

District School Board of Indian River County
1990 25th Street, Vero Beach, FL 32960
Business Meeting
Agenda

Date: September 9, 2014

Time: 6:00 p.m.

Room: Teacher Education Center (TEC)

It is hereby advised that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record is made that includes the testimony and evidence upon which the appeal is to be made.

- I. CALL MEETING TO ORDER – Chairman Johnson
- II. WORDS OF INSPIRATION BY – Chairman Johnson
- III. PLEDGE OF ALLEGIANCE TO THE FLAG AND PRESENTATION OF COLORS BY – Sebastian River High School’s Naval Junior ROTC under the direction of James R. O’Neal, Master Gunny Sergeant USMC (Ret)
- IV. ADOPTION OF ORDERS OF THE DAY
- V. PRESENTATIONS
No presentations
- VI. CITIZEN INPUT
- VII. CONSENT AGENDA
 - A. Approval of Minutes – Dr. Adams**
 - 1. Discussion on 66th Avenue Property held 8/26/2014
 - 2. Business Meeting held 8/26/2014
Superintendent recommends approval.
 - B. Approval of Personnel Recommendations – Mr. Fritz**

Attached is a list of personnel recommendations that includes personnel additions, terminations, and/or changes. Superintendent recommends approval.
- VIII. ACTION AGENDA
 - A. Review of Division of Administrative Hearings Recommended Order and Entry of Final Order in School Board versus William Howle Employment Termination – Chairman Johnson**

The School Board will discuss the Recommended Order and enter a Final Order in the case of Indian River County School Board versus William Howle. A copy of the Recommended Order prepared by Administrative Law Judge Resavage is attached.

B. Approval of the Local Assessment Schedule for 2014-2015 – Mr. Green

Attached is the Schedule of Local Assessments that will be administered during the 2014–2015 school year. These assessments are separate from the mandatory State assessments and are used as diagnostic and progress monitoring tools. Florida Statute 1008.22 requires this calendar of assessments be approved by the local School Board prior to October 1. Superintendent recommends approval.

C. Approval of Release of Final Payment to Cathco Inc., for Rosewood Magnet Traffic and Parking Improvements Project SDIRC #2014-28 – Mr. Morrison

Approval is recommended for the release of Final Payment in the amount of \$96,218.93 to Cathco Inc., for the completion of the Rosewood Magnet School Parent Pick-Up/Drop-Off Loop and Parking Lot Improvements Project (SDIR 2014-28). On June 24, 2014, the Board approved the Owner/Contractor Construction Agreement for this project with a Contract amount of \$170,649.60 (\$155,136.00 Contractors Bid Price/\$15,513.60 Owner Added Contingency), with the final construction cost for this project totaling \$169,342.00. The unused portion of the Owner Added Contingency, in the amount of \$1,307.60, is a savings to the District. Final payment of this project is being brought to the Board for approval in accordance with Florida Statute 1013.50. Superintendent recommends approval.

D. Approval to Piggyback the Town of Davie Bid #B-12-76 and to Issue a Purchase Order to Martin Fence Company, Inc., for the Installation of Security Fencing at Dodgertown Elementary - Mr. Morrison

Pursuant to School Board Policy 6320, the Superintendent's authority is limited to purchase commodities and/or contractual services where the total amount does not exceed \$50,000 and does not exceed the applicable appropriation in the District Budget. This request is to grant the authority for the Superintendent to issue a purchase order under this bid in the amount of \$62,354 for the installation of security fencing at Dodgertown Elementary. Pricing is as per the Town of Davie Bid #B-12-76. This bid expires October 17, 2015. Please see the attached bid documentation. Superintendent recommends approval.

E. Approval of Indian River County School Health Services Plan for 2014 - 2016 – Mr. Rynberg

Section 381.0056, F.S., requires each local Department of Health to develop, in collaboration with the Local School District and School Health Advisory Committee, a School Health Services Plan. This bi-annual plan is required under Chapter 64F-6.002, Florida Administrative Code (F.A.C.). The changes to the Local implementation Strategies and Activities were incorporated based on Statutory and Program Standard Requirements. The 2014-2016 Plan includes the County Health Department's (CHD) Childhood Obesity pilot programs to be implemented by Health Educator Consultant employed by the CHD at no cost to the District. Superintendent recommends approval.

F. Approval of 2015 Legislative Platform – Ms. Jimenez

Each year the District School Board’s Legislative Liaison prepares a list of Legislative Priorities, with input from the District School Board Members at their Discussion Sessions. The purpose is to identify areas of special concern for the School District to address with the legislature during the 2015 Legislative Session. A copy of the Platform will be available prior to the meeting. Superintendent recommends approval.

IX. SUPERINTENDENT’S REPORT

X. DISCUSSION

No discussion items

XI. SCHOOL BOARD MEMBER MATTERS – Chairman Johnson

XII. INFORMATION AGENDA

No information items

XIII. SUPERINTENDENT’S CLOSING

XIV. ADJOURNMENT – Chairman Johnson

Anyone who needs a special accommodation may contact the School District’s American Disabilities Act Coordinator at 564-3071 (TTY 564-8507) at least 48-hours in advance of the meeting. NOTE: Changes and amendments to the agenda can occur 72-hours prior to the meeting. All business meetings will be held in the Teacher Education Center (TEC) located in the J.A. Thompson Administrative Center at 1990 25th Street, Vero Beach, FL 32960, unless otherwise specified. Meetings may broadcast live on Comcast/Xfinity Ch. 28, AT&T Uverse Ch. 99, and the School District’s website stream; and may be replayed on Tuesdays and Thursdays at the time of the original meeting. For a schedule, please visit the District’s website at www.indianriverschools.org/iretv. The agenda can be accessed by Internet at <http://www.indianriverschools.org>.

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The District School Board of Indian River County met on August 26, 2014, at 10:20 a.m. The discussion was held immediately following the Groundbreaking Ceremony for the Administrative Center at the Support Services Complex at 6055 62nd Ave., Vero Beach, FL 32967. District School Board Members attending were: Chairman Carol Johnson, Vice Chairman Matthew McCain, and Board Members: Claudia Jiménez, Karen Disney-Brombach, and Dale Simchick. Dr. Frances J. Adams, Superintendent of Schools; and Suzanne D’Agresta, School Board Attorney, were also present.

66th Avenue Property Discussion Session Minutes

I. Discussion was called to order by Chairman Johnson

II. Purpose of the Discussion Session – Dr. Adams

Dr. Adams said that the purpose of the discussion was to share with School Board Members the “draft” plans for the Administrative Center. She said that this was the building that would be built on the property located at the corner of 57th Street, West of 64th Avenue, Vero Beach, FL 32967. The Groundbreaking Ceremony was held on the site just prior to the discussion session.

Mr. Donadio from Donadio & Associates, Architects, P.A., presented the building plans. The first floor included 24,708 square feet that included the Board Offices, Training Center, Conference/Lunch Room, Finance Department, Human Resources, and Information Technology. The second floor included 10,066 square feet that included the Superintendent’s Office space and the Curriculum Department. The total square footage was 34,774 square feet. It was mentioned that by State standards, the building could have been built for 39,875 square feet. Direction from the Board resulted in utilizing available space at the Support Services Complex for staff currently housed at different locations throughout the County, in order to build only what was necessary.

Board Members asked questions about the location of the departments to ensure that the departments that had the most public visitors were located on the first floor and asked about the location of the Board Attorney’s Office space. Also discussed were records storage space, building security, Pre-K testing area, Attendance Office, ESE Offices, and Health Services that were being relocated to the existing Support Services Building that was walking distance to the new Administrative Center.

Mr. Donadio presented the exterior of the building that would aesthetically coordinate with the existing middle school. He said that the facility would be visible from 66th Avenue and that signs would be installed. Board Members requested to receive a drawing that would show how the building would look on the property, with the parking areas and existing hardwood specimen trees. Mr. Sanders said that they would tie off all of the trees to be saved. He said that the wooded areas would remain as a park-like setting on the property site.

Mr. Sanders said that the first step of the timeline was Phase I for the GMP that was anticipated for Board approval the end of September 2014. Phase II GMP for the building was anticipated to be available for the first meeting in November 2014. Mr. Sanders said that the project should take between ten and twelve months to complete once the contracts were in place. It was noted that, realistically, the completion date would not occur until after July 1, 2015.

Mr. Green, in answer to a question on securing the existing School District's Data Control Systems, said that he was working with a vendor now to see what could be done to secure the computer equipment until they were able to move into the new facility.

III. Adjournment – Chairman Johnson

In closing, Dr. Adams thanked the Board for boldly moving forward with the plan.

With no further business, the discussion session adjourned at approximately 11:14 a.m.

The District School Board of Indian River County met on August 26, 2014, at 6:00 p.m. The meeting was held in the Teacher Education Center located at the J.A. Thompson Administrative Center, 1990 25th Street, Vero Beach, Florida 32960. District School Board Members attending were: Chairman Carol Johnson, Vice Chairman Matthew McCain, and Board Members: Claudia Jiménez, Karen Disney-Brombach, and Dale Simchick. Dr. Frances J. Adams, Superintendent of Schools; and Suzanne D'Agresta, School Board Attorney, were also present.

Business Meeting Minutes

- I. Meeting was called to order by Chairman Johnson.
- II. Words of Inspiration were given by Mrs. Disney-Brombach and a moment of silence in memory of William Shogran, Jr., a Sebastian River High School Football Player.
- III. Pledge of Allegiance to the Flag – Mr. Green
- IV. **ADOPTION OF ORDERS OF THE DAY**
Chairman Johnson called for a motion to adopt the Orders of the Day to include Consent L, M, and N. She asked Dr. Adams why she requested these items after the Agenda was printed. Dr. Adams said that she did not have the information when the Agenda was printed. She asked that these items be added to move forward with the new school year. Ms. Jiménez moved approval of the Orders of the Day, with Consent L, M, and N. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.
- V. **PRESENTATIONS**
 - A. Proclamation Designating the Month of September 2014 as Attendance Awareness Month – Dr. Adams
Dr. Adams asked Dr. Torres-Martinez to read the Proclamation for the record. Mrs. Disney-Brombach moved approval of the Proclamation. Mr. McCain seconded the motion and it carried unanimously, with a 5-0 vote.
- VI. **CITIZEN INPUT**
Luke Flynt, President of the Teachers' Union (IRCEA), requested to speak on virtual school and FTE.
- VII. **CONSENT AGENDA**
Chairman Johnson called for a motion. Ms. Jiménez moved approval of the Consent Agenda, with the addition of Consent L, M, and N. Mrs. Simchick seconded the motion. Board Member spoke to the challenges and complexities the District faced with virtual school options and the funding loss through recalculation of FTE. Dr. Adams spoke to the complexity of the issue. She asked Mr. Green to speak to the issues. Board Members

mentioned the need to inform Legislators of the unintended funding consequences facing School Districts. Board Members noted that the upside was the opportunities for students and teachers. The Board voted unanimously in favor of the motion, with a 5-0 vote.

A. Approval of Minutes

1. Goals Discussion Session held 8/12/2014
2. Discussion Session held 8/12/2014
3. Business Meeting held 8/12/2014
4. Special Business Meeting held 8/15/2014

Superintendent recommended approval.

B. Approval of Personnel Recommendations – Mr. Fritz

Attached was a list of personnel recommendations that included personnel additions, terminations, and/or changes. Superintendent recommended approval.

C. Approval of Membership Renewal in Greater Florida Consortium of School Boards – Chairman Johnson

Attached was an invoice for the Consortium Membership dues in the amount of \$3,000 for the 2014-2015 school year. Membership provided professional representation of Consortium Member Districts in Tallahassee on mutual legislative issues. The annual dues have not increased since 2003-2004 school year. Superintendent recommended approval.

D. Approval of Donation – Mr. Morrison

Citrus Elementary School received a donation in the amount of \$1,000 from the Florida Education Foundation. The funds were to be used for the classroom of Mrs. Lyndsey Matheny, Indian River School District. Superintendent recommends approval.

E. Approval of 2014-2015 Master Inservice Plan – Mr. Rynberg

In July 2014, the School District's Professional Development Department received approval of the District's Add-On Gifted and Reading Endorsement Plans for an additional five years. Over the past five years these successful programs enabled the District to certify forty-six educators with Gifted Endorsements and 145 educators with a Reading Endorsements. From 2010-2014, 10th grade reading proficiency increased from 44% to 61%, which was 6% higher than the State average. The School District's Professional Development Department requested acceptance of the 2014-2015 Master In-Service Plan. The Plan was part of a comprehensive system focused on improving student performance. The component listed was updated to reflect new professional development offerings by our education partners, as well as updates from the Florida Department of Education. The Vision of the School District's Professional Development Department was to provide employees with the tools and support needed to engage in daily, professional learning that resulted in increased student excellence. The mission was to make job-embedded, professional learning part of the culture of Indian River County School District. Superintendent recommended approval.

F. Approval of Continuation Grant for Universal Design for Learning through Technology for Students with Disabilities 2014-2015 - Mr. Rynberg

The School District of Indian River County was the recipient of a \$50,000 technology grant for the 2014-2015 school year. This was a continuation of a previously awarded grant from the 13-14 school year. It was funded by the Florida Developmental Disabilities Council. The funds would be used for engineering learning environments and incorporating principles of

Universal Design for Learning (UDL). Our mission for the project was to include increasing numbers of elementary, middle, and high school students with significant cognitive disabilities and/or physical disabilities to benefit from education in an inclusive setting, accessing Common Core standards/connectors with the utilization of Smart Board Technology. Superintendent recommended approval.

G. Approval of Adult Education Salary Schedule – Mr. Fritz

On June 24, 2014, the 2014-2015 Hourly Rates for Part-Time Teachers and Extended Day Program Staff were approved and included the Non-Degreed Life Enhancement Course rate of pay of \$15.00 per hour. This amount did not agree with the rate on the Salary Schedule also approved at the same meeting. It was recommended that the rate of pay of \$15.00 per hour be approved, retroactive to July 1, 2014. Superintendent recommended approval.

H. Approval of Virtual School Contract with Pasco County for 2014-15 – Mr. Rynberg

By law, the School District of Indian River County was required to offer three, virtual school options. The Curriculum Department recommended approval of the contract with Pasco County (K-5) to provide a 180-day comprehensive, fulltime program. These programs were fully accredited and aligned to the Florida State Standards. Instruction would be delivered by fully-certified teachers. The cost to the School District for the K-12 full-time program was up to \$6,400 per student. Superintendent recommended approval.

I. Approval of Virtual School Contract with Florida Virtual School for 2014-15 – Mr. Rynberg

By law, the School District of Indian River County was required to offer three, virtual school options. The Curriculum Department recommended approval of the contract with Florida Virtual School (K-12) to provide a 180-day comprehensive, fulltime program. These programs were fully accredited and aligned to the Florida State Standards. Instruction would be delivered by fully-certified teachers. The cost to the School District for the K-12 full-time program was up to \$6,400 per student. Superintendent recommended approval.

J. Approval of Virtual School Contract with K12, Inc. for 2014-15 – Mr. Rynberg

By law, the School District of Indian River County was required to offer three, virtual school options. The Curriculum Department recommended approval of the contract with K12, Inc., (K-12) to provide a 180-day comprehensive, fulltime program. These programs were fully accredited and aligned to the Florida State Standards. Instruction would be delivered by fully-certified teachers. The cost to the School District for the K-12 full-time program was up to \$6,400 per student. Superintendent recommended approval.

