

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

Date: March 24, 2015

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.

INVOCATION

Shortly before the opening gavel that officially begins a School Board meeting, the Chairman will introduce the Invocation Speaker. No person in attendance is or shall be required to participate in this observance and the personal decision of each person regarding participation will have no impact on his or her right to actively participate in the school board's business meeting.

- I. CALL MEETING TO ORDER – Chairman McCain

- II. 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 Gunnery Sergeant USMC (Ret.)

- III. ADOPTION OF ORDERS OF THE DAY

- IV. PRESENTATIONS
 - A. Proclamation Designating the Month of April as Child Abuse and Neglect Awareness and Prevention Month – Ms. Dingee**
 - B. Citizens Against the Train – Ms. Frey**

- V. CITIZEN INPUT

- VI. CONSENT AGENDA
 - A. Approval of Minutes – Dr. Adams**
 - 1. Special Meeting on Superintendent Search held 3/3/2015
 - 2. Updated Emergency Management Plan Workshop held 3/10/2015
 - 3. Discussion Session held 3/10/2015
 - 4. Business Meeting held 3/10/2015Minutes will be available prior to the meeting. 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.

C. Approval of Students Leaving Indian River County for 2015-2016 School Year – Mr. Rynberg

This is a request to continue to attend school in St. Lucie and Brevard for the 2015-2016 school year. Superintendent recommends approval.

D. Approval of Donation – Mr. Morrison

Beachland Elementary School received a donation in the amount of \$1,335 from the Mardy Fish Foundation. The funds will be used for the Beachland Elementary Track Team. Superintendent recommends approval.

E. Approval of the School Board of Indian River County's Emergency Management Plan- Mr. Morrison

Pursuant to Florida Statute §1006.07(4) and School Board Policy 8405, the Superintendent hereby presents for Board approval the updated Emergency Management Plan that was presented during the March 10, 2015, Board workshop. All meetings with external stakeholders and end-users to obtain input in crafting the plan have been completed. In accordance with Florida Statute §119.071(3) this document is exempt from public records. Superintendent recommends approval.

VII. ACTION AGENDA

A. Public Hearing for Approval of Revisions, Repeals, and New School Board Policies – Dr. Adams

On February 10, 2015, the School Board approved the public hearing date for the adoption of District School Board revisions, repeals, and new School Board policies, excluding Board Policy 2520. The purpose is to be consistent with present practice, new practice, and legislation. The policy change process was followed in accordance with Florida Administrative Procedures Act, Statute Statutes, and Board Policy. Superintendent recommends approval.

B. Approval to ~~Review and Set Public Hearing Date to Repeal the Existing Board Policy 2520 and to Adopt the New~~ Regarding Revised Board Policy 2520 – Mr. Rynberg

State law requires the School Board to provide adequate instructional materials for students enrolled in Indian River School District. Florida Statute directs the School Board to adopt Board Policy that governs the purchase of instructional materials. Newly revised Board Policy 2520 includes the processes, criteria, and requirements associated with the evaluation, alignment of curriculum, and selection of instructional materials. The newly revised Board Policy 2520 requires the School Board to either: (1) Adopt instructional materials that are state approved, (2) Adopt instructional materials pursuant to the School Board's instructional materials program, or (3) a combination of both. The Public Hearing will be held during the regular Business meeting on May 12, 2015. Attached is a copy of the newly revised Board Policy 2520. Superintendent recommends approval.

C. Approval to Set Public Hearing Date ~~for~~ to Repeal Existing Code of Student Conduct, Student/Parent Handbook and to Adopt the New Code of Student Conduct, Student/Parent Handbook – Dr. Adams

On February 10, 2015, the School Board discussed the ~~revisions~~ **new Code of Student Conduct** and requested to **repeal the existing Code of Student Conduct and** move forward with the adoption process **for the new Code of Student Conduct, effective for the 2015-2016 school year**. The ~~purpose of the revisions is to revise the~~ Code of Student Conduct, Student/Parent Handbook, **has been developed** in compliance with School Board Policy 5500, Student Conduct, under Chapter 120 F.S. The Public Hearing will be held during the regular Business meeting on May 12, 2015. The Code of Student Conduct will be available on the District's homepage website at <https://www.indianriverschools.org/>. Superintendent recommends approval.

D. Approval to Purchase Stanford Achievement Test, Tenth Edition (SAT-10) – Mr. Green

During the months of April and May, students in kindergarten through third grade will be assessed using the Stanford Achievement Test, Tenth Edition (SAT-10). This assessment is designed to provide a summative measure of student performance in reading and math to drive instruction and measure progress towards meeting the District's Moonshot Moment goal of having 90% of all third graders reading on grade level. Student performance and growth on this assessment is also used in part to evaluate teacher performance. For third grade, results may be used for promotional purposes when proficiency is not met on the state-wide standardized assessment in English Language Arts. The cost impact to the District for the purchase, delivery, and scoring of all test materials is \$102,301.40. The estimated cost to the district for

return delivery of all materials needing to be scored is \$6,000. The total estimated cost to the District is \$108,301.40. Superintendent recommends approval.

E. Public Hearing and Board Adoption of Secondary Math Instructional Materials – Mr. Rynberg

Pursuant to the Public Hearing to hear parent comments, the recommended materials for the Secondary Math adoption were made available to the public for at least twenty (20) calendar days. As a part of the instructional adoption process, the School Board must receive public comment from parents of students during the Public Hearing and meeting in accordance with School Board Policy 0169.1, *Public Participation*.

The Secondary Math Textbook Adoption Committee is recommending the attached textbook adoption for the 2014-2015 school year. The textbook list represents the committee's selected texts for the secondary mathematics courses as listed. These materials will assist teachers in providing standards-based instruction for over 8,000 students in the aforementioned list of mathematics courses. The cost of this adoption is \$825,039.98. At this time, the School Board will receive public comment and take action on the proposed Secondary Math Instructional Materials. Superintendent recommends approval.

F. Approval to Set Special Public Hearing to Hear Parent Petitions Regarding Secondary Math Instructional Materials – Mr. Rynberg

As part of the adoption process, if needed, a Special Public Hearing will be held on May 12, 2015, at 3:00 p.m., in the TEC to hear petitions from parents of currently enrolled students regarding the math textbook adoption. All parent petitions must be received no later than April 23, 2015, and must be submitted to Judy Smith in Curriculum and Instruction Department. Adoption materials and petition forms are available on the District homepage website at: <https://www.indianriverschools.org/> Superintendent recommends approval.

G. Approval of Florida Department of Education, Office of Educational Facilities, Florida Inventory of School Houses (FISH) Certification of Facilities Data – Mr. Morrison

Approval is recommended for the Florida Department of Education, Office of Educational Facilities, Florida Inventory of School Houses (FISH) Certification of Facilities Data for the School District of Indian River County. The School District is required, by the State Requirements for Educational Facilities (SREF) Section 6.1(5)(c), to review the Florida Inventory of School Houses (FISH) and to certify to the Office of Educational Facilities that the inventory is current and accurate prior to April 1st of each year. Superintendent recommends approval.

H. Approval to Award RFP #2015-13-01 to Multiple Vendors for Aluminum Walkway Covers - Mr. Morrison

A Request for Proposal (RFP) was promulgated to obtain a price per square foot for Item 1 (installation of new walkway covers) and also an hourly rate for Item 2 (repairs to existing walkway covers). The estimated annual financial impact to the District is \$100,000. The term of this RFP is from March 25, 2015, through March 24, 2016, and may, by mutual agreement between the Superintendent and the awardees, be renewable for two additional, one-year periods. All prices, terms, and conditions shall remain the same. The Purchasing Department is recommending the award, as well as, requesting the authority to sign the bid renewal letters for years 2 and 3. The insurance certificates will be obtained by the District and reviewed by the Risk Management Department prior to the vendor receiving their Notice to Proceed and/or purchase order(s). Projects less than \$5,000 will be awarded on a rotational or best fit basis. All awarded vendors will be invited to quote new projects that exceed \$5,000. The Purchasing Department recommends award of Item 1 (new installations) to three vendors: One Call Property Services, Inc.; Perfection Architectural Systems, Inc.; and Window Sales & Services of Vero, Inc.; and award of Item 2 (walkway repairs) to two vendors: One Call Property Services and Window Sales & Services of Vero, Inc. as the best responsive and responsible bidders meeting specifications, terms, and conditions. Please see attached backup. Superintendent recommends approval.

- I. Approval of Amendments to IRCEA Collective Bargaining Agreement and Teacher Evaluation Procedures Manual – Mr. Fritz** The 2013-2015 Collective Bargaining Agreement between the School Board and Indian River County Education Association (IRCEA) provides for an annual re-opener regarding the Teacher Evaluation Procedures Manual. Through good faith negotiations, the parties have reached tentative agreements regarding proposed changes. One significant amendment includes revisions to the evaluation list in Appendix A that describe each teacher category and their assigned student growth measures, including designation of Locally Created Assessments and assigning more applicable measures for certain teachers where the previous measures were not a good match. The system also amends the system for defining Advanced Placement teachers' evaluations. For 2014-15, just cause for termination due to evaluation results is limited to teachers who have needs improvement or unsatisfactory summative evaluations *and also* needs improvement or unsatisfactory instructional practice scores. IRCEA is scheduled to hold a ratification vote prior to March 24, 2015. Superintendent Recommends Approval Contingent on IRCEA Ratification

VIII. SUPERINTENDENT'S REPORT

- IX. DISCUSSION
No discussion items
- X. SCHOOL BOARD MEMBER MATTERS – Chairman McCain
- XI. INFORMATION AGENDA
 - A. Monthly Facilities Report – Mr. Morrison**
- XII. SUPERINTENDENT’S CLOSING
- XIII. ADJOURNMENT – Chairman McCain

Any invocation that may be offered before the official start of the School Board business meeting is and shall be the voluntary offering of a private citizen to and for the benefit of the School Board pursuant to Resolution #2015-08. The views and beliefs expressed by the Invocation Speaker have not been previously reviewed or approved by the School Board and do not necessarily represent their individual religious beliefs, nor are the views or beliefs expressed intended to express allegiance to or preference for any particular religion, denomination, faith, creed, or belief by the School Board. No person in attendance at this meeting is or shall be required to participate in any invocation and such decision whether or not to participate will have no impact on his or her right to actively participate in the public meeting.

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>.

PROCLAMATION

DESIGNATING THE MONTH OF APRIL AS CHILD ABUSE AND NEGLECT AWARENESS and PREVENTION MONTH

Whereas, research shows that when infants have a healthy start in life and enter into a safe, nurturing, stimulating, and stable environment brain development and child wellbeing will improve; and (HEALTHY START COALITION & GKAC)

Whereas, children who have suffered abuse or neglect are at least 25 percent more likely to experience problems such as delinquency, teen pregnancy, low academic achievement, drug use, and mental health problems; and (CASTLE)

Whereas, research and data shows high-quality childcare and preschool experiences make a difference in the lives of children; and (CHILDCARE RESOURCES)

Whereas, 46.9% of children in Indian River County, that have no control over their environment, were exposed in the past 30-days to secondhand smoke that is damaging to their physical health and increases the risk for Sudden Infant Death Syndrome, and lower respiratory tract infections; and (TOBACCO FREE PARTNERSHIP OF IRC)

Whereas, there are citizens throughout Indian River County that are encouraged to support organizations and agencies that promote a safe and nurturing environment for children and families; and (EXCHANGE CLUBS)

Whereas, affordable after-school and summer care programs give single parents, dual working parent households, and at-risk children and families affordable, safe, and structured options for their children, thereby alleviating stress in the household; and (BOYS & GIRLS CLUB OF IRC)

Whereas, when communities work together and agencies partner with one another to link families with resources, we can better meet ALL dimensions of a child's well-being to ensure that our children are healthy, successful, safe, and thriving; and (WHOLE CHILD of IRC)

Whereas, the Healthy Start Coalition, Giving Kidz a Chance, CASTLE, Whole Child, Tobacco Free Partnership, Childcare Resources, the 5 Exchange Clubs and the Boys & Girls Clubs of Indian River County work together to promote awareness of and prevent child abuse and neglect

NOW, THEREFORE, BE IT PROCLAIMED BY THE INDIAN RIVER COUNTY SCHOOL BOARD, that the Board designates the month of April as Child Abuse & Neglect Awareness & Prevention month, and calls on all citizens to engage in awareness and prevention activities designed to make our community healthier and safer for all children.

Duly adopted this 24th day of March, 2015.

INDIAN RIVER COUNTY SCHOOL BOARD:

Matthew McCain, Chairman

Charles Searcy, Vice Chairman

Shawn Frost, Board Member

Claudia Jimenez, Board Member

Dale Simchick, Board Member

The District School Board of Indian River County met on March 3, 2015, at 6:00 p.m. The special meeting was held in the Teacher Education Center located in the School District Office at the J.A. Thompson Administrative Center located at 1990 25th Street, Vero Beach, Florida 32960. District School Board Members attending were: Chairman Matthew McCain, Vice Chairman Charles G. Searcy, and Board Members: Claudia Jiménez, Dale Simchick, and Shawn R. Frost. Suzanne D'Agresta, School Board Attorney, was also present. Dr. Frances J. Adams, Superintendent of Schools was not present.

Special Meeting for Superintendent Search Minutes

- I. Meeting was called to order by Chairman McCain.
Chairman McCain announced that the meeting was being audio taped.

- II. Establish a List of Finalists – Dr. Blanton
Chairman McCain introduced Florida School Board Representatives: Dr. Blanton; Mr. Bill Graham, Interim Executive Director; and Andrea Messina, Director of Board Development. Dr. Blanton stated that this was his second day of retirement and his 84th Superintendent search. He said that his first search was in Indian River County. Dr. Blanton said that he never had more qualified candidates before. He stated that there were a total of 69 applicants. Dr. Blanton and his staff reduced that number to eight, highly-qualified candidates. Those included in their list were:
 - Dr. Donna Cianfrani
 - Dr. Mark Rendell
 - Dr. Frank Rodriguez
 - Dr. David Christiansen
 - Mr. Scott Howat
 - Dr. Rocky Killion
 - Dr. Phyllis Edwards
 - Dr. Helen WildDr. Blanton and his staff talked about each candidates' qualifications, experience, and how each candidate could be a good fit for Indian River School District. The floor was opened to Board Member questions. Board Members indicated an interest in interviewing Bruce Green, Dewey Hensley, and John Lynch. After discussing the candidates, the District School Board Members reduced the list to five candidates. Those included on the list to be interviewed were:
 - Dr. Mark Rendell
 - Dr. Frank Rodriguez
 - Dr. David Christiansen
 - Dr. Helen Wild
 - Mr. Bruce Green

Dr. Blanton stated that the process was not over until the Board voted. He said that if the Board was not satisfied, Florida School Boards Association would come down and do it again. Mrs. Messina noted that all of the candidates were in-state and none of the candidates have held superintendent positions. Ms. Jiménez stated for the record that she was disappointed that there were no out-of-state candidates being interviewed. Chairman McCain thanked Dr. Blanton and Florida School Boards Association Staff for their assistance.

Chairman McCain called for a break at 10:06 a.m. Dr. Blanton and Staff did not attend after the break. The meeting was reconvened at 10:20 a.m.

- III. Set Interview Dates, Site Visits, Selection Date, Travel Reimbursement – Chairman McCain Board Members reviewed the interview process that would include 45 minutes, prior to the interview, for the community to, informally, meet the candidate. There would be a form in the back of the room to provide any feedback they wanted to share with the School Board. There would be a facilitator to ensure everyone present had a chance to speak to the candidate. Board Members would not attend the community session. The Board would, then, interview the candidate for no more than two hours. After the interview, Board Members would have either lunch or dinner with the candidate that would be advertised and open for anyone who wanted to attend. Board Members would pay for their own meals and the chairman would pick up the candidate's meal. All of the meals would be held locally at independently-owned restaurants. No food would be provided to the public. Chairman McCain said that Ms. Stang would attend the lunches and dinner with the candidates to take minutes.

Chairman McCain assigned Board Members to reword questions from the list used during the last search. After Board Members had completed the list of questions at the interview, time permitting, Board Members could ask any follow-up questions that might result from the interview. In closing, the candidates would be asked if they had anything they wanted to share with the Board. Chairman McCain asked Board Members to bring their wording changes to the Discussion Session scheduled on March 10. Board Members agreed to schedule two interviews in one day, rather than one interview per day. Mrs. Simchick was asked to bring back a list of local restaurants.

Board Members also talked about site visits. It was noted that there was nothing to prevent a Board Member from visiting the candidates' sites on their own. They also discussed why it was important to meet with candidates outside the Board Room setting.

