) month period may be requested under this policy.
- (3) Leave may be granted for any of the following reasons:
  - a. To care for a child after birth.
  - b. To care for a child upon adoption.
  - c. To care for a foster child.
  - d. To care for a spouse, son, daughter, or parent who has a serious health condition.
  - e. To seek medical care for a condition that renders the employee unable to perform assigned job responsibilities.
- (4) Job Benefits and Employment Rights
  - a. While on Family Medical Leave, the Board will continue to provide health coverage for the employee. The employee will be responsible for any required premium payments.
  - b. Upon return to work, the employee will be placed in the position held prior to the leave, if available. If the previous

position is not available, the employee will be placed in a similar position, if available.

#### 9.3.1 Authority for Leave

The granting of leave shall be at the discretion of the Board, except as provided by law. The Superintendent may grant leaves according to Board Rule. When leave is granted, it shall be with or without pay as provided by law and Board rule, and shall be permitted only when the operation of schools may be protected against undue interruption because of the absence of employees. *Amended 7/23/91*

Each principal or Administrative Department head shall have the authority to release administrative employees for less than one-half (1/2) day for temporary absence without requesting approval of the Superintendent or the Board, provided, however, that these temporary absences are kept to a minimum.

Auth: 230.22, F.S.

Imple: 231.39, F.S.

#### 9.3.2 Advance Granting of Leave

Leave shall be officially granted in advance and not retroactively. However, supervisors may approve leave for sickness or emergencies retroactively if a prompt request is made to the proper authority. *Amended 6/30/92*

Auth: 230.22, F.S.

Imple: 231.39, F.S.

#### 9.3.3 Purpose Specified

Leave granted on the request of an employee shall be for a particular purpose or cause which shall be set forth in a written application. The Board reserves the right to determine that the leave is used for the purpose or cause set forth in the application. If not so used as specified, the leave may be subject to cancellation by the Board.

Auth: 230.22, F.S.

Imple: 231.39, F.S.

#### 9.3.4 Illness-in-Line-of-Duty Leave

Any administrative employee shall be entitled to a maximum of ten (10) days per school year of illness-in-line-of-duty leave when absence from his duties is necessary because of personal injury received in the discharge of duty or because of illness from a contagious or infectious disease contracted in school work. Requirements for such leave are found in Section 231.41, Florida Statutes.

Auth: 230.22, F.S.

Imple: 231.41, F.S.

#### 9.3.5 Maternity Leave

Maternity leave shall be granted for absence necessary by reason of pregnancy and child birth. Sick leave may be granted for maternity leave, to the extent of an employee's eligibility for sick leave, at the option of the employee.

Auth: 230.22, F.S.  
Imple: 231.39(s) 231.40, F.S.

### 9.3.6 Adoptive Leave

Any administrative employee adopting a child shall be entitled to adoptive leave without pay not to exceed one (1) year.

Auth: 230.22, F.S.  
Imple: 231.39 and 115.07, F.S.

### 9.3.7 Military Leave

Military leave shall be granted without pay, except as provided by Section 115.07, Florida Statutes, to employees who are required to serve in the Armed Forces of the United States or of this state, in fulfillment of obligations incurred under Selective Service laws or because of membership in reserves of the Armed Forces or National Guard. At the termination of this service, employees must make application for re-employment within six (6) months following the date of discharge or release from active duty. The School Board shall have a period not to exceed six (6) months, to reassign the employee to duty in the school system. Military leave shall not be counted as years of service toward a continuing contract.

Auth: 230.22, F.S.  
Imple: 231.39 and 115.07, F.S.

### 9.3.8 Personal Leave

A. Administrative employees may be granted personal leave without pay by the Superintendent or Supervisor as follows:

All personal leave shall have prior approval of the Supervisor; otherwise, the person is subject to dismissal. Such requests shall be submitted to the Supervisor at least one (1) week prior to the starting date of leave, except in case of emergency. *Amended 7/23/91*

B. An administrative employee may be absent for six (6) days each school year with pay for personal reasons. Such absences shall be charged only to accrued sick leave, and leave for personal reasons shall be noncumulative. Applications for such leave shall be approved in the same manner as for sick leave except that no reason need be given by the employee for personal leave with pay other than "personal reason".

C. An employee on personal leave without pay may not receive holiday pay unless he works the day before and the day after the holiday.

Auth: 230.22, F.S.  
Imple: 231.43, F.S.

### 9.3.9 Professional Leave

Professional leave is defined as leave granted to an administrative employee to engage in activities which will result in his professional benefit or advancement,



including earning of college credits and degrees, or that will contribute to the profession of teaching. Professional leave will ordinarily be initiated by the employee and will be primarily for his benefit, or that of the teaching profession, and only incidentally for the benefit of the School District.

The School Board may grant any member of the administrative staff three (3) consecutive weeks' professional leave during any fiscal year with compensation when school is not in session. Professional leave shall be cumulative for not more than two (2) years and shall receive the prior approval of the Superintendent.

Auth: 230.22, F.S.

Imple: 231.3(1), F.S. and SBE Regulation 6A-1.81

#### 9.3.10 Sabbatical Leave

Sabbatical leave for study or research may be granted to administrative employees by the Board upon recommendations of the Superintendent. Such leave shall be granted under the following conditions:

- A. Sabbatical leave shall be in recognition of significant service to the District for the purpose of encouraging scholarly achievement which contributed to the professional effectiveness of the members of the staff and the value of their subsequent service to the School District.
- B. A sabbatical leave may be granted for one (1) full year.
- C. An administrator on sabbatical leave shall be given compensation of half pay for such leave, as provided by the Board in accordance with Section 231.29, subsection (1), Florida Statutes.
- D. The penalty for breaking the sabbatical leave contract shall involve either:
  - (1) The Administrator's refunding any salary received during his sabbatical leave or
  - (2) The Administrator's paying the Board's incurred cost for collecting said monies.

#### Term of Leave

Sabbatical leave may be granted for one (1) full year at half (1/2) pay.

#### Applicable Period

Applications for sabbatical leave, including a plan of study must be submitted to the Superintendent during the period of February 1 through March 31, preceding the year for which the leave is granted. Applicants will be notified no later than April 20 as to the disposition of their applications.

#### Review of Sabbatical Leave Requests

A sabbatical committee consisting of three (3) administrators appointed by the Superintendent shall serve as a screening committee. This committee shall submit a

list in priority order to the Superintendent of their recommendations. The committee shall consider the following criteria in making their recommendations to the Superintendent.

Is the sabbatical leave for the purpose of developing skills for:

- (1) a new position
- (2) his or her existing position, or
- (3) transfer into another existing position?

#### Eligibility

In order to be eligible for sabbatical leave an administrator must have completed four (4) years of service as an administrator in Osceola District Schools.

#### Returning From Sabbatical

Upon termination of the sabbatical leave, the returnee shall return to an administrative position in the district for which he is qualified and expected to be available for two (2) years service as recommended by the Superintendent.

#### Penalties

- A. The penalty for failure to return to employment after sabbatical leave shall be:
  - (1) The administrator's refunding all salaries received during his sabbatical leave, and
  - (2) The administrator's paying all costs and fees incurred by the Board for collecting such monies.
- B. The penalty for failure to be available for employment the second year after returning from sabbatical leave shall be:
  - (1) The administrator's refunding one-half (1/2) of all salaries received during such leave, and
  - (2) The administrator's paying all costs and fees incurred by the Board for collecting such monies.
- C. These penalties shall be imposed by the Superintendent unless waived by the Board for specific, clearly documented hardship cases.

#### 9.3.11 Educational Expenses

In lieu of sabbatical leave, the School Board may approve school expenses for an administrator in an approved degree program, for an amount not to exceed that which the administrator would have earned during regular sabbatical leave.

Auth: 230.22, F.S

Imple: 231.39, F.S, SBE Regulation 6A-1.81

### 9.3.12 Sick Leave

Any administrative employee of the District who is unable to perform his duty because of personal illness, or because of the illness or death of a father, mother, brother, sister, husband, wife, child, or other close relative or member of his own family (as defined by the Internal Revenue Service publication, Your Federal Income Tax), and who consequently has to be absent from work, shall be granted leave of absence by the Superintendent or by someone designed in writing by him to do so. The following provisions shall govern sick leave:

A. Each administrative employee employed on a full-time basis shall be entitled to one (1) day of sick leave for each month of employment to be credited at the end of the month. An employee earning pay for at least seventy-five percent (75%) of the workdays in the month shall be treated as earning benefits for a month of employment.

B. Terminal Pay for Accumulated Sick Leave

Administrative employees eligible to retire as provided by law, or his/her beneficiary if service is terminated by death, and retirees returning to active employment shall be entitled to payment for maximum accumulated sick leave allowed by law at time of termination. Payment shall be made at the current daily rate of pay.

C. Any administrative employee shall, before claiming and receiving compensation for the time absent from his/her duties while on sick leave, make and file by the end of the school month following his return, a written certificate to the Superintendent, which shall set forth the day or days of absence, indicating that such leave was necessary and that he is or is not entitled to receive pay in accordance with the sick leave policy.

In cases of investigated sick leave abuse, the supervisor may recommend to the Superintendent that the employee present a certificate of illness from a licensed physician. *Adopted 6/29/93*

D. Absence because of illness beyond accumulated sick leave is considered personal leave.

E. Sick leave may be taken for maternity disability as provided herein and in the Board Rule 9.3.5.

F. The total unused portion of the annual sick leave shall be permitted to accumulate indefinitely.

G. Personnel formerly employed in Osceola District Schools shall have any accumulated sick leave reinstated upon reemployment. The reinstated leave shall be reduced only to the extent that the number of days used in another district exceeds the number earned in that district.

H. Employees' Voluntary Sick Leave Bank

(1) Membership

Any full-time employee of the Board, having been employed by the School Board for at least one (1) year and having at least ten (10) days accrued sick leave by the end of September of each year (inclusive of four [4] days sick leave advanced), may enroll in the sick leave bank by voluntarily contributing one (1) sick leave day to the Bank. The enrollment shall be opened each year during the months of September and February only. Employees on leave returning to service may join the Bank within ten (10) days of their employment if they meet all other criteria.

- a. Enrollment must be made on the prescribed form furnished by the Personnel Department.
- b. Any sick leave day contributed pursuant to this section shall be removed from the personally accumulated sick leave balance of that employee and shall not be returned except as provided in section (9).
- c. Membership in the Sick Leave Bank shall be continuous from the initial enrollment until an individual member has withdrawn from the plan or has drawn the maximum allowed from the Bank (see [6d]).

(2) Establishment And Duration

- a. The Sick Leave Bank will not come into existence until at least 20% of the total number of employees eligible to join the pool elect to do so and will remain in existence unless the participation drops below 20% of the number of employees eligible. The Board shall provide for the establishment of a Sick Leave Bank no later than February 1, 1986.
- b. In the event the Sick Leave Bank is discontinued, distribution of remaining sick leave days will be in accordance with section 9 below.

(3) Replenishment Contributions

If the Bank is depleted during a school year, members may be assessed up to a maximum of three (3) days per year.

(4) Administration And Governance

- a. A Personnel Department Committee will administer the Sick Leave Bank and will determine the validity of claims against the Bank.
- b. The Personnel Department will make available on annual report of usage of the Bank to the School Board and to participating members.
- c. Appeals shall be handled by the Superintendent who will establish a five member Appeals Committee, representative of both Association and management for the purpose of

settling any dispute arising from claims against the Bank. The Committee will be comprised of two members appointed from the OCTA appointed by the President and two members appointed by the Superintendent, and one Professional Support Staff employee mutually agreed upon by the Association President and the Superintendent. This Appeals Committee shall be the final authority on all disputes or interpretation involving eligibility for benefits.

(5) Eligibility

In the event of a serious personal illness, accident or injury of which the employee has no control, causing a participating employee to be absent from work for an extended period of time, the employee may receive paid leave as follows:

- a. All accumulated sick leave of the employee must first be expended, followed by a leave, not charged to sick; of five (5) work days per incident.
- b. Applications must be made to the Personnel Department including a statement from a doctor attesting to the member's extended illness, accident or injury. The statement must certify:
  1. The nature of the illness, accident or injury.
  2. That in the event of an operation, it is absolutely necessary and could not be reasonably be delayed until a break in the employee's duty schedule.
  3. The probable date the member would be able to return to work.
- c. Application must also provide permission to investigate medical records and other information needed for review or appeal.
- d. A participating member shall not be eligible to use sick leave from the Bank if the employee is on leave for injury or illness in the line of duty, worker's compensation, or on medical retirement.

(6) Benefits *Amended 6/30/92*

- a. All cases will be reviewed by the Sick Leave Bank Approval Committee when each twentieth (20th) day of benefits has been reached up to the maximum amount allowable. At this time, the Committee may request additional medical certification. Also, at this time, any sick leave which may have been accrued by the participant must then be used before resumption of drawing from the Sick Leave Bank.

- b. Upon approval of application, a member will be allowed to draw up to a maximum of forty (40) paid sick leave days from the Bank, provided there remain sufficient leave days in the Bank.
- c. The employee shall not have to pay back in any manner the number of days used from the Sick Leave Bank except as outlined in Section (7) below.
- d. In the event a member draws from the Sick Leave Bank, that individual membership shall be suspended from the Bank membership after drawing all days authorized from the Bank. Such individuals may reinstate membership by meeting qualifications in section (1) above.

(7) Participation Abuse

Alleged abuse of the Sick Leave Bank shall be investigated by the Personnel Department. If an employee is found to have abused the use of the Sick Leave Bank, the employee shall repay all sick leave credited (in dollars) drawn from the Sick Leave Bank and, after review by the Appeals Committee, be subject to such other disciplinary action as determined by the School Board.

(8) Withdrawal From Participation

Any participating employee who wishes to withdraw from participation in the Sick Leave Bank may do so and withdrawal will be effective immediately upon receipt by the Personnel Department of written notification of the employee's intent to withdraw. Any previously contributed sick leave will become the property of the Sick Leave Bank.