K. Approval of Virtual School Contract with Brevard Public Schools for 2014-15 – Mr. Rynberg

By law, the School District of Indian River County was required to offer three, virtual school options. The Curriculum Department recommended approval of a contract with Brevard Public Schools to provide a 180-day comprehensive, fulltime program. These programs were fully accredited and aligned to the Florida State Standards. Instruction would be delivered by fully-certified teachers. The cost to the School District for the K-12 full-time program was up to \$6,400 per student. Superintendent recommended approval.

Added on 8/25/2014:

L. Approval of Students Leaving Indian River County to Attend Schools in Saint Lucie County School District – Mr. Rynberg

Parents resided in Indian River County and requested permission for their children to attend schools in Saint Lucie County for the 2014-2015 school year. Parents of the three students worked in Saint Lucie County. Superintendent recommended approval.

M. Approval of Out-of-County Student Admissions – Mr. Rynberg

Parents requested permission for their children to attend schools in Indian River County. Attached were the approved out-of-county requests signed by the Principals of the requested schools and the release letters from the students' home counties. One student was the child of an employee. There were nine, new students that requested to attend schools in Indian River County. Superintendent recommended approval.

N. Approval of Out-of-County Charter School Student Admissions – Mr. Rynberg

Parents requested permission for their children to attend charter schools in Indian River County. Attached were the approved out-of-county requests signed by the Principals of the requested charter schools and the release letters from the students' home counties. There were three, new students that requested to attend charter schools in Indian River County. Superintendent recommended approval.

VIII. ACTION AGENDA

A. Approval of Dual Enrollment Agreement with Indian River State College for 2014-15 – Mr. Rynberg

The Dual Enrollment Agreement between the School District of Indian River County and Indian River State College allowed the enrollment of high school students in dual enrollment courses for the school year 2014-2015, in accordance with section 1007.271, F.S. This allowed the enrollment of an eligible secondary student into a post-secondary course creditable towards high school completion, a career certificate, or an associate degree. Per Senate Bill 1514, the Indian River County School District shall pay the standard tuition rate per credit hour and the associated course materials from funds provided in the Florida Education Finance Program to Indian River State College (IRSC) for instruction taking place on any IRSC campus to cover instructional support costs incurred by the college. The standard college credit tuition rate at a Florida College System institution was \$71.98 per credit hour or \$2.33 per vocational clock hour. Estimated cost to the District was \$277,000, with Indian River State College for the 2014-2015 school year. Superintendent recommended approval.

Chairman Johnson called for a motion. Mr. McCain moved approval of the Dual Enrollment Agreement with Indian River State College for 2014-15. Mrs. Simchick seconded the motion. In an effort to keep instruction for students on District campuses, Dr. Adams stated that she was currently working with Indian River State Collage to see if an agreement could be reached to allow School District Teachers to teach dual enrollment classes on School District campuses. The Board voted unanimously in favor of the motion, with a 5-0 vote.

B. Approval of 21st Community Learning Center Grant 2014-15 – Mr. Rynberg

In response to community need, the School District of Indian River County (SDIRC) proposed a 21st CCLC Program at four high-poverty elementary schools. The four sites were Glendale Elementary, Pelican Island Elementary, Sebastian Elementary, and Treasure Coast Elementary Schools. The District previously was awarded a five-year 21st CCLC grant in 2009-2010 for Glendale Elementary and Pelican Island Elementary Schools. The proposal was submitted in partnership with The Learning Alliance, Indian River County Sheriff's Department, Riverside Children's Theater, and other community agencies. The purpose of the centers was to (1) provide opportunities for academic enrichment, including supplemental instruction to support students in attaining increased skills in reading/language arts, mathematics, and science; (2) offer students a broad array of supplemental services, programs, and personal enrichment activities that were designed to reinforce and compliment the regular academic program; and (3) provide adult family members of regular participating students extended opportunities for literacy and related educational and personal development. The project provided school-based learning and enrichment opportunities for students and adult family members who represented generations of limited academic success and low income across targeted areas of north and south Indian River County. The District was requesting \$697,242 in 21st CCLC Program funding to implement the proposed project activities. Depending on the availability of funds, the Florida Department of Education would provide funding to eligible applicants for five (5) years. Superintendent recommended approval.

Chairman Johnson called for a motion. Ms. Jimenez moved approval of the 21st Community Learning Center Grant 2014-15. Mrs. Simchick seconded the motion. Mrs. Berg, Director of Elementary Education, explained that this grant would bring new opportunities for students at schools that were not entitled to the programs provided at Title I schools. The Board voted unanimously in favor of the motion, with a 5-0 vote.

C. Approval to Award RFQ #2015-01 to Harvard Jolly, Inc., for Architectural Services for a New Cafeteria at Beachland Elementary - Mr. Morrison

The Facilities Department requested that an RFQ be promulgated for architectural services for a new cafeteria at Beachland Elementary. The estimated financial impact to the District for these services was approximately \$300,000. Upon approval of the recommended rankings, the Superintendent's negotiation team would engage in negotiations per Chapter 287.055 F.S. with the top ranked firm, Harvard Jolly, Inc., to obtain a contract for architectural services. The negotiated contract would then be brought back to the School Board for approval at a later date. Superintendent recommended approval.

Chairman Johnson called for a motion. Mr. McCain moved approval to award RFQ #2015-01 to Harvard Jolly, Inc., for Architectural Services for a New Cafeteria at Beachland Elementary. Mrs. Disney-Brombach seconded the motion and it carried unanimously, with a 5-0 vote.

D. Approval to Award RFP #2015-04 to Proctor Construction, Inc., for a New Cafeteria at Citrus Elementary School - Mr. Morrison

RFP #2015-14 was promulgated for the construction of a new cafeteria building and an adjacent parking lot at Citrus Elementary. The total cost of this project was \$3,510,819.40. This included the base bid of \$3,198,734 and the deduction of \$7,080 for Alternate 1 (shop fabricated coping and flashing). In addition, a 10% contingency would be reserved in the amount of \$319,165.40 and would only be used if directed by the District. Award was not on the basis of price alone, but to the proposer whose submission contained the most advantageous combination of price, qualifications, experience, references, and work capacity. The Purchasing Department recommended the award and issuance of all subsequent purchase orders under this RFP including those that may have been in excess of \$50,000 to Proctor Construction, Inc., as the lowest and best responsive and responsible bidder meeting specifications, terms, and conditions. Please see attached backup. Superintendent recommended approval.

Chairman Johnson called for a motion. Mrs. Disney-Brombach moved approval to award RFP #2015-04 to Proctor Construction, Inc., for a new cafeteria at Citrus Elementary School. Ms. Jimenez seconded the motion and it carried unanimously, with a 5-0 vote.

E. Approval of Owner/Contractor Construction Agreement (Lump Sum) for Citrus Elementary School New Cafeteria (SDIRC #2015-04) – Mr. Morrison

Approval was recommended for the Owner/Contractor Construction Agreement between the School Board of Indian River County and Proctor Construction Company for the construction of a New Cafeteria at Citrus Elementary School (SDIRC #2015-04) in the amount of \$3,510,819.40. The project included the construction of a new cafeteria building and adjacent parking lot, modifications to Building 14, all associated site work, and demolition of the existing cafeteria upon completion of new construction. The contract amount consisted of the Contractor's Base Bid in the amount of \$3,198,734.00, Alternate 1 in the amount of \$7,080.00 and an owner added contingency in the amount of \$319,165.40 that included all construction costs associated with this project. The contract amount did not include Architect/Engineering fees or FF&E. Superintendent recommended approval.

Chairman Johnson called for a motion. Mr. McCain moved approval of the Owner/Contractor Construction Agreement (lump sum) for Citrus Elementary School New Cafeteria (SDIRC #2015-04). Mrs. Disney-Brombach seconded the motion and it carried unanimously, with a 5-0 vote.

F. Approval of Superintendent's Goals and Superintendent's Goals Evaluation Template for 2014-2015 – Chairman Johnson

Board Members and the Superintendent met in Discussion Sessions to collaboratively develop the Superintendent's Goals and the Superintendent's Goals Template for the current school year. Both documents were attached for approval. Superintendent recommended approval.

Chairman Johnson called for a motion. Mrs. Simchick moved approval of the Superintendent's Goals and Superintendent's Goals Evaluation Template for 2014-2015. Ms. Jimenez seconded the motion and it carried unanimously, with a 5-0 vote.

IX. SUPERINTENDENT'S REPORT

Dr. Adams reported on the first day of school, groundbreaking event for the Administrative Center, and the Ice Bucket Challenge.

X. DISCUSSION

A. Restorative Justice – Dr. Adams/Dr. Torres-Martinez/Dr. Schiff

Dr. Adams talked about the restorative justice program that was being introduced to schools. A Restorative Justice overview was presented by Dr. Martha Schiff, Associate Professor, School of Criminology and Criminal Justice, Florida Atlantic University. Dr. Torres-Martinez talked about the implementation of the tier setting model.

B. Indian River County's Letter regarding Participation in a Lawsuit against the City of Vero Beach Utilities

Ms. Jimenez spoke to the Board about the letter received from Indian River County to participate in a lawsuit against the City of Vero Beach Utilities. She noted that a decision must be made within ten days. Mrs. D'Agresta explained the potential costs and the mediation process. Dr. Adams was asked to gather data to present to the Board prior to the September 9 Discussion Session.

XI. SCHOOL BOARD MEMBER MATTERS – Chairman Johnson

Ms. Jimenez talked about the positive energy in the schools this year. She also talked about the number of students who suffer from depression and an article on changing the mindset from At Risk Students to Kids of Hope.

Mrs. Simchick said that she was excited for our students and for what the District had to offer them this year. She also spoke of the Sales Tax Grant, known as the Voucher Lawsuit. Mrs. Simchick stated publically that the School District did not participate in the lawsuit.

Mrs. Disney-Brombach reported on her meeting with the Presidents of the National School Boards Association. She said that she would be discussing with the School Board in September patterns that needed to be changed.

Chairman Johnson thanked the three County Commissioners and the Vice Mayor of Indian River Shores for joining the School District for the groundbreaking event for the Administrative Center.

XII. INFORMATION AGENDA

A. Charter School Financials – Mr. Morrison

Charter school financial statements were presented to the Board for information only. No approval of a charter school's financial statement was required. This presentation of charter school financial statements was to demonstrate compliance with Section 1002.33, Florida Statutes. Specifically, subsection (5)(b) required the District, as sponsor, to monitor the revenues and expenditures of the charter school and to perform the duties provided in s. 1002.345. High performing charter schools were only required to submit financials quarterly. All charter schools currently operating in Indian River had been designated as high performing. Indian River Charter High School, Imagine Schools of South Vero, Sebastian Charter Junior High School, and St. Peter's Academy opted to submit their financials quarterly. North County Charter School opted to submit their financials monthly.

B. Monthly Facilities Report – Mr. Morrison

Attached was the Monthly Facilities Report.

XIII. SUPERINTENDENT'S CLOSING

Dr. Adams thanked Mr. Earman and his staff for fixing the air conditioning. Mr. Green presented a video on the "Sights and Sounds of the First Day of School".

XIV. ADJOURNMENT – Chairman Johnson

With no further business, the meeting adjourned at approximately 7:17 p.m.

CONSENT AGENDA 9/9/14

Personnel Recommendations

1. Instructional Changes
Myers, Chad – Storm Grove Middle, change resignation date from 8/29/14 to 9/5/14
Strauser, Edward – Dodgertown, from Math Coach AC position to non-renew, sunset position 6/10/14
2. Instructional Leaves
Denninger, Patricia – Adult Education, 8/12/14-8/28/14
Gamez, Aleida – SRHS, change to 8/27/14-10/3/14
Gilbert, Robert – Gifford Middle, change to 8/12/14-9/2/14
Resch, Elizabeth – Liberty Magnet, 8/12/14-6/9/15
3. Instructional Promotions
4. Instructional Transfers
MacDonald, David – from Citrus ESE Teacher to Oslo Middle Reading Teacher, change start date from 8/27/14 to 9/2/14
Mays-Cucci, Gloria – voluntary transfer from Wabasso ESE VE Teacher to Oslo Middle Reading Teacher 9/2/14
5. Instructional Separations
Bangert, Melissa – Fellsmere, resignation 8/12/14
Kennedy-Schmeer, Megan – VBE, resignation 8/12/14
Marginean, Leanne – Glendale, resignation 8/12/14
Taylor, Debra – Pelican Island, retirement, entering DROP 8/1/14
Thomas, H. Danny – VBHS, retirement, entering DROP 8/1/14
Van Hollenbeck, Mary-Therese – ESE, retirement, entering DROP 7/1/14
6. Instructional Employment
Burkhart, Kerry – Sebastian Elementary, .8 Speech and Language Pathologist 9/10/14
Kehoe, Susan – Oslo Middle, Reading Teacher 9/10/14
Maness, Jonetha – Indian River Academy, 4th/5th Grade Teacher 9/15/14
Profitt, Emily – Liberty Magnet, ASD Teacher 9/10/14
Salm, Molli – ESE, Speech and Language Pathologist 9/17/14
Walters, Kathryn – ESE, .8 Speech and Language Pathologist 9/10/14
7. Support Staff Changes
Smeltzer, Joshiwa – from VBHS to Citrus, Extended Day Worker 8/27/14
8. Support Staff Leaves
Frengel, Bryanna – Fellsmere, 9/3/14-10/24/14
Ganter, Arlene – SRMS, 9/15/14-9/26/14
Maines, Sanquenetta – Gifford Middle, 8/21/14-10/6/14
Meguín, Linda- Storm Grove Middle, extend to 8/28/14-9/26/14

- Thompson, Jeannette – Pelican Island, 8/18/14-9/18/14
9. Support Staff Promotions
 Ausby, Charleen – from Storm Grove Middle Food Service Worker to SRMS Food Service Cook 9/10/14
 Davis, Kerri Ann- from Transportation Data Entry Clerk to Technology and Assessment, Computer Programmer 9/15/14
 10. Support Staff Transfers
 Armstrong, Holly – from Sebastian Elementary School Food Service Worker to Fellsmere Food Service Worker 9/10/14
 Ausby, Helen – from FLC Food Service Worker to Storm Grove Middle Food Service Worker 9/10/14
 West, Shantay – from Gifford Middle ESE Teacher Assistant to Liberty Magnet, ESE Teacher Assistant 8/18/14, sunset position
 11. Support Staff Separations
Montgomery, Larry – SRHS, resignation 6/6/14
 Schiffeleers, Nathalie – ESE, declined position 8/18/14
 12. Support Staff Employment
 DeWind, Gordon – VBHS, Security Monitor 9/10/14
Eaton, Gabrielle – VBHS, Extended Day Student Worker 9/10/14
Escoto, Andre – Fellsmere, 4 hour Food Service Worker 9/10/14
 Hill, Janet – Professional Development, .5 Personnel Records Specialist 9/10/14
Johnson, Joy – Fellsmere, Student Monitor 9/10/14
Lucas, Lori – Osceola Magnet, Secretary I 9/10/14
Luna, Marisela – VBE, Health Assistant II 9/15/14
Lundquist, Sarah – VBHS, Auditorium Director 9/10/14
Spoto, Luz – Fellsmere, ESOL Teacher Assistant 9/10/14
Thompson, Clinton – Transportation, Mechanic Foreman 9/10/14
Tory, Tonya – SRMS, ESE Teacher Assistant 9/10/14
 Wood, Itaska Marie – Oslo Middle, Health Assistant II 9/10/14
 13. Administrative Separations
 14. Administrative Employment
 15. Administrative Leaves
 16. Approval of Placement in Instructional Substitute Pool
Autullo, Ralph – Substitute Teacher 9/10/14
Bella, Natalie – Substitute Teacher 9/10/14
Brownstein, Michaela – Substitute Teacher 9/10/14
Horskin, Victoria – Substitute Teacher 9/10/14
Kennedy-Schmeer, Megan – Substitute Teacher 9/10/14

Lange, Thomas - Substitute Teacher 9/10/14
Lindner, Heidi - Substitute Teacher 9/10/14
Magana, Bibiana – Adult Education, Substitute ESOL Teacher
9/10/14

Montuoro, Evanthia – Substitute Teacher 8/27/14

Ogle, Cynthia – Substitute Teacher 8/18/14

Richardson-Pryor, Marylin – Substitute Teacher 9/10/14

Sallee, Rochelle – Substitute Teacher ~~9/9~~-10/14

Smith, Brenda – Substitute Teacher 9/10/14

17. Approval of Placement in Support Staff Substitute Pool

Bryant, Brandy – Substitute Food Service Worker 9/10/14

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

INDIAN RIVER COUNTY SCHOOL
BOARD,

Petitioner,

vs.