IV. Discussion on Contract negotiations – Chairman McCain

Board Members were asked to read the Superintendent’s contract and bring back any changes to the Discussion Session on Tuesday, March 10. One Board Member was against any buy outs. Another Board Member said not to pay for sick leave from another District. Chairman McCain asked Miss Stang to send the Board the link for the Superintendent’s contract and the spreadsheet prepared by Mrs. D’Agresta regarding contract comparisons with benefits. Chairman McCain said that travel reimbursement would be paid at the standard out-of-pocket rate as per State Statute and Board policy. He asked Miss Stang to try to get all five candidates scheduled for the week of March 16. Chairman McCain said that the finalist would be conducted by Special Board meeting, using straw votes.

V. Next Steps – Chairman McCain

Chairman McCain said that he would contact the top five candidates and he would place the Superintendent Search on the March 10 Discussion Session.

VI. Adjournment – Chairman McCain

With no further business, the meeting adjourned at approximately 11:47 a.m.

The District School Board of Indian River County met on March 10, 2015, at 9:30 a.m. The workshop was held in the Teacher Education Center located in the School District Office at the J.A. Thompson Administrative Center located at 1990 25th Street, Vero Beach, Florida 32960. District School Board Members attending were: Chairman Matthew McCain, Vice Chairman Charles G. Searcy, and Board Members: Claudia Jiménez, Dale Simchick, and Shawn R. Frost. Dr. Frances J. Adams, Superintendent of Schools; and Suzanne D'Agresta, School Board Attorney, were also present.

Updated Emergency Management Plan Workshop Minutes

- I. Workshop was called to order by Chairman McCain
- II. Purpose of the Workshop – Dr. Adams
Dr. Adams said that the Emergency Management Plan had been in place for quite a number of years. She said that updating the Plan was a collaborative effort that included emergency services from the City of Vero Beach and the County of Indian River.
- III. Presentation of Updated Emergency Management Plan – Mr. Morrison
Mr. Morrison introduced his staff and Lt. John Pedersen from the Vero Beach Police Department, who attended the workshop for Sgt. Ladell Young, School Resource Officer. A hard copy of the presentation, a flip chart, and a copy of the full manual were provided to Board Members. Mr. Copeman stated that the purpose of the Plan was to provide operational direction to administrators, principals, schools, teachers, and staff in regard to emergency situations in order to be ready to respond and to recover from any disasters that may occur. The Plan would also provide direction to our outside emergency response units from the City of Vero Beach and County of Indian River. The Plan was required as per Florida Statute 1006.07(4) and School Board policy 8405.

The EMP Task Force Committee included members from staff and the emergency response units, as well as, input regarding what works and does not work at schools and from community experts. Mr. Remole presented what was new in the Plan and what was revised. He also talked about the training that would be provided for Law Enforcement, Fire Safety Officials, Principals, site Administrators, School Crisis Teams, Teachers, and Staff. Mrs. LoPresti, Indian River County Emergency Management Coordinator, and Lt. Richard Marini, Indian River County Fire Prevention, spoke to the Board in support of the Plan and the collaborative efforts. Mr. Remole talked about the training that would begin with the Crisis Team and Principals. The Plan would be updated on an annual basis with the site-based personnel names and then forwarded to Emergency Management, etc. Mr. Copeman said that Mr. Remole was the Administrator of the Plan.

Mr. Morrison said that there would be mock drills held during the summer. Mr. Copeman said that the next step was to present the unclassified Plan for Board approval. He also noted that the implementation date would be July 1, 2015.

Board Members were given an opportunity to ask questions and make suggestions.

IV. Adjournment – Chairman McCain

With no further business, the workshop adjourned at approximately 10:08 a.m.

The District School Board of Indian River County met on March 10, 2015, at 1:00 p.m. The discussion was held in the Teacher Education Center located in the School District Office at the J.A. Thompson Administrative Center located at 1990 25th Street, Vero Beach, Florida 32960. District School Board Members attending were: Chairman Matthew McCain, Vice Chairman Charles G. Searcy, and Board Members: Claudia Jiménez, Dale Simchick, and Shawn R. Frost. Dr. Frances J. Adams, Superintendent of Schools; and Suzanne D'Agresta, School Board Attorney, were also present.

Board Discussion Session Minutes

I. Discussion Session was called to order by Chairman McCain.

II. ITEMS PLACED ON AGENDA BY BOARD MEMBERS – Chairman McCain

A. Claudia Jiménez

1. Discuss what kind of services should be available to students while they are not permitted on school campuses.

Dr. Adams said that only one student had been expelled so far this year. The District provided services to ESE students that included three hours of instructional services for three hours per week, for nine weeks, at a cost of about \$900.00 per student. Dr. Adams also noted the time that it would take the student's teachers to prepare the work. She said that their goal would be to maintain contact with the students to provide information on how the students could sign up for virtual classes. Ms. Jiménez asked how many students were suspended every year. Dr. Adams said that the Restorative Justice Program was being instituted at the middle schools and training would need to be done before the program begins.

2. Discuss invitation to CSAC Chair, Hope Woodhouse, to present results of Children's Assessment.

Ms. Jiménez said that she would find out if the presentation had already been televised by the County Commission.

3. Information about employees and living wage.

Ms. Jiménez said that she did not have the minimum wage information yet, with the pay for substitutes. She was concerned about not getting quality substitutes.

4. Discuss extracurricular policy revision request.

Ms. Jiménez requested to strike the following sentence from Board Policy #5610.05 – Prohibition from Extra-Curricular Activities. "Students prohibited from participation in all or part of any extra-curricular activity are not entitled to further notice, hearing, or appeal rights.

B. Dale Simchick

1. Public handouts at all workshops and discussion sessions, if available.

Mrs. Simchick requested that the Superintendent provide about a half dozen extra copies of all handouts for the audience and press. A Board Member requested that the handouts also be available on line. A Board stated that the documents were public record and this would support transparency.

2. Discuss future date certain for presentation from Mr. Waddell on behalf of charter schools.

Board Members discussed scheduling a Board Discussion Session to have a conversation with charter schools. Board Members, first, want to know what the charter schools wanted to discuss. The Board was interested in having the information prior to the Discussion Session. Issues mentioned were capital outlay funding and random drug testing policies. Chairman McCain stated that the Board was interested in scheduling a Board Discussion Session with the Charter Schools to include presentations, with discussion time for back and forth conversation between the entities. Board Members said that this would be a summer project, after the new Superintendent was appointed.

C. Shawn Frost

1. Letter on Child Safety, All Aboard Florida

Dr. Adams said that the School District provided data to the MPO but did not red flag the project. Board Member asked that the Superintendent provide the information to the new Board Members.

D. Chairman McCain

1. Superintendent Search (Dr. Adams was not present.)

Board Members decided to stay with the four candidates, after Dr. Rodriguez withdrew from the Superintendent search. Board Members reviewed the list of questions that they would use for the interviews. They were to submit rewrites to Ms. Stang. The Board set the Special Meeting date to select the finalist for Thursday, March 19 at 6:00 p.m. Straw votes would be used as the voting method. Meals with the candidates would include the Board Attorney, with minutes taken by the Executive Assistant to the Board. The meals would be immediately following the interview. A facilitator, designated by the Superintendent, would assist the candidate during the community input time. The Board also discussed contract negotiations with the finalist. Chairman McCain said that he would not agree to anything without discussing it with the Board. He said that there would be nothing more than what the current contract contained. The Board scheduled a short discussion session on Tuesday, March 24 at 5:00 p.m. (later moved to 4:00 p.m.), if needed, to talk about contract negotiation items. Mrs. D'Agresta stated that the severance pay needed to be changed due to a cap that was added by Legislation.

E. Charles Searcy

1. Safety inspections at all school sites and Citrus Bowl.

Board Members were concerned that a safety issue was overlooked. Mr. Morrison spoke to the actions taken and research that was ongoing as to the materials used. He said that the process in place now was better. Dr. Adams said that the District must ensure that we inspect the hard courts for safety issues. Mr. Copeman explained the inspection process. Board Members wanted assurance that a repair would not be held up waiting for the paperwork to go through the channels.

2. Holding back students in early grades.

Board Members talked about assistance for students in grades prior to the mandated testing for third-grade reading retention mandate. Dr. Adams talked about how students were being helped starting with the first day of school and the State mandates. She also mentioned her confidence in the Committees that make the recommendations for retention or promotion. Dr. Adams spoke about the negative emotional consequences for students who knew that they were being tracked and retained. Mr. Frost requested a copy of the report on multi-aged retention. Mr. Searcy requested a copy of the tracking methods.

III. **BOARD COMMITTEE REPORTS – Chairman McCain**

Mr. Frost reported on the Economic Development Plan and the Indian River County Planning and Zoning Committee.

Mr. Searcy report on the United Way event and the Value Adjustment Board meeting.

IV. **ITEMS PLACE ON AGENDA BY SUPERINTENDENT – Dr. Adams**

A. Instructional Calendars A and B

Dr. Adams talked about Calendars A and B that were on the business meeting agenda for Board approval. She recommended that the Board approve both A and B because the Legislative Session was not over until May. Dr. Adams said that the Calendar Committee did not see the Calendar with the August 10 start date. She said that the early start date was very recently proposed to Legislature. Dr. Adams said that the Board could either go with the early start date this year or next year. Mr. Fritz talked about other dates of concern that changed that included school on Veteran's Day because it would fall on a Wednesday and accommodations taken into consideration for Jewish holidays, and what had to be removed. The Board was interested in having a two-year calendar in the future.

B. Emergency Item - Approval of Request to Continue Suspension of Board Policy 2520

Dr. Adams spoke to the Board regarding her request to add an emergency item to the business meeting agenda. She said that for the 2015-2016 school year, the School District needed to select and purchase textbooks for at least four different subject areas from the State-approved textbook list. Under the current Board policy, the District was very concerned that the required local bid process would not be completed prior to the start of the new school year. Current Board Policy 2520 did not allow the District to take advantage of selecting textbooks from the State approved textbook list without a local bid process. In effect, Board Policy 2520 layered an additional bid process that was not required when purchasing from the State approved list. The local bid process was never part of Board policies in the past and was inadvertently added during the re-write of all Board policies. In accordance with the Superintendent's authority under School Board Policy 0132, Dr. Adams said that she suspended the implementation of Board Policy 2520, with regard to selecting textbooks from the State-approved list using a local bid process. She asked for Board support. Dr. Adams said that she was going to ask the Board to remove Board Policy 2520 from the adoption of policies and said that she would start the process to revise the policy and re-advertise a public hearing for adoption.

V. ADJOURNMENT – Chairman McCain

With no further discussion, the session adjourned at approximately 3:46 p.m.

The District School Board of Indian River County met on March 10, 2015 at 6:00 p.m. The meeting was held in the Teacher Education Center located in the School District Office at the J.A. Thompson Administrative Center located at 1990 25th Street, Vero Beach, Florida 32960. District School Board Members attending were: Chairman Matthew McCain, Vice Chairman Charles G. Searcy, and Board Members: Claudia Jiménez, Dale Simchick, and Shawn R. Frost. Dr. Frances J. Adams, Superintendent of Schools; and Suzanne D'Agresta, School Board Attorney, were also present. Prior to the meeting, an invocation was given by Deacon Dave Hankle of St. Helen's Catholic Church.

Meeting Minutes

I. CALLED MEETING TO ORDER – Chairman McCain

II. PLEDGE OF ALLEGIANCE TO THE FLAG – Mr. Searcy

III. ADOPTION OF ORDERS OF THE DAY

Chairman McCain ask Dr. Adams to state for the record why she asked the Board to add Action E. Approval of Request to Continue Suspension of Board Policy 2520. Dr. Adams stated for the record that she temporarily waived Board Policy in order to ask the Board to support the suspension of the policy regarding the textbook selection process because the current policy did not allow for a direct purchase from the School Board depository. It was an oversight. At the next business meeting, Dr. Adams said that she would bring a re-write of the policy.

Chairman McCain called for a motion. Mr. Searcy moved approval of the Orders of the Day adding Action E and pulling Consent D for discussion. Ms. Jiménez seconded the motion. Mr. Searcy requested to have Dr. Ferrentino speak to the Board on Consent D. Approval of Contracted Services with Whiting Pediatric Therapy Services, Inc. Dr. Ferrentino, ESE Director, stated that this year they had about 23 students with autism spectrum disorder and they had District staff out on disability leaves; therefore, the salaries of those individuals on leave would be utilized for outside contract services for these students. The Board voted unanimously in favor of the motion, with a 5-0 vote.

IV. PRESENTATIONS
No presentations

V. CITIZEN INPUT

Pat Blackburn requested to speak on school calendar.

Luke A. Flynt requested to speak on FSA.

Jim Sammons requested to speak on school calendar.

Lamarre Notargiacomo requested to speak on School Board Superintendent Search.

VI. CONSENT AGENDA

Chairman McCain called for a motion. Ms. Jiménez moved approval of the Consent Agenda. Mr. Searcy seconded the motion and it carried unanimously, with a 5-0 vote.

A. Approval of Minutes – Dr. Adams

Business Meeting held 2/24/2015.

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 Amendment of Job Descriptions to Reflect Fair Labor Standards Act Status – Mr. Fritz

Fair Labor Standards Act (FLSA) was the Federal Law governing wages and work hours. Certain employee groups were exempt from FLSA for overtime purposes depending upon their wage rates and the nature of the work they perform. Examples of employees that were exempt were teachers and administrators. Covered nonexempt employees must receive overtime pay for hours worked over 40 per workweek. Currently, District job descriptions did not designate whether positions were covered or exempt from FLSA. District staff recommended that the School Board amend all job descriptions to reflect FLSA status, consistent with the Law, as denoted on the attached list. Superintendent recommended approval.

D. Approval of Contracted Services with Whiting Pediatric Therapy Services, Inc. – Mr. Rynberg

Whiting Pediatric Therapy Services LLC, supplied the School District with Licensed Speech Language Pathologists on a contractual basis for the 2014-2015 school year. Due to increased Exceptional Student Education needs and key staff member medical leaves, the contract request was a continuation of the existing contract to provide essential speech language services through June 30, 2015. Estimated cost: \$60,000.00. Superintendent recommended approval.

E. Approval of Extended Day Summer Camp Fees – Mr. Rynberg

The Extended Day Summer Camp fees provided a fun, academic-based summer program designed to accommodate elementary students from incoming kindergarten to outgoing fifth grade students, including breakfast, lunch, snack, and field trips. The summer camps would be held June 15–August 7, 2015, at Osceola Magnet and Sebastian Elementary Schools. There were no changes in fees. Superintendent recommended approval.

F. Approval to Renew RFP #2014-16-02 with Multiple Vendors for Roof Repair - Mr. Morrison

Pursuant to School Board Policy 6320 and the terms and conditions of RFP #2014-16, the Purchasing Department requested approval to renew this RFP for one, additional year from February 26, 2015, through February 25, 2016. The past recommendation and selection was based on price, qualifications, experience, and litigation. Projects less than \$5,000 would be awarded on a rotational basis to five (5) vendors who originally scored greater than 250 points. The vendors were: All Area Roofing and Waterproofing, Inc.; Crowther Roofing and Sheet Metal of Florida; Dato Construction, LLC; Hamilton Roofing, Inc.; and Seal-Tight Roofing Experts, LLC. Projects exceeding \$5,000 would be bid by all seven (7) awarded vendors. The vendors were: All Area Roofing and Waterproofing, Inc.; Crowther Roofing and Sheet Metal of Florida; Dato Construction, LLC; Hamilton Roofing, Inc.; Hi-Tech Roofing & Sheet Metal, Inc.; Seal-Tight Roofing Experts LLC; and The Roof Authority, Inc. The estimated annual financial impact to the District, as per the Physical Plant Department, was \$200,000. Insurance certificates would be obtained by the District and reviewed by the Risk Management Department prior to the issuance of any Notice to Proceed and/or purchase orders. All specifications, terms, conditions, and pricing would remain the same. Please see the attached renewal letters signed by the vendors. Superintendent recommended approval.

G. Approval to Renew RFP #2014-14-02 with Multiple Vendors for Lawn Maintenance for Middle Schools, High Schools, and Other Locations - Mr. Morrison

Pursuant to School Board Policy 6320 and the terms and conditions of RFP #2014-14, the Purchasing Department requested approval to renew this RFP for one additional year from March 5, 2015, through March 4, 2016. The estimated annual financial impact to the District for approximately twenty-five (25) cuts per location was \$95,675. The four (4) awarded vendors and ten (10) locations were: Integrity Lawns LLC for Wabasso School, Alternative Center for Education, VBHS Freshman Learning Center, Gifford Middle School, Sebastian River High School campus and ponds, the Support Service Complex, and the Transportation Complex; Absolute Landscaping Inc. for Oslo Middle School; Beautiful Lawns for Sebastian River Middle School campus and ponds; and Precision Cuts for Storm Grove Middle School. Current insurance certificates had been reviewed by the District's Insurance Specialist and were on file in the Department of Building Standards and Code Compliance. All specifications, terms, conditions, and pricing would remain the same. Please see the attached renewal letters signed by the vendors. Superintendent recommended approval.