(9) Discontinuance Of Sick Leave Bank

If it becomes necessary to terminate the Sick Leave Bank, unused sick leave in the Bank will be distributed in the following manner:

- a. Each member will receive an equal share of the unused days to be credited to his personal accumulated sick leave account in fourths of a day.
- b. Any balance left will be disposed of at the sole discretion of the Board.
- c. In no instance will the days credited back to members be greater than the number remaining in the Bank.
- d. Any member joining this Sick Leave Bank acknowledges that the limits of liability for any challenge to the Appeals Committee's decision is limited to the number of days the individual contributed to the Bank.

Auth: 230.22, F.S.

Imple: 231.29 and 231.40, F.S.

### 9.3.13 Unauthorized Leave

All absence of Board employees from duty for good reason shall be covered by leave duly authorized. An employee willfully absent from duty without leave shall forfeit compensation for the time of such absence and be subject to discharge and forfeiture of tenure and all other rights and privileges as provided by law. If an employee granted leave fails to return to duty at the termination of the leave, his employment shall be subject to cancellation by the School Board.

Auth: 230.33, F.S.

Imple: SBE Regulation 6A-1.77, and 231.39, 231.44, and 231.48, F.S.

### 9.3.14 Jury Duty Leave

An employee shall be authorized to be absent from assigned duties, and shall receive his regular salary plus court fees while serving as a juror in any court case. If notice of jury duty is received, the Principal or Supervisor should be immediately notified in writing. *Amended 7/23/91*

### 9.3.15 Witness Leave

An employee of the Board may be absent from assigned duties and shall receive his regular salary, plus any witness fees, while serving as a witness in any court case or other legal or administrative proceeding under the following conditions:

- A. That the person has been subpoenaed by the court or agency having subpoena powers.
- B. That the employee shall submit a copy of the subpoena or letter from either attorney in the case to the Superintendent.

In the event that the employee is excused from further attendance, the employee shall return to his place of assignment as expeditiously as possible. Leave forms will show adjustment.

Auth: 230.22, F.S.

Imple: 231.39, F.S.

### 9.3.16 Extended Leave

Employees shall be eligible for extended leave without pay after three (3) or more years of continuous service. The leave, when granted, shall not exceed one (1) year, except that military leave shall be granted for a longer period as necessary for the completion of active duty.

Extended leave without pay requests must be made in writing on the form prescribed by the District. The request shall specify the time of the leave and the reason for the request. The length of the leave and the reason for the request shall be recorded in the Board minutes. The School Board shall have the right to determine that the leave is used for the purposes set forth in the application, and if not so used, the Board shall have authority to cancel the leave.

The leave must be approved by the employee's immediate supervisor and the Superintendent or his designee before it is presented to the Board for approval.

Extended leave without pay may be reviewed upon request for an additional period not to exceed one (1) year, subject to Board approval and will not exceed two (2) consecutive years. Automatic renewal of an extended leave is not granted. It shall be the responsibility of the person on leave to request renewal. If no request for renewal is made prior to the expiration of the leave, employment shall be terminated.

Personal Leave Without Pay May Be Requested For, But Not Limited To:

- (1) Leave to serve in the armed services
- (2) Leave for academic study
- (3) Leave for serving in the Peace Corps
- (4) Leave for child-rearing (for natural or adoptive child)
- (5) Leave for child-bearing
- (6) Leave to run for or serve in an elected office
- (7) Leave to participate in exchange programs in other states or countries.

9.4 BENEFITS AND DUTIES

9.4.1 Retirement

- A. All new school employees shall participate in the Florida Retirement System (FRS) as a condition of employment.
- B. Administrative personnel on Teacher Retirement System (TRS) prior to December 1, 1970, may continue in the Teacher Retirement System, provided there has been no break in continuity of service.
- C. Retirement Annuities Program
  - (1) The Board will consider annually, upon the recommendation of the Superintendent, requests for retirement annuities for school personnel with 25 years or more years of creditable service (at least five [5] of which must have been in this district) who have reached the age 55 and have applied for retirement under the Florida Retirement System or Teachers Retirement System.
    - a. All requests must be received between February 1 and February 28 of the calendar year for those requesting retirement during or at the conclusion of that school year or four (4) months prior to retirement if planning retirement before February of that school year.
    - b. A copy of the official determination, by the Division of Retirement, of the projected monthly benefits at the effective



date of retirement based on the average monthly compensation and creditable service as of the member's early retirement date and the actual early retirement benefits shall accompany the request.

c. Requests of applicants between the ages of 50 and 54 may also be considered by the Board if the Board first determines for that year that is economically feasible to do so.

- (2) Between January 1 and February 1 an annual survey and study will be conducted prior to the determination of the Superintendent and Board on the feasibility of the program being offered during that school year with no commitment to offer the program in future years unless the Board opts to do so after reviewing the annual survey. The employee may be required to contribute to the annuity in order to qualify.
- (3) The Board upon the recommendation of the Superintendent will determine before April 1, whether or not the program will be offered for that year.
- (4) If the program is offered, the Superintendent shall make recommendations pertaining to either the investment in a specific amount of current funds or the purchase of an adequate annuity either of which would provide earned income in an amount sufficient to provide the annual early retirement supplemental benefit for the named employee.
- (5) The maximum monthly benefit to any individual shall be in compliance with Florida Statutes.

Auth: 230.22, F.S.

Imple: 231.495, F.S.

#### 9.4.2 Social Security

Social Security is required of every member of the Florida Retirement System.

Auth: 230.22, F.S. Imple: 650.01 and 650.04, F.S.

#### 9.4.3 Credit Union Deductions

Credit Union deductions from administrators' salaries are authorized as requested by individual administrators.

Auth: 230.22, F.S.

Imple: 230.02, F.S., and SBE Regulation 6A-1.52(3)

#### 9.4.4 Duties of Administrative Personnel

The duties of administrative personnel, as described in the Administrative Handbook, are made a part of this manual.

Auth: 230.22, F.S. Imple: 230.33(7), F.S.

#### 9.4.5 Payroll Deductions

Upon appropriate written authorization from the administrator, the District shall deduct authorized sums from the salary of any administrator and make proper remittance for any payroll deduction program approved by the Board.

#### 9.4.6 Assault/Battery upon an Administrator

Any case of assault/battery upon an administrator shall be promptly reported to the Superintendent or his designated representative. In any case where an administrator is charged with a civil or criminal action arising out of or in the course of assigned duties and responsibilities, the case where the administrator pleads guilty or nolo contendere or is found guilty of any such action, the administrator shall reimburse the Board for any legal services which the Board may have supplied pursuant to this section. If the Board declines to provide legal services in response to the administrator's request, and the administrator is subsequently found not guilty or not civilly liable, the administrator may renew his request and a recommendation shall be made to the Board for payment of the reasonable cost of legal services, and the Board shall consider such request previously declined. The selection of the attorney shall be mutually agreed upon by the administrator and the Board.

#### 9.4.7 Life Insurance

- A. The Board shall provide for administrators a fully paid life insurance plan for an amount equal to 100% of the administrator's annual salary rounded up to the next even thousand dollars. The Board shall provide for those administrators who have ten years of experience in Osceola County Schools or those who are being paid at the top of the experience level life insurance equal to 200% of the annual salary rounded to the next even thousand dollars. There shall be a provision for double indemnity in the case of accidental death or dismemberment. The Board shall make available for purchased life insurance equal to 100% of the annual salary rounded up to the next even thousand dollars.
- B. In the event a professional support staff or instructional employee is promoted to an administrative position and is currently earning the benefit of 200% Board paid life insurance, that employee shall be entitled to 200% Board paid life whether or not the requirement in section "A" above is met.  
*Adopted 12/15/92*

#### 9.4.8 Hospitalization Insurance

The Board will provide fully paid individual hospital medical-surgical coverage, including major medical benefits at the present benefit levels. Dependent coverage shall be made available at the expense of the administrator where two members of the same family are employed by the School District, the amount paid for the spouse shall be credited toward the cost of dependent coverage.

#### 9.4.9 Long Term Disability Insurance

The Board will continue to make available to administrators long-term disability benefits through payroll deduction at administrators' expense.

9.4.10 General Liability Insurance

The Board shall continue its General Liability Insurance coverage which covers the Board for the acts of its employees, including administrators, as such coverages existed on January 1, 1978; and that administrators shall be afforded all direct and indirect benefits inuring to them from such coverage.

9.4.11 Reimbursement for Damage to Personal Items

The Board shall reimburse administrators for damage to clothing, dentures, eyeglasses, prosthetic devices or artificial limbs where such damage occurs as a result of:

- A. Breaking up a fight
- B. Protecting students or other employee(s) from physical harm or injury
- C. Assault and/or battery occurring in the course of the legal performance of assigned duties. Such reimbursement shall not exceed the replacement cost nor be paid when the above loss is reimbursable from other sources.

9.4.12 Death Benefit

A. Accumulated Vacation

If at the time of death an administrator has unused accumulated vacation the Board shall pay to the beneficiary of the administrator a sum equal to the administrator's daily rate of pay at his present job classification times the number of vacation days accumulated.

B. Accumulated Sick Leave

Administrative employees eligible for retirement benefits, or his beneficiary if termination is by death, shall be entitled to payment for the maximum accumulated sick leave allowed by law. Payment shall be made at the current daily rate of pay.

9.4.13 Continuing Insurance Benefits While on Leave

Employees on authorized School Board leave without pay shall be eligible to continue on School Board Benefits. The employee shall be personally responsible for full payment of the premiums or costs.

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## Chapter 10

### Hearing Procedures

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**10.0 HEARING PROCEDURES**      *Adopted 6/30/92*

**10.1 NON-RENEWAL OF A PROFESSIONAL SERVICES CONTRACT**

- A. The School Board may issue a continuing contract prior to July 1, 1984, and may issue a professional service contract subsequent to July 1, 1984, to any employee who has previously held a professional service contract or continuing contract in the same or other district in the state. Any employee who holds a continuing contract may, but is not required to, exchange such contract for a professional service contract in the same district. Additionally, the School Board may issue new professional service contracts after July 1, 1984, to qualified teachers as provided by law.
- B. A professional service contract shall be renewed each year unless the superintendent, after receiving the recommendations required by section 231.29, Florida Statutes, charges the employee with unsatisfactory performance as determined under the provisions of section 231.29.
- C. The procedures specified for non-renewal of a professional service contract in section 231.36, Florida Statutes, shall be followed by the the School District.

**10.2 DISMISSAL OR RETURN TO ANNUAL CONTRACT STATUS AT THE END OF THE SCHOOL YEAR**

Any member of the School Board staff who holds a continuing contract may be dismissed or returned to annual contract status for another three (3) years in the discretion of the School Board, at the end of the school year, in accordance with the procedures specified in section 231.36 (4) (b), Florida Statutes.

**10.3 SUSPENSION AND DISMISSAL OF EMPLOYEES HOLDING PROFESSIONAL SERVICES CONTRACTS OR CONTINUING CONTRACTS DURING THE TERM OF SUCH CONTRACTS**

Suspension and dismissal during the term of a continuing contract or a professional service contract shall be made in accordance with the procedures specified in section 231.36 and Chapter 120, Florida Statutes, as interpreted by controlling case law. It is noted that "just cause" for such action against a professional service contract is prescribed in section 231.36 (1) (c), Florida Statutes, and the grounds for such action against an employee holding a continuing contract are prescribed in section 231.36 (4) (c), Florida Statutes.

10.4 With respect to all procedures specified in 10.1, 10.2 and 10.3 above, applicable Florida Statutes and case law will control. The administrative process, including the time for intervention by the employee (i.e., demand for a hearing), notice of hearing, the conduct of the pre-hearing procedure, and the hearing procedures shall be in accordance with section 231.36, and Chapter 120 of the Florida Statutes, as interpreted by controlling case law.

10.5 Whenever the superintendent has probable cause to believe that an employee has committed an act which may subject the employee to adverse job action, the superintendent shall recommend an appropriate sanction to the School Board for action by the Board. Such action may include transfer, suspension without pay,

suspension without pay pending action on a request to dismiss the employee and administrative hearing on the dismissal, or other appropriate lawful sanctions.

- 10.6 Nothing contained in this rule shall create any rights in any employee of the School Board other than an employee who possess a professional service contract or a continuing contract. All other employees of the School District may be sanctioned, suspended or dismissed, subject to any applicable contract or statute governing the rights of such other employees who do not possess a continuing contract or professional services contract.

Auth. Chapters 230 and 231, Florida Statutes.

Imple: Section 231.36 and section 120.57, Florida Statutes.

#### 10.7 REDUCTION IN PERSONNEL

- A. Should the School Board have to choose from among its personnel who are on continuing contracts or professional service contracts as to which should be retained, such decision shall be made pursuant to the terms of a collective bargaining agreement when one exists. If no such agreement exists, the School Board prescribes the following rules to handle reductions in work force.
- B. If a reduction in work force requires the Board to choose from among its personnel under continuing contracts or professional service contracts, and to the extent this does not conflict with any collective bargaining agreement that would apply, the Board shall retain those employees best qualified. In determining which of such employees are best qualified, the Board shall consider, not necessarily in the order presented, and without limitation to consideration of other criteria, the following:
- (1) educational background and qualifications;
  - (2) efficiency of the employee as documented in past evaluations and observations;
  - (3) compatibility of the employee as demonstrated during past work experience in the employment of the Board;
  - (4) the character of the employee; and
  - (5) the capacity of the employee to meet the educational needs of the community.
- C. In the event no collective bargaining agreement exists that would dictate reduction in work force methodology, the following procedures shall be employed by the Board:
- (1) After initial determination of which employees will be retained, the Board shall give written notice of the proposed action to all effected employees, together with a summary of factual, legal and other authorities which form the grounds and basis for the decision, including a list of the criteria utilized.

- (2) Any professional service contract or continuing contract employee effected by the initial determination may request a hearing within (10) days following notice pursuant to other paragraphs in this section. This request for hearing shall contain:
  - a. the name and address of the School Board;
  - b. the name and address of the employee;
  - c. a concise statement of the ultimate facts alleged;
  - d. the legal authority upon which the employee relies;
  - e. a request for relief to which the petitioner deems himself or her self entitled;
  - f. a notice of whether the employee wishes to present written or oral evidence.
  