Case No. 13-4036TTS

WILLIAM HOWLE,

Respondent.

_____ /

RECOMMENDED ORDER

This case came before Administrative Law Judge Todd P. Resavage for final hearing on May 1, 2014, in Vero Beach, Florida.

APPEARANCES

For Petitioner: Elizabeth Coke, Esquire
Richeson & Coke, P.A.
317 South Second Street
Post Office Box 4048
Fort Pierce, Florida 34950

For Respondent: Nicholas Caggia, Esquire
Law Office of Thomas L. Johnson
510 Vonderburg Drive, Suite 309
Brandon, Florida 33511

STATEMENT OF THE ISSUE

Whether Respondent's employment as a teacher by the Indian River County School Board should be terminated for the reasons specified in the Charging Letter dated September 20, 2013.

PRELIMINARY STATEMENT

On September 20, 2013, Dr. Frances J. Adams, Ed.D., Superintendent for the School District of Indian River County ("District"), Florida, notified Respondent that she would recommend termination of Respondent's employment with the District at the scheduled October 8, 2013, meeting. On October 8, 2013, Petitioner accepted the recommendation and terminated Respondent.

Respondent timely requested a formal administrative hearing, and on October 15, 2013, Petitioner referred the matter to the Division of Administrative Hearings ("DOAH"), where it was assigned to the undersigned.

The final hearing initially was set for January 30 through 31, 2014. On January 29, 2014, Petitioner filed an unopposed Motion to Continue the Final Hearing. The motion was granted and the cause was re-scheduled for final hearing on May 1 through 2, 2014.

On April 24, 2014, the parties filed a Joint Pre-hearing Stipulation and stipulated to certain facts contained in section E of the Joint Pre-hearing Stipulation. To the extent relevant, those facts have been incorporated in this Recommended Order.

Both parties were represented by counsel at the hearing, which went forward as planned. The final hearing Transcript was

filed on June 11, 2014. The identity of the witnesses and exhibits and the rulings regarding each are as set forth in the Transcript.

On June 17, 2014, Respondent filed an unopposed Motion for Request for Extension of Time to File Proposed Recommended Orders. The motion was granted and the parties were ordered to file proposed recommended orders on or before July 3, 2014. The parties timely filed proposed recommended orders, which were considered in preparing this Recommended Order. Unless otherwise indicated, all rule and statutory references are to the versions in effect at the time of the alleged violation.

FINDINGS OF FACT

1. Petitioner is the entity charged with the duty to operate, control, and supervise the public schools within Indian River County, Florida.

2. At all times pertinent to this case, Respondent was employed as a physical education teacher at the Alternative Education Center, a public school in Indian River County, Florida.

3. On October 16, 2012, Respondent was arrested and charged with purchase of marijuana and possession of more than 20 grams of cannabis, both of which are third degree felonies.

4. On March 6, 2013, Respondent entered a plea of no contest to the above-noted criminal charges and entered into the Drug Court Intervention Program.

5. Pending the outcome of Respondent's criminal charges, on October 18, 2012, Respondent was reassigned to work at the Support Services Complex ("Complex"). Respondent was directed to report to Rick Chuma, Director of Purchasing for the District, on October 19, 2012, at 8:00 a.m.

6. Mr. Chuma testified that individuals, such as Respondent, who are reassigned to the Complex are typically assigned menial tasks such as shredding paper or other minor projects. Specific to Respondent, Mr. Chuma recalled Respondent's duties as shredding paper and, on one occasion, working for Patrick McCarty, the Director of Food Services, cleaning the kitchen.

7. Mr. Chuma conceded that there would be occasions where Respondent did not have any tasks to perform at the Complex; however, he noted that under such circumstances Respondent was not permitted to leave during his assigned hours (excepting breaks or lunch).

8. Denise Roberts, the Executive Director of Human Resources, testified that Respondent was assigned to work at the Complex from approximately 7:30 a.m. to 11:30 a.m. or 12:00 p.m. At the Complex, individuals such as Respondent kept an accounting

of their time by completing a "Personnel Time Sheet" on a daily basis. Margaret Irene Herman, Mr. Chuma's assistant, ensures personnel are signed in and out. The timesheets cover a two-week period and are maintained in a basket on her desk.

9. Respondent had an individual time sheet and would document for each day when he arrived and left the Complex. Although personnel are expected to complete the form in real time, that is, sign in upon arrival, and sign out when departing, some personnel would sign in and out upon arrival at work. This was not a disciplinable offense if the employee worked during the documented time period.

10. In February 2013, after approximately four months at the Complex, concerns arose regarding Respondent's whereabouts at the Complex during his assigned hours. On one occasion, Ms. Roberts received a call from Ms. Herman inquiring as to whether Respondent had requested and been authorized leave, because he could not be located. Mr. Chuma testified that, on one occasion, he was asked to locate Respondent at the Complex, and he could not be located. Patrick McCarty also testified that, on one occasion, he was asked to locate Respondent, but was unsuccessful.¹⁷ On the above-noted occasions, Respondent had signed in and out on his timesheet as working a full day.

11. Although Respondent continued to have access to and utilize his work email, and Petitioner had his phone number,

Petitioner never attempted to locate Respondent via those channels. Instead, Petitioner contacted Kenneth Thompson, the plant manager of the Complex, to review video surveillance of the Complex. Ms. Roberts and Mr. McCarty recalled viewing one video surveillance clip that purportedly showed Respondent arriving at the Complex and then leaving the Complex several minutes later. Ms. Herman testified that she viewed approximately three separate video clips similarly showing Respondent arriving at work and then leaving several minutes later.^{2/}

12. Respondent conceded that there were days when he arrived at the Complex, signed in and out as working his scheduled hours, and then left the Complex several minutes later for the entire day. On those occasions, Respondent did not notify anyone of his absence. There is no evidence that Respondent requested leave on those occasions. The evidence reveals that Respondent received his full pay for the days that he was willfully absent.

13. At some point in time, Respondent was informed that he was required to sign in and out in the presence of Ms. Herman.^{3/} Thereafter, Respondent complied and there is no evidence of further incidents regarding Respondent being physically present at the Complex.

14. On July 1, 2013, William Fritz was assigned as the Assistant Superintendent for Human Resources and Risk Management.

Shortly thereafter, Mr. Fritz conducted an investigation regarding the above-noted conduct. At the conclusion of his investigation, Mr. Fritz recommended Respondent's termination, and the Superintendent ultimately supported that recommendation.

CONCLUSIONS OF LAW

15. DOAH has personal and subject matter jurisdiction in this proceeding pursuant to sections 101.33(6), 120.569, and 120.57(1), Florida Statutes. Pursuant to section 120.65(11), Petitioner has contracted with DOAH to conduct these hearings.

16. Petitioner seeks to terminate Respondent's employment. In order to do so, Petitioner must prove by a preponderance of the evidence that Respondent committed the violations alleged in the Charging Letter. McNeill v. Pinellas Cnty. Sch. Bd., 678 So. 2d 476 (Fla. 2d DCA 1996); Allen v. Sch. Bd. of Dade Cnty., 571 So. 2d 568, 569 (Fla. 3d DCA 1990).

17. The preponderance of the evidence standard requires proof by "the greater weight of the evidence" or evidence that "more likely than not" tends to prove a certain proposition. See Gross v. Lyons, 763 So. 2d 276, 280 n.1 (Fla. 2000).

18. Any member of the instructional staff in a district school system may be suspended or dismissed at any time during the term of his or her employment contract for just cause, as provided in section 1012.33(1)(a). § 1012.33(6)(a), Fla. Stat.

19. The term "just cause":

[I]ncludes, but is not limited to, the following instances, as defined by rule of the State Board of Education: immorality, misconduct in office, incompetency, . . . gross insubordination, willful neglect of duty, or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime involving moral turpitude.

20. In its Charging Letter, Petitioner avers misconduct in office as the ground for terminating Respondent. Whether Respondent is guilty of misconduct in office, which is discussed below, is a question of ultimate fact to be decided in the context of each alleged violation. McKinney v. Castor, 667 So. 2d 387, 389 (Fla. 1st DCA 1995); Langston v. Jamerson, 653 So. 2d 489, 491 (Fla. 1st DCA 1995).

21. Section 1001.02(1), Florida Statutes, grants the State Board of Education authority to adopt rules pursuant to sections 120.536(1) and 120.54 to implement provisions of law conferring duties upon it.

Misconduct in Office

22. Petitioner contends that Respondent has committed misconduct in office in two respects. First, Petitioner avers that Respondent's criminal pleas violate adopted School Board Rule 3.04(H)(6). Secondly, Petitioner contends that Respondent violated adopted School Board Rules 3.22, 3.25, 2.07, and 2.17

(incorporating Florida Administrative Code Rule 6A-10.081(5)(a) and (h)), in the following manner:

On at least five days, you failed to attend work, and failed to claim leave for the time when you were absent. You knowingly signed in for work and immediately left the premises on each occasion. You knowingly were compensated for such time.

23. Florida Administrative Code Rule 6A-5.056(2) provides, in pertinent part, as follows:

(2) "Misconduct in Office" means one or more of the following:

(a) A violation of the Code of Ethics of the Education Profession in Florida as adopted in Rule 6B-1.001, F.A.C.;

(b) A violation of the Principles of Professional Conduct for the Education Profession in Florida as adopted in Rule 6B-1.006, F.A.C.;

(c) A violation of the adopted school board rules.

Criminal Pleas

24. Petitioner's Rule 3.04(H)(6) provides, in relevant part, as follows:

QUALIFICATIONS FOR INSTRUCTIONAL PERSONNEL

* * *

A person who is found to have been adjudicated guilty of a crime or misdemeanor specified below, or who has been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or to serve in any position

that requires direct contact with students. The specific categories of convictions and the effect of a conviction upon an application for employment are as follows:

(a) Category One: Felony sexual related crimes, lewd and lascivious crimes, and felony child abuse crimes. The District will not hire an applicant or retain in its employment any person who has been convicted of a Category One offense under any circumstance.

(b) Category Two: Felony crimes of violence and felony sale of controlled substances. The District will not hire an applicant or retain in its employment a person who has been convicted of a Category Two Offense under any circumstances.

(c) Category Three: Other felony crimes (except those designated under Category Five), any other misdemeanor crimes of a sexual nature, and misdemeanor crimes related to children. The District will not hire an applicant or retain in its employment any person who has been convicted of a Category Three Offense under any circumstance.

25. Petitioner's Rule 3.04(H) (7) provides the following expansive definition of "conviction":

The term "conviction" for the purposes of these Administrative Policies means a conviction by a jury or by a court; and shall also include the forfeiture of any bail, bond, or other security deposited to secure appearance by a person charged with having committed a felony or misdemeanor, the payment of a fine, a plea of nolo contendere (no contest), the imposition of a deferred or suspended sentence by the court, adjudication withheld, finding of guilt or the date of entry into a pre-trial intervention, pre-trial diversion or similar program provided that such pretrial intervention or pretrial

diversion program is completed by the end of the relevant waiting period.

26. It is undisputed that, on March 6, 2013, Respondent entered a plea of no contest to the charges of purchase of marijuana and possession of more than 20 grams of cannabis, third degree felonies, and entered into the Drug Court Intervention Program. As defined by Rule 3.04(H) (6) and (7), Respondent has been "convicted" of a Category Three felony crime. Accordingly, Respondent violated an adopted school board rule and thus committed misconduct in office.

Absence Without Leave/Permission

27. Petitioner's Rule 3.22(B) provides, in relevant part, as follows:

Any teacher or supervisor who expects to be absent from duty for any cause shall notify the principal and the substitute center the day before such absence, when possible; but in no circumstance, no [sic] later than one hour prior to the opening of school except in an emergency where prior notification is NOT possible. In the event of an emergency the principal or supervisor shall be notified as soon as possible.

28. Petitioner's Rule 3.25, entitled "Absence Without Leave," provides that:

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

29. Petitioner's Rule 2.07, entitled "Duty Hours of Employees," provides that:

Based on the recommendations of the Superintendent, the School Board will establish annually the duty hours of all classifications of personnel, both instructional and non-instructional. Under no conditions may an employee deviate from the minimum required hours of duty without the approval of the immediate supervisor.

30. Petitioner's Rule 2.17, entitled "Ethics Policy-Employee Standards of Conduct," provides, inter alia, that each member of the instructional staff shall abide by the Principles of Professional Conduct for the Education Profession in Florida. Florida Administrative Code Rule 6B-1.006, renumbered without change as rule 6A-10.081, is entitled "Principles of Professional Conduct for the Education Profession in Florida," and provides in relevant part:

(1) The following disciplinary rule shall constitute the Principles of Professional Conduct for the Education Profession in Florida.

(2) Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.

* * *

(5) Obligation to the profession of education requires that the individual:

(a) Shall maintain honesty in all professional dealings.

* * *

(h) Shall not submit fraudulent information on any document in connection with professional activities.

31. Applying the above-findings of fact to Rules 3.22, 3.25, 2.07, and 2.17, the undersigned concludes that Petitioner proved by a preponderance of the evidence that Respondent violated Rules 3.25, 2.07, and 2.17 (by violating rule 6A-10.081(5)(a) and (h)), and, therefore, is guilty of misconduct in office. Rule 3.22 is inapplicable to Respondent's tenure at the Complex, and, therefore, Respondent has not violated the same.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is RECOMMENDED that the Indian River County School Board enter a final order finding William Howle guilty of misconduct in office, and terminating his employment.

DONE AND ENTERED this 4th day of August, 2014, in Tallahassee, Leon County, Florida.



TODD P. RESAVAGE
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 4th day of August, 2014.

ENDNOTES

^{1/} The undersigned cannot determine from the record the specific dates that coincide with the unsuccessful efforts to locate Respondent.

^{2/} Video surveillance footage from the Complex documents Respondent arriving and departing from the Complex parking lot within five minutes on the following dates:
February 7, 8, 11 through 15, and 22, 2013.