H. Approval to Renew RFQ #2013-11-03 with Multiple Vendors for Mechanical Engineers - Mr. Morrison

Pursuant to School Board Policy 6320 and the terms and conditions of RFQ #2013-11, the Purchasing Department requested approval to renew this RFQ for one, final year from March 13, 2015, through March 12, 2016. The purpose and intent of this selection process was to award continuous contracts to multiple firms and assigned projects either on a rotation or best fit basis. The estimated annual financial impact to the District, as per the Facilities Department, was \$120,000. Insurance certificates would be obtained by the District and reviewed by the Risk Management Department prior to the issuance of any Notice to Proceed and/or Purchase Orders. The awarded vendors were DDC Engineering, Inc., Ingenuity Engineers, Inc., OCI Associates, Inc., SGM Engineering, Inc., and TLC Engineering for Architecture, Inc. All specifications, terms, conditions, and pricing will remain the same. Please see the attached renewal letters signed by the vendors. Superintendent recommended approval.

VII. ACTION AGENDA

A. Approval to Award a (3) Three-Year Contract for Bond Counsel Services with Nabors, Giblin, & Nickerson, P.A. – Mr. Morrison

Nabors Giblin and Nickerson served with distinction as the Board's Bond Counsel since July, 2010, when the School Board approved the award of RFP 2011-01 to this firm. All services were provided on an as needed basis. Since the appointment in 2010, the School Board had undertaken several short-term financings, one Qualified School Construction Bond issue and a refunding of the 2007 Certificate of Participation (COP). All prices had remained firm throughout this time period and were competitive with current market conditions. Based on the performance and pricing structure of this firm's services, the Superintendent had deemed it in the District's best interest to exercise the exemption authority afforded to School Districts under Rule 6A-1.012(11)(b), Florida Administrative Code, as this service was exempt from competitive solicitation and to proceed directly to contract. Superintendent recommended approval.

The term of agreement shall become effective from March 12, 2015, through March 11, 2018, and may be renewable for an additional two-years or longer period by mutual agreement between the parties. Chairman McCain called for a motion. Ms. Jiménez moved approval to award a three-year contract for Bond Counsel Services with Nabors, Giblin, & Nickerson, P.A. Mr. Searcy seconded the motion and it carried unanimously, with a 5-0 vote.

B. Approval to Award SDIRC #2015-11-01 to Multiple Vendors for Athletic Supplies District Wide - Mr. Morrison

An Invitation for Bid (ITB) was promulgated to obtain firm prices from multiple vendors for the purchase and delivery of athletic supplies on an as-needed basis. The estimated annual financial impact to the District is \$90,000. The initial term of this bid was from March 11, 2015, to March 10, 2016; and may, by mutual agreement between the Superintendent and the awardees, be renewable for two additional one-year periods. The Purchasing Department recommended the award and issuance of all subsequent purchase orders, ~~including those exceeding \$50,000~~, as well as the authority to sign the bid renewal letters for years 2 and 3. Recommended vendors were 10-S Tennis, AAE, BSN/Passon/US Games, Gilman Gear, GTM Sportswear, Lakeshore Learning, Medco Supplies, MFAP LLC, Neff, Riddell, S&S Worldwide, School Health (Sports), School Specialty, Scott's Sporting Goods, and Varsity Spirit as the best responsive and responsible bidders meeting specifications, terms, and conditions. Please see attached backup. Superintendent recommended approval.

Chairman McCain called for a motion. Mr. Searcy moved approval, with an amendment to not exceed \$50,000 by removing language, "including those exceeding \$50,000". Mrs. Simchick seconded the motion. The Board voted unanimously in favor of the motion, with a 5-0 vote.

C. Approval of 2015-2016 Instructional Calendar – Mr. Fritz

Current Florida Statute required District administration to submit a school calendar for approval by the District's governing body. The current statute limited the start time for students to no more than 14-days before the Labor Day holiday. Rep. Mayfield introduced legislation that, if passed, would allow Districts to start school earlier. Current legislation proposed a school start as early as August 10. Calendar A reflected a student start date (August 24, 2015) that was consistent with the current statute. Calendar B reflected an early start date (August 10, 2015) that would be implemented if the proposed legislation was passed. Additionally, the calendars specify days of student and teacher attendance, and identified purposes of the days. The submitted drafts reflected District priorities for ensuring effective instruction and provided effective and efficient delivery of school support services throughout the year.

The presented calendars were the work-products of the Instructional Calendar Committee, a collaborative team representing relevant stakeholder groups. Over the course of several months, the committee used an iterative process to draft and refine potential school year calendars. Each successive draft reflected the addition of pertinent stakeholder feedback. Once the recommendations of the Calendar Committee were completed, the calendars were reviewed and modified by the administrative team to improve continuity of instruction and to reflect recent legislative changes. The presented recommendations were reflective of student and family needs, teacher and administrator suggestions, and District priorities and requirements. The recommended calendars were also consistent with the applicable Collective Bargaining Agreements. The recommendation was to adopt both calendars, such that Calendar A would take effect, if there were no changes to Statute. Calendar B would take effect if the legislation allowed a start date of August 10. Superintendent recommended approval.

Citizen Input:

David Medina, Liz Cannon, and Cathy Damutz requested and spoke to the Board.

Chairman McCain called for a motion. Mr. Frost moved approval of Calendar A. Mr. Searcy seconded the motion. After discussing the calendars at length, the Board voted unanimously in favor of the motion with a 5-0 vote.

D. Approval of Recommended Settlement Authority – Dr. Adams

Approval of Recommended Settlement Authority for Personal Injury Claim, as described in the February 24, 2015, communication, and authorization for the Superintendent to execute all necessary paperwork to effectuate the recommended settlement. Superintendent recommended approval.

Chairman McCain called for a motion. Mr. Frost moved approval of the recommended settlement authority for personal injury claim, as described in the February 24, 2015, communication and authorization. Mrs. Simchick seconded the motion. After discussing the issue at length with the Board Attorney, the Board voted unanimously in favor of the motion, with a 5-0 vote.

Added on March 9, 2015:

E. Approval of Request to Continue Suspension of Board Policy 2520 – Dr. Adams

For the 2015-2016 school year, the School District needed to select and purchase textbooks for at least four different subject areas from the State-approved textbook list. Under the current Board policy, the District was very concerned that the District would not complete the required local bid process prior to the start of the new school year. Current Board Policy 2520 did not allow the District to take advantage of selecting textbooks from the State approved textbook list without a local bid process. In effect, Board Policy 2520 layered an additional bid process that was not required when the District purchases off of the State approved list. The local bid process was never part of Board policies in the past and was inadvertently added during the re-write of all Board policies. In accordance with the Superintendent's authority under School Board Policy 0132, the Superintendent suspended the implementation of Board Policy 2520, in regard to selecting textbooks from the State-approved list using a local bid process. Superintendent recommended approval.

Chairman McCain called for a motion. Mrs. Simchick moved approval to continue the suspension of Board Policy 2520. Ms. Jiménez seconded the motion and it carried unanimously, with a 5-0 vote.

VIII. SUPERINTENDENT'S REPORT

Dr. Adams reported on the Volunteer appreciation reception. Winner of the Volunteer of the Year in the Adult category was Carol Scaramuzzi, a Sebastian River Middle School volunteer who was also named as one of fifteen 2015 Florida Outstanding Volunteers of the Year. The Senior Volunteer of the Year was Pat Hill, a Osceola Magnet School volunteer for 25 years and three years at Fellsmere Elementary School. The 2015 Youth of the Year was Daniella Marie Blake, who volunteered at Dodgertown Elementary School. The first Willie C. Reagan Award for Educational Arts Leadership was awarded to Bridget Lyons, who is the Art Teacher at Indian River Academy. Dr. Adams stated that the Florida Association of District School Superintendents was gathering information in regard to the new Florida Standards Assessment given to students throughout Florida this past week regarding online testing connectivity issues. Dr. Adams announced that the 2015 Legislative Session was in full swing.

IX. DISCUSSION

Ms. Jiménez gave an update on the Superintendent Search. She stated that the community would be given 45-minutes to speak with the candidates prior to the Board interview.

X. SCHOOL BOARD MEMBER MATTERS – Chairman McCain

Mr. Frost reported on the Indian River County Economic Development Council Meeting and his upcoming trip this week to Tallahassee for the Legislative Session.

Mrs. Simchick reported on the Volunteers of the Year Awards event and cautioned the public about being careful when driving in the dark with students walking to school.

Ms. Jiménez reported on the United Way campaign and presented a plaque received on behalf of the District. She also spoke about the work being done by speech pathologists for our students and all of the work being done behind the scenes.

Mr. Searcy reported on his attendance at the United Way event and the Value Adjustment Board meeting.

Chairman McCain thanked staff for their work.

XI. 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) requires the District, as sponsor, to monitor the revenues and expenditures of the charter school and 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.

XII. SUPERINTENDENT'S CLOSING

Dr. Adams closed with a video on the Auto Tech Certified Program.

XIII. ADJOURNMENT – Chairman McCain

With no further business, the meeting adjourned at approximately 7:24 p.m.

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CONSENT AGENDA 3/24/15

Personnel Recommendations

1. Instructional Changes
2. Instructional Leaves
Barrie, Emily – Glendale, 2/13/15-4/12/15
Beaudoin, Patricia – Fellsmere, 3/2/15-3/29/15
Gamez, Viviana – Liberty Magnet, 3/9/15-6/9/15
McMahon, Sandra – SRHS, 3/10/15-3/27/15
Peppers-Wilson, Teneshia – Gifford Middle, 12/9/14-12/18/14
Sayre, Maria – Storm Grove Middle, 3/9/15-3/29/15
Vollbrecht, Jean – VBE, 3/17/15-3/30/15
3. Instructional Promotions
4. Instructional Transfers
5. Instructional Separations
Falvey, Amy – Oslo Middle, resignation 3/5/15
Harris, Beverly – VBE, resignation 4/3/15
6. Instructional Employment
York, Erin – SRMS, Reading Teacher 4/6/15
7. Support Staff Changes
Cox, Jeff – Physical Plant, from Carpet Crew to Plant Operator 3/25/15
Escoto, Andre – from Fellsmere 4.0 hour Food Service Worker to Food Service 5.50 hour Food Service Worker 3/25/15
Ellis, Angela – from Gifford Middle Food Service Cook to Food Service 5.50 hour Food Service Worker 3/25/15
Stephens, Patricia – from VBE 4.0 hour Food Service Worker to Glendale 5.0 hour Food Service Assistant 3/25/15
8. Support Staff Leaves
Gonzalez, Jannette – Liberty Magnet, 2/27/15-3/15/15
Wilson, Megan – VBE, 3/10/15-3/23 26/15
9. Support Staff Promotions
Johnson, Sherry – from Glendale Secretary I to Curriculum and Instruction Secretary II 3/25/15
10. Support Staff Transfers
Cox, Valerie – from VBE Student Monitor to 4.0 hour Beachland Food Service Assistant 4/6/15
11. Support Staff Separations
Bailey, Kyle – Indian River Academy, resignation 3/10/15
Ishler, Phyllis – Pelican Island, resignation 3/13/15
Mengersen, Susan – Human Resources, resignation 3/12/15
12. Support Staff Employment
Pelletier, Julia – Glendale, Secretary I 4/6/15
Sands, Vicky – Dodgertown, Pre-K Teacher Assistant 3/25/15

- Waddell, Nancy – Food Service, 5.50 Food Service Worker 3/25/15
13. Administrative Separations
 14. Administrative Employment
 15. Administrative Leaves
 16. Approval of Placement in Instructional Substitute Pool
Evans, Sarah – Substitute Teacher 3/25/15
Winfrey, Erin – Substitute Teacher 3/25/15
 17. Approval of Placement in Support Staff Substitute Pool
 18. **Attached is a job description for the new position of Principal, Technical Center for Career and Adult Education.**

Each year, the school services approximately 1,000 students in ten (10) career programs, including Adult Basic Education (ABE), General Educational Development (GED), English Speakers of Other Languages (ESOL), lifelong learning classes and adult high school courses for credit recovery (9-12 grades). The retiring director also provided oversight for the high school career and professional education (CAPE) programs. This blended responsibility was due to budget cuts in the past. The CAPE responsibilities are not included in this job description due to the size of the program and the number of clients served.

SCHOOL DISTRICT OF INDIAN RIVER COUNTY

Principal, Technical Center for Career and Adult Education

JOB DESCRIPTION

QUALIFICATIONS:

- (1) Master’s degree in Educational Leadership or equivalent from an accredited educational institution.
- (2) Five (5) years successful experience in teaching and/or administrative experience in education, industry or related field.
- (3) Experience in adult and/or secondary education.
- (4) Satisfactory criminal background check and drug screening.
- (5) Florida State Principal or Educational Leadership Certificate

KNOWLEDGE, SKILLS AND ABILITIES:

Knowledge of Florida Statutes, State Board of Education rules and programs, budgeting, fiscal controls, employee supervision and performance appraisal. Knowledge of learning theories that optimize teaching and learning. Ability to understand the unique needs of all students. Ability to work a flexible schedule. Ability to communicate orally and in writing. Ability to make decisions based on relevant information. Ability to interact effectively with the district/school staff and the community. Knowledge of the hardware and software applications throughout the district. Ability to develop and manage budgets. Ability to plan, organize, and establish priorities related to assignment. Ability to work independently and make decisions with minimum supervision. Ability to delegate and monitor assignments. Ability to select, hire, evaluate, and reappoint personnel. Ability to understand the unique need of adult education students. Ability to make effective use of school-level data as a basis for decision-making. Ability to facilitate meetings. Ability to plan and work cooperatively with others to design and equip career and technical lab facilities.

REPORTS TO:

Superintendent

JOB GOAL

To provide the leadership, management and vision necessary to develop and administer Career and Technical Education (CTE) and Adult Education programs that optimize the human and material resources available for a safe, caring, and enriching environment for students, staff, and community.

SUPERVISES:

Instructional and Support Personnel assigned to the School

PERFORMANCE RESPONSIBILITIES:

Instructional Program Leadership/Development

PRINCIPAL, TECHNICAL CENTER OF CAREER AND ADULT EDUCATION

- * (1) Provide leadership and direction for the safe and economical operation of the Technical Center for Career and Adult Education (TCCAЕ)
- * (2) Provide instructional leadership and supervision for student achievement.
- * (3) Manage and administer the development, implementation and assessment of career, adult, and community education programs.
- * (4) Utilize data on current occupational trends and assessments from business and industry in developing new programs.
- * (5) Represent the school mission and administer the strategic plan for the school.
- * (6) Utilize current research, outside resources, performance data and feedback from students, teachers, business and the community to make decisions related to improvement of instruction and student performance.
- * (7) Provide instructional programs to prepare students for the workforce and post-secondary education.
- * (8) Demonstrate initiative in the performance of assigned responsibilities.
- * (9) Provide leadership in the effective use of technology in the classroom.
- * (10) Align school initiatives with district, state and school goals and objectives.

Inter/Intra-Agency Communication and Delivery

- * (11) Serve as member of the TCCAЕ Advisory Committee, provide leadership to career advisory committees, and participate in local and state agencies.
- * (12) Organize and notify members of School Advisory Committee (SAC) meetings and prepare agendas and related materials.
- * (13) Conduct public relations activities with the community and establish interagency linkages.
- * (14) Respond to inquiries and concerns in a timely manner.
- * (15) Keep supervisor informed of potential problems or unusual events.
- * (16) Serve on district, state or community councils or committees as assigned or appropriate.
- * (17) Use effective, positive interpersonal communication skills.
- * (18) Collaborate with the workforce development agency that serves Indian River County.
- * (19) Serve as an advocate of career and adult programs to local business, industry, and community.
- * (20) Maintain a network of peer contacts through professional organizations.

Personal/Professional Employee Qualities

- * (21) Keep informed and disseminate information about current research, trends and best practices in areas of responsibility.
- * (22) Facilitate the development, implementation and evaluation of staff development activities in assigned areas.
- * (23) Attend and participate in training sessions, conferences and workshops to keep abreast of current practices, programs and legal issues.
- * (24) Model effective listening and positive interaction skills.
- * (25) Prepare or assist staff in the preparation of all required reports and maintain all appropriate records.
- * (26) Demonstrate support of the school district and its goals and objectives.
- * (27) Set high goals and standards for self, others, and the organization.
- * (28) Set high standards and expectations and promote professional growth for self and others

PRINCIPAL, TECHNICAL CENTER OF CAREER AND ADULT EDUCATION

Personnel Action Services

- *(29) Supervise the establishment and maintenance of individual professional development plans for each instruction employee
- *(30) Provide technical assistance to Human Resources for the certification of career and technical education teachers.
- *(31) Interview and select qualified personnel to be recommended for employment
- *(32) Recruit personnel, supervise assigned personnel, conduct annual performance appraisals and make recommendations for appropriate employment actions.
- *(33) Manage and administer personnel development through training, in-service and other activities.
- *(34) Provide training opportunities and feedback to personnel

School Operations/Delivery Systems

- *(35) Direct or oversee the development of the master schedule and assign teachers according to identified needs, ensuring alignment with accreditation and licensure standards, available resources and district policy.
- *(36) Supervise sessions, schedule classes, contract teachers and assign classrooms for career and adult education programs.
- *(37) Prepare and monitor budget for the TCCAE.
- *(38) Review/approve requisitions and purchase orders pertaining to career and adult education.
- *(39) Establish the Adult Education calendar.
- *(40) Manage marketing for Career and Adult Education programs.
- *(41) Oversee and manage facilities, work orders, inventory and Workforce Development Information System (WDIS) reports.
- *(42) Provide leadership and direction to maintain accreditation of the Council of Occupational Education
- *(43) Implement board policies, state statutes and federal regulations as they pertain to the school.
- *(44) Assist in the development of Adult Education policies and administrative guidelines.
- *(45) Develop district applications for state and federal grant funds for career and adult education programs and provide grant oversight.
- *(46) Oversee the Workforce Development Information System (WDIS) by collaborating with the Information Services Department.
- *(47) Conduct staff meetings to discuss policy changes, instructional programs, potential problems, and resolution of existing problems.
- *(48) Manage the operation of all activities and functions which occur at TCCAE, including evening and weekend activities.
- *(49) Supervise the Extended Day Program.