- (3) Upon receipt of a request for hearing, the School Board shall conduct a hearing as permitted under the informal hearing procedures of section 120.57, Florida Statutes. The hearing will be conducted in accordance with section 120.57 (2) as it may be amended from time to time.





**APPENDIX - A**

The oath to be taken by employees of the School Board, as revised by the Supreme Court, is as follows:

I, \_\_\_\_\_, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the School Board of Osceola County, Florida, and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida."

(Connell V. Higginbotham)  
91 S. Ct. 1772, 403 U.S. 207 (1971)



# OSCEOLA DISTRICT SCHOOLS

## PUPIL PROGRESSION PLAN

The purpose of the instructional program in the schools of Osceola County is to provide appropriate instructional and selected services to enable students to perform at or above their grade level academically. Promotion, however, is based primarily on pupil achievement and is not automatic.

Decisions regarding student promotion, retention and administrative placement are primarily the responsibility of the individual school's professional staff. The final decision in regard to grade placement is the responsibility of the principal.

Auth: 232.245, F.S.

### **I. General Procedures for Promotion, Special Assignment, and Administrative Placement, Grades K - Adult.**

A. Student promotion in the Osceola County schools is based upon an evaluation of each student's achievement in terms of appropriate instructional goals. The determination should reflect teacher judgment based upon the following: successful progress in the county adopted curriculum, progress tests, classroom assignments, daily observation, standardized tests, and other objective data. The primary responsibility for determining each pupil's level of performance and ability to function academically, socially and emotionally at the next grade level is that of the classroom teacher, subject to review and approval of the principal.

#### **(1) Report Cards:**

- a. All schools shall use a standard report card appropriate for the level; elementary, middle, or high, as the primary means of reporting student progress.
- b. With the approval of the superintendent, schools may develop additional or supplementary instruments which may be used in conjunction with the standard report card.
- c. Report cards shall be issued for all students, K-12, at the close of each grading period. A report card will also be issued at the close of the summer school program. *Amended 6/30/92*
- d. Adult education students will be issued a report card, Certificate of Attendance or a Certificate of Program Completion. *Amended 6/29/93*

#### **(2) Report Card Grades:**

- a. Report Card grades are to provide the student and the student's parents with an objective evaluation of the student's scholastic achievement, effort and conduct.

Student's academic grades are to reflect academic achievement.

Passing grades on report cards indicate that the student is working within a range acceptable for the grade or subject unless the subject is clearly identified as remedial.

A remedial student making a C or better at grade level for two (2) grading periods shall be considered for placement in the regular classroom.

- b. Students and parents are to be advised of the grading criteria employed in the school and in each class at the time of enrollment.

Students who enroll in school or class late shall be allowed to make up the class work in order to receive full semester credit.

Schools shall adhere to the following evaluation plan for grading and reporting pupil progress.

Kindergarten

- S Successful Progress
- E Effort Shown
- N Needs Improvement

Grades 1-2

- O Outstanding
- S Successful Progress
- E Effort Shown
- N Needs Improvement

Grades 3-12 - Percent Point Value Definition

<u>GRADE</u>	<u>Percent</u>	<u>Point Value</u>	<u>Definition</u>
A	94-100	4	outstanding progress
B	85-93	3	above average progress
C	75-84	2	average progress
D	65-74	1	lowest acceptable progress
F	0-64	0	failure
I	0	0	incomplete

If an I (incomplete) is recorded on a report card, the requirements for which the incomplete was assigned must be satisfied within two weeks of the issuance of report cards or the I becomes F. At the teacher's discretion a longer period of time may be allowed for make up work.

For Special Area classes in grades 3-5, the following grading scale may be used: *Adopted 6/30/92*

O	-	Outstanding
S	-	Successful Progress
N	-	Needs Improvement
U	-	Unsuccessful Progress

For Special Area and/or Exploratory classes in grades 6-8, the following grading scale may be used: *Adopted 6/30/92*

S	-	Successful Progress
N	-	Needs Improvement
U	-	Unsuccessful Progress

- c. Grades in conduct are to be assigned independently of academic achievement. Standards for grading in these areas are to be explained to the students.

To receive a report card a student shall have been enrolled in school at least 1/2 of the forty-five day grading period as established by the official school calendar. A grade shall be recorded on the report card for each subject taken. If a student withdraws he shall be issued a grade on the withdrawal form as of the date of withdrawal.

Intensive English/ESOL students in grades K-8 may be graded in the academic subjects on effort shown. The grading scale to be utilized is: *Amended 7/23/91*

S	-	Successful Progress
N	-	Needs Improvement
U	-	Unsatisfactory Progress.

- d. Students are to receive grades in all courses in which they are enrolled.
- e. If the Principal of a school feels it is necessary to change a pupil's grade in any subject at the end of a grading period, the principal shall consult with the teacher regarding the necessary change. If the change is made after official notification has been made to the parents, a copy of the principal's reasons shall be placed in the pupil's cumulative folder.

(3) Notices to Parents and Pupils

- a. Parents or adult students are to be notified in writing at any time during a grading period when it is apparent that the student may not pass or is performing unsatisfactorily in any course or grade level. The county Deficiency Report will be used for this notification.
- b. Parents are to be advised of their child's performance on all

standardized tests administered as part of the county-wide testing program.

- B. The Statewide Minimum Student Performance Standards (229.565, F.S.) for promotion and placement in the Osceola County schools have been established and are on file in the Administrative Center and are in use in each school. Certification of mastery of the applicable grade level standards will be required.
- C. The Student Performance Standards of Excellence in Mathematics, Science, Social Studies and Writing have been established within the curriculum and are on file in the Administrative Center and in use at each school.
- D. Students who do not satisfactorily perform in the grade to which they are assigned, will be assigned to the same grade for the next school year or given an assignment to a special program, e.g., an extension of the school year, a special class within the regular school, an intersession period or summer enhancement program, and Second Wind. These students are to be provided instruction designed for their continuous progress. *Amended 6/30/92*
- E. Principals are to establish procedures by which parents are notified when it has been determined that their child needs improvement at the grade or course in which he or she has been placed. In cooperation with the parents, an attempt will be made to provide appropriate assistance.
- F. Any student who has been previously retained, at the same grade level may, at any time during the next school year be placed in the next higher grade if the principal determines that standards have been met and the student will be able to benefit from instruction at the higher grade. If the placement involves a new school, the assignment will occur at the end of a grading period agreed upon by both the sending and receiving principal.
- G. The principal, upon written authority from the Superintendent, may administratively place a student who has been previously retained.
- H. The assignment of a student to a higher grade which results in the student's accelerated promotion should be made on the basis of exceptionally high achievement or evidence that the student will benefit more from the instructional program at the advanced grade level. The assignment should be authorized by the Superintendent. The assignment will occur at the end of a grading period agreed upon by both the sending and receiving principal and the Director of Exceptional Student Education, if an exceptional student is involved. After agreement has been reached regarding an exceptional student, an Individual Education Plan meeting must be held prior to placement in the new assignment. The long range academic, social, and emotional effect of the decision shall be considered. The principal has the responsibility for making such an assignment, but a student will not be accelerated without parental consent. *Amended 6/30/92*

The student's cumulative record, report card, and permanent record shall indicate, "accelerated grade placement" and the name of the principal who made the placement.

Parents shall be notified in writing that their child is receiving an accelerated grade placement to the next higher grade. A copy of this notification shall be placed in the cumulative folder.

- I. Students who are retained must receive counseling and may be recommended for evaluation if such a referral would benefit the students. Any student in grades K-8 who has been retained for the second year in the same grade level is to be referred for an evaluation by appropriate specialists, e.g., psychologist, reading specialist and other personnel.  
Retention of students shall be limited to one (1) year in the elementary school and one year in the middle school unless additional retention is recommended by the Child Study Team.
- J. The grade placement of students transferring from other countries, counties, states or private schools will be determined by the principal of the receiving school based on guidelines established by the Student Services Department.
- K. Attendance for Promotion K-5 *Amended 6/30/92 & 6/29/93*
- (1) Students who miss more than fifteen (15) days per semester or ten (10) days per trimester will not be promoted except as follows:
    - a. If medical evidence is presented to the principal from a competent medical authority to excuse absences in excess of fifteen (15) days or fifteen (15) class settings per semester or ten (10) days/class settings on a trimester basis.
    - b. Extenuating circumstances as determined by the principal based on recommendations of teachers, counselors or Pupil Services workers.
  - (2) School activities shall not be counted as absences. Assigned work shall be turned in on the day indicated by the teacher.
- L. Attendance for Promotion 6-8 *Amended 6/30/92*
- (1) Students who miss more than ten (10) days per semester or seven (7) days per trimester (2 days per semester during the summer school term) will not be promoted except as follows:
    - a. If medical evidence is presented to the principal from a competent medical authority to excuse absences in excess of ten (10) days or ten (10) class settings or seven (7) days/class settings on a trimester basis.
    - b. Extenuating circumstances as determined by the principal based on recommendations of teachers, counselors or Student Services workers.
  - (2) School activities shall not be counted as absences. Assigned work shall be turned in on the day indicated by the teacher.
  - (3) Eighth grade students enrolled in high school courses for credit shall be subject to section I M and III A 9 in those courses only.

M. Attendance for Credit (9-12) *Amended 6/30/92*

Students who accumulate more than ten (10) days of absences per semester will not receive credit for the course except as follows:

- (1) If the student makes up the class time missed within ten (10) days, as verified by the teacher's log; or
- (2) If the teacher verifies to the principal that the student has demonstrated mastery of the performance standards required for that course. (A passing grade indicates satisfactory completion of performance standards).
  - a. School activities shall not be counted as absences. Assigned work shall be turned in on the date indicated by the teacher.
  - b. Any absences in excess of ten (10) days per semester (2 days per semester during the summer school term) must be accompanied by a note from a competent medical authority if the student is to receive credit for the course. If there are extenuating circumstances not covered by medical excuses, parents must petition the principal in writing. A committee consisting of the school principal or his designee, a guidance counselor and at least one teacher will meet at the end of the semester, if necessary, to determine the validity of the extenuating circumstances. Only one (1) extenuating circumstance petition per year per student will be allowed unless special permission is granted by the school principal to consider a second petition. *Amended 6/29/93*

N. All students with limited English proficiency (L.E.P.) must be appropriately identified in order to ensure the provision of appropriate services. Every student identified as L.E.P. shall continue to receive appropriate instruction and funding as specified by State Board Rules and Regulations and Florida Statutes until such time as the student is reclassified as English proficient. Each limited English proficient student enrolled in any program offered by the Florida Public Schools is entitled to equal access to programming which is appropriate to his or her level of English proficiency, academic achievement and special needs.

**II. Elementary Promotion and Placement**

A. A screening program for all kindergarten students will be administered yearly. Results of this screening will identify students who will be considered for further screening and psychological testing to determine if special placement is indicated. *Amended 6/29/93*

B. An extension of the school year may be available for the students in grades K-5, as directed by the principal. Students needing additional instructional enhancement to continue progress may attend.

C. Required Program of Study - Grades K-5

Grades K-5 promotion should be based on successful progress as indicated by report card grades, standardized test results, daily assignments, teacher observation, satisfactory performance in the grade level curriculum, and other objective data.



- (1) The following areas of study are required for each student, K-5: Language Arts, Mathematics, Science/Health, Social Studies (Florida History at 4th grade).
- (2) Additional courses of studies may include, but shall not be limited to:

Art  
 Career Education  
 Computers  
 Developmental Physical Education  
 Free Enterprise, Consumer and Economic  
     Education  
 Foreign Language  
 Library Science  
 Metric Education  
 Music  
 Safety  
 School Police Liaison Program

D. Fifth (5th) grade students who qualify for the Second Wind Dropout Prevention Program may be placed in the seventh (7th) grade upon successful completion of the program.

### **III. Middle School Promotion and Placement**

#### **A. General Academic Requirements**

Middle school students will receive instruction in grades six through eight in the following basic subjects:

- (1) Three years in mathematics.
- (2) Three years in communications, which will include experiences in reading, writing, and speaking. Developmental reading shall be provided at each grade level for those students for whom the school deems such reading appropriate.
- (3) A minimum of three years in science, which will include instruction in life science and physical or earth science.
- (4) A minimum of three years in social studies, which will include the study of the United States and world geography, civics, and Florida history.
- (5) The opportunity to enroll in physical education courses, which will be regularly scheduled each year by each school.
- (6) A series of experiences will be provided for student development through exposure to courses selected from, but not limited to, the following:  
*Amended 6/29/93*

Agriculture  
 Art  
 Band

Health  
 Technology Education  
 Law

Business  
Career Education  
Consumer Education  
Foreign Languages

Music  
Public Service  
Reading  
Writing Skills

- (7) One semester of Health or Personal Development shall be required for students at the seventh or eighth grade, unless a middle school principal elects to cover district health performance standards in a science course and the following criteria are met: *Amended 6/30/92 & 6/29/93*
- a. The science teacher involved is certified in both science and health, and
  - b. A letter of explanation is sent to the Superintendent prior to the beginning of the school year. The letter must be signed by the principal and the teacher and must ensure that all student performance standards for both the science and the health courses will be met.
- (8) In addition to the courses identified above, students must master minimal skills in the area of science and computer literacy.
- (9) Students who attend the eighth grade in Osceola County may elect to take a maximum of two high school (dual enrollment) courses at the middle school they are attending, provided the courses are taught by teachers holding high school certification in the subjects offered. The high school textbook will be used, and the district performance standards and grading policy shall be the same as for the course offered in a high school setting. In order to receive high school credit, the student must earn a final grade of an "A" or "B". *Amended 6/30/92 & 6/29/93*

B. Promotion

(1) General Requirements

All students must pass five (5) subjects per grade level including language arts, mathematics, science and social studies. Promotion should be based on standardized test results, daily assignments, teacher observation, teacher made tests, satisfactory attainment of the student performance standards in the curriculum frameworks and other objective information. If the achievement level is not being met, the teacher shall utilize deficiency reports to communicate with the parent during the grading period.