^{3/} The undersigned is unable to determine from the record when the timesheet procedure change occurred.

COPIES FURNISHED:

Elizabeth Coke, Esquire
Richeson and Coke, P.A.
317 South Second Street
Post Office Box 4048
Fort Pierce, Florida 34950

Nicholas Anthony Caggia, Esquire
Law Office of Thomas L. Johnson
510 Vonderburg Drive, Suite 309
Brandon, Florida 33511

Dr. Frances J. Adams, Superintendent
Indian River County School Board
1900 25th Street
Vero Beach, Florida 32960-3395

Matthew Carson, General Counsel
Department of Education
Turlington Building, Suite 1244
325 West Gaines Street
Tallahassee, Florida 32399-0400

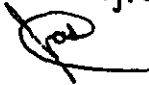
Pam Stewart, Commissioner of Education
Department of Education
Turlington Building, Suite 1514
325 West Gaines Street
Tallahassee, Florida 32399-0400

NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the agency that will issue the Final Order in this case.

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9/10/2014

cc: Resavage
Adams, Fritz
Coke
Caggia
Stewart, Carson
Agresti


STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

BEFORE THE SCHOOL BOARD OF INDIAN RIVER COUNTY, FLORIDA

INDIAN RIVER COUNTY SCHOOL BOARD,

Petitioner,

vs.

DOAH No. 13-4036 TTS

WILLIAM HOWLE,

Respondent.

SCHOOL BOARD FINAL ORDER

Pursuant to notice, a formal evidentiary hearing was held on May 1, 2014 before the Division of Administrative Hearings by Administrative Law Judge Todd P. Resavage. The subject matter of the hearing was whether Respondent's employment as a teacher by the Indian River County School Board should be terminated for the reasons specified in the Charging Letter dated September 20, 2013.

Judge Resavage issued a Recommended Order on August 4, 2014. Judge Resavage determined Petitioner had proven all of the charges against Respondent and recommended the School Board enter a Final Order finding Respondent guilty of misconduct in office and terminating his employment.

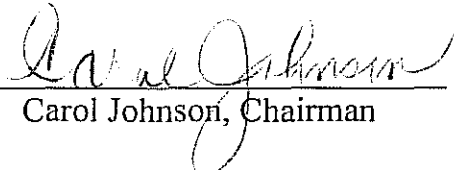
Neither party submitted exceptions to the Recommended Order.

Pursuant to §120.57, Florida Statutes, the School Board adopts the Findings of Fact, the Conclusions of Law and the Recommendation contained in the Recommended

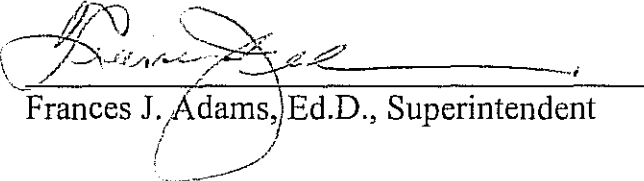
Order attached hereto. Respondent is guilty of misconduct in office and his employment is hereby terminated.

DONE AND ADOPTED by the School Board of Indian River County, Florida this 9th day of September, 2014

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY,
FLORIDA**

By: 
Carol Johnson, Chairman

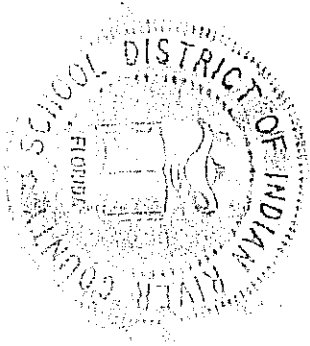
ATTEST:


Frances J. Adams, Ed.D., Superintendent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by regular mail on this 10th day of September, 2014 to: **Todd P. Resavage, Administrative Law Judge**, Department of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; **Dr. Frances J. Adams, Superintendent, School District of Indian River County**, 1990 25th Street, Indian River, Florida 32960; **Elizabeth Coke, Esq. Richeson and Coke, P.A.**, 317 South Second Street, Post Office 4048, Fort Pierce, FL 34950; **Nicholas Anthony Caggia, Esq., Law Offices of Thomas L. Johnson**, 510 Vonderburg Drive, Suite 309, Brandon, FL 33511; **Pam Stewart, Commissioner of Education**, Department of Education,

Turlington Building, Suite 1514, 325 West Gaines Street, Tallahassee, Florida 32399; and
Matthew Carson, General Counsel, Department of Education, Turlington Building,
Suite 1244, 325 West Gaines Street, Tallahassee, Florida 32399.



By: _____

~~Judy Stang, Clerk to the School Board
Of Indian River County, State of Florida
1990 25th Street
Vero Beach, Florida 32960~~

NOTICE OF RIGHTS OF APPEAL

Notice is hereby given that this is a final agency order and a party adversely affected may seek judicial review. Judicial review is sought pursuant to the provisions in §120.68, Florida Statutes. Judicial review shall be sought in the appellate district where the agency maintains its headquarters or where a party resides or as otherwise provided by law. Appellate proceedings are instituted by filing a Notice of Appeal or Petition for Review in accordance with the Florida Rules of Appellate Procedure within 30 days after the rendition of the order being appealed.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

INDIAN RIVER COUNTY SCHOOL
BOARD,

Petitioner,

vs.

Case No. 13-4036TTS

WILLIAM HOWLE,

Respondent.
_____ /

RECOMMENDED ORDER

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APPEARANCES

For Petitioner: Elizabeth Coke, Esquire
Richeson & Coke, P.A.
317 South Second Street
Post Office Box 4048
Fort Pierce, Florida 34950

For Respondent: Nicholas Caggia, Esquire
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FINDINGS OF FACT

1. Petitioner is the entity charged with the duty to operate, control, and supervise the public schools within Indian River County, Florida.

2. At all times pertinent to this case, Respondent was employed as a physical education teacher at the Alternative Education Center, a public school in Indian River County, Florida.

3. On October 16, 2012, Respondent was arrested and charged with purchase of marijuana and possession of more than 20 grams of cannabis, both of which are third degree felonies.

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11. Although Respondent continued to have access to and utilize his work email, and Petitioner had his phone number,

Petitioner never attempted to locate Respondent via those channels. Instead, Petitioner contacted Kenneth Thompson, the plant manager of the Complex, to review video surveillance of the Complex. Ms. Roberts and Mr. McCarty recalled viewing one video surveillance clip that purportedly showed Respondent arriving at the Complex and then leaving the Complex several minutes later. Ms. Herman testified that she viewed approximately three separate video clips similarly showing Respondent arriving at work and then leaving several minutes later.^{2/}

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Shortly thereafter, Mr. Fritz conducted an investigation regarding the above-noted conduct. At the conclusion of his investigation, Mr. Fritz recommended Respondent's termination, and the Superintendent ultimately supported that recommendation.

CONCLUSIONS OF LAW

15. DOAH has personal and subject matter jurisdiction in this proceeding pursuant to sections 101.33(6), 120.569, and 120.57(1), Florida Statutes. Pursuant to section 120.65(11), Petitioner has contracted with DOAH to conduct these hearings.

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18. Any member of the instructional staff in a district school system may be suspended or dismissed at any time during the term of his or her employment contract for just cause, as provided in section 1012.33(1)(a). § 1012.33(6)(a), Fla. Stat.

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[I]ncludes, but is not limited to, the following instances, as defined by rule of the State Board of Education: immorality, misconduct in office, incompetency, . . . gross insubordination, willful neglect of duty, or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime involving moral turpitude.

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(incorporating Florida Administrative Code Rule 6A-10.081(5)(a) and (h)), in the following manner:

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24. Petitioner's Rule 3.04(H)(6) provides, in relevant part, as follows:

QUALIFICATIONS FOR INSTRUCTIONAL PERSONNEL

* * *

A person who is found to have been adjudicated guilty of a crime or misdemeanor specified below, or who has been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or to serve in any position

that requires direct contact with students. The specific categories of convictions and the effect of a conviction upon an application for employment are as follows:

(a) Category One: Felony sexual related crimes, lewd and lascivious crimes, and felony child abuse crimes. The District will not hire an applicant or retain in its employment any person who has been convicted of a Category One offense under any circumstance.

(b) Category Two: Felony crimes of violence and felony sale of controlled substances. The District will not hire an applicant or retain in its employment a person who has been convicted of a Category Two Offense under any circumstances.

(c) Category Three: Other felony crimes (except those designated under Category Five), any other misdemeanor crimes of a sexual nature, and misdemeanor crimes related to children. The District will not hire an applicant or retain in its employment any person who has been convicted of a Category Three Offense under any circumstance.

25. Petitioner's Rule 3.04(H)(7) provides the following expansive definition of "conviction":

The term "conviction" for the purposes of these Administrative Policies means a conviction by a jury or by a court; and shall also include the forfeiture of any bail, bond, or other security deposited to secure appearance by a person charged with having committed a felony or misdemeanor, the payment of a fine, a plea of nolo contendere (no contest), the imposition of a deferred or suspended sentence by the court, adjudication withheld, finding of guilt or the date of entry into a pre-trial intervention, pre-trial diversion or similar program provided that such pretrial intervention or pretrial

diversion program is completed by the end of the relevant waiting period.

26. It is undisputed that, on March 6, 2013, Respondent entered a plea of no contest to the charges of purchase of marijuana and possession of more than 20 grams of cannabis, third degree felonies, and entered into the Drug Court Intervention Program. As defined by Rule 3.04(H)(6) and (7), Respondent has been "convicted" of a Category Three felony crime. Accordingly, Respondent violated an adopted school board rule and thus committed misconduct in office.

Absence Without Leave/Permission

27. Petitioner's Rule 3.22(B) provides, in relevant part, as follows:

Any teacher or supervisor who expects to be absent from duty for any cause shall notify the principal and the substitute center the day before such absence, when possible; but in no circumstance, no [sic] later than one hour prior to the opening of school except in an emergency where prior notification is NOT possible. In the event of an emergency the principal or supervisor shall be notified as soon as possible.

28. Petitioner's Rule 3.25, entitled "Absence Without Leave," provides that:

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

29. Petitioner's Rule 2.07, entitled "Duty Hours of Employees," provides that:

Based on the recommendations of the Superintendent, the School Board will establish annually the duty hours of all classifications of personnel, both instructional and non-instructional. Under no conditions may an employee deviate from the minimum required hours of duty without the approval of the immediate supervisor.

30. Petitioner's Rule 2.17, entitled "Ethics Policy-Employee Standards of Conduct," provides, inter alia, that each member of the instructional staff shall abide by the Principles of Professional Conduct for the Education Profession in Florida. Florida Administrative Code Rule 6B-1.006, renumbered without change as rule 6A-10.081, is entitled "Principles of Professional Conduct for the Education Profession in Florida," and provides in relevant part:

(1) The following disciplinary rule shall constitute the Principles of Professional Conduct for the Education Profession in Florida.

(2) Violation of any of these principles shall subject the individual to revocation or suspension of the individual educator's certificate, or the other penalties as provided by law.

* * *

(5) Obligation to the profession of education requires that the individual:

(a) Shall maintain honesty in all professional dealings.

* * *

(h) Shall not submit fraudulent information on any document in connection with professional activities.

31. Applying the above-findings of fact to Rules 3.22, 3.25, 2.07, and 2.17, the undersigned concludes that Petitioner proved by a preponderance of the evidence that Respondent violated Rules 3.25, 2.07, and 2.17 (by violating rule 6A-10.081(5)(a) and (h)), and, therefore, is guilty of misconduct in office. Rule 3.22 is inapplicable to Respondent's tenure at the Complex, and, therefore, Respondent has not violated the same.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is RECOMMENDED that the Indian River County School Board enter a final order finding William Howle guilty of misconduct in office, and terminating his employment.

DONE AND ENTERED this 4th day of August, 2014, in Tallahassee, Leon County, Florida.



TODD P. RESAVAGE
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 4th day of August, 2014.

ENDNOTES

^{1/} The undersigned cannot determine from the record the specific dates that coincide with the unsuccessful efforts to locate Respondent.

^{2/} Video surveillance footage from the Complex documents Respondent arriving and departing from the Complex parking lot within five minutes on the following dates:
February 7, 8, 11 through 15, and 22, 2013.

^{3/} The undersigned is unable to determine from the record when the timesheet procedure change occurred.

COPIES FURNISHED:

Elizabeth Coke, Esquire
Richeson and Coke, P.A.
317 South Second Street
Post Office Box 4048
Fort Pierce, Florida 34950

Nicholas Anthony Caggia, Esquire
Law Office of Thomas L. Johnson
510 Vonderburg Drive, Suite 309
Brandon, Florida 33511

Dr. Frances J. Adams, Superintendent
Indian River County School Board
1900 25th Street
Vero Beach, Florida 32960-3395

Matthew Carson, General Counsel
Department of Education
Turlington Building, Suite 1244
325 West Gaines Street
Tallahassee, Florida 32399-0400

Pam Stewart, Commissioner of Education
Department of Education
Turlington Building, Suite 1514
325 West Gaines Street
Tallahassee, Florida 32399-0400

NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the agency that will issue the Final Order in this case.

Local Assessment Schedule 2014-2015

Locally Administered Benchmark Assessments (Test dates shown are windows. Actual test days are site specific)

Subject	Grades	BMT 1	Duration	BMT2	Duration	Delivery Method					
Math	K	1/6 - 2/6	1 class			CBT					
	1	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	2	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	3	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	4	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	5	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	6	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	7	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	8	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	9	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	10	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	11	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
	12	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT					
Algebra	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT						
Geometry	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT						
Algebra 2	10/1- 10/31	1 class	1/6 - 2/6	2 classes	CBT						

Subject	Grades	Baseline	Duration	BMT 1	Duration	BMT2	Duration	BMT3	Duration	BMT4	Duration	Delivery Method
Reading	1					1/6 - 2/6	45 min					
	2			10/1 -10/31	45 min	1/6 - 2/6	90 min					
	3	9/8- 9/19	90 min	10/1- 10/31	45 min	1/6 - 2/6	60 min	3/2 -3/13	60 min	4/27 -5/8	60 min	CBT
	4			10/1- 10/31	45 min	1/6 - 2/6	90 min					CBT
	5			10/1- 10/31	45 min	1/6 - 2/6	90 min					CBT
	6			10/1- 10/31	45 min	1/6 - 2/6	90 min					CBT
	7			10/1- 10/31	45 min	1/6 - 2/6	90 min					CBT
	8			10/1- 10/31	45 min	1/6 - 2/6	90 min					CBT
	9			10/1- 10/31	45 min	1/6 - 2/6	90 min					CBT
	10			10/1- 10/31	45 min	1/6 - 2/6	90 min					CBT
	11			10/1- 10/31	45 min	1/6 - 2/6	90 min					CBT

Subject	Grades	BMT 1	Duration	BMT2	Duration	BMT3	Duration	Delivery Method				
Science	3	10/1- 10/31	1 class	1/6 - 2/6	1 class	5/18-5/29	1 class	CBT				
	4	10/1- 10/31	1 class	1/6 - 2/6	1 class	5/18-5/29	1 class	CBT				
	5	10/1- 10/31	1 class	1/6 - 2/6	1 class	5/18-5/29	1 class	CBT				
	6	10/1- 10/31	1 class	1/6 - 2/6	1 class	5/18-5/29	1 class	CBT				
	7	10/1- 10/31	1 class	1/6 - 2/6	1 class	5/18-5/29	1 class	CBT				
	8	10/1- 10/31	1 class	1/6 - 2/6	1 class	5/18-5/29	1 class	CBT				
Biology	10/1- 10/31	1 class	1/6 - 2/6	1 class	3/16-3/20	1 class	CBT					

Subject	BMT 1	Duration	BMT2	Duration	BMT3	Duration	Delivery Method				
U.S. History	10/1- 10/31	1 class	1/6 - 2/6	1 class	4/6 -5/8	1 class	CBT				

Subject	BMT 1	Duration	BMT2	Duration	Delivery Method				
Civics	10/1- 10/31	1 class	1/6 - 2/6	1 class	CBT				

Locally Administered Norm-Referenced Assessment

Subject	BMT 1	Duration	BMT2	Duration	Delivery Method				
SAT 10	4/20-4/24								

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Cathco Inc.
5550 41st Street
Vero Beach, FL 32967

APPROVED FOR
PAYMENT: 

Application and Certificate for Payment

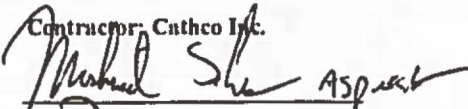
To: Facilities Planning & Construction SDIRC 6055 62nd Avenue Vero Beach, FL 32967	<u>Project</u> Rosewood Magnet School Parent Pick-Up/Drop-Off Loop and Parking Lot	Application Number: Date:	FINAL August 12, 2014
<u>Purchase Order Number - 01406145</u>		Period To:	August 12, 2014
		Contract Date:	June 24, 2014

Page 1 of 2

Contractors Application for Payment


Application is Made for Payment As Shown Below, In Connection With The Contract Continuation Sheet Attached

1. Original Contract Sum	\$170,649.60
2. Net Change By Change Orders	(\$1,307.60)
3. Contract Sum To Date	\$169,342.00
4. Total Completed & Stored To Date	\$169,342.00
5. Retainage	
a. 10% Of Completed Work	\$0.00
6. Total Completed Less Retainage	\$169,342.00
7. Less Previous Payments	<u>\$73,123.07</u>
8. Current Payment Due	\$96,218.93
9. Balance to Finish, With Retainage	\$0.00

Contractor: Cathco Inc.