Leadership

- *(50) Provide leadership and direction for assigned areas of responsibility.
- *(51) Promote the vision and mission of the district and TCCAE.

PRINCIPAL, TECHNICAL CENTER OF CAREER AND ADULT EDUCATION

- *(52) Exercise proactive leadership in promoting the vision and mission of the district and TCCAE.
- *(53) Maintain confidentiality regarding school/workplace matters.
- *(54) Utilize appropriate strategies and problem solving tools to make decisions regarding, planning, utilization of funds, delivery of services and evaluation of services provided.
- *(55) Represent the district in a positive and professional manner.
- *(56) Demonstrate initiative in identifying potential problems or opportunities for improvement and take appropriate action.
- *(57) Use appropriate styles and methods to motivate, gain commitment and facilitate task accomplishment.
- *(58) Maintain and model high standards of professional conduct.
- *(59) Access district and community resources to meet TCCAE needs.
- *(60) Provide recognition and celebration for staff, student and school accomplishment.
- *(61) Build teams to accomplish plans, goals and priorities.
- *(62) Promote and market the school and its priorities.

*Essential Performance Responsibilities

PHYSICAL REQUIREMENTS:

Light Work: Exerting up to 20 pounds of force occasionally and/or up to 10 pounds of force as frequently as needed to move objects.

Job Description Supplement 11

TERMS OF EMPLOYMENT:

Administrative Pay Grade ADM IV 250 days worked per year (12 months)

EVALUATION:

Performance of this job will be evaluated in accordance with provisions of the Board's policy on evaluation of personnel.

Beachland Elementary School

3350 Indian River Drive East
Vero Beach, Florida 32963-1799

Telephone: (772) 564-3300

FAX: (772) 564-3350

Caroline Barker
Principal

Susan Del Tufo
Assistant Principal

February 26, 2015

{To}: School Board Members

{From}: Caroline Barker, Principal

Regarding: Mardy Fish Children's Foundation

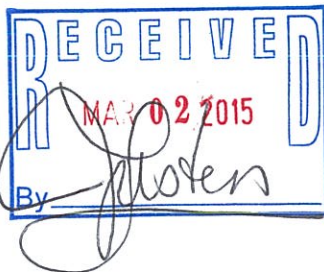
Beachland Elementary received \$1,335.00 from Mardy Fish Foundation. These funds are allocated to our Beachland Track Team.

Funds were deposited into Beachland's Internal accounts - Mardy Fish Foundation.



Caroline Barker, Principal

CB/br



School District of Indian River County
"It Takes A Community To Raise A Child!"

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**SCHOOL DISTRICT OF INDIAN RIVER COUNTY
DISTRICT SCHOOL BOARD POLICY CHANGES
SUPPORT INFORMATION**

Today's Date: January 28, 2015

Policy Number: See List that includes new policy

Policy Title: See titles on policies

Check one of the following:

New Policy:

Amendment:

Repeal:

I. Summary of Proposed New or Revised Policy:

Purpose of the revisions is to be consistent with present practice, new practice, and legislation. Attached is a list of all policies affected.

II. Estimated Economic Impact: \$ None

III. Referenced Statutes:

Authority: Listed on the policy (F.S.)

Implemented: Listed on the policy (F.S. and/or FSBE)

IV. Indian River County School Board (Ms. Stang will complete after adoption.)

Date Adopted by IRCSB: _____

Date Amended by IRCSB: / /

Date Repealed by IRCSB: / /

V. School Board Authorization:

Action Initiated by: School Board Members

Approved by: 
(Signature of) Superintendent/School Board Secretary

Do not write below this line.

School Board Recording Secretary:

- | | |
|---|------------------|
| 1. Discussion Agenda Item: | <u>1/13/2015</u> |
| 2. Action Agenda Item - Date for Public Hearing | <u>2/10/2015</u> |
| 3. Legal Notice | <u>2/16/2015</u> |
| 4. Public Hearing/Adopted Date (Action Item) | <u>3/24/2015</u> |

001-95-BRD
REV: 08/2011
GSL-SL Item #32

**1/13/2015 Board Workshop
Summary Points for Recommended Board Policy Changes**

Policy #	Policy Title	Summary Points
N/A	Consent Form for new random student drug testing policy	New Form: Parental Consent Form for new policy on random student drug testing.
TBD	Random Student Drug Testing policy	New Policy: To be proactive in ensuring the safety of all students participating in interscholastic extracurricular competitive activities.
0120	Powers, Boardmanship, and Ethics	Changes the requirement for 4 hours of ethics training from an "annual requirement" to a requirement "each calendar year."
0167	Voting	Clarifies that a board member cannot abstain from voting on a decision, ruling, or act unless there is, or appears to be, a conflict of interest under State law. Further clarifies that a Board member can abstain if the official decision, ruling, or act occurs in a quasi-judicial setting and the abstention is to assure a fair proceeding free from potential bias or prejudice.
1030	Superintendent of Schools	Adds the requirement for 4 hours of training in ethics, public records, and public meeting laws each calendar year.
1120.11	Preference for Veterans in Employment	Expands Florida's veteran's preference in the public employment process, adds categories of individuals qualifying for veteran's preference and allows reinstatement of veterans' employment.
1162	Drug and Alcohol Testing of Employees who Perform Safety Sensitive Functions	New Policy: Added due to case law, limits testing to safety sensitive employees, aligns with state and federal law.
1217	Weapons	Revisions to policy proposed so that more consistent with State law, especially with regard to the exceptions to the Board's prohibition from carrying a handgun, concealed weapon or firearm, in a school safety zone, into any school, administration building, or into any Board meeting.

**1/13/2015 Board Workshop
Summary Points for Recommended Board Policy Changes**

Policy #	Policy Title	Summary Points
1220	Evaluation of Administrative Personnel	Authorizes superintendent to develop procedures for annual review of the school administrator evaluation system to analyze whether it complies with Florida law. Substantial revisions must be reviewed and approved by the Board.
1410	Compensation (We are not making the change to the title "Administrative Salary" as listed in the original changes.)	Requires districts establish a performance salary schedule for school-based administrators. Documents a process for identifying which school administrators are entitled to differentiated pay, the factors to be used and the individuals responsible for making such determinations. The language also requires that the Board be informed at a public meeting who will receive differentiated pay.
1419.01	Privacy Protections of Self-Funded Group Health Plans	Revisions are in response to the requirements set forth in the Final HIPPA Omnibus Rule that were designed to strengthen the privacy and security of protected health information and to give individuals new rights with regard to their health information and adds "security official" designation and requirements to self-funded group health plans.
1430	Leaves of Absence	The revisions to the leave policies add and describe a process for approval of leave requests. These policies address permissive and mandatory leave for employees under current State law.
1430.03	Sick Leave	Adds Compassionate Leave.
1430.07	Military Leave	New Policy: School Board supports individuals willing to serve in the armed forces and employees who must be absent from work for military service are entitled to take a military leave of absence in accordance with this policy.
2120	School Improvement	Added to meet requirement of Early Warning System in grades 6-8, deletes old language of Secondary School Reform.

**1/13/2015 Board Workshop
Summary Points for Recommended Board Policy Changes**

Policy #	Policy Title	Summary Points
2252	Digital Classrooms	New Policy: Added to meet new requirement of Digital Classrooms Plan.
2260	Nondiscrimination and Access to Equal Educational Opportunity	Requires that the Board will not discriminate nor tolerate harassment in its educational programs or activities on the basis of sexual orientation or transgender identity.
2261.03	Annual Report Requirements	Added to meet new reporting requirements for districts receiving Title I funds.
2271	Articulation and Access to Florida College System Institutions	Requires the execution of an agreement with a collegiate institute to create a collegiate HS program.
2280	Physical Education	Addresses requirement to annually review physical education policy and provide a procedure for public input and revisions.
2370	Educational Options	Revised to include additional educational options; collegiate HS program.
2370.01	District Virtual Instruction Program	Requires the notification of parents and students about students' rights and options to participate in virtual instruction at the beginning of the school year.
2421	Career and Technical Education	Added industry certifications as a part of career and professional education and addresses workforce education postsecondary fees.
2432	Driver Education	Required secondary schools to make available drivers ed. Preferential enrollment will be given to any student in the custody of the Department of Children and Families.
2440	Summer School	Further defines which students must be offered summer programs.
2450	Adult and Community Education	Revision in terms from GED to High School Equivalency examination.

**1/13/2015 Board Workshop
Summary Points for Recommended Board Policy Changes**

Policy #	Policy Title	Summary Points
2460	Exceptional Student Education	Parents of students with disabilities, or eligible students with disabilities, may be accompanied by another person of their choice at a meeting with district personnel.
2520	Selection of Instructional Materials and Equipment Program	Revisions incorporate processes for parents to object to specific instructional materials and for parents to contest the adoption of specific instructional material.
2623	Student Assessment	Changes due to new State-wide assessments, new requirement of Local Assessments, and updates remediation language.
3120.11	Preference for Veterans in Employment	Expands Florida's veteran's preference in the public employment process, adds categories of individuals qualifying for veteran's preference and allows reinstatement of veterans' employment.
3130	Appointment, Assignment, Transfer, and Promotion of Instructional Staff	Amends how staff are assigned to "D" and "F" schools, specifically, a) that the ratio of temporary or out of field students be less than other schools b) establishes minimum requirements for hiring of teachers in these schools. Sets requirements for instructional personnel who supervise student teachers.
3162	Drug and Alcohol Testing of Employees who Perform Safety Sensitive Functions	New Policy: Added due to case law, limits testing to safety sensitive employees, aligns with state and federal law.
3217	Weapons	Revisions to policy proposed so that more consistent with State law, especially with regard to the exceptions to the Board's prohibition from carrying a handgun, concealed weapon or firearm, in a school safety zone, into any school, administration building, or into any Board meeting.

**1/13/2015 Board Workshop
Summary Points for Recommended Board Policy Changes**

Policy #	Policy Title	Summary Points
3220	Evaluation of Instructional Personnel	Authorizes superintendent to develop procedures for annual review of the instructional staff evaluation system to analyze whether it complies with Florida law. Substantial revisions must be reviewed and approved by the Board.
3410	Compensation	Requires district establish a performance salary schedule for instructional staff. Documents a process for identifying which instructional staff are entitled to differentiated pay, the factors to be used and the individuals responsible for making such determinations. The language also requires that the Board be informed at a public meeting who will receive differentiated pay. Repealing current policy and replacing with new one.
3419.01	Privacy Protections of Self-Funded Group Health Plans	Revisions are in response to the requirements set forth in the Final HIPPA Omnibus Rule that were designed to strengthen the privacy and security of protected health information and to give individuals new rights with regard to their health information and adds "security official" designation and requirements to self-funded group health plans.
3430	Leaves of Absence	The revisions to the leave policies add and describe a process for approval of leave requests. These policies address permissive and mandatory leave for employees under current State law, also includes modification due to Collective Bargaining Agreement.
3430.03	Sick Leave	Adds Compassionate Leave consistent with the Collective Bargaining Agreement.
3430.07	Military Leave	New Policy: School Board supports individuals willing to serve in the armed forces and employees who must be absent from work for military service are entitled to take a military leave of absence in accordance with this policy.

**1/13/2015 Board Workshop
Summary Points for Recommended Board Policy Changes**

Policy #	Policy Title	Summary Points
4120.11	Preference for Veterans in Employment	Expands Florida's veteran's preference in the public employment process, adds categories of individuals qualifying for veteran's preference and allows reinstatement of veterans' employment.
4162	Drug and Alcohol Testing of Employees who Perform Safety Sensitive Functions	Revised due to case law, limits testing to safety sensitive employees, aligns with state and federal law.
4217	Weapons	Revisions to policy proposed so that more consistent with State law, especially with regard to the exceptions to the Board's prohibition from carrying a handgun, concealed weapon or firearm, in a school safety zone, into any school, administration building, or into any Board meeting.
4419.01	Privacy Protections of Self-Funded Group Health Plans	Revisions are in response to the requirements set forth in the Final HIPPA Omnibus Rule that were designed to strengthen the privacy and security of protected health information and to give individuals new rights with regard to their health information and adds "security official" designation and requirements to self-funded group health plans.
4430	Leaves of Absence	The revisions to the leave policies add and describe a process for approval of leave requests. These policies address permissive and mandatory leave for employees under current State law.
4430.03	Sick Leave	Adds Compassionate Leave.
4430.07	Military Leave	New Policy: School Board supports individuals willing to serve in the armed forces and employees who must be absent from work for military service are entitled to take a military leave of absence in accordance with this policy.
5111.01	Homeless Students	SB 260 -amended from FS 743.067 - revision of the definition of "unaccompanied homeless youth", requirement for District liaison for Homeless Children to provide written certification of the status.

1/13/2015 Board Workshop
Summary Points for Recommended Board Policy Changes

Policy #	Policy Title	Summary Points
5112	Entrance Requirements	Name change from GED to HS Equivalency Exam.
5130	Withdrawal from School	Name change from GED to HS Equivalency Exam.
5330.01	Self-Administered Medication and Epinephrine Use	Revision to include "other approved prescribed medications ".
5410.01	Promotion, Acceleration, Placement, and Retention	Revised to be more aligned to statutes and state board rules. Repeat of Student Assessments - remediation- students scoring below level 3 on statewide assessments in grades 3-8 must be provided an additional diagnostic assessment to determine the nature of the student's difficulty , ESE - the IEP team can decide the extent of participation in and or exemptions from the testing. F.S. 1008.212. A student may not be retained more than once in grade 3 as referenced by F.S. 1008.25. Also added - in consultation with the parent the school must develop a progress monitoring plan for any student scoring below a level 3 on the statewide assessments.
5516	Student Hazing	Expands the prohibition of hazing to schools that include grades 6-12. Revision of definitions and requires a policy prohibiting hazing which includes criminal penalties for students in grades 9-12 if injury or death occur. Sets up procedures for student supports and reporting.
5772	Weapons	Revisions to policy proposed so that more consistent with State law, especially with regard to the exceptions to the Board's prohibition from carrying a handgun, concealed weapon or firearm, in a school safety zone, into any school, administration building, or into any Board meeting. Adds exemption for theatrical props beyond the exemptions for others.
5780	Student/Parent Rights	Revisions were made to keep policy aligned to State law.

**1/13/2015 Board Workshop
Summary Points for Recommended Board Policy Changes**

Policy #	Policy Title	Summary Points
7217	Weapons	Revisions to policy proposed so that more consistent with State law, especially with regard to the exceptions to the Board's prohibition from carrying a handgun, concealed weapon or firearm, in a school safety zone, into any school, administration building, or into any Board meeting. Policy refers to visitors - other than students or employees.
8330	Student Records	Changes due to new limitations on data collection for students/parents, (political, voting, religious affiliations and biometric data), Add requirement to request student SSN upon enrollment, but does not require that a student produce a SSN to enroll or graduate.
8350	Confidentiality	Adds same data collection limitations as in 8330 Student Records.
8462	Student Abuse and Neglect	Changes to policy for child abuse reporting requirement. Adds language regarding false reporting and training.
8500	Food Service Program	Requires that competitive food and beverage items sold a la carte in the dining area meet the new USDA dietary guidelines.
8510	Wellness	Requires that all food and beverage items sold on campus between midnight and one hour after the close of school meet the new USDA dietary guideline.
8700	Anti-Fraud	Address Auditor General's "best practice" by establishing procedure for anonymous reporting and revises language to more "legally correct" with regard to the State Public Whistleblower law.
9211	Parent Organizations, Booster Clubs, and Other Fund-Raising Activities	Requires that food and beverage items sold as fundraisers during the day to be consumed on campus meet the new USDA dietary guidelines, includes special exemptions.