(2) Intersession/Summer Programs

Students who do not successfully master all of the materials necessary for promotion may attend intersession or summer school or may, at the discretion of the principal, be administratively placed and have their academic class schedule arranged during the following school year so as to receive instruction in the academic area at the lower level that was failed on the initial attempt. If the work to be made up during the summer is not done in the Osceola District School System, the summer school must be conducted by a public school or an accredited private school.  
*Amended 6/30/92*

Parents may contract with state certified teachers to teach individual students in lieu of attendance in a summer school program. However, if the parent chooses this option, he or she must notify the child's school principal in writing within fifteen (15) days after the close of the regular school term. Such students will be required to pass a grade level exam. The parent must contact Student Services to arrange for the child to take this grade level exam. All exams must be taken at least five (5) days prior to beginning the new school term in the fall.

(3) Double Promotion and Acceleration

Seventh (7th) grade students who qualify for the Second Wind Dropout Prevention Program may be placed into the ninth (9th) grade upon successful completion of the program.

Eighth (8th) grade students promoted to the ninth (9th) grade may take courses during the regular summer school for acceleration.

- C. Special classes for students who have been administratively placed may be established and designated as middle school basic skills classes without a grade utilized in these classes.

**IV. High School Grade Classification and Graduation Requirements**

To graduate from high school a student must, meet all the requirements of this plan, demonstrate mastery of the Student Performance Standards (229.565, F.S) and meet all requirements established by the Florida Department of Education and the School Board of Osceola County.

Seniors participating in high school graduation ceremonies shall have completed all requirements for graduation as set forth in this Pupil Progression Plan. Seniors receiving a Certificate of Completion or a Special Certificate of Completion will also be eligible to participate in the ceremonies. *Amended 6/28/94*

Graduation ceremonies will be scheduled at the end of the regular academic year and at the close of the second summer session each year.

Students enrolled in a District K-12 dropout prevention program and earning a GED equivalency diploma may participate in the graduation ceremony of the high school in their attendance zone. *Amended 7/23/91*

A. Grade Classification

- (1) A student must have earned 5 credits to be classified as a sophomore.
- (2) A student must have earned 11 credits to be classified as a Junior.
- (3) A student must have earned 18 credits to be classified as a Senior.
- (4) Students who transfer into Osceola County from public schools shall be classified according to their grade placement at the school from which they transfer. Thereafter they will follow classification as set up by Osceola County except for those students who transfer as seniors.

(5) All students who attend school in Florida as ninth or tenth graders will be required to earn one-half credit in personal fitness and one half credit in Life Management Skills in order to receive a diploma from an Osceola County high school. *Amended 7/23/91*

(6) All transfer students will be expected to attempt to earn a minimum of three (3) credits per semester in the year of their transfer; however, no requirement for specific course work will be retroactive except as stated above.

The requirements of the School Board shall not be retroactive for transfer students provided the student has met all requirements of the school district or state from which he/she is transferring. (6A-1.095) *Adopted 6/30/92*

Students will be limited to the transfer of no more than two high school credits earned prior to entry into the ninth grade. Such credits must have been earned at the eighth grade level. *Adopted 6/30/92*

(7) Students may be promoted to the next grade at the end of the first semester of a school year provided they have earned the following number of credits: *Adopted 7/23/91*

Sophomore	-	8 credits
Junior	-	14 credits
Senior	-	21 credits

(8) Seniors who have earned 24 credits by the end of the first semester in a given school year may pursue one of the following options: *Adopted 7/23/91*

- a. Graduate at the end of the first semester. (Students will receive their diplomas and be permitted to participate in graduation ceremonies at the end of the second semester.)
- b. Participate in the early admissions program at Valencia Community College, if they qualify.
- c. Remain at the high school to pursue advanced academic and/or vocational studies.

B. Requirements for Graduation\*\* *Amended 6/30/92*

(1) Credits needed for <u>graduation</u>	24++
<u>Language</u>	Four (4) credits
<u>Arts</u>	
<u>Mathematics</u>	Three (3) credits
<u>Science</u>	Three (3) credits: Two of which must include laboratory components

Social Studies	Three (3) credits World History* (1) American History (1) American Govt. (1/2) Economics (1/2)
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***Physical Education	One-half (1/2) credit (Personal Fitness)
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***Life Mgt. Skills/Health	One-half (1/2) credit
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+ Practical Arts/Performing Fine Arts Electives	One (1) credit Nine (9) credits
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\* This course shall include the requirements of Section 233.064, Florida Statutes.

+ In order to meet this requirement, students may earn:

One credit in Practical Arts Vocational Education or Vocational Education: Exploratory

OR

One credit in Performing Fine Arts:

OR

One-half (1/2) credit each in Practical Arts, Vocational Education or Exploratory Vocational Education and Performing Fine Arts.

Practical arts may be fulfilled by any secondary or eligible postsecondary course in the Vocational Section or by substituting one of the basic Computer Education Courses or Journalism II, III or IV on a curriculum equivalency basis.

No more than one (1) credit in Exploratory Vocational courses may be used for credit toward high school graduation.

\*\* Each student is entitled to "...13 consecutive years of instruction, beginning with kindergarten, ..."

++ A grade-point average of 1.5 on a 4.0 scale will is needed for the twenty-four (24) credits used to meet state graduation requirements. The student must also pass the High School Competency Test (HSCT).

\*\*\* Shall be deemed 9th and 10th grade courses.

(2) Students who have completed more than nine elective credits may choose to have the lowest elective grades of those courses in excess of the 24 credits required for graduation dropped before the computation of their G.P.A.

- (3) Eighth (8) grade students may enroll in an approved course designated as a 9th - 12th grade course by the current course code directory, will be classified as a high school student for the period of time involved. Students earning credit through such high school courses will be credited with meeting the requirements designated in the district pupil progression plan as required for promotion for the appropriate pre-ninth grade course(s).
- (4) Students who earn any grade other than an 'A' may retake the course to improve their skills, grade, and G.P.A. The highest grade earned will be used in calculating the grade point average. Credit toward graduation can only be awarded once. *Amended 7/23/91*

C. Curriculum Frameworks-Grades 9-12 Basic and Adult Education

A curriculum framework is a broad guideline which directs district personnel by providing specific instructional plans for a given subject or area of study and is consistent with the Course Code Directory. Curriculum frameworks are contained in the publication "Curriculum Frameworks for Grades 9-12, Adult Basic Program". This publication is on file at each high school and the district office.

The above frameworks include the Exceptional Student Education Courses and the Vocational Courses.

D. Student Performance Standards

Student Performance Standards have been developed cooperatively with district personnel for the intended outcomes specified in each curriculum and are also on file at each high school and the district office.

Students must show mastery of the performance standards before credit for course is awarded. Upon successful completion of the course, with at least sixty-five per cent (65%) proficiency, students will have demonstrated mastery. Student mastery will be assessed through the use of teacher observation, classroom assignments and examinations. Students must also meet the attendance requirement as set forth in section 6.21. G or H of School Board Rules.

E. Home Instruction

As provided by Florida Statute 232.02 parents may choose to place their children in a home instruction program in lieu of public school. The requirements of the law will be monitored through Pupil Services. *Revised 7/23/91*

- (1) Parents who wish to place their children on a home instruction program are required to notify the Superintendent in writing of such intent within two (2) weeks of the student's withdrawal from school. A request for the placement of a student in a home instruction program is granted for the current year only. Parents must petition the Superintendent each year that he or she wished to instruct at home.
- (2) Parents on home instruction students will be required to complete a notarized affidavit stating that they have never been named as a perpetrator in a confirmed child abuse case or child neglect.

- (3) The parent of a home instruction student is required to keep a daily attendance record. In addition, the parent is required to keep a daily work log of assignments made, page numbers covered, concepts taught, length of study day and whether assignments are completed. All materials related to home instruction shall be kept by the parent for a period of not less than two (2) years from the date of enrollment in the program. Parents of home instruction students will be required to have an academic evaluation completed yearly on each student. The parent will have the responsibility of arranging said evaluation at parental expense and will be responsible to see that the printed report of said evaluation is sent to the Superintendent.
- (4) The school district will set up conferences with home instruction families during the course of the school year to verify that the laws of the State of Florida and the rules of the School Board of Osceola County are being kept as pertains to home instruction. Parents will be given fifteen (15) days notice of intent of the school board designee to meet with them to discuss the program. Such conferences will be scheduled at least once during the school year, but the School Board retains the right to set such conferences more often as particular situations warrant.
- (5) Parents who fail to meet the requirements of State law (232.01) and School Board rules governing home instruction will be required to re-enroll their home instruction student(s) in school. The parents of the student(s) required to return to school for failure to meet the requirements of the home instruction regulations will be denied any request for a home instruction program for a period of one full academic year from the date of re-enrollment.
- (6) All students working at the elementary or middle school level will be tested for grade level placement if they return to the public school system of Osceola County. If a student is enrolled in a home instruction program for less than one school semester the student will be enrolled at the same grade level with no testing required.
- (7) High school students enrolled in home instruction will not earn any credit toward graduation from Osceola County Schools.
- (8) Students who expect to earn Summer School credit in a home instruction program must be registered with the Superintendent by the end of the first grading period (second week) of summer school.

F. Cumulative Grade Point Average

Beginning with the school year 1988-89 and every year thereafter, a student must have a cumulative grade point average of 1.5 on a 4.0 scale for all required courses in order to receive a diploma from an Osceola County School. At the end of each semester each student shall be notified in writing of his cumulative grade point average as required for graduation.

Auth: 230.23 (6) (a) (b)  
 Imple: 232.246

G. Challenger Learning Center - Grade Levels 9-12      *Amended 6/30/92*

This is a program specifically designed for school dropouts, in order to provide them with a vehicle to complete a high school program; or in some instances, to assist those students into reentering a regular high school setting, once they have completed some credit requirements.

A total of 24 credits must be earned for graduation. These credits are described in section IV B.

This is a competency based program with students demonstrating mastery of the student performance standards. Elective credits for related work experience (OJT) in this program are earned on the same basis as in the regular day-school vocational programs.

Only students who have been withdrawn from school for a minimum of nine school weeks are eligible for placement in this program. Exceptions to this placement may be approved, based on extenuating circumstances, by a three member committee of Instructional Department administrators. A cooperative effort between the Instructional Department and Student Services will provide the guidance and scheduling for student placement and follow-up. Students must agree to attend a minimum of 15 hours per week of classroom instruction during the regular school year.

Students must:

- (1) earn twenty-four credits as stated above with a 1.5 G.P.A.; and,
- (2) pass all necessary parts of the High School Competency Test (HSCT).

An articulation meeting will be arranged for the students wishing to re-enter the regular high school program. A Challenger student returning to a regular school program may transfer a maximum of eight credits per year unless additional credits are approved by the Superintendent..

Although this program is designed to provide students with a non-traditional school setting in order to meet individual needs, the school district Code of Student Conduct is in effect and School Board Rules governing student conduct will be followed.

V. Types of Diplomas

Students in Osceola County Schools may earn the following types of diplomas:

- (1) Regular
- (2) Special
- (3) Certificate of Completion
- (4) Special Certificate of Completion
- (5) Adult High School Diploma



(6) Florida High School Diploma (G.E.D.)

- A. A Regular Diploma shall be issued to students who meet the conditions set forth in this Pupil Progression Plan section IV. This must include passing the High School Competency Test (HSCT). *Amended 7/23/91*
- B. A Special Diploma shall be awarded to properly classified educable mentally handicapped, trainable mentally handicapped, profoundly, mentally handicapped, hearing impaired, specific learning disabled, emotionally handicapped, physically handicapped whose ability to communicate orally or in writing is seriously impaired. Students must also master the Revised Minimum Performance Standards according to assigned State performance levels.  
*Amended 7/23/91 & 6/28/94*

These performance standards must be documented by the exceptional student teacher starting in kindergarten and progressing through graduation from high school. Specific grade levels for completion are given to designate when the child should master the appropriate competency.

The Revised Minimum Student Performance Standards for Exceptional Students Tracking Form should be used for students that will be graduating from high school.

- C. A Certificate of Completion shall be issued to all students who acquire appropriate credits for a high school diploma, but do not pass the High School Competency Test. *Amended 7/23/91*
- D. A Special Certificate of Completion shall be issued to an eligible exceptional education student who meets the requirements for his exceptionality, but is unable to meet the appropriate special state minimum requirements.
- E. Adult High School Diploma *Amended 7/23/91*
- (1) Students who have been awarded a Certificate of Completion by virtue of failure to pass the High School Competency Test shall be eligible to receive a regular Adult High School Diploma after passing the High School Competency Test through the Community/Adult Education Program. This must be done immediately following receipt of the Certificate of Completion during the Community/Adult Education Summer Term or Term I. Community/Adult Education High School Completion Program requirements will be in effect Term II and thereafter.
  - (2) Adult students completing all established credit requirements may receive a Regular Adult High School Diploma.
- F. Florida High School Diploma *Amended 7/23/91*

Students or residents who are eighteen (18) years old or older and students who have met all requirements for graduation except the attainment of a 1.5 cumulative grade point average may apply to take the GED exam.

## **VI. Credits Applicable Toward Graduation**

### **A. Early Admission for Advanced Studies**

Students who meet the prerequisites of an early admission and advanced studies program may be permitted to enroll as a full-time post secondary student during their senior year in high school. Such programs shall meet the following conditions:

- (1) Approval of the program by the School Board shall be obtained before the end of the first month of the final year of high school or before the end of the first semester if entry is expected during the second semester of the final year of high school.
- (2) The student shall be accepted by a state accredited post-secondary school or university after completion of three (3) full senior high school years, and a minimum of eighteen (18) credits is earned.
- (3) The student shall maintain at least an overall "C" average.
- (4) Any senior enrolled in college courses full-time may re-enter a high school within the district as a full-time student at the end of the high school semester.
- (5) Any credit earned at the accredited post secondary level may be substituted for a required high school credit in the same discipline. Successful completion of a 3-hour college course will equal 1/2 high school credit.

### **B. Dual Enrollment**

- (1) A student may enroll in one or more classes at the college level or in an accredited vocational school while still attending high school. Credit may be earned toward graduation as stated in section VI A (3).