President Michael S. Ernst

Print
Aug 13, 2014


Date

Engineer Approval: Neel-Schaffer, Inc.


Suman Juluru P.E.

Print
August 14, 2014

Date

Owner Approval: Facilities Planning & Construction SDIRC


Scott R. Sanders

Print
8/26/14

Date

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TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers
FROM/PHONE: Emilio DeSimone, Project Manager (954) 797-1085
PREPARED BY: Emilio DeSimone, Project Manager (954) 797-1085
SUBJECT: Resolution
AFFECTED DISTRICT: Town wide

ITEM REQUEST: Schedule for Council Meeting

TITLE OF AGENDA ITEM: BID SELECTION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ACCEPT THE BID RECOMMENDATION FOR CHAIN LINK AND PASTURE FENCING SERVICES.

EXECUTIVE SUMMARY: After review of the bids, staff recommends the Town Council accept the bids as follows:

Galvanized fencing and vinyl coated fencing, primary contractor Martin Fence Company, Inc. and secondary contractor Penrod Lumber and Fence Company, Inc.

Tennis court fencing primary contractor Action Fence Corporation and secondary Martin Fence Company.

Pasture fencing primary contractor Little Critters Corral, Inc. and secondary contractor N.D.R. Maintenance Service, Inc.

Fencing removal primary contractor Action Fence Corporation and secondary Martin Fence Company.

Fencing rental primary contractor Action Fence Corporation and secondary Penrod Lumber and Fence Company, Inc.

The award to a primary and a secondary bidder is important so that projects can be completed in a timely manner.

KEY POINTS: The Town is in need of chain link and pasture fencing services.
The Town solicited sealed bids for the chain link and pasture fencing services.



Administration: (954) 797-1030
Administrative Services: (954) 797-1020
Budget & Finance: (954) 797-1050
Parks & Recreation: (954) 797-1145
Development Services: (954) 797-1111

Engineering: (954) 797-1113
Fire Department: (954) 797-1090
Police Department: (954) 693-8200
Public Works: (954) 797-1240
Utilities: (954) 433-4000

TOWN OF DAVIE 6591 Orange Drive • Davie, Florida 33314-3399

(954) 797-1000

October 26, 2012

Mr. Robert Greene
Martin Fence Co.
862 13 Street
Lake Park, Fl. 33403

Dear Mr. Greene:

Thank-you for taking the time to submit a bid for Chain Link and Pasture Fence, B-12-76.

After a review of the bids received, an award was made to your firm by the Town Council in accordance with the attached resolution and bid tabulation.

The initial term of the contract is three (3) years and begins on October 18, 2012. Thereafter, the contract may be extended for an additional three (3) year term by mutual agreement of the parties and approval by the Town Council. Your contact for this project is the Emilio DeSimone at (954) 797-1085. Please contact me at (954) 797-1016 should you have any questions.

Sincerely,

Herb Hyman, CPPO, CPPB, FCPM, FCPA
Procurement Manager

An Equal Opportunity Employer



Mission: To protect, promote & improve the health of all people in Florida through integrated state, county, & community efforts.

2014 - 2016 School Health Services Plan

Due by September 15, 2014

E-mail Plan as an Attachment to:

HSF_SH_Feedback@flhealth.gov

Contact Person

Please indicate a contact person who was involved in the preparation of this plan and can answer questions if they arise.

Name & Credentials: Linda Young, RN

Position & Agency: Senior Community Health Nurse - DOH

Mailing Address: 1900 27th Street

City, County, State, Zip: Vero Beach, FL 32960

Phone & Work Cell Phone: Wk (772)794-7473 Cell: (772)473-1237

Email: Linda.Young@flhealth.gov

SUMMARY - SCHOOL HEALTH SERVICES PLAN 2014 - 2016

Statutory Reference. Section 381.0056, F.S. requires each local Department of Health to develop, jointly with the school district and school health advisory committee, a School Health Services Plan (referred herein as the "Plan") that outlines the provisions and responsibilities to provide mandated health services in all public schools. Chapter 64F-6.002, Florida Administrative Code (F.A.C.) requires the plan to be completed biennially.

The Plan format is arranged in 3 parts relating to the services provided and funding streams, as follows:

- **Part I: Basic School Health Services - All Public Schools** – this section contains each of the Florida statutes (Department of Health (DOH) and Department of Education (DOE)) that relate to the mandated basic health services for students in all public schools.
- **Part II: Comprehensive School Health Services** – 46 counties receive state funding for comprehensive programs that provide enhanced services to high risk children. These services are in addition to the services identified in Part I.
- **Part III: Health Services for Full Service Schools (FSS)** – all counties receive funding for FSS serving high-risk students with limited access to services. These services are in addition to the basic services identified in Part I.

The Plan contains 4 columns, as follows:

- **Column 1 – Statutory Requirements.** This column is in order by statute and establishes the primary requirements and mandates.
- **Column 2 – Program Standards.** This column provides the standards that are related to the statutory requirements. Where rules are not available, standards are based on other guidelines (such as the Florida School Health Administrative Guidelines (May 2012), current School Health Services Plan, or standards of practice).
- **Column 3 – Local Agency(s) Responsible.** The local agencies (local Department of Health, Local Educational Agency (LEA), and School Health Advisory Committee (SHAC)) determine the responsibilities for providing the services described in each statutory requirement and program standard when the Plan is developed. These responsibilities will depend upon the county service/staffing model, funding sources, community partners, and collaboration.
- **Column 4 – Local Implementation Strategy & Activities.** The local agencies will provide implementation strategy and activities to meet each statutory requirement and program standard identified.

GENERAL INSTRUCTIONS

- The 2014 - 2016 plan format is in a Microsoft Excel file. The cells where you enter information are "unlocked" and allow you to type information into them. The cells with references from statute, rule or program standards are locked.
- Please make sure that you only open the 2014 - 2016 School Health Services Plan format in Microsoft Excel.
- Do not work in this file until you have opened and saved it to your network drive or a flash/travel drive. When saving for the first time, use the "Save As" function and add your county's name to the beginning of the file name so your plan will not be confused with that of another county.
- Insert your county's name into the file "Header" by choosing "File", "Page Set-Up", Header/Footer", "Custom Header".
- If you need clarification on the programmatic items in the plan, please email the School Health mailbox at: hsf_sh_feedback@flhealth.gov
- If you have any technical questions about the Excel format not answered by these instructions, please contact your Program Office School Health liaison for assistance.

REFERENCES

Florida School Health Laws and Rules: <http://www.floridahealth.gov/healthy-people-and-families/childrens-health/school-health/laws-rules.html>

Center for Disease Control and Prevention Coordinated School Health Model: <http://www.cdc.gov/HealthyYouth/CSHP/>

Florida School Health Administrative Guidelines: http://www.floridahealth.gov/healthy-people-and-families/childrens-health/school-health/_documents/adminstrative-guidelines.pdf

Emergency Guidelines for Schools (Florida Edition, 2010): http://www.floridahealth.gov/provider-and-partner-resources/emsc-program/_documents/egs2011fl-edtion.pdf

State Requirements for Educational Facilities (2012): <http://www.fldoe.org/edfacil/pdf/sref-rule.pdf>

2014 - 2016 School Health Services Plan Signature Page

My signature below indicates that I have reviewed and approved the 2014 - 2016 School Health Services Plan and it's local implementation strategies, activities, and designations of local agency responsibility as herein described:

Position	Name and Signature	Date
Local Department of Health Administrator / Director	Miranda C. Hawker, M.P.H.	
	<i>Printed Name</i>	
	<i>Signature</i>	<i>Date</i>
Local Department of Health Nursing Director	Rose Parker, RN BSN	
	<i>Printed Name</i>	
	<i>Signature</i>	<i>Date</i>
Local Department of Health School Health Coordinator	Linda Young, RN	
	<i>Printed Name</i>	
	<i>Signature</i>	<i>Date</i>
School Board Chair Person	Carol Johnson	
	<i>Printed Name</i>	
	<i>Signature</i>	<i>Date</i>
School District Superintendent	Fran Adams Ed.D	
	<i>Printed Name</i>	
	<i>Signature</i>	<i>Date</i>
School District School Health Coordinator	Georgann Gergora, RN M.B.A/M.H.A	
	<i>Printed Name</i>	
	<i>Signature</i>	<i>Date</i>
School Health Advisory Committee Chairperson	Vicki Soule', (FACHE) M.S., M.B.A	
	<i>Printed Name</i>	
	<i>Signature</i>	<i>Date</i>
School Health Services Public / Private Partner		
	<i>Printed Name</i>	
	<i>Signature</i>	<i>Date</i>

Part	Statutory Requirements <i>(Legislative mandates that establish School Health Program requirements)</i>	Program Standards <i>(Standards and Administrative Code that support statutory requirements, are identified)</i>	Local Agency(s) Responsible <i>(Identify the local agency(s) responsible for each requirement)</i>	Local Implementation Strategy & Activities <i>(Provide the local strategies and activities to accomplish the plan requirement/standard identified on each line)</i>
PART I: PREVENTIVE HEALTH SERVICES FOR ALL PUBLIC SCHOOLS				
I.	1. s. 381.0056, F.S. School Health Services Program.	a. Each local Department of Health uses the annual schedule C funding allocation (General Appropriations Act) to provide school health services pursuant to the School Health Services Act (s. 381.0056(1), F.S.) and the requirements of the Schedule C Attachment I.	Indian River County Health Department	Schedule C funds are used to provide School Health services based on approved School Health Plan.
I.	2. s. 381.0056(3), F.S. The Department of Health (DOH), in cooperation with the Department of Education (DOE), shall supervise the administration of the school health services program and perform periodic program reviews.	a. The local Department of Health and local education agency (LEA) each designate one person to be responsible for the coordination of planning, development, implementation and evaluation of the local school health program. Those two individuals should collaborate throughout the school year to assure program compliance and to plan and assess the delivery of program services. (Ch. 64F-6.002(2)(i), F.A.C.)	County Health Department (CHD) School Health Nursing Supervisor. LEA RN School Health Coordinator and assistant.	CHD Nursing Supervisor, LEA RN School Health Coordinator and assistant communicate regularly, plan accordingly, and monitor the activities of staff responsible for the implementation of the approved School Health Plan. CHD Nursing Supervisor, LEA RN School Health Coordinator, with input from school health staff review the plan at the end of the school year to assess plan and program compliance. The CHD Nursing Supervisor and LEA RN School Health Coordinator conduct health room monitoring visits throughout the school year.
		b. The local school health services plan shall describe employing or contracting for all health-related staff and the supervision of all school health services personnel regardless of funding source. (Ch. 64F-6.002(2)(j), F.A.C.)	CHD School Health Nursing Supervisor, LEA RN School Health Coordinator, Community Partners.	CHD Nursing Supervisor, LEA School Health Coordinator and Community Partners supervise their respective agency personnel.

Part	Statutory Requirements <i>(Legislative mandates that establish School Health Program requirements)</i>	Program Standards <i>(Standards and Administrative Code that support statutory requirements, are identified)</i>	Local Agency(s) Responsible <i>(Identify the local agency(s) responsible for each requirement)</i>	Local Implementation Strategy & Activities <i>(Provide the local strategies and activities to accomplish the plan requirement/standard identified on each line)</i>
		<p>c. Protocols for supervision of school health services personnel shall be described in the local school health services plan to assure that such services are provided in accordance with statutory and regulatory requirements and professional standards. (Ch. 64F-6.002(2)(j)(1), F.A.C.), and consistent with the <u>Nurse Practice Act</u> (Ch.464 F.S.) and the Technical Assistance Guidelines - The Role of the Professional School Nurse in the Delegation of Care in Florida Schools (Rev. 2010).</p>	<p>CHD School Health Nursing Supervisor, LEA RN School Health Coordinator, Community Partners</p>	<p>CHD School Health personnel are shadowed twice a year by the CHD School Health Nursing Supervisor evaluations are based on locally designed monitoring policies and performance standards as outlined in their employee performance standards. LEA RN School Health Coordinator performs random school health room inspections throughout the school year using state approved monitoring tool. LEA and CHD School Health staff are evaluated yearly for compliance of their required licensure/certifications. Administrative guidelines, technical assistance documents and <u>Nurse Practice Act</u> are reviewed frequently to assure compliance. Community Partners have developed MOU/MOA with the school district, are supervised by their respective supervisors, and must meet agency standards and be in compliance as well.</p>
		<p>d. Decisions regarding medical protocols or standing orders in the delivery of school health services are the responsibility of the local Department of Health medical director in conjunction with district school boards, local school health advisory committees, the school district medical consultant, or the student's private physician. (Ch. 64F-6.002(2)(j)(2), F.A.C.</p>	<p>CHD Medical Director, District School Board, SHAC or student's private physician.</p>	<p>The medical protocols, located in the School Health Services Manual, are reviewed yearly and updated as needed.</p>
I.	<p>3. s. 381.0056(4)(a), F.S. Each local Department of Health shall develop, jointly with the district school board (a.k.a. local educational agency or LEA) and the local school health advisory committee (SHAC), a school health services plan.</p>	<p>a. Each local school health services plan shall be completed biennially and approved and signed by at a minimum the superintendent of schools, school board chairperson, local Department of Health medical director or administrator.</p>	<p>CHD and LEA School Health staff, SHAC.</p>	<p>CHD School Health Nursing Supervisor facilitates School Health Plan workshops every two years. Meeting schedules are distributed to the SHAC. The draft plan is routed to the CHD Administrator, CHD Nursing Director, CHD Medical Director for their review and approval prior to being placed on the school board agenda for their review and approval.</p>