**NEW FORM FOR
NEW POLICY**

CONSENT FORM

RANDOM STUDENT DRUG TESTING FOR INTERSCHOLASTIC EXTRACURRICULAR COMPETITIVE ACTIVITY PARTICIPANTS

This form must be completed and signed by each high school student participating in interscholastic extracurricular competitive activities and his/her parent or legal guardian.

Eligibility for participation will not be granted until this form has been signed and returned to the student's school.

Student Name _____

Student ID # _____ Sex _____

School _____

Grade Level _____ Activities _____

Consent to Random Student Drug Testing

By signing this form, I affirm that I have read the School Board of Indian River County's Random Student Drug Testing for Interscholastic Extracurricular Competitive Activity Participants policy and I agree to comply with the conditions in the policy in order for my child to participate in interscholastic extracurricular competitive activities.

I affirm that my child and I have reviewed and understand the procedures for the testing program attached to this form and understand the test procedures, penalties for a positive test result and my child's rights to challenge a positive finding.

I agree to allow the Random Student Drug Testing Coordinator to test my child if he/she is randomly selected in order to remain eligible for participation in any interscholastic extracurricular competitive activities.

I further consent to the release of any drug test results taken from my child to the school principal, Coordinator, and testing lab MRO. In the event my child is a student athlete in an FHSAA sanctioned, recognized or club activity and receives a positive drug test for a schedule 3 narcotic, I understand the positive drug test will be reported to FHSAA, but not my child's name.

I understand that test results will not be made a part of my child's permanent school record.

Name of Student (**PRINT**): _____

Signature of Student: _____

Date: _____

Name of Parent/Guardian (**PRINT**): _____

Signature of Parent/Guardian _____

Date: _____

Home address: _____ City: _____

Zip Code _____

Contact Number – Cell/Other: _____

NEOLA Policy No. _____

RANDOM STUDENT DRUG TESTING FOR INTERSCHOLASTIC EXTRACURRICULAR COMPETITIVE ACTIVITY PARTICIPANTS

I. PURPOSE AND INTENT

A. The School Board of Indian River County is committed to providing a healthy and safe environment for interscholastic extracurricular competitive activity participants.

B. The School Board desires to be proactive in ensuring the safety of all students participating in interscholastic extracurricular competitive activities, and to undermine the effects of peer pressure by providing an additional and legitimate reason for students to refuse to use illegal drugs.

C. The School Board desires to encourage student participants in interscholastic extracurricular competitive activities who use drugs to participate in drug treatment programs.

II. AUTHORITY

A. The U.S. Supreme Court established the authority of public schools to test students for illegal drugs. In *Pottawatomie County Board of Education v. Earls*, 536 U.S. 822 (2002), the Court held that schools could perform random drug tests for all middle and high school students participating in competitive extracurricular activities.

B. Student participation in interscholastic extracurricular competitive activities is a privilege not a right, and this policy is intended to protect the health and safety of students; therefore the School Board is authorized to implement this policy pursuant to § 1001.43(1), Florida Statutes.

III. EFFECTIVE DATE AND SCOPE

A. This policy shall become effective July 1, 2015.

B. All high schools within the School District of Indian River County that offer interscholastic extracurricular competitive activities shall implement this policy. Interscholastic extracurricular competitive athletic activities include all Florida High School Athletic Association (FHSAA) sanctioned, recognized or club activities as well as

all non-FHSAA sanctioned, recognized and club activities, including practices and contests. Interscholastic extracurricular competitive performing arts activities include all band, chorus, orchestra, and drama activities, including practices, performances, and contests. Interscholastic extracurricular competitive academic activities include but are not limited to Math Team, Academic Games, Envirothon, Future Business Leaders of America, and Debate Team, including practices, performances and contests.

C. The Random Student Drug Testing Coordinator (Coordinator) is the employee designated by the principal at each high school to coordinate and oversee the implementation of this policy.

IV. REQUIREMENTS

A. All students who wish to participate in interscholastic extracurricular competitive activities shall be subject to random drug testing in accordance with this policy.

B. All records generated pursuant to this policy are confidential student records under the Family Educational Rights and Privacy Act (FERPA) and will be securely stored separate from the student's cumulative file. Such records shall be disclosed only to school personnel who have a need to know and will not be turned over or disclosed to any law enforcement personnel or authorities. In the event of a positive drug test result from a student athlete in an FHSAA sanctioned, recognized or club activity the School Board is required to report to FHSAA any violation involving a schedule 3 narcotic. However, the student's name will not be released to FHSAA, only statistical information.

C. Prior to participating in interscholastic extracurricular competitive activities, the student and the student's parent/guardian shall sign and deliver the CONSENT TO RANDOM STUDENT DRUG TESTING FOR INTERSCHOLASTIC EXTRACURRICULAR COMPETITIVE PARTICIPANTS FORM to the student's school. The Consent shall be valid for 12 months from date of signature. A student who does not have a current Consent on file will not be allowed to participate, which includes attendance at any practice, tryout, game, contest, performance, or competition.

V. SELECTION AND TESTING OF PROCESS

A. Random drug testing of interscholastic extracurricular athlete students may be conducted at various times throughout the school year, and at least once per athletic season (fall, winter, and spring), at the direction of the principal. Ten percent of the total number of male students and ten percent of the total number of female students participating in interscholastic athletics at the time of random selection shall be tested at each high school. Accurate and complete student rosters shall be used.

B. Random drug testing of interscholastic extracurricular competitive performing arts and academic students may be conducted at various times throughout the school year, and at least once per school year at the direction of the principal. Ten percent of the total number of students participating in interscholastic extracurricular competitive performing arts or ten percent of the total number of students participating in interscholastic extracurricular competitive academics at the time of random selection shall be tested at each high school. Accurate and complete student rosters shall be used.

C. Random selection will be handled by the Coordinator at each high school and will be done by a lottery using a numeric selection process. Student names will remain unknown until the random selections are completed.

D. Those students randomly selected for drug testing shall be required to produce a urine sample on the same day the student is selected for testing.

1. If the student is absent that day, the sample shall be provided on the first day the student returns to school.

2. If the student is unable to produce a sample when requested, the student will be allowed to return within two hours the same day to provide the sample.

3. Students who are not in regular attendance at school, such as homeschool students, charter school students, and virtual school students shall provide a sample on the first day the student presents at school. All students providing samples shall do so under the supervision of the Coordinator in a manner which will minimize intrusiveness and embarrassment to the student while ensuring there is no tampering with the sample. Students shall be required to produce a sample while in a private restroom stall while the Coordinator remains outside the restroom entry door. Each sample container shall be checked for appropriate temperature and will be sealed and labeled with a number for identification purposes.

E. The sample will be tested for the presence of one or more of the following illegal substances:

1. Cocaine
2. Amphetamine
3. Methamphetamine
4. Marijuana
5. Opiates

Samples will not be screened for the presence of any other substance or the existence of any physical condition other than drug intoxication.

F. The initial drug test of the sample will be a sensitive, rapid, and reliable immunoassay procedure (also referred to as a point of collection test) performed at the school. If the initial drug test renders a negative result, then no further analysis will be conducted. If the initial drug test renders a positive result, the Coordinator shall immediately contact the student's parent/guardian by phone, in the presence of the student, to discuss the positive initial drug test result.

G. The student's parent/guardian has the right to appeal the initial drug test positive result on the day of the random drug testing. In the event the parent/guardian requests an appeal, the Coordinator shall immediately deliver the sealed sample container to the testing laboratory for a confirmation drug test at the parent/guardian's expense. The confirmation drug test must be a more rigorous procedure and must be different in scientific principle from the initial drug test. If the confirmation drug test renders a negative result, then the drug test will be deemed negative, no further analysis or action will be taken, and the Coordinator shall reimburse the parent/guardian for the cost of the confirmation drug test. If the confirmation drug test renders a positive result, the positive drug test results shall be provided to the testing laboratory's medical review officer (MRO). An MRO is a licensed physician employed by the testing laboratory, and knowledgeable in the interpretation and evaluation of a student's positive confirmation drug test. The parent/guardian and student shall have the opportunity to confidentially discuss the test results with the MRO and provide any relevant medical information to the MRO that would assist the MRO in verifying the confirmation drug test as positive or negative, such as a properly prescribed medication. If the MRO determines the test results should be negative, then no further action shall be taken and the negative test result will be reported to the parent/guardian and Coordinator. If the MRO verifies a positive drug test result, the MRO shall submit a report of such result to the student's parent/guardian and the Coordinator.

H. During the pendency of any confirmation drug test, the student's eligibility to participate in interscholastic extracurricular competitive activities (excluding practice) shall be suspended.

I. The failure or refusal of a student to provide a urine sample pursuant to this policy shall be treated as a positive confirmation drug test. The failure of the Coordinator to follow the selection and testing process shall render the random drug test invalid and no consequences shall apply to any affected student.

VI. CONSEQUENCES

A. Athletics

1. First positive result. For the first positive drug test, the student athlete will be given the option of either participating in a drug treatment assistance program and submission to weekly drug testing for six weeks, or suspension from participation in interscholastic athletics (excluding practice) for the remainder of the current athletic season and the next athletic season.

2. Second positive result. For the second positive drug test result in any two consecutive school years, the student athlete will be suspended from participating in interscholastic athletics (excluding practice) for the remainder of the current athletic season and the next athletic season.

3. Third positive result. For the third positive result in any two consecutive school years, the student athlete will be suspended from participating in interscholastic athletics (excluding practice) for the remainder of the current athletic season and the next two athletic seasons.

B. Performing Arts and Academics

1. First positive result. For the first positive drug test, the student will be given the option of either participating in a drug treatment assistance program and submission to weekly drug testing for six weeks, or suspension from participation in interscholastic extracurricular competitive performing arts and academics (excluding practice) for the remainder of the current semester and the next semester.

2. Second positive result. For the second positive drug test result in any two consecutive school years, the student will be suspended from participating in interscholastic extracurricular competitive performing arts and academics (excluding practice) for the remainder of the current semester and the next semester.

3. Third positive result. For the third positive result in any two consecutive school years, the student will be suspended from participating in

interscholastic extracurricular competitive performing arts and academics (excluding practices) for the remainder of the current semester and the next two semesters.

C. Non-Punitive Nature of this Policy. No student shall be penalized academically for testing positive for drugs under the policy. The results of drug tests pursuant to this policy will not be documented in any student academic records and information regarding the results of drug tests will not be disclosed to criminal or juvenile authorities, without a valid, binding subpoena or other legal process, which the school will not solicit.

VII. REVIEW

A. The Superintendent shall annually evaluate the implementation and effectiveness of this policy and shall recommend any changes to the School Board.

VIII. STUDENT CODE OF CONDUCT

A. Nothing in this policy shall be construed to limit the applicability or enforcement of the student code of conduct, including all of its provisions pertaining to drugs

B. In the event the student is on a behavior contract or stipulated order which includes a requirement for random drug testing, a positive drug test under this policy shall also be considered a positive drug test under the behavior contract or stipulated order.

1 POWERS, BOARDMANSHIP, AND ETHICS

2 0121 **Responsibilities and Authority of the Board**

3 The School Board is responsible for the organization and control of
4 the public schools of the District and is empowered to determine the
5 policies necessary for the effective operation and the general
6 improvement of the school system. The Board is constituted by the
7 State Constitution and Florida statutes.

8 Section 4, Article IX, Florida State Constitution
9 F.S. 1001.40

10 0121.1 **Financial Emergencies**

11 When a financial emergency, as defined by F.S. 218.503(1), occurs,
12 the School Board shall notify the Commissioner of Education and
13 the Legislative Auditing Committee that such conditions have
14 occurred, or will occur if action is not taken to assist the Board.

15 The Commissioner of Education shall contact the Board to
16 determine what actions have been taken by the Board to resolve or
17 prevent the condition. The Board shall provide the information
18 requested within forty-five (45) days of the date of the request.

19 The Commissioner of Education shall determine whether the Board
20 needs State assistance to resolve or prevent the condition. If State
21 assistance is needed, the Board is considered to be in a state of
22 financial emergency, and the Commissioner has the authority to
23 implement measures as set forth in State law to assist the Board in
24 resolving the financial emergency.

25 The failure of the members of the Board to resolve a state of
26 financial emergency would constitute malfeasance, misfeasance, and
27 neglect of duty, and the members of the Board may be subject to the
28 penalties set in forth Article IV, Section 7 of the Constitution of the
29 State of Florida.

30 F.S. 218.39, 218.50, 218.501, 218.502, 218.503, 218.504

1 0122 **Board Powers**

2 The School Board shall be a body politic and corporate, and, as
3 such, capable of suing and being sued; contracting and being
4 contracted with; acquiring, holding, possessing, and disposing of
5 real and personal property; taking and holding in trust for the use
6 and benefit of the District, any grant or devise of land and any
7 donation or bequest of money or other personal property.

8 F.S. 1001.41, 1001.42, 1001.43

9 As prescribed by law, the general powers of the Board are the
10 determination of educational policies; the adoption of such rules and
11 regulations to supplement those prescribed by the State Board and
12 the Commissioner of Education as will contribute to the more
13 orderly and efficient operation of the school system; the
14 determination of minimum standards; and the performance of any
15 duties that are assigned to it by law or by State Board regulations
16 and that are found by it to be necessary for the improvement of the
17 school system in carrying out the purposes and objectives of the
18 Florida Constitution and Florida statutes.

19 The Board shall perform all duties found in Florida statutes and
20 shall provide educational opportunity as required by Florida
21 statutes.

22 F.S. 1000.41, 1001.42

23 0122.1 **Member Powers**

24 School Board members as individuals do not separately possess the
25 powers that reside in the Board. Board members shall have
26 authority only when acting as a Board legally in session. The Board
27 shall not be bound in any way by any statement or action on the
28 part of any individual Board member, except when such statement
29 or action is pursuant to specific official instructions of the Board.

1 0123 **Standards for Boardmanship**

2 While serving on the School Board, each member shall agree to
3 uphold the following standards:

4 A. remember that the first and greatest concern must be the
5 educational welfare of all students attending the public
6 schools, regardless of ability, race, creed, sex, or
7 socio-economic status;

8 B. obey the law of Florida and the United States and bring about
9 desired changes through legal and ethical procedures;

10 C. respect the confidentiality of privileged information;

11 D. recognize that as an individual Board member there is no
12 authority to speak or act for the Board;

13 E. avoid conflicts of interest or the appearance thereof;

14 F. delegate authority for the administration of the schools to the
15 Superintendent and staff;

16 G. encourage ongoing communications among Board members,
17 the Board, students, staff, and the community;

18 H. render all decisions based on the available facts and
19 independent judgment rather than succumbing to the
20 influence of individuals or special interest groups;

21 I. make a concerted effort to attend all Board meetings and
22 workshops;

23 J. become informed concerning the issues to be considered at
24 each meeting;

25 K. improve boardmanship by studying educational issues and by
26 participating in in-service programs;

27 L. support the employment of staff members based on
28 qualifications and not as a result of influence;

- 1 M. cooperate with other Board members and the Superintendent
2 to establish a system of regular and impartial evaluations of
3 all staff;
- 4 N. cooperate in assessing the effectiveness of the Board as a
5 whole as well as each Board member;
- 6 O. refrain from using the Board position for personal benefit or
7 the benefit of family members or business associates;
- 8 P. express personal opinions but, once the Board has acted,
9 accept the will of the majority;
- 10 Q. encourage recognition of the achievements of students and
11 staff and the involvement and support of business and
12 community members; and
- 13 R. comply with all duties and responsibilities set forth in the
14 K-20 Education Code and the Code of Ethics for Public
15 Officers and Employees.

16 Pursuant to F.S. 1001.42(7), a Board member may not knowingly
17 sign and transmit to any State official a report of alleged misconduct
18 by instructional personnel or school administrators which affects
19 the health, safety, or welfare of a student which the Board member
20 knows to be false or incorrect, or knowingly fail to adopt policies
21 that require instructional personnel and school administrators to
22 report alleged misconduct by other instructional personnel and
23 school administrators, or that require the investigation of all reports
24 of alleged misconduct by instructional personnel and school
25 administrators, if the misconduct affects the health, safety, or
26 welfare of a student. Violation of these provisions will result in the
27 forfeit of the Board member's salary for one (1) year.

1 0125 **Special Gift Restrictions for School Board Members**

2 The purpose of this policy is to implement F.S. 1001.421 which
3 restricts the solicitation and acceptance of gifts by School Board
4 members and their relatives. This policy's limitations upon gifts
5 that may be accepted by Board members are in addition to any
6 other restrictions and limitations that exist under F.S. Chapter 112.

7 A. Definitions

8 Unless otherwise defined herein, the operative words or terms
9 within this policy shall be defined in F.S. Chapter 112 and as
10 such words or terms have been interpreted by the Florida
11 Commission on Ethics. The following general definitions shall
12 be used for the purpose of this policy:

13 1. "Vendor" means any person or entity that has been
14 awarded or otherwise received a contract to provide
15 goods or services to the School District for
16 compensation. Status as a vendor concludes when an
17 award or contract to provide goods or services to the
18 School District has expired or has otherwise been
19 terminated.