Auth: Rule 6A-10.0241, FAC

- (2) The request of a student to participate in this program must be in writing. Signature of the guidance director and the principal shall constitute approval.

#### **(3) Dual Enrollment VCC**

The School Board of Osceola County and Valencia Community college shall co-sponsor appropriate college courses in high schools during the normal class hours when requested by the principal. Students enrolled in co-sponsored classes shall earn both high school credit from the Osceola County School Board and college credit from Valencia Community College if they meet at least the minimum requirements for satisfactory completion of such classes. In order to receive VCC credit in co-sponsored classes, high school students will be required to make application to VCC and complete the registration process.

No fees shall be assessed for high school students enrolled in these co-

sponsored courses. Students who enroll in co-sponsored classes shall have either:

- a. completed the tenth grade with a high school grade point average of 3.0 or above, or *Amended 7/23/91*
  - b. be in an exceptional student education program with an individual education plan which indicates the ability for advanced studies (i.e. "gifted program").
- (4) Students seeking dual enrollment in mathematics, English or vocational classes shall present evidence of successful completion of the relevant section of the entry level examination for placement given by the school, college or university at which the student is seeking enrollment.

C. Co-Enrollment *Amended 3/3/92*

A high school student who is at least sixteen (16) years of age may enroll in the Community/Adult Education Program. Permission to enroll in this program must be obtained in advance from the principal or designee. A maximum of four (4) credits may be earned in this program. A behavior contract will be signed by the required parties.

Classes will be established according to enrollment standards set by Community/Adult Education.

D. Course Modification

High School students who meet the district's requirements for an approved dropout prevention program or an honors accelerated credit program may be enrolled in modified courses to earn additional credits. *Amended 6/29/93*

E. Summer School for Grades 9-12

High school students may attend summer school to make up a failed subject or for accelerated credit.

F. College Course Credit

Any passing grades received in courses from a college may be accepted toward requirements for graduation from Osceola County. Three (3) college semester hours shall be considered equivalent to one-half (1/2) high school credit.

G. Credit from Correspondence

Credit from Correspondence from a university will be acceptable so long as the course code number of the course taken corresponds to acceptable high school course code numbers. It shall be the responsibility of the student to provide verification of successful completion from the University to the high school.

H. Community Service Credit *Adopted 6/29/93*

A student may choose to earn one-half elective credit for non-paid voluntary community or school social service work, which shall include a minimum of 75

hours of service work and require the student to identify a social problem that interests him, develop a plan for his personal involvement in addressing the problem, and, through papers or other presentations, evaluate and reflect upon his experience.

Credit may not be earned for service provided as a result of court action.

I. Science and JROTC Substitution *Amended 6/29/93*

Upon completion of the JROTC Aerospace Science program, including Aerospace Science II and III, students may substitute on a curriculum equivalency basis one JROTC credit for General Science (2002310) to satisfy one of the three science requirements needed for graduation.

J. Vocational Education Course Substitutions *Revised 6/30/92 & Amended 6/29/93*

Section 236.081(1)(n), Florida Statutes, requires district school boards to provide for vocational program substitutions not to exceed two credits in each of the nonelective subject areas of English, mathematics, and science. The vocational program that is substituted for a nonelective academic course will be funded at the level appropriate for the vocational program.

Any Student in grades 9 through 12 who enrolls in and satisfactorily completes a job preparatory program may substitute credit for a portion of the required four credits in English, three credits in mathematics and three credits in science. The credit substituted for English, mathematics or science earned through the vocational preparatory program shall be on a curriculum equivalency basis.

Vocational course substitutions shall not exceed two (2) credits in each subject area. In addition, a program which has been used to substitute in one subject area may not be used to substitute for any other subject area.

A student who completes a job preparatory program and substitutes part of that program for Business Mathematics I, Business Mathematics II, Business English I, Business English II, General Science, or Anatomy and Physiology may not take any of these courses and receive additional credit.

Job preparatory programs which have been identified as being the equivalent of Business English I (#1001440), Business English II (#1001450), Business Mathematics I (#1205380) and can be used as the substitute credit are as follows:

**JOB PREPARATORY PROGRAM SUBSTITUTIONS**

SUBJECT AREA	PROGRAM COURSE	COURSE #
Business English I (#1001440)	Office Records Clerk	8209200
	Receptionist and Communication Systems Operation	8209100
	Clerk Typist	8209000
	Stenographic	8212300
	Basic Business Supervision	8215100
Business English I	Secretarial	8212200

(#1001440) and/or Business English II (#1001450)	Word Processing/Machine Transcription	8212000
	Junior Secretary	8212100
Business Mathematics I (#1205540)	Word Processing/Machine Transcription	8212000
	Clerk Typist	8209000
	Computer Programming Trainee	8206300
	Stenographic	8212300
	Data Entry Operations	8206200
	Computer Operation	8206100
Business Mathematics I (#1205540) and/or Business Mathematics II (#1205390)	Financial Records	8203100
	Basic Business Supervision	8215100
	Secretarial	8212200
	Bookkeeping	8203200
	Junior Secretary	8212100
	Accounting Operations	8200300
Pre-Algebra (#1200300)	Electronics	8730000
General Science (#2002310)	Nursery Operations	8121200
	Environmental Horticulture	8121500
	Animal Science	8106100
	Livestock Production	8106600
	Agritechnology	8106400
Anatomy and Physiology (#2000350)	Health Service Occupations	8415100

K. Cooperative Education *Revised 6/30/92*

(1). Definition

High school credit may be earned by vocational students using the cooperative education method of instruction. Cooperative education involves paid, supervised, concurrent employment that is directly related to the student's in-school training. The cooperative education method is available for junior and senior students. At-risk high school students in any grade may be enrolled in Work Experience. All cooperative education job sites must be approved by the coordinator; students shall not be employed by members of the immediate family.

Cooperative education is not a program but a method of instruction used in several vocational programs. Students who complete a vocational program using the cooperative method are coded on the final class reports as completers of the vocational program.

(2) Types of Programs

There are several programs offering the cooperative method of instruction: Agribusiness Cooperative Education for students employed in agriculture

occupations and enrolled in an Agribusiness vocational program, Business Cooperative Education for students employed in office occupations and enrolled in a Business Education vocational program, Cooperative Health Occupations Education for students employed in health occupations and enrolled in a Health Occupations vocational program, Marketing Education for students employed in marketing occupations and enrolled in a Marketing Education vocational program, and Industrial Cooperative Education for students in industrial occupations and enrolled in an Industrial Education vocational program. If a specialized program is available and a student qualifies for the specialized program, the student should be enrolled in the cooperative education course for that specialized program. If a specialized program is not available or if the specialized program does not have a vacancy, the student should enroll in Diversified Cooperative Training (DCT) program. DCT provides opportunities for selective placement based on the student's occupational objectives and the development of occupational competencies.

Junior and senior students may be released from school one or two periods for cooperative education that is supervised, on-the-job training (OJT), but they must be enrolled in one or more related courses in the particular vocational program area during the school day. Fifth year seniors who have met all other graduation requirements, may be released for additional periods.

(3) Hours Worked

Students released from school must work an average of eight (8) hours per week for each school period they are released. A student must work 144 hours during the semester to earn one-half (1/2) credit or 288 hours during the semester to earn one (1) credit toward high school graduation requirements.

(4) Forms Required

a. Application/Agreement

Prior to enrollment in the program, the student must complete a cooperative education application, which must be signed by the student and the parent or guardian.

b. Agreement

An agreement must be signed by the student, parent or guardian, coordinator, and employer. If the student changes jobs, a new agreement must be signed by each of the parties. The original copy of the signed agreement must be in the student's file for program review.

c. Time Sheets

For every month the student is enrolled in cooperative education, a time sheet signed by the student and employer must be on file. The time sheet must list the day and time worked and monies earned. This time sheet must be in the student's file for program review.

d. Evaluation

An evaluation completed by the employer must be on file for each student every grading period. The original must be in the student's file for program review. A copy of the evaluation should be given to the student and the employer. The cooperative education program curriculum frameworks outline the specific skills that must be evaluated.

e. Training Plans

A training plan must be prepared for each cooperative education student. The training plan, which must list the competencies to be mastered in the classroom and those competencies to be mastered on the job, must be signed by the employer, the student, and the coordinator. As a student masters the listed competencies, mastery must be reflected in the student's file for program review.

f. Visitation Record

Each cooperative education student must be visited at his or her work site at least once per grading period by the coordinator. A record of these visits must be maintained.

(5) Absences

Any cooperative education student who is absent from school for any part of the school day may not report to work that day without the prior approval of the coordinator.

(6) Grades

The grades the student earns for the classroom and OJT are assigned by the coordinator.

(7) Periods of Unemployment

a. A student who is new to the program may have up to ten days to secure appropriate employment. If the new student is still not employed in an appropriate training site after ten days, he or she may be removed from the cooperative phase and enrolled in suitable classes. An unemployed student is not permitted to leave school early without the coordinator's approval.

b. Students who wish to change jobs during the school year should coordinate any job changes with the coordinator.

c. Any student who loses his or her job through no fault of his or her own may have ten days to secure another suitable training site. If the student is unable to find employment after ten days, he or she may be reassigned on campus. These situations will be handled on an individual basis with the coordinator and school officials. An

unemployed student should not be permitted to leave school early without the coordinator's approval.

- d. Any student who is released with cause (shoplifting, for example) may not be released from school for OJT. Appropriate disciplinary action may be taken, up to and including no credit for the cooperative education program and removal from the program at the end of the semester.

L. Awarding Credit and Grades

- (1) A student shall complete a semester's work in order to be promoted or to receive credit for the semester's work. Students who complete the semester's work, except taking the final examinations, may at the discretion of the principal, arrange to take the examination prior to the opening of the next succeeding school year.

Work or credit earned from a non-accredited school or school from outside Osceola County shall be accepted toward graduation upon validation. Validation of credit may be made by the student's successful completion of a standardized test in the subject.

- (2) Grading and Reporting

Schools shall follow the following state adopted grading system plan for grading and reporting pupil progress.

Students and parents are to be advised of the grading criteria employed in the school and in each class at the beginning of the grading period.

GRADE

<u>Grade</u>	<u>Percent</u>	<u>Point Value</u>	<u>Definition</u>	<u>Pacer Point Value</u>
A	94-100	4	outstanding progress	5
B	85-93	3	above average progress	4
C	75-84	2	average progress	3
D	65-74	1	lowest acceptable progress	2
F	0-64	0	failure	0
I	0	0	incomplete	0

- (3) Grades will be awarded at the end of each grading period. These grades will reflect all work assigned and achieved during that grading period.  
*Amended 6/30/92*



- (4) Final grades may be awarded on a semester basis in high schools or yearly basis in middle and elementary schools.
- (5) When two nine weeks are used to determine a final grade, each nine weeks shall count 50% of the final grade, that is the total shall be divided by two (2). When a semester exam is given, each of the nine weeks grades shall count 40% and the exam grade shall count 20% of the final grade, and the total shall be divided by five (5). Trimesters will be averaged for the final grade. *Amended 6/30/92*
- (6) In grades 3-5, report card evaluation should reflect student growth during the grading period as indicated by objective test data, teacher observation and portfolio information.  
  
In grades 6-8, the grade point values of the grading period and exam grade are averaged to determine the final grade. If the quotient result is 1.5 or higher, the grade shall be rounded to the next highest letter. Rounding of grades less than 1.0 shall be left to the discretion of the instructor. In determining final grades, a zero shall be assigned for no work or dishonest work and may rank as -1 on the grade point scale upon the approval by the principal. *Amended 6/30/92*
- (7) In grades 9-12, a numerical average is determined by the teacher, at the end of each nine (9) week grading period and the corresponding letter grade (as determined by the grading scale above) is recorded on the report card. If a semester exam is given, the numerical exam score is also converted to the corresponding letter grade as determined by the above grading scale. To determine the final grade, the numerical grades are average together, as outlined two paragraphs above, and numerical average will be converted to the corresponding letter grade from the grading scale, and reported on the report card. For middle school dual enrollment courses on a year-round calendar, the three trimesters will be averaged for a final grade and for the awarding of credit.
- (8) If an I (incomplete) is recorded on a report card, the requirements for which the incomplete was assigned must be satisfied within two weeks of the issuance of the report cards or the I becomes an F. At the teacher's discretion a longer period of time may be allowed for make up work. The use of Pacer Points is optional and, at the discretion of the Principal. Pacer Points should be used only in determining rank in the senior class and shall not be used in determining grade point averages. *Amended 7/23/91*

## **VI. Community/Adult Education**

Once enrolled in community education classes, a student may not re-enroll in the regular day school program except with the permission of the Superintendent. The Osceola County Community Education Division includes the following program.

- A. Adult Basic Education - Levels 1-6
- B. Pre-GED Preparation - Levels 7-8

C. GED Preparation/Testing

Preparation in the five areas of testing: Math, English, Reading, Social Studies, and Science. State/national fee schedule. Minimum age 18.

All candidates whose official transcripts do not verify reaching the 11th grade level, will be pre-tested and placed in the appropriate level of training: ABE or GED. Upon completion of the final level (GED preparation) the candidate will be post-tested. If he reaches an established score and is recommended by the instructor, they will be scheduled for GED examination.

All students will complete a pre-test for GED. Under the following extraordinary circumstances, one may take the GED examination after reaching the age of 16:

- (1) Court ordered cases to pursue the G.E.D., extenuating circumstances such as financial hardship (must meet federal income guidelines).
- (2) Currently enrolled Alternative Day School students recommended by the instructor and post-tested by the coordinator.

Test preparation will be provided as part of the candidate's Individual Education Plan.

The candidate must reach an established score on the post-test prior to being allowed to take the G.E.D. test.

The candidate must successfully complete the above sequence of pre-testing, preparation and post-testing if he has reached the eleventh (11th) grade or if he is unable to provide the official transcript showing eleventh (11th) grade achievement.