Part	Statutory Requirements <i>(Legislative mandates that establish School Health Program requirements)</i>	Program Standards <i>(Standards and Administrative Code that support statutory requirements, are identified)</i>	Local Agency(s) Responsible <i>(Identify the local agency(s) responsible for each requirement)</i>	Local Implementation Strategy & Activities <i>(Provide the local strategies and activities to accomplish the plan requirement/standard identified on each line)</i>
		b. The local school health services plan shall be reviewed each year for the purpose of updating the plan. Amendments shall be signed by the school district superintendent and the local Department of Health medical director or administrator. (Ch. 64F-6.002(3)(a), F.A.C.).	CHD School Health Nursing Supervisor, LEA RN School Health Coordinator, and CHD/LEA School Health Staff, Superintendent and Health Department Administrator	An annual review of the school health services plan will be reviewed by CHD School Health Nursing Supervisor, LEA RN School Health Coordinator and CHD/LEA School Health Staff. Amendments will be reviewed by SHAC and the CHD Medical Director, prior to being submitted to the school district superintendent and Department of Health administrator for signature .
		c. Establish procedures for health services reporting in Health Management System (HMS) and the annual report, to include services provided by all partners. (Ch. 64F-6.002(2)(g), F.A.C.).	LEA Health Services Coordinator, Director of Information Technology, Director of Student Services and CHD School Health Nursing Supervisor	LEA Health Services Coordinator and CHD School Health Nursing Supervisor in collaboration with LEA Director of Information Technology, and LEA Director of Student Services will meet at the beginning of each school year and as needed to establish procedures, or update procedures to improve the timeliness and accuracy of reporting school health services as defined in this plan.
		d. As per s. 381.0056(4)(a)(18)(b), F.S., each School Health Advisory Committee (SHAC) should include members representing the eight components of the Centers for Disease Control and Prevention's Coordinated School Health (CSH) model. The SHAC is encouraged to address the eight CSH components in the school district's wellness policy pursuant to s. 1003.453, F.S.	School District's Assistant Superintendent responsible for the Wellness Policy, Director of School Nutrition	SHAC committee will meet no less than six times annually. Community members will be recruited to attend on a regular basis.
I.	4. s. 381.0056(4)(a)(1), F.S. Health appraisal	a. Determine the health status of students.	CHD and LEA School Health Personnel.	Health status is determined through record reviews, medical history updates, screening results and health room visits throughout the year. Cumulative reports of student's health by individual school will be reviewed for improvement opportunities at the end of each nine weeks. DOH School Health Supervisor and LEA School Health Coordinator will share findings with the school district and SHAC.

Part	Statutory Requirements <i>(Legislative mandates that establish School Health Program requirements)</i>	Program Standards <i>(Standards and Administrative Code that support statutory requirements, are identified)</i>	Local Agency(s) Responsible <i>(Identify the local agency(s) responsible for each requirement)</i>	Local Implementation Strategy & Activities <i>(Provide the local strategies and activities to accomplish the plan requirement/standard identified on each line)</i>
I.	5. s. 381.0056(4)(a)(2), F.S. Records review	a. Perform initial school entry review of student health records, to include school entry physical, immunization status (DH 680), cumulative health record, emergency information, etc. (Ch. 64F-6.005(1), F.A.C.)	LEA and CHD School Health Personnel	School physical forms, immunization records, cumulative health folders, and emergency forms on all new and transferring students will be reviewed upon first time entry, or transfer in to district schools.
		b. Perform annual review of each student's emergency information and medical status. An emergency information card for each student shall be updated each year. (CH. 64F-6.004(1)(a), F.A.C.)	LEA and CHD School Health Personnel.	Each school's health assistant will distribute the emergency forms for parent/guardian updates at the beginning of each school year. Forms will be reviewed by the health assistants. Changes will be noted in TERMS/EHR and appropriate school health staff will be notified.
I.	6. s. 381.0056(4)(a)(3), F.S. Nurse assessment	a. Perform school entry and periodic assessment of student's health needs. (Ch. 64F-6.001(6), F.A.C.).	LEA and CHD Nursing Personnel.	School Health Nursing Personnel will be notified by health assistants of any changes in the health status of students that may need an Individualized Health Plan(IHP) and Emergency Action Plan(EAP).
		b. For day-to-day and emergency care of students with chronic or acute health conditions at school, the registered nurse (RN) develops an individualized healthcare plan (IHP),	LEA and CHD Nursing Personnel.	School Health Nursing Personnel will be notified by health assistants of any changes in the health status of students that may need an Individualized Health Plan(IHP) and Emergency Action Plan(EAP).
		c. The RN utilizes the IHP to develop an emergency action plan (EAP) and/or an Emergency Care Plan (ECP) for use by unlicensed assistive personnel and school staff.	LEA and CHD Nursing Personnel.	School Health Nursing Personnel will be notified by health assistants of any changes in the health status of students that may need an Individualized Health Plan(IHP) and Emergency Action Plan(EAP).
I.	7. s. 381.0056(4)(a)(4), F.S. Nutrition assessment	a. Identify students with nutrition related problems (Florida School Health Administrative Guidelines. May 2012, Ch. 11).	LEA and CHD School Health and Food Service Personnel	LEA and CHD School Health Personnel will provide appropriate follow-up based on screening guidelines, and upon referral.
I.	8. s. 381.0056(4)(a)(5), F.S. Preventive dental program	a. Recommended services include: Minimally - age appropriate oral health education to all grades and referral system.	LEA Curriculum Department , Principals,CHD, TCCH, and Community Partners	Health standards are included in the science curriculum for all grades. Community Partners may support oral health education.

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		b. Mid-range - oral health screenings, fluoride varnish or rinse program (both recommended for either 2nd or 3rd grades).	CHD, TCCH, and Community Dental Partners	If resources are made available, identify Title 1 schools who are willing to participate in oral health screening program, fluoride varnish or fluoride mouth rinse program.
		c. Best practice - school-based or school-linked dental sealant program and primary dental services as available. Recommend a licensed dental professional liaison from the local Department of Health or community partner to provide screenings, preventive oral health services and referrals.	CHD, TCCH, and Community Dental Partners	Partner with local dental professionals, including TCCH to provide screenings, preventive oral health services and referrals.

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I.	9. s. 381.0056(4)(a)(6-9), F.S. Provisions for Screenings	<p>a. Provide screenings and a list of all providers.</p> <p>Screenings:</p> <p>(1) Vision screening shall be provided, at a minimum, to students in grades kindergarten, 1, 3 and 6 and students entering Florida schools for the first time in grades kindergarten through 5.</p> <p>(2) Hearing screening shall be provided, at a minimum, to students in grades kindergarten, 1 and 6; to students entering Florida schools for the first time in grades kindergarten through 5; and optionally to students in grade 3.</p> <p>(3) Growth and development screening shall be provided, at a minimum, to students in grades 1, 3 and 6 and optionally to students in grade 9.</p> <p>(4) Scoliosis screening shall be provided, at a minimum, to students in grade 6. (Ch.64F-6.003(1-4), F.A.C.</p>	LEA and CHD School Health Staff and Community Partners	LEA and CHD School Health Personnel will assist the school district with all screenings per state mandate and perform appropriate follow-up based on screening guidelines, and by following established referral process with state contract providers and community partners. <u>The CHD will start a pilot program to address childhood obesity by hiring a health educator consultant to develop a program for children who are at risk for chronic disease based on growth and development screenings. The Department of Health in Indian River County will work with the School District of Indian River County to adopt the 5210 Lifestyle program as a model throughout the school district.</u>
		<p>b. Assist in locating referral sources for additional evaluation and/or treatment for students with abnormal screening results. Referral sources may include, but are not limited to, state contracted vision service providers (provided the student meets eligibility requirements), other service providers and local resources.</p> <p>(1) Provide a list of all referral providers.</p>		Health Assistants will refer failed screenings to their primary care physician or provide a list of pediatricians, . referral sources in the health room, ie 2-1-1, United Way, Whole Child

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		c. Establish a system to document and track screening results and referrals.	Director of Technology, LEA and CHD School Health Personnel	The current system requires hand collection and tabulation of screening data to ensure accuracy and compliance with HMS reporting requirements for school health screening data. LEA Director of Information Technology will be consulted at the beginning of the school year, and as needed throughout the year to improve the timeliness and accuracy of the data system (TERMS) by review of the hand collected information versus the pivot table results.
		d. Ensure all screening services are coded into HMS to include initial screenings, rescreenings, abnormal results/referrals, outcomes, and incomplete referrals after three attempts.	LEA and CHD School Health Personnel.	LEA and CHD School Health Personnel will provide appropriate follow-up based on screening guidelines, and established referral process.
I.	10. s. 381.0056(4)(a)(10), F.S. Health counseling	a. Provide health counseling as appropriate.	LEA and CHD School Health Personnel	LEA and CHD licensed school health personnel will counsel students on health issues based on policy and protocols.
		b. Document health counseling in the student health record.	LEA and CHD School Health Personnel	Appropriate documentation will be entered in the student health record and available for review during supervisory site visits.
I.	11. s. 381.0056(4)(a)(11), F.S. Referral and follow-up of suspected and confirmed health problems	a. Provide referral and follow-up of abnormal health screenings, emergency health issues, and acute or chronic health problems.	LEA and CHD School Health Personnel	LEA and CHD School Health Personnel will provide appropriate follow-up based on screening guidelines, and established referral process to community partners, contract providers and/or student's physician.
		b. Coordinate and link to community health resources.	LEA and CHD School Health Personnel	LEA and CHD School Health Personnel will provide appropriate follow-up based on screening guidelines, and established referral process to community partners, contract providers and/or student's physician.
		c. Require child abuse reporting. (s. 1006.061, F.S.)	LEA Staff and CHD School Personnel	All LEA and CHD are required to report child abuse. Child abuse report training is done annually at the LEA and CHD, in collaboration with DCF and, via the web State mandated training.

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		d. Provide referral to services to sexually exploited children including: counseling, healthcare, substance abuse treatment, educational opportunities, and a safe environment secure from traffickers (Ch. 39.001 (4) (a-d), F.S.) and report as child abuse (s.1006.061, F.S.).	LEA Staff and CHD School Personnel	Referrals to DCF and appropriate community organizations/services will be completed by LEA and CHD staff as mandated by statute when a student is suspected of being a victim of sexual exploitation.
I.	12. s. 381.0056(4)(a)(12), F.S. Meeting emergency health needs in each school	a. Ensure written health emergency policies and protocols are maintained and include minimum provisions. (Ch. 64F-6.004(1), F.A.C.). List protocols used (i.e. Emergency Guidelines for Schools 2011 Florida Edition).	School Health Staff	LEA and CHD School Health Coordinators/Supervisor ensure that emergency policies and protocols are used in schools by School Health Staff. Ensuring the use of: Health Services Manual with emergency procedures, Emergency Guidelines for Schools, Emergency Codes and protocols established by each school.
		b. Ensure health room staff and two additional staff in each school are currently certified in cardiopulmonary resuscitation (CPR) and first aid and a list is posted in key locations. (Ch. 64F-6.004(2&3), F.A.C.). Include on the list location and phone numbers of these staff members.	Principals, LEA School Health Coordinator, Director of Student Services	Principals will ensure that their schools have a minimum of two CPR and first aid staff members (secondary schools should consider additional staffing in this area) in addition to the health assistant available in an emergency or to cover the health room and the list of all employees who are currently CPR certified and first aid trained is posted in key locations throughout the school to include the physical location of the person and a current phone number.
		c. Assist in the planning and training of staff responsible for emergency situations. (Ch. 64F-6.004(4), F.A.C.)	CHD and LEA Registered Nurses	LEA RN School Health Coordinator in collaboration with CHD School Health nursing personnel will identify training needs in each school and respond accordingly. All initial training of new LEA school health personnel will be completed by School Health Coordinator or designee.

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		d. The school nurse shall monitor adequacy and expiration of first aid supplies, emergency equipment and facilities. (Ch. 64F-6.004(5), F.A.C.)	LEA School Health Personnel, LEA School Health Coordinator, and Principals.	LEA School Health Coordinator, LEA School Health personnel will assure adequate supplies are maintained in each health room. Outdated materials, equipment, meds and supplies will not be used and replaced promptly. Principal and LEA School Health Coordinator will be informed of supply and equipment issues
		e. The school principal (or designee) shall assure first aid supplies, emergency equipment, and facilities are maintained. (Ch. 64F-6.004(6), F.A.C.)	LEA School Health Personnel, LEA School Health Coordinator, Principals and Risk Management	Supply inventory is completed at the end of the year. Orders are placed and supplies are replenished prior to the start of the next school year and as needed. All AED equipment is checked monthly and the check is documented. Custodial staff maintain health room cleanliness. Problems identified will be reported to the LEA School Health Coordinator.
		f. All injuries and episodes of sudden illness referred for emergency health treatment shall be documented and reported immediately to the principal or the person designated by the principal or the acting principal. (Ch. 64F-6.004(7), F.A.C.)	LEA School Health Personnel, Principals and Risk Management	All episodes of sudden illness referred for emergency health treatment and injury reports are completed within 24 hours. Principals are notified as is risk manager as soon as possible by health assistant. A hard copy of the report is made and sent to risk management and entered into TERMS. The number of 911 calls made each year is reported in the Annual School Health Report.
		g. It is the responsibility of each school that is a member of the Florida High School Athletic Association to: 1) have an operational automatic external defibrillator (AED) 2) ensure employees expected to use the AED obtain appropriate training 3) and register the AEDs with the county emergency medical services director. (s. 1006.165, F.S.)	LEA, Athletic Director, Principal, Risk Management	LEA Risk Management is responsible to ensure each campus has an operational AED. 2. Athletic trainers maintain their own certificates. 3. LEA will register the AEDs with the county emergency medical services director.
I.	13. s. 381.0056(4)(a)(13), F.S. Assist in health education curriculum	a. Collaborate with schools, health staff and others in health education curriculum development.	LEA curriculum instruction staff	LEA curriculum department will ensure that health education curriculum standards are met. Consultation on health curriculum is available upon request from CHD.