20 2. "Potential Vendor" means any person or entity that has
21 submitted a proposal or bid in response to a pending
22 competitive solicitation issued by the School District.
23 Status as a potential vendor under a competitive
24 solicitation concludes when the Board either approves
25 an award or rejects all proposals or bids received.

26 3. "Gift" in this policy shall be defined as that which is
27 accepted by a Board member, or by another on the
28 Board member's behalf, or that which is paid or given
29 to another for or on behalf of a Board member, directly,
30 indirectly, or in trust for the Board member's benefit or
31 by any other means, for which equal or greater
32 consideration is not given within ninety (90) days,
33 including:

34 a. real property;

35 b. use of real property;

- 1 c. tangible or intangible personal property;
- 2 d. use of tangible or intangible personal property;
- 3 e. a preferential rate or terms on a debt, loan,
4 goods, or services, which rate is below the
5 customary rate and is not either a government
6 rate available to all other similarly situated
7 government employees or officials, or a rate
8 which is available to similarly situated members
9 of the public by virtue or occupation, affiliation,
10 age, religion, sex, or national origin;
- 11 f. forgiveness of indebtedness;
- 12 g. transportation, lodging, or parking other than
13 that provided to a Board member by an agency
14 in relation to officially approved governmental
15 business;
- 16 h. food or beverage;
- 17 i. membership dues;
- 18 j. entrance fees, admission fees, or tickets to
19 events, performances, or facilities;
- 20 k. plants, flowers, or floral arrangements;
- 21 l. services provided by persons pursuant to a
22 professional license or certificate;
- 23 m. other personal services for which a fee is
24 normally charged by the person providing the
25 service; or
- 26 n. any other similar service or thing having an
27 attributable value not already provided for in
28 F.S. 112.312(12)(a).

1 4. "Relative" in this policy shall be defined as an
2 individual who is related to a Board member as father,
3 mother, son, daughter, brother, sister, uncle, aunt,
4 first cousin, nephew, niece, husband, wife, father-in-
5 law, mother-in-law, son-in-law, daughter-in-law,
6 brother-in-law, sister-in-law, stepfather, stepmother,
7 stepson, stepdaughter, stepbrother, stepsister, half-
8 brother, half-sister, grandparent, great grandparent,
9 grandchild, great grandchild, step grandparent, step
10 great grandparent, step grandchild, step great
11 grandchild, person who is engaged to be married to the
12 Board member or who otherwise holds himself/herself
13 out as or is generally known as the person whom the
14 Board member intends to marry or with whom the
15 Board member intends to form a household, or any
16 other natural person having the same legal residence
17 as the Board member.

18 B. Acceptance of Other Permitted Gifts

19 Except for gifts precluded by paragraphs D and E below and
20 applicable law, Board members may accept gifts given to
21 them as permitted by the provision of Part III of F.S.
22 Chapter 112.

23 C. Valuation of Gifts

24 The valuation of gifts under this policy shall be determined in
25 the same manner as the valuation of a gift under Part III of
26 F.S. Chapter 112 - Code of Ethics for Public Officers and
27 Employees.

28 D. No Solicitation of Gifts from Specified Persons

29 Board members and their relatives may not directly or
30 indirectly solicit any gifts from any vendor, potential vendor,
31 or other person or entity doing business with the School
32 District.

1 E. Restrictions on Acceptance of Gifts from Specified Persons

2 Board members and their relatives may not directly or
3 indirectly accept any gift having a value in excess of \$50.00
4 from any vendor, potential vendor, or other person or entity
5 doing business with the School District.

6 F. Lists of School District Vendors and Potential Vendors

7 A current list of School District vendors, potential vendors,
8 and other persons or entities doing business with the School
9 District shall be maintained by the School District's
10 Purchasing Department.

11 All Board members shall complete four (4) hours of ethics training
12 ~~annually~~ each calendar year that addresses, at a minimum, the
13 constitutional "Sunshine Law" provisions (Article II, Section 8), the
14 statutory Code of Ethics for Public Officers and Employees (F.S.
15 Chapter 112, Part III), and the public records and public meetings
16 laws. This requirement may be satisfied by completion of a
17 continuing legal education class or other continuing professional
18 education class, seminar, or presentation if the required subjects
19 are covered.

20 F.S. 112.313, 112.326, 120.536, 120.54, 120.81, 1001.41
21 F.S. 1001.42, 1001.42(6), 1001.421, 1001.43, 1012.23
22 F.A.C. 6B-1.001, 6B-1.006

23 Revised 3/4/14

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1

MEETINGS

2 0161

Parliamentary Authority

3

The parliamentary authority governing the School Board shall be the most recent edition of Robert's Rules of Order, Newly Revised, except as otherwise provided by special Board rules and regulations and/or statutes.

4

5

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7

The Board attorney shall serve as parliamentarian at all Board meetings.

8

9 0162

Quorum

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Three (3) members (for five (5) member boards) present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

11

12

13

F.S. 1001.37(4)

14 0162.1

Remote Attendance at Board Meetings

15

Members may attend, participate and vote at School Board meetings, hearings and work sessions through the use of interactive video, internet connection and/or telephone systems, to allow physically absent members to attend such meetings, as long as a quorum of members are otherwise physically present at the Board meeting, hearing or work session.

16

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Adopted 3/4/14

22 0163

Presiding Officer

23

The Chairman shall preside at all meetings of the School Board. In the absence, disability, or disqualification of the Chairman, the Vice-Chairman shall act instead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

24

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1 0164 **Notice of Meetings**

2 Pursuant to State law, the School Board shall give notice of regular
3 public meetings, hearings, and workshops in the following ways:

4 A. by publication in a newspaper of general circulation;

5 B. by posting on the District's website not less than seven (7) days
6 before the public meeting, hearing, or workshop;

7 C. by mail to all persons who have made requests for advance
8 notice of the Board's proceedings, and to organizations
9 representing persons affected by any proposed policy; and

10 D. by posting in appropriate places so that particular classes of
11 persons to whom an intended action is directed may be
12 notified.

13 The notice posted shall include a general statement of the general
14 subject matter to be considered.

15 Notice of special meetings shall be sufficiently in advance of the
16 meeting to allow the public to attend. Such notice shall contain the
17 date, time, place, and purpose of the meeting.

18 F.S. 120.525, 120.81, 1001.372

19 0165 **Meetings**

20 The School Board shall hold at least one (1) regular meeting each
21 month and may call special meetings as needed. The sessions will be
22 held in any appropriate public place in the county, provided due
23 public notice is given.

1 In accordance with law, regular meetings shall be held at the time
2 fixed at the annual organizational meeting. Such notification shall be
3 made immediately after the annual organization meeting at which the
4 Board fixes regular meeting dates and times. Should the date of a
5 regular meeting fall on a holiday, the Board may change the meeting
6 date at any prior meeting. Every Board member shall be notified of
7 the change by letter or by distribution of the Board minutes which
8 carry a record of the change. The Superintendent shall be responsible
9 for public notice of changed meetings.

10 F.S. 1001.372

11 In accordance with law, all meetings at which official acts are to be
12 taken are declared to be open public meetings, and no resolution,
13 rule, policy, regulation, or formal action shall be considered binding
14 except as taken or made at such a meeting. All meetings of the Board
15 shall be open to the public, except as provided by Florida statute, and
16 the order of business of any regular meetings shall include an
17 opportunity for the public to address the Board as provided in Bylaw
18 0169.1 below.

19 F.S. 447

20 Revised 3/4/14

21 0165.1 **Agendas**

22 The Superintendent shall establish the agenda for School Board
23 meetings in consultation with the Board Chairman. Individual
24 members of the Board may place items for discussion on an agenda
25 by advising the Superintendent of their desire to do so. A motion to
26 rescind or to amend action previously taken shall be timely placed on
27 the agenda since either motion may be considered a "proposition".
28 The Superintendent shall establish reasonable procedures and
29 deadlines for the receipt of requests to place items of business on the
30 agenda and requests to make a presentation in the public discussion
31 period. The agenda for regular Board business meetings, hearings,
32 and workshops shall be prepared in time to ensure that a copy of the
33 agenda may be received at least seven (7) days before the event by any
34 reasonable cost of the copy. After the agenda has been made
35 available, change shall be only for good cause, as determined by the
36 person designated to preside, and stated in the record.

- 1 A. The agenda of the regular business meeting or special meetings
2 shall be accompanied by descriptive materials from the
3 Superintendent of information relating to the District with
4 such recommendations as s/he shall make.
- 5 B. The agenda for each regular business meeting shall be
6 distributed to each Board member so as to provide proper time
7 for the member to study the agenda. Generally, the agenda
8 should be distributed no later than seven (7) days prior to the
9 meeting, or delivered so as to provide time for the study of the
10 agenda by the member. The agenda for a special meeting shall
11 be delivered at least twenty-four (24) hours before the meeting,
12 consistent with provisions calling for special meetings.
- 13 C. The Board shall transact business according to the agenda
14 prepared by the Superintendent and submitted to all Board
15 members in advance of the meeting. The order of business may
16 be altered and items added at any meeting by a majority vote
17 of the members present.
- 18 D. Consent Agenda
- 19 The Board shall use a consent agenda to keep routine matters
20 within a reasonable time frame.
- 21 A member of the Board may request any item be removed from
22 the consent agenda and defer it for individual discussion,
23 public comment (if otherwise permitted), and action. No vote
24 of the Board will be required to remove an item from the
25 consent agenda. A single member's request shall cause it to
26 be relocated as an action item eligible for discussion, public
27 comment (if otherwise permitted), and action. Any item on the
28 consent agenda may be removed and discussed as a nonaction
29 item or be deferred for further study and discussion at a
30 subsequent Board meeting if the Superintendent or any Board
31 member thinks the item requires further discussion.

1 E. The agenda for special meetings called by the Superintendent,
2 or by the Superintendent on request of the Board Chairman,
3 or on the request of a majority of the Board members, shall be
4 prepared upon the calling of the meeting but not less than
5 forty-eight (48) hours prior to such a meeting. The order of
6 business at special meetings of the Board shall be established
7 by the Board.

8 Revised 3/4/14

9 0165.4 **Recess**

10 The School Board may at any time move for a recess or intermission
11 in the day's proceedings. If a recess is provided for in the agenda, the
12 Chair, when the time arrives, announces the fact and says the
13 assembly stands in recess, to the specified hour. When the Board
14 meets at the time that the recess is to conclude, the Chair calls the
15 assembly to order and the business proceeds as a continuation of the
16 previous session. (Reference: Robert's Rules of Order, Newly Revised)

17 0165.5 **Adjourn**

18 The School Board may, at any time during a meeting, adjourn the
19 meeting to a specified date and time. Before accepting a motion to
20 adjourn, the Chair should be sure that no important matters have
21 been overlooked. If there are announcements to be made they should
22 be attended to before adjournment.

23 0166 **Executive Session**

24 The School Board reserves the right to meet privately in executive
25 session to discuss collective bargaining issues, pending litigation, and
26 such other issues authorized by law.

1 0166.1 **Work Sessions**

2 Work sessions may be called by the Chairman of the School Board,
3 the Superintendent, or a majority of Board members solely for the
4 purpose of exploring matters which constitute the business of the
5 school system. Each Board member shall be formally notified of such
6 work session through the office of the Superintendent sufficiently in
7 advance of the session to enable all members to attend. Notification
8 shall include the general subject areas for discussion. Work sessions
9 include workshops, discussion sessions, round table sessions,
10 information sessions, town hall meetings, intergovernmental
11 meetings with other governmental officers, and any other meeting
12 held by the Board at which no official action of the Board is taken.
13 The Board, by resolution, shall establish how each type of workshop
14 is recorded and the seating configuration.

15 A. The Superintendent, acting as secretary, shall take minutes of
16 all matters discussed during work sessions to be read and
17 approved at the next regular or special meeting.

18 B. Work sessions are solely for the purpose of communicating
19 information and general discussion. The Board shall take no
20 formal action in a work sessions nor shall they agree to any
21 decisions with respect to issues which may be brought forward
22 at a regular or special Board meeting.

23 F.S. 1001.41

24 0167 **Voting**

25 All motions shall require for adoption a majority vote of those present
26 and voting, except as provided by statute, these bylaws, or
27 parliamentary authority. Upon the demand of any member of the
28 School Board, the vote shall be recorded by roll call.

29 ~~Abstentions shall only be permitted as authorized by law.~~

30 All actions requiring a vote can be conducted by voice vote or show of
31 hands, unless a roll-call vote is requested or required. Each vote and
32 abstention shall be recorded. Proxy voting is prohibited.

33 Abstentions shall only be permitted as authorized by law.
34

1 **Conflict of Interest**
2

3 Pursuant to State law, no Board member shall vote in an official
4 capacity upon any measure which would inure to his/her special
5 private gain or loss; which s/he knows would inure to the special
6 private gain or loss of any principal by whom s/he is retained or to
7 the parent organization or subsidiary of a corporate principal by
8 which s/he is retained, other than an agency as defined in F.
9 S. 112.312(2); or which s/he knows would inure to the special private
10 gain or loss of a relative or business associate of the Board member.
11 Such Board member shall, prior to the vote being taken, publicly state
12 to the assembly the nature of the Board member's interest in the
13 matter from which s/he is abstaining from voting. Such Board
14 member shall make every reasonable effort to disclose the nature of
15 his/her interest as a public record in a memorandum filed with the
16 person responsible for recording the minutes of the meeting, who
17 shall incorporate the memorandum in the minutes. If it is not possible
18 for the ~~State public officer~~ Board member to file a memorandum
19 before the vote, the memorandum must be filed with the person
20 responsible for recording the minutes of the meeting no later than
21 fifteen (15) days after the vote.
22

23 **Quasi-Judicial Proceedings**
24

25 If the official decision, ruling, or act occurs in the context of a quasi-
26 judicial proceeding, a Board member may abstain from voting on such
27 matter if the abstention is to assure a fair proceeding free from
28 potential bias or prejudice.

29 F.S. 112.3143, 286.012

30 0167.1 **Use of Electronic Communications**

31 Under no circumstances shall Board members use electronic
32 communications to discuss among themselves Board business that is
33 only to be discussed in an open meeting of the Board, is part of an
34 executive session, or could be considered an invasion of privacy if the
35 message were to be monitored by another party.

36 There should be no expectation of privacy for any electronic
37 communications. Electronic communications that have been deleted
38 may still be accessible on the hard drive, if the space has not been
39 occupied by other messages. Electronic communications, deleted or
40 otherwise, may be subject to disclosure under the Public Records Act,
41 unless an exemption would apply.

1 Further, the Board prohibits adults from knowingly distributing to
2 minors any material that is obscene and harmful to minors, as
3 defined in F.S. 847.012, in any format through e-mail sent, or caused
4 to be sent, to or through the District's network. An adult who
5 knowingly distributes any such material to a minor through e-mail
6 sent, or caused to be sent, to or through the District's network also
7 commits a felony under State law.

8 F.S. 847.012

9 Revised 3/4/14

10 0168 **Minutes**

11 The Superintendent shall act as secretary and shall cause to be kept
12 official minutes of all its meetings showing the time and place, the
13 members present, the subjects considered, a summary of the
14 deliberations sufficient enough for the public to understand the basis
15 for the School Board's actions, the actions taken, the vote of each
16 member on roll-call votes, and any other information required to be
17 shown in the minutes by law, which shall be available to the public.

18 The minutes of Board meetings shall be considered at the next regular
19 meeting, corrected, and approved. The approved minutes shall be
20 signed by the Superintendent and the Chairman.

21 Recordings shall be made of each meeting of the Board as an
22 administrative aid and shall be preserved as public documents of the
23 Board as required by State statute. The recordings shall also be
24 referred to in the written minutes.

25 The approved minutes shall be filed in the Board office in a prescribed
26 minutes book as a permanent record of official Board proceedings.

27 F.S. 1001.42

28 0169.1 **Public Participation at Board Meetings**

29 The School Board recognizes the value to school governance of public
30 comment on educational issues and the importance of allowing
31 members of the public to express themselves on school matters of
32 community interest.

1 Members of the public shall be given a reasonable opportunity to be
2 heard on a proposition before the Board.

3 For purposes of the policy, a proposition is an item before the Board
4 for a vote, and includes, but is not necessarily limited to, all items on
5 the agenda noted as unfinished business, consent, and nonconsent.
6 A proposition may also include a vote on a motion to rescind or to
7 amend action previously taken, but does not generally include items
8 on the special order agenda. A proposition does not include items
9 wherever found on the agenda upon which the Board votes in its
10 quasi-judicial capacity.

11 The opportunity to be heard need not occur at the same meeting at
12 which the Board takes official action on the proposition if the
13 opportunity occurs at a meeting that is during the decision-making
14 process and is within reasonable proximity in time before the meeting
15 at which the Board takes the official action. This policy does not
16 prohibit the Board from maintaining orderly conduct or proper
17 decorum in a public meeting.