- (3) Students who have met all requirements for graduation except the attainment of a 1.5 cumulative grade point average.
- (4) Students who are enrolled in a Home School provided the following conditions are met: *Adopted 6/28/94*
  - a. The student has been enrolled in a Home School for a minimum of eighteen (18) weeks.
  - b. The student has a score of 12.0 or above on the Test of Adult Basic Education (TABE).
  - c. The student has a scored of 50 or above on each subtest of the Official GED Practice Test.
  - d. The parent has completed the Home School GED Petition.

D. High School Completion Program - Levels 9-12 *Revised 6/29/93*

Graduation requirements of 24 credits which must include:

- 4 English (sequenced composition and literature)
- 3 Math

- 1 World History with AVC
- 1 American History
- 1/2 Economics
- 1/2 American Government
- 3 Science (1 Physical with lab, 1 Biological with lab, and 1 elective)
- 1/2 Personal Fitness
- 1/2 Life Management Skills
- 1/2 Practical Arts Fine Arts
- 1/2 Computer Literacy

Credits [based on Carnegie units] earned in grades 9-12 in high school will be accepted [Remedial courses not to exceed two (2) credits may be counted in the Elective area.] Credits will be awarded students who have attended at least 80% of the regularly scheduled classes and demonstrated mastery of the minimum and student performance standards.

- (1) Any one entering the Adult Completion Program must successfully complete two (2) credits even though they may transfer in all required credits. Excluded from the two-credit requirement are those students meeting requirements set forth in SBR 6A-5
- (2) The Course Completion Program is part-time, with a maximum of twelve (12) instructional hours per week.
- (3) The HSCT must be passed in order to receive an Adult High School Diploma. *Amended 6/29/93*
- (4) Entrance Requirement
  - a. 16 years of age or older unless approved by the Director of Student Services and the Director of Vocational and Adult Education.
  - b. Officially withdrawn from the regular K-12 program.
  - c. Complete the Test of Adult Basic Education.
  - d. Complete all necessary entry forms and secure parent permission, if applicable.

E. Life Long Learning

Program which provides educational activities to any adult with the opportunity to improve competencies in any course, identified in the Course Code Directory if there is an identified need.

F. Fee-Based Courses

These courses are requested by the community for personal development or enjoyment and require a fee based on instructional costs.

G. Adult Supplementary Vocational Education

Programs will be offered to enable persons who are or have been employed in a specific occupation to upgrade their competencies, to maintain stability, and to advance in or re-enter the specific occupation in which the person was employed or is currently employed. Fee structure will be based on state or course requirements.

H. Adult Vocational Preparatory Program

Programs providing instruction in competencies that are realistic in terms of actual or anticipated opportunities for employment which are suited to individual needs, interests and abilities to (1) prepare persons for effective entry level performance in skilled and technical level occupations; (2) enable persons who are or have been employed in an occupational field or as a homemaker to upgrade competencies to maintain stability, advance or re-enter employment.

I. Other Educational Activities Kindergarten Through Adult

Other educational activities will be offered at times most appropriate to meet the needs of the community.

J. Community/Adult Education Program *Amended 6/29/93*

Operates five (5) quinesters per year. Each quinester is forty-five (45) days in length. The summer quinester is based on need and may vary in length. All participants must be residents of the State of Florida or pay a non-residence fee as determined by the Board..

K. Section 230.645 F.S. is amended to allow School Districts to establish scholarship funds using donations. Eligible programs are those in Adult Secondary Education and Adult Vocational Education.

L. Literacy

This is a program providing individualized basic reading and writing skills.

VIII. Florida Academic Scholars Certificate/Florida Gold Seal Vocational Endorsement *Revised 6/29/93*

A. The Florida Academic Scholars Certificate is designed to encourage and to recognize outstanding performance and academic achievement by high school students. (232.24 65, F.S.) In order to qualify as a Florida Academic Scholar, a student must:

- (1) Complete a program of at least two more credits than the minimum number of credits required for high school graduation of advanced level studies in grades 9 through 12 as prescribed by the State Board of Education, including as a minimum:

- a. Four years of progressively advanced instruction in language arts, including courses in English composition and literature. *Amended 7/23/91*
  - b. Four years of progressively advanced instruction in science, including laboratory courses in biology, chemistry and physics where laboratory facilities are available. *Amended 7/23/91*
  - c. Four years of progressively advanced instruction in mathematics, including courses in algebra and geometry, and calculus or trigonometry.
  - d. Two years of sequential foreign language.
  - e. One year in Practical Arts Vocational Education OR Exploratory Vocational Education OR one year in Performing Fine Arts or one-half year each in Practical Arts Vocational Education or Exploratory Vocational Education and Performing Arts.
  - f. Three years of instruction in social studies, including courses in American history and government, World History; and comparative political and economic systems.
  - g. One year of instruction in health and physical education to include assessment, improvement, and maintenance of personal fitness.
  - h. Credits in general electives to complete the graduation requirements.
- (2) No grade below "C", a grade point average of 3.0 on a 4.0 scale for all courses taken in grades 9-12 for which credit is granted.
  - (3) A score of 1,100 or more on the combined verbal and quantitative parts of the Scholastic Aptitude Test of the College Entrance Examination Board, SAT or a composite score of 26 or more on the American College Testing Program's ACT.
  - (4) Demonstrate mastery of the student performance standards and basic skills required by F.S. 232.246 (1)(a) and (b).
  - (5) Effective with the freshman class of the 1993-94 school year, complete a program of community service work which shall include a minimum of 75 hours of service work and require the student to identify a social problem that interests him, develop a plan for his personal involvement in addressing the problem, and, through papers or other presentations, evaluate and reflect upon his experience.

- B. The Florida Gold Seal Vocational Endorsement/Scholarship Program recognizes and awards academic achievement and vocational preparation by high school students.

High school students may participate in this program in accordance with Florida Statute 232.2467 and State Board Rule 6A-1.092. In order for a student to qualify with the Florida Gold Seal Endorsement, students must apply for the Gold Seal through the district office during their senior year prior to graduation. Mid-year

graduates may be included with regular ones. Summer graduates should apply for the Gold Seal Scholarship with regular graduates but their Gold Seal Application/Checklist should be submitted when they complete summer school.

The following criteria must be met by each student in order for the district to award the Gold Seal:

- (1) Earn a standard high school diploma based on at least 24 credits inclusive of all standard high school coursework and vocational program coursework;
- (2) Complete a vocational job preparatory program consisting of a minimum of three credits or; complete a vocational job preparatory program consisting of two credits plus at least one credit of on-the-job training or Business Ownership;
- (3) Earn a cumulative unweighted grade point average (24 standard diploma credits minimum) of at least 3.0;
- (4) Earn an unweighted grade point average of at least 3.5 in courses comprising the vocational program;
- (5) Demonstrate mastery of Employability Skills;
- (6) Demonstrate mastery of Basic Skills in reading, mathematics, and writing;
- (7) Demonstrate competency in the job skills of the vocational program completed by one of the following methods:
  - a. Pass a statewide written test where available AND district performance test for the job preparatory program;
  - b. Pass a district written and performance test for the job preparatory program;
  - c. Place first, second, or third in a regional, state or national Vocational Student Organization skill competition;
  - d. Receive verification of competence from the vocational program's advisory committee.

## **IX. Exceptional Education Students**

### **A. Elementary and Middle Schools**

- (1) Specific Learning Disabled, Educable Mentally Handicapped, Speech/Hearing Therapy, Hearing Impaired, Emotionally Handicapped, Gifted, Homebound/Hospital, Visually Impaired, Physically Impaired  
*Amended 7/23/91*
  - a. Promotion

Students enrolled in exceptional student education programs for more than 12 hours per week shall be promoted on the basis of appropriate academic and behavioral evaluations in the Individual

Education Plan. If an exceptional student is in a special education program more than 12 hours per week, but is attending courses in regular education, the student must meet the Osceola County minimal standards for all regular education education courses. The Revised Minimum Performance Standards for the assigned exceptionality must be documented by the exceptional education teacher starting in kindergarten and progressing through graduation from high school. Elementary students enrolled in the Gifted pull-out program are classified in attendance and should not be counted as absent. Classroom assignments are given by the Gifted teacher. Students should not be required to make-up the work missed in the regular class. *Amended 6/28/94*

The Revised Minimum Student Performance Standards for Exceptional Students Tracking Form should be used for students who will be graduating from high school. *Amended 6/28/94*

Mastery of the standards shall be determined by the teacher utilizing the evaluation modes specified in the Individual Education Plan.

The curricular approach for the elementary school varying exceptionalities, including EH/SED, shall be Reading Mastery and Precision Teaching (Direct Instruction and daily measurement). Whole Language concepts may be used to supplement the Direct Instruction curricula. Curriculum for Educable mentally disabled students may include excerpts from the Hillsborough County Curriculum in addition to the Direct Instruction model noted above. Moderately and severely disabled students will be taught from the Duval County Curriculum in combination with teacher designed Community Based Instruction (CBI) activities. *Adopted 6/30/92*

The curricular approach for middle school varying exceptionalities, including EH/SED, shall be Corrective Reading, Precision Teaching (Direct Instruction and daily measurement), and the Kansas Learning Strategies model. Basic curriculum adaptations may be used to supplement Direct Instruction and Learning Strategies curricula. Curriculum for Educable mentally disabled students may include excerpts from the Hillsborough County Curriculum in addition to the Direct Instruction model noted above. Moderately and severely disabled students will be taught from the Duval County Curriculum in combination with teacher designed Community Based Instruction (CBI) activities. CBI activities will be emphasized during middle school years. *Adopted 6/30/92*

b. Retention

Students who do not meet promotion requirements may be administratively placed in the next grade level by the principal. When a student is being considered for administrative placement which involves attendance at another school (for example, from elementary to middle school or middle school to high school) such placements shall be made only at the beginning of the school year. Exceptions to this rule may be made if the sending and receiving principals agree that an administrative placement during the school year is in the best interest of the student and when approved by the Superintendent.

Retention of exceptional students shall be limited to one year in the elementary school grades and one year in the middle school grades unless additional retention is recommended by a staffing committee.

(2) Trainable Mentally Handicapped

a. Promotion

Students in the trainable mentally handicapped program shall be promoted through the grades from kindergarten through the eighth grade according to age and completion of the objectives of the individual education plan.

b. Retention

All exceptional education students will be monitored on the Revised Minimum Performance Standards for Exceptional Students starting in kindergarten. Teachers should use the Revised Minimum Performance Standards for Trainable Mentally Handicapped for documentation.. *Amended 7/23/91 & Amended 6/28/94*

The Revised Minimum Performance Standard Tracking Form should be used for students graduating or to evaluate the student's progress each year. This tracking form should follow the student through high school. Mastery of the standards shall be determined by each teacher utilizing the evaluation modes specified in the Individual Education Plan. *Amended 6/28/94*

(3) Profoundly Mentally Handicapped

Students enrolled in the profoundly mentally handicapped program shall be promoted according to the specifications of the individual education plan.

B. High School Graduation Requirements

Modifications to basic and vocational courses as provided by SBR 6A-6.0312 are allowable for all exceptional students to meet the requirements for a regular or special diploma as follows:

- (a) The instructional time may be increased or decreased.
- (b) Instructional methodology may be varied.
- (c) Special communications systems may be used by the teacher or student.
- (d) Classroom and district test administration procedures and other evaluation procedures may be modified to accommodate the student's handicap.

(1) Regular Diploma

To meet the requirements for a regular high school diploma, an exceptional student shall take academic courses in the mainstream. The ESE program



will provide study skill support or exceptional education academic courses, both of which will count as elective credit for the student pursuing a regular diploma. Exceptional students may have regular academic course modifications as outlined in IX B. *Amended 7/23/91*

- a. Any students classified as educable mentally handicapped, trainable mentally handicapped, profoundly mentally handicapped, hearing impaired, specific learning disabled, physically impaired or emotionally handicapped may be awarded a regular diploma if the meet the requirements established in School Board Rule IV B.
- b. Maintain a G.P.A. of 1.5 on a 4.0 scale.
- c. Students who are classified as hearing impaired may complete any basic or vocational course applicable to a regular diploma if the course is taught by the exceptional student teacher and if the course content, standards, student outcomes and other requirements are equivalent to that of the regular course.
- d. Meet attendance requirements.

(2) Special Diploma

Any student classified as educable mentally handicapped, trainable mentally handicapped, profoundly mentally handicapped, hearing impaired, specific learning disabled, physically impaired, or emotionally handicapped may be awarded a special diploma if the following requirements are met:  
*Revised 7/23/91*

- a. Complete course requirements as outlined below

Option A

Language Arts -	Three (3) credits
Mathematics -	Three (3) credits
Social Studies -	Two (2) credits
Science -	One (1) credit
Physical Education -	One (1) credit
Life Management Skills -	One Half (1/2) credit
Employability Skills -	One Half (1/2) credit
Electives (Vocational, practical arts, OJT, etc.) -	Eleven (11) credits
Total: Twenty-two Credits (11 required, 11 elective)	

### Option B

In accordance with Rule 6A-1.0996, FAC, exceptional students who demonstrate mastery of specified employment and community competencies may graduate with more or less than three years of attendance in grades 10-12.

1. The student shall meet the following conditions:  
*Amended 6/30/92*
    - (a) The student shall satisfactorily complete the equivalent of two full years of instruction in grades 10 and 11 and demonstrate community competencies through a school based or community based training program;
    - (b) The student shall satisfactorily demonstrate employment and community based competencies while employed full-time in a community based job, unless the student is placed in supported competitive employment in which case, the student must be employed for at least 20 hours per week, for the equivalent of five weeks.
    - (c) The student shall be at least seventeen (17) years of age or older;
  2. The student's individual education plan shall include annual goals and short-term objectives related to the employment and community competencies.
  3. Prior to placement in employment, a training plan shall be developed and signed by the student, parent, teacher, and employer. The plan shall identify the expected employment and community competencies, the criteria for determining and certifying mastery of the competencies, the work schedule and the minimum number of hours to be worked per week, a description of the supervision to be provided by the school district staff, and any special considerations.
- b. All exceptional education students will also be monitored on the Revised Minimum Performance Standards for Exceptional Students starting at grade kindergarten.

The Revised Minimum Performance Standard Tracking Form should be used for students graduating or to evaluate the student's progress each year. Mastery of the standards shall be determined by each teacher utilizing the evaluation modes specified in the Individual Education Plan.