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I.	14. s. 381.0056(4)(a)(14), F.S. Refer student to appropriate health treatment	a. Use community or other available referral resources.	LEA & CHD School Health Staff	School Health Assistants and CHD School Health Staff will utilize current resource list for referrals.
		b. Assist in locating referral sources for Medicaid eligible or underinsured students (community health and social service providers).	LEA & CHD School Health Staff	Resource lists are shared among LEA and CHD School health staff. Community resource lists are updated by agencies. Community resource lists are made available to families in need.
I.	15. s. 381.0056(4)(a)(15), F.S. Consult with parents or guardian regarding student's health issues	a. Provide consultation with parents, students, staff and physicians regarding student health issues. (Ch. 64F-6.001(1), F.A.C.)	LEA & CHD School Health Staff and Student Support Services	Upon request and in accordance with HIPPA/FERPA laws, student health issues are addressed with appropriate personnel and parents.
I.	16. s. 381.0056(4)(a)(16), F.S. Maintain health-related student records	a. Maintain a cumulative health record for each student that includes required information. (Ch. 64F-6.005(1), F.A.C.)	LEA & CHD School Health Personnel	Upon enrollment, and when students are transferred to another school, cumulative health folders are obtained or created.
		b. Maintain student health records per s. 1002.22, F.S. (Ch. 64F-6.005(2), F.A.C.)	LEA & CHD School Health Personnel	Health records are maintained and kept up to date by school health personnel. Appropriate documentation is entered and student confidentiality is maintained.
I.	17. s. 381.0056(4)(a)(17), F.S. Provision of health information for Exceptional Student Education (ESE) program placement	a. Provide relevant health information for ESE staffing and planning according Ch. 6A-6.0331 and 64F-6.006, F.A.C.	LEA Resource Specialist, LEA School RN & CHD School RN	Upon notification of students who potentially requires or has a Health care plan/Emergency plan to complete (ESE) program placement recommendation, the school Resource Specialists or designee will notify the school RN of the date and time the staffing will take place. This is to ensure the appropriate health and safety information can be obtained by the RN who will be developing the Individual Student Care Plan and Emergency Plan prior to student placement PreK - 12.
I.	18. s. 381.0056(5)(a)(18), F.S.	a. Notification to the local nonpublic schools of the school health services program and the opportunity for representatives of the local nonpublic schools to participate in the development of the cooperative health services plan.	CHD School Health Nursing Supervisor, LEA School Health Coordinator	CHD School Health Nursing Supervisor checks the DOE website to obtain a list of private schools. Schools are contacted via phone, fax, mail or e-mail regarding services available. Services are offered based on local resources, and the criteria outlined in Florida statutes for eligibility per s. 381-0056(5)(a)-(g), F.S.

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		b. A nonpublic school may request to participate in the school health services program provided they meet requirements per s. 381-0056(5)(a)-(g), F.S.	Private School Administrator or Director	CHD School health Nursing Supervisor and LEA School Health Coordinator are available to answer questions regarding requirements based on Florida Statutes.
I.	19. s. 381.0056(6)(a), F.S. The district school board shall include health services and health education as part of the comprehensive plan for the school district.	a. School-based health services are provided to public school children in grades pre-kindergarten through twelve. Health services are provided to public charter schools, based upon the charter, local contracts, and agreements. Counties offer school health services to private schools, based upon their participation in the School Health Services Plan, and the availability of staff and local resources. (Florida School Health Administrative Guidelines. May 2012, Section I-2).	CHD School Health Nursing Supervisor, LEA School Health Coordinator, CHD School Health Personnel	Local private schools and Charter Schools with the exception of St. Edward's private school, do not have health rooms or full time staff dedicated to health services and therefore cannot receive school based health services from DOH School Health Personnel. The School District and the County Health Department offer consultative services. The School District provides screening equipment when requested. CHD School Health Staff offer/provide staff to complete the mandated screenings, data collection and entry into the state database (HMS).

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		<p>b. Describe how CHD staff will assist school personnel in health education curriculum development. Since the CHD staff includes health professionals with expertise in many disciplines, they should be considered a primary resource for topics related to student health and wellness. County health department staff may serve as content and curriculum experts in their particular specialty (i.e. dental health, nutrition, hygiene and communicable disease prevention, injury prevention, human growth and development, sexually transmitted diseases, and other health topics relevant to school-age children and adolescents). (Florida School Health Administrative Guidelines. May 2012, Section III, Ch.15-1).</p>	<p>LEA curriculum instruction staff</p>	<p>LEA curriculum department will ensure that health education curriculum standards are met. Consultation on health curriculum is available upon request from CHD. The CHD School Health Supervisor will compile a list of health professionals working at the CHD who would be available to assist at the request of the instructional staff and send it to the Director of Curriculum.</p>
I.	<p>20. s. 381.0056(6)(b), F.S. The district school board shall provide in service health training for school personnel.</p>	<p>a. Please list providers of in service health training for school personnel.</p>	<p>LEA School Health Coordinator, CHD School Health Staff, Treasure Coast Community Health Center and Community Dental Partners</p>	<p>LEA Health Services Coordinator will schedule, coordinate and/or facilitate health training for school health personnel and or school personnel based on needs and request. Training will be done in collaboration with the CHD and other community organizations as needed.</p>
I.	<p>21. s. 381.0056(6)(c), F.S. The district school board shall make available adequate physical facilities for health services.</p>	<p>a. Health room facilities in each school will meet DOE requirements. (State Requirements for Educational facilities, December 2012 and/or State Requirements for Existing Educational Facilities 2012).</p>	<p>LEA School Health Assistants, Principals and LEA School Health Services Coordinator.</p>	<p>LEA School Health assistants will report to their principal and the LEA School Health Coordinator any health room inadequacies identified and notify if not resolved in a timely fashion.</p>

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I.	22. s. 381.0056(6)(d), F.S. The district school board shall, at the beginning of each school year, provide parents with information concerning ways that they can help their children to be physically active and eat healthful foods.	a. List programs and/or resources to be used.	LEA Student Services	This information is available in "From Start to Finish" parent guide.
I.	23. s. 381.0056(6)(e), F.S. The district school board shall inform parents or guardians in writing at the beginning of each school year of the health services provided.	a. Provide the opportunity for parents or guardians to request an exemption in writing.	LEA School Health Coordinator	Parents/Guardians are notified at the beginning of each school year regarding their privilege to exempt their child from participating in screening programs. Health Services Tri-Fold brochure has been revised and updated. The information will be posted on the parent portal of the district's website. Parents will be informed of the option to opt-out of services.
		b. Obtain parent permission in writing prior to invasive screening.	LEA Health staff and School Administrators	Parents/Guardians are notified in writing and a signed authorization is required prior to any invasive screening (i.e. dilated eye exam)
I.	24. s. 1003.22(1), F.S. Each district school board shall require that each child who is entitled to admittance to kindergarten, or is entitled to any other initial entrance into a public school in this state, present a certification of a school-entry health examination performed within 1 year prior to enrollment in school.	a. The school health plan shall include initial school entry health examination policy. (Ch. 64F-6.002(2)(f), F.A.C.) Note: Reference policy to Ch. 6A-6.024, F.A.C.	School District Superintendent, LEA and CHD School Health Personnel, LEA IT Department	District policy permits up to thirty school days for students in grades 1 to 12 to produce documentation of the school entry physical or opt out on the basis of religious grounds. Unless religiously exempt, PreK and kindergarten enrollees must present or have on file the school entry Health Exam performed within one year prior to the first day of school attendance.

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I.	25. s. 1003.22(4), F.S. Each district school board shall establish and enforce as policy that, prior to admittance to or attendance in a public school, grades kindergarten through 12, or any other initial entrance into a Florida public school, each child present or have on file with the school a certification of immunization for the prevention of those communicable diseases for which immunization is required by the Department of Health.	a. The school health plan shall include immunization policies in each school that comply with Ch. 64D-3.046, F.A.C. (Ch. 64F-6.002(2)(e), F.A.C.). Each public school, including public kindergarten, and each private school, including private kindergarten, shall be required to provide to the local Department of Health director or administrator annual reports of compliance with the provisions of this section per s. 1003.22 (8) F.S.	School District Superintendent, Principals, LEA and CHD School Health Personnel, LEA IT Department (Public Schools) CHD School Health Coordinator (Private Schools)	Current school district policy requires K-12 students entering or transferring from another school district or students who will be entering school for the first time will be required to produce a certificate of immunization within 30 days. No grace period is permitted for Kindergarten students (unless student qualifies under McKinney-Vento Act).
I.	26. s. 1003.22(9), F.S. The presence of any of the communicable diseases for which immunization is required by the Department of Health in a Florida public or private school shall permit the county health department director or administrator or the State Health Officer to declare a communicable disease emergency.	a. The school health plan shall include communicable disease policies. (Ch. 64F-6.002(2)(d), F.A.C.) Note: Policies need to provide for interagency coordination during suspected or confirmed disease outbreaks in schools.	CHD Administrator, Superintendent, CHD Medical Director, LEA Risk Manager, IT Department.	CHD Administrator and CHD Medical Director in conjunction with the School District Superintendent will collaborate on control measures upon confirming there is a communicable disease outbreak and follow recognized standards of containment procedures. Department of Health will function as the lead agency in the case of an outbreak situation.
I.	27. s. 1006.062(1)(a), F.S. Each district school board shall include in its approved school health services plan a procedure to provide training, by a licensed registered nurse, a practical nurse, a physician or a physician assistant (pursuant to chapter 458 or 459), to the school personnel designated by the school principal to assist students in the administration of prescribed medication.	a. Include provisions in the procedure for general and student-specific administration of medication training.	LEA School Health Coordinator, CHD Nurse and/or appropriate designee	LEA and CHD will collaborate to ensure that designated personnel assigned to assist students in the administration of prescribed medication are trained and demonstrate competencies.

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I.	28. s. 1006.062(1)(b), F.S. Each district school board shall adopt policies and procedures governing the administration of prescription medication by district school board personnel.	a. The school district medication policy will be reviewed annually and updated as necessary to ensure student safety.	LEA School Health Coordinator.	LEA School Health Coordinator will assure that policies are in compliance with the nurse practice act, the School Health Administrative Guidelines and best practices for the administration, handling and storage of prescription and OTC medication.
		b. The school district medication policy will address the use of designated school staff for medication administration and be consistent with delegation practices per Ch. 64B9-14, F.A.C.	LEA School Health Coordinator, Principals.	LEA School Health Coordinator will consult with each school's principal to identify at a minimum, two designees who will receive medication training consistent with the most current delegation guidelines as referenced in <i>The Role of the Professional School Nurse in the Delegation of Care in Florida Schools</i> .
	29. s. 1002.20(3)(h), F.S. Students with asthma whose parent and physician provide approval may carry a metered dose inhaler on their person while in school.	a. Develop and implement an Individualized Healthcare Plan (IHP) and Emergency Action Plan (EAP) to ensure safe use of inhaler by student.	LEA School Health Coordinator, CHD School Health RNs, Medical Professionals and Parents/Guardians.	LEA School Health Assistants will ensure all associated permissions have been obtained prior to notifying the School RN that a student will be self carrying their inhaler and requires an Individual Health Plan (IHP) and Emergency Action Plan (EAP).
	30. s. 1002.20(3)(i), F.S. A student who is at risk for life-threatening allergic reactions may carry an epinephrine auto-injector and self-administer while in school, school-sponsored activities, or in transit if written parental and physician authorization has been provided.	a. For students with life threatening allergies, the RN shall develop an annual IHP that includes an EAP, in cooperation with the student, parent/guardians, physician, and school staff. The IHP shall include child-specific training to protect the safety of all students from the misuse or abuse of auto-injectors. The EAP shall direct that 911 will be called immediately for an anaphylaxis event and have a plan of action for when the student is unable to perform self-administration of the epinephrine auto-injector. (Ch. 6A-6.0251, F.A.C.)	LEA School Health Coordinator, CHD School Health RNs, Medical Professionals and Parents/Guardians.	LEA School Health Assistants will ensure all associated permissions have been obtained prior to notifying the School RN that student will be self carrying their epinephrine auto-injector and requires an IHP and EAP. Child specific training will be provided by the RN and will include how to protect the safety of all students from the misuse or abuse of auto-injectors. The EAP shall direct that 911 will be called immediately for an anaphylaxis event, and will include a plan of action for when the student is unable to perform self-administration of the epinephrine auto-injector.

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	<p>31. A public school may purchase from a wholesale distributor as defined in s. 499.003 and maintain in a locked, secure location on its premises a supply of epinephrine auto-injectors for use if a student is having an anaphylactic reaction. The participating school district shall adopt a protocol developed by a licensed physician for the administration by school personnel who are trained to recognize an anaphylactic reaction and to administer an epinephrine auto-injection. s. 1002.20(3)(i)(2), F.S.</p>	<p>a. If the school district has chosen to maintain supplies of epinephrine auto-injectors, a written protocol has been developed by a licensed physician and is available at all facilities where supplies are kept.</p>	<p>Not Applicable</p>	<p>This district has chosen not to stock epinephrine auto-injectors.</p>
	<p>32. s. 1002.20(3)(j), F.S. Students with diabetes that have physician and parental approval may carry their diabetic supplies and equipment and self-manage their diabetes while en-route to and from school (bus), in school or at school sponsored activities. The written authorization shall identify the diabetic supplies, equipment and activities the student is capable of performing without assistance for diabetic self-management, including hypoglycemia and hyperglycemia.</p>	<p>a. Maintain a copy of the current physician's diabetes medical management plan, and develop and implement an IHP and ECP to ensure safe self management of diabetes pursuant to Ch. 6A-6.0253, F.A.C.</p>	<p>LEA School Health Coordinator, CHD School Health RNs, Medical Professionals and Parents/Guardians.</p>	<p>LEA School Health Assistants will ensure all associated permissions have been obtained prior to notifying the School RN that student will be self carrying their diabetic supplies, and requires an IHP and EAP based on the diabetes medical management plan receive from the student's physician.</p>

Part	Statutory Requirements <i>(Legislative mandates that establish School Health Program requirements)</i>	Program Standards <i>(Standards and Administrative Code that support statutory requirements, are identified)</i>	Local Agency(s) Responsible <i>(Identify the local agency(s) responsible for each requirement)</i>	Local Implementation Strategy & Activities <i>(Provide the local strategies and activities to accomplish the plan requirement/standard identified on each line)</i>
	33. s. 1002.20(3)(k), F.S. A student who has experienced or is at risk for pancreatic insufficiency or who has been diagnosed as having cystic fibrosis may carry and self-administer a prescribed pancreatic enzyme supplement while en-route to and from school (bus), in school or at school sponsored activities if the school has been provided with authorization from the student's parent and prescribing practitioner.	a. Develop and implement an IHP and ECP for management of the conditions requiring pancreatic enzyme supplements and to ensure that the student carries and self-administers such supplements as prescribed by the physician pursuant to Ch. 6A-6.0252, F.A.C.	LEA School Health Coordinator, CHD School Health RNs, Medical Professionals and Parents/Guardians.	LEA School Health Assistants will ensure all associated permissions have been obtained if necessary prior to notifying the School RN that student will be self carrying their pancreatic enzymes, and requires an IHP and EAP based on the medical management plan receive from the student's physician.
I.	34. s. 1006.062(4), F.S. Nonmedical assistive personnel shall be allowed to perform health-related services upon successful completion of child specific training by a registered nurse or advanced registered nurse practitioner, physician or physician assistant.	a. Document health related child-specific training by an RN for delegated staff. The delegation process shall include communication to the UAP which identifies the task or activity, the expected or desired outcome, the limits of authority, the time frame for the delegation, the nature of the supervision required, verification of delegate's understanding of assignment, verification of monitoring and supervision per Ch. 64B9-14.002(3). The documentation of training and competencies should be signed and dated by the RN and the trainee.	LEA School Health Coordinator, CHD School Health RN's	Documentation will be maintained in order to track staff training and competencies. LEA School Health Coordinator will annually evaluate Health Assistant's/UAP's competencies. CHD School Health RNs will report to the School Health Services Coordinator any observable deviations from best practice in the delivery of health services which are not in compliance with training and or school district policies.
		b. Use of nonmedical assistive personnel shall be consistent with delegation practices per Ch. 64B9-14, F.A.C. and per the Technical Assistance Guidelines - The Role of the Professional School Nurse in the Delegation of Care in Florida Schools (Rev. 2010).	LEA School Health Coordinator, CHD School Health RN's	Documentation will be maintained in order to track staff training and competencies. LEA School Health Coordinator or RN designee will annually evaluate Health Assistant's/UAP's competencies. CHD School Health RNs will report to the School Health Services Coordinator any observable deviations from best practice in the delivery of health services which are not in compliance with training and or school district policies.