18 The opportunity to be heard is subject to policies adopted by the
19 Board as follows:

20 A. Guidelines regarding the amount of time an individual has to
21 address the Board:

22 1. Each statement made by a member of the public shall
23 be limited to three (3) minutes duration. Persons will be
24 recognized in the order in which the requests were
25 received.

26 2. The time period may be extended by the presiding
27 officer.

28 3. Only the individual submitting a speaker's form is
29 allowed to address the Board. Time may not be "yielded"
30 to other speakers.

1 B. Procedures for allowing representatives of groups or factions
2 on a proposition to address the Board:

3 Rather than all members of groups or factions for or against a
4 proposition addressing the Board at meetings in which a large
5 number of individuals wish to be heard, the Board encourages
6 representatives of such groups or factions to address the
7 proposition in their representative capacity.

8 C. Procedures or forms for an individual to use in order to inform
9 the Board of a desire to be heard:

10 Attendees must register their intention to participate in the
11 public portion of the meeting upon their arrival at the meeting
12 by completing a speaker's form at the entry of the meeting hall
13 indicating his/her support, opposition, or neutrality on a
14 proposition; and indicating his/her designation of a
15 representative to speak for him/her or his/her group on a
16 proposition if s/he so chooses.

17 The presiding officer of each Board meeting at which public
18 participation is permitted shall administer the rules of the Board for
19 its conduct.

20 The presiding officer shall be guided by the following rules:

21 A. Public participation shall be permitted as indicated on the
22 order of business and before the Board takes official position
23 on any action item under consideration.

24 B. Participants must be recognized by the presiding officer and
25 will be requested to preface their comments by an
26 announcement of their name and group affiliation, if and when
27 appropriate.

28 C. All statements shall be directed to the presiding officer; no
29 person may address or question Board members individually.
30 Staff members shall not be expected to answer questions from
31 the audience unless called upon by the Board Chairman or the
32 Superintendent.

- 1 D. Recordings are permitted under the following conditions:
- 2 1. No obstructions are created between the Board and the
3 audience.
- 4 2. No interviews are conducted in the meeting room while
5 the Board is in session.
- 6 3. No commentary, adjustment of equipment, or
7 positioning of operators is made that would distract
8 either the Board or members of the audience while the
9 Board is in session.

- 10 E. The presiding officer may:
- 11 1. interrupt, warn, or terminate a participant's statement
12 when the statement is too lengthy, abusive, or obscene;
- 13 2. request any individual to leave the meeting when the
14 conduct of that person disrupts the meeting;
- 15 3. request the assistance of law enforcement officers in the
16 removal of a disorderly person when that person's
17 conduct interferes with the orderly progress of the
18 meeting;
- 19 4. call for a recess or an adjournment to another time when
20 the lack of public decorum so interferes with the orderly
21 conduct of the meeting as to warrant such action.

22 No Board action shall be taken on requests made during public
23 discussion unless the Board declares the matter to be an emergency
24 in accordance with current law. Any other requests that the Board
25 chooses to take action on shall be placed on an agenda for a
26 subsequent meeting.

27 The requirement for public comment on action items does not apply
28 to:

- 29 A. an official act that must be taken to deal with an emergency
30 situation affecting the public health, welfare, or safety, if
31 compliance with the requirements would cause an
32 unreasonable delay in the ability of the Board to act;

- 1 B. an official act involving no more than a ministerial act,
2 including, but not limited to, approval of minutes and
3 ceremonial proclamations;
 - 4 C. a meeting that is exempt from F.S 286.011 (the Public Meetings
5 Law); or
 - 6 D. a meeting at which the Board is sitting in its quasi-judicial
7 capacity.
- 8 These exemptions do not affect the right of a person to be heard as
9 otherwise required by law or Board policy.
- 10 F.S. 286.011, 286.0114
- 11 Revised 3/4/14

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1

SUPERINTENDENT OF SCHOOLS

2 The Superintendent, as secretary and executive officer of the School Board, shall
3 have the responsibility for the administration and management of the District's
4 schools and for the supervision of instruction in the District.

5 The Superintendent shall enforce the rules of the State Board of Education, rules of
6 the Florida Department of Education, and the policies of this Board.

7 The Superintendent shall provide educational direction for the instructional staff
8 and supervision for the support staff.

9 The Florida statutes vest in the Superintendent the following powers:

10 A. exercise general oversight over the District in order to determine
11 problems and needs, and recommend improvements.

12 B. advise and counsel with the Board on all educational matters and
13 make recommendations to the Board for action regarding such
14 matters as should be acted upon.

15 C. recommend to the Board such policies as the Superintendent may
16 consider necessary for the District's more efficient operation.

17 D. prepare and submit to the Board for adoption such policies to
18 supplement those rules adopted by the State Board of Education
19 that, in the Superintendent's judgment, will contribute to the
20 efficient operation of the District, and, upon adoption by the Board,
21 require compliance with these policies.

22 E. from time-to-time prepare, organize, and submit to the Board for
23 adoption such minimum standards relating to the operation of any
24 phase of the District program as are needed, in the Superintendent's
25 judgment, to supplement standards of the State Board of Education
26 and as will contribute to the efficient operation of the District's
27 program, and, upon adoption by the Board, require that said
28 standards are observed.

29 F. as executive officer, the superintendent shall have responsibility for
30 execution and signing of contracts and other documents approved
31 by the Board;

1 G. perform such duties and exercise such responsibilities as are
2 assigned to the Superintendent by law and by rules of the State
3 Board of Education.

4 The Superintendent shall perform the duties and responsibilities set forth in the
5 Florida statutes, including, but not limited to, the following:

6 A. require the participation of all instructional staff members and
7 school administrators in training on the District's standards of
8 ethical conduct and the related policies and procedures upon
9 employment and annually thereafter

10 B. may authorize the expenditure of budgetary funds to provide
11 professional or institutional membership to non-profit educational
12 and community organizations which serve a public or educational
13 purpose

14 If the membership is an individual membership, then the
15 membership must be transferrable to the School District.
16

17 C. make recommendations, nominations, proposals, and reports
18 required by law to be acted upon by the Board

19 D. keep the Board informed of school operation by preparing Board
20 agendas, providing oral and written communication, scheduling
21 management meetings, and requesting special Board meetings that
22 become necessary to keep the Board properly informed

23 E. prepare and submit the annual budget to the Board for adoption
24 and to direct all expenditures within the appropriations adopted by
25 the Board

26 F. direct the work of all personnel in accordance with the Florida
27 statutes, Federal law, and the policies of the Board

28 G. recommend measures to the Board so that adequate educational
29 facilities are available throughout the District

30 H. assign staff to their respective teaching duties

31 I. work cooperatively with parents and community groups concerned
32 with programs in the schools

1 J. participate in such conferences and courses of continuing
2 professional education so that s/he may function more efficiently
3 and effectively

4 K. authorize administrators to enter into agreements with consultants

5 L. delegate authority to staff in any matters, when it becomes
6 expedient to do so, and assume full responsibility for the execution
7 and satisfactory completion of the delegated activities

8 M. Moving Expenses
9

10 The Superintendent shall have the authority to approve moving
11 expenses not to exceed \$3,000 for potential recruited administrative
12 or other personnel where deemed appropriate. The Superintendent
13 shall develop procedures to ensure that this expenditure will not be
14 disproportionate in relationship to the compensation paid for the
15 position, and that the monies expended will be devoted strictly for
16 actual expenses reasonably incurred by such employee relocating
17 into Indian River County for the purpose of becoming a new hire in a
18 position with the School District.

19
20 The Superintendent shall also address by procedure the standards
21 and means by which any portion of the moving expenses paid may
22 be recovered by the School District in the event the employee leaves
23 the employment of the District within such specified periods of time
24 determined by the Superintendent in his/her procedure.

25 The Superintendent may authorize changes or exceptions as necessary from
26 implementing the instructional program.

27 Pursuant to State law, the superintendent shall complete four (4) hours of ethics
28 training each calendar year that addresses, at a minimum, the constitutional
29 "Sunshine Law" provisions (Article II, Section 8), the statutory Code of Ethics for
30 Public Officers and Employees (F.S. Chapter 112, Part III), and the public records
31 and public meetings laws. This requirement may be satisfied by completion of a
32 continuing legal education class or other continuing professional education class,
33 seminar, or presentation if the required subjects are covered.

34 Pursuant to the Florida statutes, the Superintendent shall not knowingly sign and
35 transmit to any state official a report that the Superintendent knows to be false or
36 incorrect. Furthermore, the Superintendent shall investigate any allegation of
37 misconduct by instructional staff members or school administrators, as defined in
38 F.S. 1012.01, which affects the health, safety, or welfare of a student, and shall

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY**

ADMINISTRATION
1030/page 4 of 4

1 report the alleged misconduct to the Department as required the Florida statutes
2 and Policy 8141 – Reporting Misconduct.

3 F.S. 1001.49, 1001.51

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PREFERENCE FOR VETERANS IN EMPLOYMENT

Preference in employment, reemployment, promotion, and retention shall be given to an eligible veteran, pursuant to the provisions below, as long as the veteran meets the minimum eligibility requirements and has the knowledge, skills, and abilities required for the particular position.

Appointment or Retention in Positions of Employment

Preference shall be given pursuant to the following:

- A. Those disabled veterans:
 - 1. who have served on active duty in any branch of the United States Armed Forces ~~of the United States~~, have ~~been separated therefrom under honorable conditions~~ received an honorable discharge, and have established the present existence of a service-connected disability ~~which~~ that is compensable under public laws administered by the U.S. Department of Veterans' Affairs; or
 - 2. who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense.
- B. The spouse of any a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of any a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.
- C. A wartime veteran ~~of any war~~ as defined in F.S. 1.01(14). ~~The veteran must have who has~~ served at least one (1) day during a wartime period ~~to be eligible for veterans' preference~~. Active duty for training ~~shall~~ may not be allowed for eligibility under this paragraph.
- D. The unremarried widow or widower of a veteran who died of a service-connected disability.

- E. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.
- F. A veteran as defined in F.S. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.
- G. A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

Preference in employment and retention may be given only to eligible persons who are described above ~~and who are residents of this State.~~

In all positions in which the appointment or employment of persons is not subject to a written examination, first preference in appointment, employment, and retention processes shall be given to persons included under A and B above, ~~and~~ second preference shall be given to persons included under C and D above, and third preference shall be given to persons included under E, F, and G above who possess the minimum qualifications necessary to discharge the duties of the position involved.

A disabled veteran employed as the result of being placed at the top of the appropriate employment list shall be appointed for a probationary period of one (1) year. At the end of such period, if the work of the veteran has been satisfactorily performed, the veteran will be subject to the employment policies of the District.

Reinstatement or Reemployment

When a District administrator has served in the Armed Forces of the United States and is discharged or separated therefrom with an honorable discharge, the District shall reemploy or reinstate such person to the same position that s/he held prior to such service in the Armed Forces, or to an equivalent position, provided such person returns to the position within one (1) year of his/her date of separation or, in the case of extended active duty, within one (1) year of the date of discharge or separation subsequent to the extension. Such person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position.

Further, the District shall reemploy or reinstate the person who was a veteran when employed by the District and who was recalled to extended active duty in the Armed Forces of the United States and was discharged or separated therefrom with an honorable discharge to the same position that s/he held prior to service in the Armed Forces, or to an equivalent position, provided the person returns to the position within one (1) year of his/her date of separation or, in the case of extended active duty, within one (1) year of the date of discharge or separation subsequent to the extension. The person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position. For the purposes of this section, "extended active duty" means active duty, other than for training, beyond the date of honorable discharge or separation, due to military requirements.

The provisions in the preceding two (2) paragraphs pertaining to persons who are reemployed or reinstated shall apply only to a veteran's first promotion after reinstatement or reemployment, without exception.

F.S. 110.2135, 295.07, 295.08, 295.085, 295.09

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DRUG AND ALCOHOL TESTING OF
EMPLOYEES WHO PERFORM SAFETY SENSITIVE FUNCTIONS

The School Board believes that the safety of students is of utmost importance and is the responsibility of the employee. To fulfill such a responsibility, employees who perform safety-sensitive functions must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' and students' health and well-being.

For purposes of this policy and the procedures associated with the policy, the following definitions shall apply.

- A. The term *illegal drug* means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
- B. The term *controlled substance* includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.
- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety-sensitive functions* includes all tasks associated with the operation and maintenance of Board-owned vehicles and other functions as assigned by the superintendent where impaired judgment puts in jeopardy the safety of employees or students.

- E. The term *while on duty* means all time from the time the employee begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

The Board requires all employees to comply with Board Policy 1124 on Drug Free Schools which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the Board concurs with the Federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substance while on duty.

The Board directs the Superintendent to establish a drug and alcohol testing program whereby any staff member performing safety sensitive functions, is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opiates
- D. Amphetamines
- E. Phencyclidine (PCP)

The drug tests are to be conducted in accordance with Federal and State regulations:

- A. prior to employment (Controlled Substances Only);
- B. for reasonable cause;
- C. upon return to duty after any alcohol or drug rehabilitation;

- D. after any accident;
- E. on a random basis, and
- F. on a follow-up basis.

Candidates shall also be tested for the presence of alcohol in their system prior to employment.

Any staff member who is subject to drug tests in accordance with this policy and who tests positive shall be

1. prohibited from performing safety sensitive functions;
2. referred to the District's Employee Assistance Program;
3. subject to discipline, up to and including discharge, in accordance with District procedures and the terms of any applicable collective bargaining agreements, and/or
4. subject to discipline, up to and including discharge, in accordance with District procedures and the terms of any applicable collective bargaining agreements.

Furthermore, if during any test the lab determines that an adulterant has been added to the specimen, then the test will be considered positive.

Any staff member who refuses to submit to a test shall be prohibited from performing or continuing to perform his/her safety-sensitive functions and may be subject to disciplinary action up to and including termination.

A staff member who voluntarily discloses that they have an addiction to alcohol or controlled substances may participate in the Employee Assistance Program, and will qualify for the receipt of medical insurance benefits for treatment of alcohol or substance abuse, including follow-up care, to the extent that such benefits are provided for or offered in the Board's health insurance package. Voluntary disclosure of an alcohol or drug addiction by a staff member will not subject the staff member to disciplinary action unless such disclosure is made after the staff member is selected to be tested or immediately prior to the selection of staff members to be tested. Nothing herein shall prevent the Board from disciplining a staff member for misconduct associated with his/her alcohol and/or drug use regardless of whether the employee has disclosed that s/he has an alcohol or drug addiction.

A staff member will be subject to disciplinary action, up to and including termination, for any of the following reasons:

- A. reports for duty or performs work while having an alcohol concentration of 0.02 or greater
- B. reports for duty or performs work while testing positive for using a prohibited drug, or while being under the influence of a prohibited drug
- C. refuses to submit to drug and/or alcohol testing
- D. alters or attempts to alter or unduly influence alcohol and/or drug testing results
- E. fails to remain readily available for post-accident testing (including notifying his/her supervisor of his/her location, if the staff member leaves the scene of the accident prior to the submission of a post-accident test, unless the staff member's departure is to obtain necessary emergency medical care)

Prior to the beginning of the testing program, the District shall provide a drug-free awareness program which will inform each employee holding a safety sensitive position about:

- A. the dangers of illegal drug use and controlled substance and alcohol abuse;
- B. Board Policy 1124 - Drug-Free Workplace, Policy 1161 - Fitness for Duty, Policy 1170 - Substance Abuse, and Policy 1170.01 - Employee Assistance Program;
- C. the sanctions that may be imposed for violations of Policy 1124.

All time spent undergoing an alcohol or controlled substance test, including travel time, will be paid at the staff member's regular rate of pay, or at his/her overtime rate, if applicable. Any staff member who is not allowed to return to work while awaiting test results will be compensated during the waiting period for all work time lost, including overtime, if applicable. The Board shall pay all costs associated with the administration of alcohol and controlled substance tests. This includes testing of the "split specimen" at a Federally certified laboratory if so requested by a staff member. The Board will not pay for the employee's time while not on duty, if the split specimen test results are positive.

Alcohol and drug test results shall be protected as confidential medical records as appropriate under the Americans With Disabilities Act (i.e. test results shall be provided on a right to know basis. -

A tested individual, upon written request, will have access to any records relating to his/her use of drugs and alcohol, including any records pertaining to his/her drug and alcohol tests. A tested individual must provide written authorization before his/her test result can be provided to any other person except a government agency specified in the applicable Federal regulations.

All tests shall be conducted in accordance with Federal testing procedures and be performed by a laboratory that is Federally certified (i.e. testing procedures and devices used will be as set forth in 49 C.F.R. Part 40).

The alcohol and drug testing program shall be under the direction of the Superintendent.

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples
- B. clear and consistent communication with the District's Medical Review Officer (MRO)
- C. methodology and procedures for conducting random tests for controlled substances and alcohol
- D. preparation and submission of all required reports to the District, the MRO, and to Federal and State governments

The Superintendent shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.