The curricular approach for high school varying exceptionalities special and regular diploma students, including EH/SED, shall be the Kansas Learning Strategies model and basic curriculum adaptations. Direct Instruction and Precision Teaching will be used

to supplement basic and Learning Strategies curricula. Curriculum for Educable mentally disabled students may include excerpts from the Hillsborough County Curriculum in addition to the Direct Instruction model noted above. Moderately and severely disabled students will be taught from the Duval County Curriculum in combination with teacher designed Community Based Instruction (CBI) activities. CBI, work study, supported employment, and other specific transition activities will be emphasized during high school years.

- c. Student must have a 1.5 GPA to be eligible for a special diploma.
- d. Meet attendance requirements.

The ESE courses with "Comprehensive" in the title should be used by each high school to schedule students for a special diploma. These course code numbers may be repeated for multiple credits. The portion of this comprehensive course to be covered must be reflected in the student's IEP. The performance standards to be accomplished must be different each year. The comprehensive numbers allow flexibility to meet the individual needs of the students.

- e. Transfers

Any exceptional student transferring into the Osceola School District and determined eligible for a special diploma, shall be eligible to graduate based upon the requirements of the school district from which he or she is transferring.

(3) Special Certificate of Completion

Any educable mentally handicapped, trainable mentally handicapped, profoundly mentally handicapped, hearing impaired, specific learning disabled, physically impaired whose ability to communicate orally or in writing is seriously impaired, or emotionally handicapped student who meets all graduation requirements for his exceptionality, but is unable to meet appropriate special minimum standards shall be awarded a special certificate of completion.

**X. Drop-Out Prevention And Retention Program**

A comprehensive Drop-Out Prevention and Retention Plan is submitted to the State and reviewed on an annual basis. The individual programs in this plan are designed to meet the needs of high risk students and offer them special opportunities to earn credit towards graduation or promotion.

**XI. Placement and Promotion in the High School Vocational Program**  
*Adopted 6/30/92*

**A. Program Descriptions**

All Osceola County District public high school vocational programs follow the Florida Department of Education frameworks and student performance standards.

Copies of these frameworks and student performance standards are available for review in the office of the Director of Vocational, Adult and Community Education. Any vocational course from a vocational program listed below may be taken to satisfy the 1/2 credit practical arts graduation requirement.

(1) Agriculture

- a. Students are encouraged to start any agriculture program in the ninth grade by enrolling in Practical Agricultural Skills; however, students may enroll in any grade. Depending on a student's interest and program availability, high school students may enroll in Landscape Operations, Environmental Horticulture, Animal Science, Livestock Production, or Agritechnology.
- b. Graduating students who successfully complete any of the agriculture programs are program completers. Junior and seniors are eligible for Agriculture Cooperative Education. To be eligible for Agriculture Cooperative Education, a student must be currently enrolled in a job preparatory agriculture program.
- c. Future Farmers of America is the approved vocational student organization (VSO) for agriculture students. Middle school students are eligible for membership.

(2) Business Education

- a. Eighteen (18) different programs listed in the Florida Course Code Directory are provided for Osceola County business education students. The programs are designed to allow students with varying occupational interests to complete programs ranging from two (2) to six (6) credits.
- b. Typewriting 1/Fundamentals is a required course for completers in all the business education programs. For Osceola District Schools Practical Business Skills is offered instead of Typewriting 1/Fundamentals. These two courses are equivalent; a student may not receive additional credit by enrolling in and completing both courses.
- c. An option available to juniors and seniors in business education is Business Cooperative Education (BCE), which combines related classroom instruction with supervised on-the-job training (OJT) in a business or office occupation. OJT hours will vary. OJT students perform task outlined in their individual job training plan which is signed by the BCE coordinator, the employer, and the student. Any business education course may be used for BCE classroom instruction. The objective of BCE OJT is to reinforce and complement related in-school instruction in the business education job preparatory programs.
- d. Future Business Leaders of America (FBLA) , the approved secondary vocational student organization, is an integral part of the curriculum for all secondary business education programs. Middle school students are eligible for membership.

(3) Diversified Cooperative Training (DCT)

- a. Students are encouraged to start this vocational program in the eleventh grade by enrolling in DCT 1 and DCT--On-the-Job Training (OJT); however, seniors may enroll in DCT 1 and DCT OJT. As a part of this program, students learn selected occupational competencies through employment-related instruction in school and concurrent, paid, supervised on-the-job training. Second year students enroll in DCT 2 and DCT OJT. Seniors who successfully complete DCT 2 and DCT OJT are program completers.
- b. Part of the DCT curriculum is met through participation in Cooperative Education Clubs of Florida (CECF). This approved VSO is an integral part of the curriculum.

(4) Health Occupations Education

- a. Students may enroll in the health occupations vocational job preparatory Health Service Occupations program in grades 11 or 12. Ninth and tenth grade student may enroll in Medical Skills and Services which is also open to students in grades 11 and 12. Medical Skills and Service is usually a year-long course.
- b. Eleventh grade students should enroll in Health Service Occupations for two periods a day; as seniors they should enroll in one period of Health Service Occupations plus up to two additional periods of Health Occupations Cooperative Education - On-the-Job Training (OJT). Any student who first enters the Health Service Occupations as a senior should enroll for three periods a day to be a program completer and achieve certification in one of several entry-level health careers. Students completing the nursing assistant competencies will be eligible to sit for the state exam.
- c. Health Occupations Cooperative Education -- OJT is available to those Health Occupations Education students who are concurrently enrolled in Health Service Occupations 3 and have the instructor's approval.
- d. Health Occupations Students Association (HOSA), the approved vocational student organization for health occupations students is an integral part of the curriculum.

(5) Home Economics

- a. A variety of Home Economics Consumer and Homemaking courses is offered and may be taken as elective credit or to fulfill the practical arts requirements. No more than three (3) credits in Practical Arts Home Economics may be granted toward high school graduation requirements.
- b. Future Homemakers Association/Home Economics Related Occupations (FHA/HERO), the approved vocational student organization, is an integral part of the curriculum for all home

economics programs. FHA/HERO is also available for middle school students.

(6) Industrial Education

- a. Students are encouraged to start Industrial Education (IE) programs in the tenth grade by enrolling in Level 1 for one period. Second year students enroll in Levels 2 and 3 for two periods; third year students enroll in Levels 4, 5, and 6 for up to three periods. Cosmetology, an eight-credit program, requires summer enrollment to complete.
- b. Students may also begin any IE program in their junior or senior year and complete the program at Mid Florida Tech or Technical Educational Center of Osceola.
- c. Freshmen may enroll in IE classes.
- d. An option available to juniors and seniors in IE is Industrial Cooperative Education (ICE), which combines related classroom instruction with supervised on-the-job training (OJT).
- e. Vocational Industrial Clubs of America (VICA) is the approved vocational student organization for IE students.

(7) Marketing Education

- a. It is preferred that students start this vocational program in the eleventh grade by enrolling in Marketing Education 1. Ninth or tenth grade students are encouraged to enroll in typing as an elective. Eleventh grade students may be enrolled in Marketing Education--OJT for up to two periods per day. The job must be directly related to the student's career choice in the marketing field. Second year twelfth grade students enroll in Marketing Education 2 and Marketing Education OJT.
- b. Part of the marketing education and fashion marketing curriculum is met through participation in Distributive Education Clubs of America (DECA). This approved vocational student organization is an integral part of the program.

(8) Public Service

- a. The Teacher Assistant program is available to juniors and seniors only. A student may earn a maximum of three credits in this program. One day a week the student must report to the Public Service teacher who coordinates the Teacher Assistant program. There are specific student performance standards that must be taught and evaluated in order for the student to earn credit in the class. Four days a week the student reports to his or her particular assignment. The coordinator will visit the student on the site at least once per grading period.
- b. Criminal Justice Assisting and/or Principles of Community

Protection, Principles of Family Protection, Principles of Public Service are taught by the School Resource Officer (SRO) at each high school.

- c. The Florida Association of Public Service Students (FLAPSS) is the approved vocational student organization for Public Service students. *Adopted 6/29/93*

(9) Technology

Technology Education classes in construction are offered at Osceola High School.

B. Definition of a Completer

In order to be classified as a vocational program completer, a student must complete all student performance standards and should earn the required number of credits. If a student has mastered all student performance standards, he/she is a completer even if he/she has not completed the courses. Osceola County student may complete their programs in high school or continue with an articulated postsecondary program at a vocational postsecondary center. All vocational completers are included in the district's annual follow-up student after they graduate from high school.

**XII. Placement and Promotion of Secondary Students at the Technical Education Center of Osceola (TECO) *Adopted 6/30/92***

Under certain conditions, secondary students may be placed at the Technical Education Center of Osceola (TECO) at their high school site.

- A. Co-enrolled: Co-enrolled students (includes standard diploma seeking DEES) are enrolled in the academics at their zoned high school and vocational electives at TECO. Only students in their 13th year of school or seniors who have met all graduation requirements except English IV will be allowed to co-enroll in a vocational program not offered at their high school. Students must provide their own transportation. Placement at TECO will occur only at the beginning of a semester; students will remain for the entire semester. All final exams in the program will be comprehensive.
- B. Second School Vocational Placement at TECO: Students will have the opportunity to attend TECO as a second school vocational placement for part of the school day provided the following conditions exist:
  - (1) The student is at least 16
  - (2) The vocational program is not offered at the zoned high school.
  - (3) The student exhibits the maturity to handle the adult setting.

All final exams in the vocational program will be comprehensive.

- C. Department of Education for Exceptional Students (DEES): DEES special diploma seeking students may choose to participate in a full-day program at TECO. DEES

will receive their academic classes from the DEES teachers located at TECO. Placement at TECO will occur only at the beginning of a semester; students will remain for the entire semester. Placement at the centers must be reflected in the student's IEP.

D. Placement and Promotion in Postsecondary Adult and Vocational Institutions

(1) Technical Education Center of Osceola  
501 Simpson Road  
Kissimmee, FL 34744

(2) Vocational, Adult and Community Education Center  
401 N. Church Street  
Kissimmee, FL 34741

(3) Enrollment Eligibility

Both adult centers accept for enrollment those adults 16 years of age and older who make application and who can benefit from the training. All centers provide free testing, guidance, and remediation, if needed. All vocational programs have state mandated mathematics and reading achievement standards; achievement of these standards must be documented prior to a student's program completion.

(4) Transfer Students

Both centers accept transfer students from other institutions. These students are placed in vocational or adult programs (1) based on results of written and/or performance tests or evaluations of transcripts or (2) in compliance with articulation agreements between the secondary vocational program or VCC and TECO. Students may transfer from one center to the other.

(5) Types of Programs

TECO offers a limited number of vocational programs. All programs are based on Florida Department of Education frameworks and student performance standards. All programs have an advisory council that makes recommendations to the center's administration regarding the curriculum, facilities, equipment, etc.

(6) Completion

Completion is based on mastery of all competencies identified by the state curriculum frameworks and student performance standards. In addition, prior to program completion, students must meet minimum reading and mathematics achievement requirements determined by the Florida Department of Education.

(7) Job Placement

While no school can guarantee placement, TECO has a professional staff to assist currently enrolled students and graduates in securing employment related to the training provided. Follow-up studies are conducted annually



to verify placement. In order to be in compliance with Florida Statutes, each vocational program must have 70 percent of its graduates successfully placed.



## **BYLAWS OF THE BOARD**

### **A. Chairman**

- (1) The Chairman of the School Board shall preside at all meetings of the school Board and shall vote on motions placed before the School Board for action unless he has a conflict of interest.
- (2) He shall represent the School Board in deliberations with other school boards, districts, or agencies unless another member of the School Board is so designated.
- (3) The Chairman of the School Board shall sign all official documents, minutes of School Board meetings, and any other School Board documents as shall be necessary by law or School Board direction.
- (4) He may appoint committees unless otherwise specified by the School Board or may request the Superintendent to call a special meeting, or shall call a special meeting in the event that the Superintendent fails to do so when requested, shall accept service of process in all suits against the School Board, if he can be found, and shall perform all other duties as prescribed by law.

### **B. Vice-Chairman**

- (1) The Vice-Chairman of the School Board shall perform all duties of the Chairman in his absence.
- (2) The Vice-Chairman, when acting as Chairman, shall have the right to designate any other Board member to act as Chairman for the purpose of making or seconding motions, discussing and voting on a particular issue or question before the Board.

### **C. Secretary**

- (1) The Superintendent shall serve as Secretary of the School Board.
- (2) He shall keep, or cause to be kept, an accurate record of all School Board business in the School Board minutes.
- (3) He shall sign all papers that require signatures of the School Board unless otherwise specified by law, shall accept service of process in all suits against the School Board in the event the Chairman is not available, shall act as the School Board's representative in financial and legal matters, and shall perform such other duties as may be required by law or action of the School Board.

### **D. Clerk**

The Superintendent's Secretary shall be the Clerk of the Board, unless the Superintendent shall designate some other person whose name shall be submitted to the Board for their approval.

**E. Attorney**

- (1) The School Board shall select, employ and determine the duties and fee of an attorney(s), who shall be responsible directly to the School Board.
- (2) The Attorney for the School Board shall have the following duties and responsibilities to be rendered in consideration of the hourly or yearly compensation set by the School Board:
  - a. He shall attend all meetings of the School Board and other meetings when requested. At these meetings he shall act as a Counselor to the School Board.
  - b. He shall render a written opinion on any legal question when requested by the School Board in session, with a copy furnished to all School Board members and the Superintendent, and one copy to be maintained by the School Board secretary in a Master Opinion File, in the Office of the School Board. He shall render written opinions on any legal question only when requested. Any School Board member may request an opinion, however, if the opinion will require a considerable length of time, then it is incumbent upon the Attorney to seek School Board approval.
  - c. He shall prepare or supervise the preparation of all legal papers and documents which shall be executed by the officers of the School Board or he shall approve the same before execution thereof by said officers.
  - d. He shall provide such opinions or other legal information to the Superintendent or his delegated representative which may be necessary for the immediate or long-range conduct of the affairs of the School District.
  - e. He shall represent the School District in all litigation to which the School District may be a part or in which it is interested, except in cases where insurance coverage shall provide representation.
  - f. Upon the purchase of any real estate by the School Board, he shall examine the abstract or preliminary report of title, as the case may be, and render a written opinion concerning the same, and shall represent the School Board in the purchase or sale of any real estate.
  - g. Such other duties as directed by the Board.