Part	Statutory Requirements <i>(Legislative mandates that establish School Health Program requirements)</i>	Program Standards <i>(Standards and Administrative Code that support statutory requirements, are identified)</i>	Local Agency(s) Responsible <i>(Identify the local agency(s) responsible for each requirement)</i>	Local Implementation Strategy & Activities <i>(Provide the local strategies and activities to accomplish the plan requirement/standard identified on each line)</i>
PART II: COMPREHENSIVE SCHOOL HEALTH SERVICES (CSHSP)				
II.	1. s. 381.0057(6), F.S. The services provided by a comprehensive school health program must focus attention on promoting the health of students, reducing risk-taking behavior, and reducing teen pregnancy. Services provided under this section are in addition to the services provided under s. 381.0056, F.S. and are intended to supplement, rather than supplant, those services.	a. Use annual schedule C funding allocations (General Appropriations Act) provided to designated county health departments (local Department of Health) for comprehensive school health programs that provided basic school health services as specified in Part I of this plan and promote student health, reduce risk-taking behaviors, and reduce teen pregnancy.	CHD Business Manager and CHD School Health Program Staff	CHD School Health Funds are combined and staff provide both basic and comprehensive school health services based on the collaboration with the LEA.
II.	2. s. 381.0057(6), F.S. Promoting the health of students.	a. Provide in-depth health management, interventions and follow-up through the increased use of professional school nurse staff.	LEA and School Health Nurses, parents and guardians	Upon referral from Health Assistant's, school health nursing personnel will provide assessment of student needs and work in collaboration with parents/guardians and student's physician in order to identify health problems, provide appropriate interventions and develop plans of care specific to individual student needs.
		b. Provide health activities that promote healthy living in each school.	LEA, Physical Education/Science, other teachers, and support staff, CHD Staff Community Partners	Instructional, support staff and community partners are able to incorporate healthy living strategies in each school.
		c. Provide health education classes.	LEA Directors of elementary and secondary education, CHD and Community Partners/Agencies	Florida state standards mandate health education in grades K-12. Elementary schools incorporate health education in PE/Science classes, Middle School incorporates health education in Science classes, High School incorporates health education in English/Hope classes. CHD, Community partners and or outside agencies may be invited to support and/ or enhance the delivery of health education classes.
II.	3. s. 381.0057(6), F.S. Reducing risk-taking behavior.	a. Provide or coordinate counseling and referrals to decrease substance abuse.	LEA, CHD School Health Staff, LEA Administrative, Guidance Staff, SRO's and Community Partners	LEA & CHD staff will collaborate with community based organizations in a effort to decrease substance abuse. Referrals to organizations such as Tobacco free partnership, substance awareness center may be considered when addressing the needs of students who are engaging in at risk behaviors.

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		b. Provide or coordinate counseling and referrals to decrease the incidence of suicide attempts.	LEA & CHD School Health Staff, LEA Administrative, Student services Staff (school psychologist, counselors and school behavioral specialists), SRO's	Student services staff will provide intervention services for student's that may express suicidal ideations and or refer to appropriate leading professionals.
		c. Provide or coordinate health education classes to reduce the incidence of substance abuse, suicide attempts and other high risk behaviors.	LEA & CHD School Health Staff, LEA Administrative, Guidance Staff, SRO's	Health education classes to reduce high risk behaviors are provided using the Tiered Intervention Model based on needs.
II.	4. s. 381.0057(6), F.S. Reducing teenage pregnancy.	a. Identify and provide interventions for students at risk for early parenthood.	LEA staff, CHD School Health staff, Healthy Start Coalition	Healthy Start Coalition to promote a Pre conception health awareness campaign, will train medical professionals and Healthy Start staff.
		b. Provide counseling and education of teens to prevent and reduce involvement in sexual activity.	LEA staff, CHD School Health staff, Community Partner(s) (i.e.,Healthy Start Coalition)	LEA and CHD will collaborate to provide counseling and education of teens to prevent and/or reduce involment in sexual activities using the school district approved abstinence based educational program and community partners.
		c. Collaborate with interagency initiatives to prevent and reduce teen pregnancy.	LEA staff, CHD School Health staff, Healthy Start Coalition	Healthy Start Coalition will promote a Pre conception health awareness campaign, training will be offered to medical professionals and Healthy Start staff. CHD Human Services Program specialist will offer "WAIT Training" to student's enrolled in the TAPP program.
		d. Facilitate the return to school after delivery and provide interventions to decrease repeat pregnancy.	LEA staff, CHD School Health staff, Healthy Start Coalition	TAPP coordinator works in collaboration with the OB providers to obtain the release to return to school following their post partum appointment.
		e. Refer all pregnant students who become known to staff for prenatal care and Healthy Start services, in accordance with s.743.065, F.S.	LEA staff, CHD School Health staff, CHD Medicaid Eligibility Staff, Healthy Start Coalition	Healthy Start referral form will be distributed to all secondary schools in the district. CHD Medicaid Eligibility Staff who facilitate referrals of pregnant teens to OB providers will offer referrals to TAPP program and School Nurses.

Part	Statutory Requirements <i>(Legislative mandates that establish School Health Program requirements)</i>	Program Standards <i>(Standards and Administrative Code that support statutory requirements, are identified)</i>	Local Agency(s) Responsible <i>(Identify the local agency(s) responsible for each requirement)</i>	Local Implementation Strategy & Activities <i>(Provide the local strategies and activities to accomplish the plan requirement/standard identified on each line)</i>
II.	5. s. 381.0057(5), F.S. A parent may, by written request, exempt a child from all or certain services provided by a school health services program described in subsection (3).	a. Provide a description of the mechanism for parental exemption of the child from all or certain services and describe the process of informing parents of this right.	Parents/Guardians	Parents/Guardians are notified at the beginning of each school year regarding their privilege to exempt their child from participating in comprehensive health services. Parent permission is obtained prior to counseling services, health screenings outside of the mandated grades, and class participation for programs provided by CHD staff.
PART III: HEALTH SERVICES FOR FULL SERVICE SCHOOLS (FSS)				
III.	1. s. 402.3026(1), F.S. The State Board of Education and the Department of Health shall jointly establish full-service schools (FSS) to serve students from schools that have a student population at high risk of needing medical and social services.	a. Designate full service schools based on demographic evaluations.		All public schools in Indian River County are recognized by the school health program office, per our state liaison, as schools providing comprehensive services.
		b. Schedule C funding allocations (General Appropriations Act) provided to county health departments will be used to provide basic and specialized services in full service schools.		
III.	2. s. 402.3026(1), F.S. The full-service schools must integrate the services of the Department of Health that are critical to the continuity-of-care process.	a. Local Departments of Health and school districts will plan and coordinate FSS program services.		
III.	3. s. 402.3026(1), F.S. The Department of Health (DOH) shall provide services to these high-risk students through facilities established within the grounds of the school.	a. DOH professionals shall provide specialized services as an extension of the educational environment that may include: nutritional services, basic medical services, aid to dependent children, parenting skills, counseling for abused children, counseling for children at high risk for delinquent behavior and their parents, and adult education.		

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		b. Develop local agreements with providers and/or partners for in-kind health and social services on school grounds.		
PART IV: OTHER REQUIREMENTS				
IV.	1. s. 381.0059, F.S. Pursuant to the provisions of chapter 435, any person who provides services under a school health services plan pursuant to s. 381.0056 must meet level 2 screening requirements as described in s. 435.04. A person may satisfy the requirements of this subsection by submitting proof of compliance with the requirements of level 2 screening conducted within 12 months before the date that person initially provides services under a school health services plan.	a. Collaborate with school district to ensure district background screening policies per s. 1012.465, F.S., do not result in duplicate or conflicting background screening requirements for staff providing school health services.	CHD Personnel Manager, Assistant Superintendent of Human Resources/Risk Management	CHD Personnel Manager or designee will send a letter to the Assistant Superintendent of Human Resources/Risk Manager with the names and titles of the CHD staff who have been level 2 screened and cleared to conduct business with a Florida School District. Updates will be sent to the district each time a new employee is to be added or excluded.

2014 - 2016 School Health Services Plan Signature Page

My signature below indicates that I have reviewed and approved the 2014 - 2016 School Health Services Plan and it's local implementation strategies, activities, and designations of local agency responsibility as herein described:

Position	Name and Signature	Date
Local Department of Health Administrator / Director	Miranda C. Hawker, M.P.H. <i>Miranda Soule</i>	7-23-14
Local Department of Health Nursing Director	Rose Parker, RN BSN <i>Rose Parker RN BSN</i>	7-24-14
Local Department of Health School Health Coordinator	Linda Young, RN <i>Linda Young RN</i>	7-23-14
School Board Chair Person	Carol Johnson <i>Carol Johnson</i>	
School District Superintendent	Dr. Fran Adams <i>Fran Adams</i>	9/10/2014
School District School Health Coordinator	Georgann Gregora / RN MBA <i>Georgann Gregora RN</i>	7/31/14
School Health Advisory Committee Chairperson	Vicki Soule, (FACHE) M.S., M.B.A. <i>Vicki Soule</i>	8/20/14
School Health Services Public / Private Partner		

2014 Legislative Priorities Indian River County School District

GUIDING PRINCIPLES:

- Article IX Section 4 (b) Florida Constitution *“the School District pursuant to the constitutional authority granted by the people of the State of Florida operates, controls and supervises all free public schools within the school District”.*
- K-12 Education is a fundamental value of the people of our state, and should be funded adequately enabling all children to learn to their potential, and become productive, engaged citizens.

Local Control

- Ensure legislation is evaluated to avoid conflict with school board constitutional authority.
- Preserve constitutional authority of the school board to negotiate contracts with charter schools.

Adequate Funding

Allocate adequate State dollars, with flexibility, to enable school districts to support: guaranteed continuation budgets that provide for inflationary increases; competitive salaries (including performance pay compliance; benefits) for teachers and other personnel; and quality program improvements.

- Consider a moratorium on new mandates.
- Fully fund mandates that have been imposed on school districts. These mandates often redirect available funding away from classrooms and students.
- Fully fund virtual education courses. Recalibration formulas do not account for the cost of delivery. Their complexity is a barrier to allocating adequate funds during budget planning.
- Use State revenue to provide for these continuation budgets. Avoid relying on increases in local property tax revenues as the source of additional funds.

Student Learning

ESE: Reinstate the funding matrix for levels 251, 252, 253, and gifted students on a per student basis to the system in place prior to July 2001.

Voluntary Prekindergarten: Restoration of funding for the full year program to “pre-recession” levels. The 2007-2008, VPK BSA was \$2,677; it has remained flat for the last three years at \$2,383. The 2014-1015 sets the VPK BSA at \$2,437

Vouchers/Choice

Our school district supports choice with accountability.

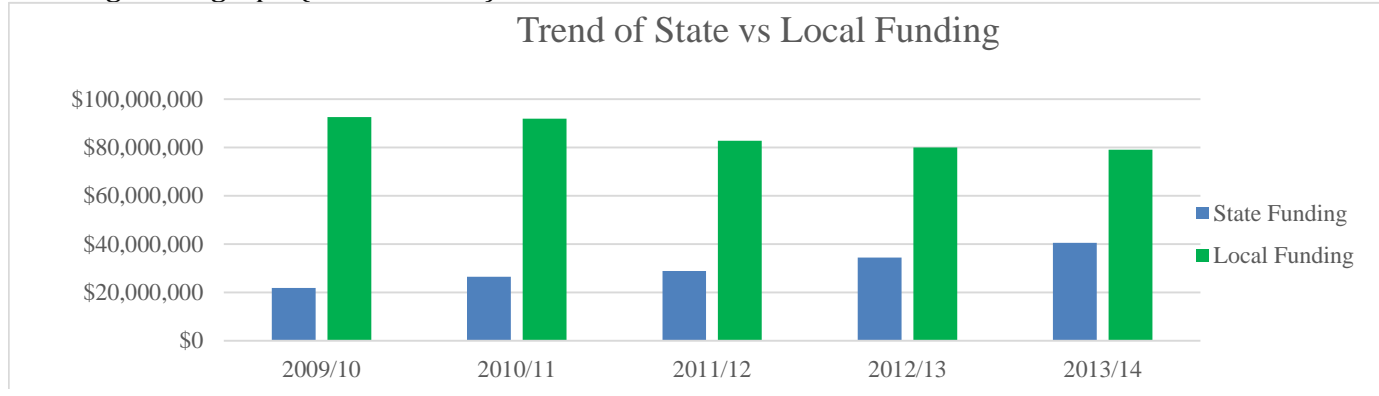
- Ensure that public funds are not spent on voucher programs not required to meet the same academic accountability criteria as public schools.
- Ensure that future public funds are not directed to for profit charter school management companies outside the county or state.

Capital Outlay & School Construction

- Restore the 2.0 capital outlay millage without reducing operating millage or allow local school boards through a supermajority vote authority to increase capital outlay millage to the original 2.0 mills provided in the law prior to July 1, 2008.
- Provide flexibility to the locally controlled school boards to transfer capital outlay funds to the operating fund for non-capital expenditures deemed critical by those school boards.

School District 2013-2014 "Financial Snapshot"

Funding trend graph (state vs local)



Finances

Expenditures:

Funded per student: \$6,789
 Cost/student: \$7,629
 Average teacher salary: \$47,605
 Average teacher salary (with benefits): \$60,420
 General Operating: \$134,369,297
 Food services: \$7,903,586
 Federal: \$10,041,774
 Group insurance: \$18,388,890
 Enterprise: \$660,570

General Operating:

Fund balance: \$20,523,918
 Total Government wide Assets: \$413,994,717
 Annual Debt service: \$12,026,274
 Debt load: \$117,179,270

Student FTE count: 17,614

Top Unfunded/Underfunded Mandates

	F.S. Reference	Mandate	Funded	Spent	Unfunded /Underfunded
1	1003.57 1003.571 IDEA	Exceptional Student Education based on individualized plans for each student (federal & state)	\$8,766,806	\$14,477,355	(\$5,701,549)
2	1002.321; 1002.45; 1003.498; 1006.281; 1008.22	Digital options for students (hardware, software, content, infrastructure, support) and Local Instructional Improvement System	\$0	\$1,974,354	(\$1,974,354)
3	1006.21; 1006.23; SBE 6A-3.00	Transportation (includes vehicle maintenance, administration, fuel)	\$3,698,415	\$5,534,917	(\$1,836,502)
4	1012.22	Pay for Performance (teachers & school administrators) Budgetary Reserve for FY 2014/15	\$0	\$680,000	(\$680,000)
5	HB 5101 1011.62(1)(f)	Provide adequate Supplemental Academic Instruction (SAI) funds to meet needs of improving lowest 300 schools. Budgetary Reserve for FY 2014/15	\$0	\$300,000	(\$300,000)
6	HB 5101	Dual enrollment (tuition or administrative fees)	\$0	\$283,339	(\$283,339)