**F. Committees**

There shall be no standing committees but special temporary committees shall be allowed to be appointed by the Chairman or chosen by vote of the School Board for fact-finding, deliberative and advisory function only, but never to have legislative nor administrative power.

**G. School Advisory Councils**

*Amended 6/29/93*

- (1) The School Board shall annually review School Advisory Councils which

shall be broadly representative of the community and which shall include the principals, parents, teachers, other business and community members and students on High School and Vocational Committees. At the the times established in the School Board Rules, open nominations and elections shall be held. Unless otherwise directed by the School Board, the rules and regulations for operation of the councils shall be developed and maintained by the Superintendent subject to the action of the School Board. Such School Advisory Councils shall not have any of the powers and duties invested by law in the School Board, and shall act in an advisory capacity only.

- (2) Among any other duties assigned to a School Advisory Council at the time of its establishment shall be the responsibility of participating in the development of an annual school improvement plan.
- (3) The Board shall receive a copy of the minutes from the School Advisory Council meetings, and a copy of the Feedback Report from each school. In addition, the cumulative attendance of each member of each School Advisory Council shall be reported to the Board with the minutes of each meeting.

#### **H. Members**

- (1) It is understood that the members of the School Board have authority when acting as a School Board legally in session. The School Board shall not be bound in any way by any action or statement on the part of any individual member except when such statement or action is in pursuance of specific instructions from the School Board.
- (2) No member, by virtue of his office, shall exercise any administrative responsibility with respect to the schools or as an individual command the services of any school employee.
- (3) Each School Board member shall serve as a representative of the entire School District, rather than merely as representative of a School Board member area.
- (4) Any School Board member must accept service of process in all suits against the School Board whenever the Chairman of the School Board and the Superintendent are unavailable.

#### **I. Orientation**

- (1) Under the guidance of experienced School Board members and the Superintendent, orientation will be provided to new School Board members through activities such as these:
  - a. Workshops for new School Board members conducted by state and area School Board Associations
  - b. Discussions and visits with the Superintendent and other members of the school staff
  - c. Provisions of printed and audio-visual materials on School Board

policies and administrative rules and procedures

- (2) Education shall be considered as an on-going process for all School Board members, and may include such activities as those indicated above and the addition of items such as these:
  - a. Attendance at School Board and administrative conferences and conventions on a local, area, state and national basis
  - b. Exchange of ideas through joint meetings with other school boards.
  - c. Verbal or written reports to the Board of Members' activities outside of Board meetings.

**J. Development in Service**

- (1) Attendance at meetings directly or indirectly related to education or school matters shall be encouraged for the values they have to the school system and the professional growth of School Board members.
- (2) The Superintendent shall notify School Board members of all relevant scheduled meetings; however, School Board members are encouraged to attend all meetings they believe would be helpful to them in their official capacity.

**K. Remuneration and Reimbursement**

All remuneration and reimbursement to the Board will be as prescribed by law.

**L. School Board Member Protection**

The School Board shall provide individual School Board members with liability insurance coverage upon such terms as the School Board may from time to time approve.

**M. Retirement**

- (1) Outgoing members of the School Board should be appropriately recognized and thanked for their service to the schools and community.
- (2) Continuing privileges as may be legally provided as a courtesy, may be extended upon request.

**N. Methods of Operation**

- (1) The School Board, acting as a School Board, exercises authority over the schools in accordance with applicable laws. It determines policy, and appraises the results achieved in light of the goals of the school system.
- (2) The School Board shall concern itself primarily with broad questions of policy and with the appraisal of results, rather than with an administrative task to be performed by the Superintendent and his staff, who shall be held responsible for the effective administration and supervision of the entire school system.

**O. Bylaws of the Board**

(1) Formulation, Adoption and Amendment of Bylaws

- a. The School Board's Bylaws are rules designated to organize and control its internal operations. Some bylaws are set by statute. Others may be formulated and adopted at its option by the School Board itself as long as they are in harmony with the intent and specifics of the Statutes.
- b. In its deliberation leading to the establishment or amendment of its bylaws, the School Board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

(2) Adoption and Amendment of Bylaws

- a. Bylaw proposals and suggested amendments to or revisions of existing bylaws shall be submitted to all members of the School Board and to the Superintendent in writing prior to a regularly scheduled School Board meeting in which such proposed bylaws, amendments, or revisions shall be read and discussed. Any such proposed bylaws, amendments or revisions shall be adopted in accordance with the requirements of Chapter 120, Florida Statutes for adoption of Rules.
- b. The formal adoption of bylaws shall be recorded in the minutes of the School Board. Only those written statements so adopted and recorded shall be regarded as official School Board Bylaws.

**P. Meetings**

All actions of the School Board shall be taken only in official School Board meetings called, scheduled and conducted according to these bylaws and the Statutes of the State of Florida.

(1) Time, Place, Notification for Meeting

The time, place and notification of meetings procedures shall be established in the standing rules of the School Board, which shall be adopted at the annual organizational meeting.

(2) Public and Executive Sessions

a. Public Sessions

The School Board shall conduct regular meetings, special meetings and all conferences as public meetings with news media notified of such meetings. Time, date and place of such meeting will be included in news media notification.

b. Executive Sessions Concerning Labor Negotiations

Executive sessions may be held only for the purpose of discussing the status of negotiations between labor organizations and the Superintendent and his designee to instruct the Superintendent as to the School Board's desires in such negotiations.

c. Construction of Agenda/Advance Delivery of Meeting Materials

1. The Superintendent shall at least seven (7) days before a regular meeting prepare a proposed agenda, in cooperation with the Board, for each such meeting and make it available for distribution on request of any interested person. The agenda shall be delivered with supporting information, to each School Board member so that he will have this material at least 48 hours prior to each meeting, whenever practicable. Special called meetings may be exempt from this time frame.
2. In connection with preparation of the agenda for each regular meeting of the School Board, the Superintendent shall prepare, in cooperation with the Board, a proposed consent agenda, which shall consist of those agenda items which normally are considered to be matters not requiring discussion. The Superintendent shall cause such consent agenda to be delivered to each School Board member along with the regular and full agenda.
3. Prior to a vote by the School Board on the consent agenda, any item included thereon shall be removed therefrom upon the request of any School Board member. School Board members, where possible, are encouraged to convey to the Superintendent any such request by 12:00 o'clock noon of the day of the meeting.
4. Above requirements do not apply to expulsion hearings or when meeting as a quasi-judicial body.

(3) Meeting Conduct

a. Start of Meeting

The Chairman, or in his absence, the Vice-Chairman, shall start all meetings promptly at the appointed hour.

b. Procedure for Discussion

All debate on an issue shall be germane to the question, not redundant, and in proper decorum.

c. Voting

1. No member of the School Board who is present at any meeting of the School Board, at which an official decision, ruling or other official act is to be taken or adopted, may



abstain from voting in regard to any decision, ruling, or act, and a vote shall be recorded or counted for each such member present, except when, with respect to any such member, there is or appears to be a possible conflict of interest as provided by law. Upon request of any School Board member, the vote on any matter shall be by roll-call vote. The Chairman shall vote last.

2. The minutes of the meeting shall show the vote of each School Board member present on all matters on which the School Board takes action. It shall be the duty of each member to see to it that both the matter and his vote thereon are properly recorded in the minutes.

(4) Action

- a. Formal action by the School Board may be taken on any item included in the agenda by whatever majority vote is required by the Statutes.
- b. All actions of the School Board shall be taken only in official School Board meetings called, scheduled, and conducted according to these bylaws and the Statutes of the State.

(5) Citizen Participation

- a. The School Board shall listen to the advice and counsel of citizens in planning and operating the public schools. If, at any part of the official School Board meeting, a citizen has a valid interest or communication pertaining to the immediate business being discussed, he may be recognized at the discretion of the Chairman, or a majority of the School Board.
- b. If any citizen desires to bring a matter before the School Board, at its next regular meeting, for official or other action, and such citizen notifies the Superintendent thereof, in writing at least twenty-four hours prior to preparation of the agenda for that meeting, such matter shall be included on a special order agenda for discussion and action where necessary. Such notification shall be confirmed in writing and shall specify the nature of the subject matter.
- c. In the event citizens desire to address the School Board, the Chairman may, unless over-ruled by a majority of the School Board members present, reasonably limit debate and discussions by citizens both as to time and number.
- d. General citizen participation shall not be permitted when the Board is sitting as the "Legislative Body" pursuant to Chapter 447, Florida Statutes, to resolve impasse in any collective bargaining process; nor when the Board is considering or hearing any charges or recommendation, of suspension or discipline of any employee, any student disciplinary proceeding, or otherwise acting as a quasi-judicial body.

(6) Order of Business     *Amended 6/29/93*

The School Board's business will usually be transacted in the order outlined below. The Order of Business at any particular meeting may be altered by the Chairman if no board member objects.

- I. Meeting Openings
  - A. Call to Order
  - B. Invocation
  - C. Pledge of Allegiance
  - D. Mission Statement
- II. Public Hearings
- III. Special Order
- IV. Approval of Minutes
- V. Consent Agenda
- VI. Public Comment (Regular and/or Special Meetings)
- VII. Fiscal Services
- VIII. Pupil Services
- IX. Administrative Services
- X. Instructional Programs
- XI. Support Services
- XII. Superintendent's Recommendations
- XIII. Old Business (List)
- XIV. New Business
  - A. New Items Introduced by the Superintendent
  - B. New Items Introduced by School Board Members.
- XV. Information and Announcements
- XVI. Advance Planning
  - A. Future Meeting Dates.
  - B. ....
- XVII. Adjournment

(7) Parliamentary Procedure - Robert's Rules of Order

- a. The School Board of Osceola County adopts the most current edition of Robert's Rules of Order, Newly Revised, as the operating procedure for the School Board. Whenever Robert's Rules of Order, Newly Revised conflicts with these bylaws, the bylaws of the School Board, or if applicable, the Florida Statutes or other Rules governing the Board, shall control. Each Board member shall be provided with a copy of Robert's Rules to be used for their term on the Board.

- b. It is recognized that Robert's Rules may be impractical to apply verbatim or literally to every parliamentary question that may arise in the course of the Board's proceedings. Questions of applicability or interpretation of Robert's Rules shall be referred to the Board Attorney for his opinion, however it shall always be prerogative of the Chairman to rule on such questions as he believes to be correct or proper for this Board, subject only to the right of any two (2) Board members to take an "appeal" from such ruling.

(8) Minutes

The minutes of the meetings of the School Board shall include the following:

- a. Classification (regular, adjourned or special), date and place of meeting
- b. Call to order stating time, person presiding and his office
- c. Record Board members present and absent
- d. Notation of the presence or absence of the Superintendent
- e. Record of any corrections to the minutes of the previous meetings and the action approving them
- f. All main motions (except withdrawn motions), points of order and appeals, whether sustained or lost
- g. All other motions that were not withdrawn
- h. Record of all petitions of citizens
- i. Record of all matters on which the School Board takes action and the vote of each School Board member thereon
- j. Notation of the times of recesses
- k. Hour of adjournment
- l. Signature of the Secretary and Chairman

(9) Recording of Votes

Each member's vote shall be recorded, and with the approval of the other members he may also append at that time a statement indicating the reason for his vote.

a. Recording of Statements

An individual statement by a School Board member which exceeds fifty (50) words may be included as an attachment to the minutes at the School Board member's request, provided however, that a

written copy of the statement is submitted.

b. Electronic Recording

All regular and special public meetings of the Board shall also be recorded electronically and the tape or other medium preserved by the Board Clerk. An additional copy of such recordings shall be kept readily accessible for use by Board Members, staff and the public at the District Media Center.

**Q. Access to School Board Records**

(1) Fees for Document Copies

Copies of items requested by the general public, due to the cost involved, shall be priced at the cost of production. Each person making the request shall remunerate the School Board for the actual cost in each case.

(2) Distribution of Board Meeting Agendas by Mail

- a. When the agenda for each School Board meeting has been completed by the Superintendent and is ready for distribution, additional copies will be reproduced and made available to interested citizens who may receive them at the District School Offices, 817 Bill Beck Boulevard, Kissimmee, Florida, until the supply is exhausted.
- b. Any citizen who desires a copy of the School Board meeting agenda mailed to him may arrange this service by contacting the office of the Superintendent. Mailing fees will be charged.
- c. Nothing contained in the foregoing shall operate to deprive a citizen of his right to inspect and examine public records as provided in Florida's Public Records Act.

(3) Public Access to Minutes

The approved minutes of the School Board shall be shown to the public upon request in the presence of the Superintendent or his delegate, provided, however, that records shall not be removed from the Administration Building of the school system, except by vote of the School Board.

**R. Membership in Associations**

Recognizing the value of the Florida School Boards Association as both political and legal representatives of school boards, and realizing that in times of changing laws, curriculums, and methods of operation that school boards must be kept abreast, the School Board wishes to maintain its membership in the Florida School Boards Association. In addition, the School Board may hold membership in such other school board associations as may exist, and shall look upon such membership as an opportunity for growth in School Board service.

**S. Monitoring Products and Processes**

- (1) The School Board directs the Superintendent, in cooperation with the school staff, student body, parents, and any other interested persons or groups, to establish and maintain a comprehensive accountability plan and set of procedures for the school system.
- (2) The plan shall provide for regular, scheduled reports to the School Board on students, school level professionals, and staff development in academic vocational and general behavioral pursuits in relation to professional and School Board adopted instructional goals.
- (3) The School Board accepts the responsibility for and will provide for monitoring for its own operations.

**T. Administrative Positions**

The Board will not take action on new administrative positions or administrative nominations for at least one (1) week, seven (7) calendar days after being announced by the Superintendent. This can be waived by a four-fifths vote of the Board. Board members and news media will be notified in writing.