Educational materials explaining the requirements of the Federal regulations and of the Board's policies and procedures to meet the Federal regulations shall be provided to all staff members, including the following:

- A. the name of the person designated by the Board to answer questions about the materials
- B. information sufficient to make clear to employees the period of the work day during which they are required to comply with the regulations
- C. information concerning what conduct is prohibited
- D. the circumstances under which employees are subject to testing

- E. the procedures for testing in order to protect the employee and the integrity of the testing process, to safeguard the validity of the test results, and to confirm the results are attributed to the correct employee
- F. the requirement that staff members must submit to testing as required by the regulations
- G. an explanation of what constitutes a refusal to be tested and the attendant consequences
- H. the consequences of testing positive, including the requirements of immediate removal from safety-sensitive functions, and the procedures regarding referral, evaluation, and treatment
- I. the consequences for a test indicating an alcohol concentration greater than 0.02, and
- J. information concerning the effects of alcohol and drug misuse on an individual's health, work, and personal life; signs and symptoms of an alcohol problem (the employee's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected (including confrontation and how to refer someone to an Employee Assistance Program or to management)

These materials are to be distributed to each staff member upon being hired or transferred into a covered position thereafter. Each staff member must sign a statement certifying receipt of these materials. Each employee (and labor organization representing Board employees) shall receive written notice of the availability of this information, and the identity of the Board's designated representative in charge of answering employee questions about the materials.

F.S. 112.0455, 440.102, 1012.45

21 U.S.C. 812, Schedules I-V of Section 202 of the Controlled Substances Act

21 C.F.R. 1308.11-.15

34 C.F.R. Part 40 (DOT)

49 C.F.R. Parts 382 and 391 (FHWA)

49 C.F.R. 382.101 et seq.

Omnibus Transportation Employee Testing Act, Pub. L. 102-143, Title V

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WEAPONS

But for the exceptions specified below, pursuant to State law, tThe School Board prohibits ~~administrative staff members~~ District employees from ~~possessing, storing, making, or using a weapon, including~~ openly carrying a handgun or carrying a concealed weapon or firearm, in a school safety zone, into any elementary or secondary school, administration building, as well as into any Board meeting, and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.

Exceptions to the Board's prohibition from openly carrying a handgun or carrying a concealed weapon or firearm, in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school-sponsored event, or in a District vehicle include the following:

- A. A person may carry an unloaded firearm in a case to a firearms program, class or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.
- B. A person may carry an unloaded firearm in a case to a career center having a firearms training range.

- C. A person may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use.

This exception shall not apply to employees or students eighteen (18) years of age or older who park their private motor vehicles on school property.

- D. Members of the Armed Forces, National Guard, police or other licensed law enforcement officers, as well as other persons approved by the school or District on a case-by-case basis, may possess a firearm or weapon.

- E. Contractors, vendors, or their employees may possess and use tools, instruments, and other devices on District property or at District-sponsored events, including in vehicles in either situation, even though such items fall within the definition of weapons, provided that such possession and use is in accordance with the terms of a written contract with the Board, or is otherwise in furtherance of their duties under such a contract and is authorized in advance by the Superintendent.

~~Staff members~~All District employees shall immediately report knowledge of ~~dangerous firearms,~~ weapons, and/or threats of violence by students, staff members, or visitors to the Superintendent. Failure to report such knowledge may subject ~~the staff member~~District employees to discipline.

The Superintendent shall ~~ensure~~require that any ~~staff member~~District employee possessing a firearm, weapon, or other device designed to inflict serious bodily harm, including a concealed firearm or weapon, in violation of this policy and State law, is reported immediately to the appropriate law enforcement agency, regardless of whether such ~~staff member~~District employee possesses a valid concealed weapon license. As well, the staff member shall be subject to disciplinary action, up to and including termination, consistent with law, due process, and the terms of any negotiated agreement.

~~The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities.~~

The Superintendent shall ~~conspicuously~~ post ~~such~~ notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from openly carrying a handgun or carrying a concealed weapon or firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. ~~Such~~ ~~N~~ notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and ~~parcel of land~~ school campuses. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.

F.S. 790.001, 790.06, 790.115, 790.251, 1001.43, 1006.07
18 U.S.C. 922

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EVALUATION OF ADMINISTRATIVE PERSONNEL

Pursuant to State law, each administrator shall be evaluated annually by the administrator's immediate supervisor utilizing the approved District evaluation system. The purpose of this performance evaluation shall be continuous quality improvement of the professional skills of each administrator.

Each evaluation shall relate, but not be limited to, the duties specified in the job description.

The evaluation shall be completed and on file in accordance with the time schedule established by the Superintendent. The written report of the evaluation must be on file and provided to the employee within ten (10) days after the evaluation conference. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his/her personnel file. The evaluator may amend an evaluation based upon assessment data from the current year if the data becomes available within ninety (90) days after the close of the school year.

An evaluation shall be submitted at the time an administrator leaves the District if services terminate prior to annual evaluations.

An administrator shall be given a copy of any documents relating to his/her performance that are to be placed in the personnel file.

School Administrators

As set forth in State law, at least fifty percent (50%) of a school administrator's performance evaluation, or forty percent (40%) if less than three (3) years of student performance data are available, must be based upon learning growth or achievement of the students attending that school; the remaining portion shall be based upon factors identified in the District-determined, State-approved evaluation system plan.

Student achievement measures for courses associated with Statewide assessments may be used only if a Statewide growth formula has not been approved for that assessment or, for courses associated with School District assessments, if achievement is demonstrated to be a more appropriate measure of teacher performance.

For purposes of performance salary schedules adopted in accordance with State law, the student assessment data in the performance evaluation must be from Statewide assessments or District-determined assessments in the subject areas taught.

The evaluation criteria for each school administrator's annual evaluation must include, but are not limited to, the following:

- A. student performance, as described above;
- B. instructional leadership, including:
 - 1. performance measures related to the effectiveness of classroom teachers in the school;
 - 2. the administrator's appropriate and effective use of evaluation criteria and procedures;
 - 3. recruitment and retention of effective and highly effective classroom teachers;
 - 4. improvement in the percentage of instructional personnel evaluated at the highly effective and effective level; and
 - 5. other leadership practices that result in student learning growth;
- C. professional and job responsibilities adopted by the State Board, as well as additional professional and job responsibilities established by the Board.

The performance evaluation system must include a mechanism to give parents and teachers an opportunity to provide input into the school administrator's performance assessment, when appropriate. Administrators shall be informed of the criteria and procedures associated with the performance evaluation process before evaluation begins.

The Superintendent shall annually report the evaluation results of school administrators using the four (4) levels of performance set forth in State law to the FLDOE. The Superintendent shall also notify the FLDOE of any school administrators who receive two (2) consecutive unsatisfactory evaluations, as well as any school administrators who are given written notice by the District of intent to terminate or not renew their employment.

The school administrator assessment system shall be evaluated annually to determine compliance with State law and this policy. All substantial revisions to an approved system shall be approved by the Board, upon the recommendation of the Superintendent, before being submitted to the Florida Department of Education for approval.

Annual Review of District School Administrator Evaluation System

The Superintendent shall develop procedures for annual review of the school administrator evaluation system to analyze whether it complies with Florida law and this policy. All substantial revisions to the evaluation system must be reviewed and approved by the Board before being used to evaluate school administrators. Substantial revisions are those that would cause an amendment to which performance levels would be assigned to administrative personnel.

F.S. 1012.01, 1012.22, 1012.34, 1012.3401

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COMPENSATION ADMINISTRATIVE SALARY

Salary Schedule

The base salary of all administrators shall be determined by the School Board and shall be authorized by the annual following salary schedules adopted by the Board upon the recommendation of the Superintendent:-

- A. the annual salary schedule for District-based administrators;
- B. the grandfathered salary schedule for school administrators who were hired before July 1, 2014; and
- C. the performance salary schedule for school administrators who are hired after July 1, 2014.

If budget constraints in any given year limit the Board's ability to fully fund all adopted salary schedules, the performance salary schedule shall not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the District

Annual Salary Schedule for District-Based Administrators

The annual salary schedule for district-based administrators shall be used as the basis for paying administrators classified as district-based instructional administrators and district-based non-instructional administrators.

The annual salary schedule shall provide a salary adjustment for advanced degrees earned beyond the minimum qualifications for the position.

Grandfathered Salary Schedule for School Administrators

The grandfathered salary schedule shall be used as the basis for paying school administrators hired before July 1, 2014. For purposes of this salary schedule, "school administrators" include principals; school directors who are staff members performing the assigned activities as the administrative head of a school; career center directors; and, assistant principals.

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~~Pursuant to statutory requirements, the adopted~~ The grandfathered salary schedule for school administrators shall base a portion of the school administrator's salary on demonstrated performance as ~~required by State law and~~ evaluated in accordance with State law and Policy 1220, Evaluation of Administrative Personnel.

The grandfathered salary schedule for school administrators shall provide differentiated pay that is based upon the following District-determined factors:

~~In setting a salary schedule for school administrators, a Board may not use advanced degrees for school administrators hired on or after July 1, 2011, unless the advanced degree is held in the individual's area of certification and is only provided as a salary supplement.~~

~~The adopted salary schedule shall also provide for differentiated pay for school-based administrators based upon District-determined factors, including the following:~~

- A. additional responsibilities;

Upon the recommendation of the Superintendent, the Board shall approve a list of additional responsibilities for which school administrators shall receive differentiated pay.

The Human Resources Department shall submit to the Superintendent a list of school administrators who are assigned one (1) or more of the additional responsibilities approved by the Board for the current school year.

The Superintendent will authorize payment of the salary adjustment specified in the Board adopted salary schedule to the school administrators who are assigned additional responsibilities.

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

B. school demographics;

Upon the recommendation of the Superintendent, the Board shall approve a list of school demographics for which school administrators shall receive differentiated pay.

The Human Resources Department shall submit to the Superintendent a list of school administrators who are assigned to schools that have the demographics that were approved by the Board for the current school year.

The Superintendent will authorize payment of the amount specified in the Board adopted salary schedule as a salary adjustment for assignment to a school that has the demographics listed above.

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

C. critical shortage areas;

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

The Human Resources Department shall submit to the Superintendent a list of school administrators assigned to positions that have been identified as critical shortage areas by the State Board of Education or District.

The Superintendent will authorize payment of the amount specified in the Board adopted salary schedule as an adjustment to the compensation of the school administrators assigned in critical shortage areas.

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

D. level of job performance difficulties;

Upon the recommendation of the Superintendent, the Board shall approve a list of job performance difficulties for which school administrators shall receive differentiated pay.

The Human Resources Department shall submit to the Superintendent a list of staff members whose assignment is characterized by the job performance difficulties that were approved by the Board for the current school year.

The Superintendent will authorize payment of the amount specified in the adopted salary schedule as a salary adjustment to the school administrators eligible as a result of these job performance difficulties inherent in their assignment.

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

As provided by law, these annual salary adjustments become part of the school-based administrator's base salary for the next school year.

Salary Supplements

In addition to the annual salary adjustments described above, the Board shall also award the following salary supplements as annual additions to the salaries:

for administrators who were hired before July 1, 2011 for any advanced degree held;

Performance Salary Schedule for School Administrators

Beginning July 1, 2014, school administrators new to the district, returning to the district after a break in service without an authorized leave of absence, or appointed for the first time to a school-based administrative position in the District shall be placed on the performance salary schedule. After receiving a recommendation from the Superintendent, the Board shall establish the base salary for these school-based administrators.

The base salary for administrators who choose to move from the grandfathered salary schedule to the performance salary schedule will be the salary they received in the prior year, including adjustments only.

A. **Salary Adjustments**

The annual salary adjustment under the performance salary schedule for a school-based administrator rated as highly effective must be greater than the highest annual salary adjustment available to a school-based administrator of the same classification through any other salary schedule adopted by the District.

The annual salary adjustment under the performance salary schedule for a school-based administrator rated as effective must be equal to at least fifty percent (50%), and no more than seventy-five percent (75%), of the annual adjustment provided for a highly effective school-based administrator of the same classification.

The performance salary schedule shall not provide an annual salary adjustment for a school-based administrator who receives a rating other than highly effective or effective for the year.

B. Salary ~~Adjustments~~Supplements

In addition to the annual salary adjustments described above, the Board shall also award salary supplements that are annual additions to the school-based administrator's salary. Salary supplements shall be paid ~~to school-based administrators~~ for the following activities:

A1. assignment to a Title I eligible school;

The Human Resources Department will submit to the Superintendent a list of school-based administrators who are assigned to a Title I school.

The Superintendent will authorize payment of the supplement specified in the performance salary schedule for school-based administrators for assignment to a Title I school.

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

B2. assignment to a school ~~in the bottom two (2) categories of the school improvement system established by State law such that the supplement remains in force for [] one (1) year [] _____ years~~ following improved performance in the school that received an "F" or three (3) consecutive grades of "D" pursuant to the school grading system established by State law;

The Human Resources Department will submit to the Superintendent a list of administrators who were assigned to a school that improved by at least one grade level for the previous school year.

The Superintendent will authorize payment of the supplement specified in the performance salary schedule for school-based administrators for one (1) year following improved performance in the school regardless of whether or not the administrator is assigned to the school that improved for the current school year.

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

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

The Human Resources Department shall submit to the Superintendent a list of school-based administrators assigned to positions that have been identified as critical shortage areas by the State Board of Education or District.

The Superintendent will authorize payment of the supplement specified in the performance salary schedule for school-based administrators for the school-based administrators assigned in critical shortage areas.

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

4. advanced degree in the area of certification.

The Human Resources Department shall submit to the Superintendent a list of staff members who have earned advanced degrees in their area of certification.

The Superintendent will authorize payment of the supplement specified in the performance salary schedule for school-based administrators for the school-based administrators who have earned advanced degrees in their area of certification.

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

~~Any salary adjustments or supplements that would constitute bonuses must be based upon work performance. The determination of such bonus must include a process that describes performance standards and an evaluation process consistent with Policy 1220. All employees eligible for such a bonus will be notified before the beginning of the evaluation period on which the bonus is to be based.~~

Bonuses or Severance Pay

Any salary adjustments or supplements that would constitute bonuses must be based upon work performance. The determination of such bonus must include a process that describes performance standards and an evaluation process consistent with Policy **1220**, Evaluation of Administrative Personnel. All employees eligible for such a bonus will be notified before the beginning of the evaluation period on which the bonus is to be based.

If the Board provides a bonus and/or severance pay to administrative staff that is not included in the employment contract, the bonus and/or severance pay shall strictly comply with the provisions of F.S. 215.425 that pertain to such bonuses and/or severance pay

F.S. 215.425, 1001.42(~~24~~), 1001.43, 1011.60, 1012.01, 1012.22, 1012.32, 1012.33
F.S. 1012.34
F.A.C. 6A-1.052, Salary Schedules to be Adopted for All Personnel

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1 PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

2 The School Board provides coverage to eligible employees under self-funded group
3 health plans. The Board has established the following self-funded group health
4 plans:

- 5 A. Medical Plan
- 6 B. Prescription Drug Plan
- 7 C. Dental Plan
- 8 D. Vision Plan
- 9 E. Employee Assistance Plan
- 10 F. Health Flexible Spending Accounts (FSA)
- 11 G. Critical Illness Plan
- 12 H. Cancer Plan
- 13 I. Life Insurance
- 14 J. Accidental Death and Dismemberment

15 The Board acknowledges that these group health plans are required to comply with
16 the HIPAA Privacy Rule as amended by Title I of the Genetic Information
17 Nondiscrimination Act (GINA). Certain health information maintained by these
18 group health plans is afforded significant protection by this Federal law.

19 The Board hereby appoints the Executive Director of Human Resources to serve as
20 the Privacy Protection Officer of the group health plans. The Board delegates
21 authority to the Privacy Protection Officer to develop and implement the internal
22 policies and procedures for the group health plan(s) relating to the use and
23 disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule
24 is subsequently amended, the Privacy Protection Officer is authorized to make
25 necessary amendments to the internal policies and procedures.

26 The Board also acknowledges that the HIPAA Security Rule requires group health
27 plans to implement various security measures with respect to electronic protected
28 health information. The board hereby appoints the Executive Director of Human
29 Resources to serve as the security official of the group health plans.
30

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1 The Board delegates authority to the security official to develop, propose to the
2 Board, and implement policies for the group health plans relating to the security of
3 electronic protected health information, if applicable, following Board approval. In
4 the event that the HIPAA Security Rule is subsequently amended, the security
5 official is authorized to recommend to the Board necessary amendments to the
6 applicable policies. ~~The Privacy Protection Officer shall develop administrative~~
7 ~~procedures necessary to implement this policy.~~
8

9 The Board further delegates authority to the privacy official and/or the security
10 official to undertake such other actions as provided by the administrative
11 procedures in effect from time to time. The privacy official and/or security official
12 shall report his/her progress to the Board upon request. The Board reserves the
13 right to revoke any or all delegations set forth in this policy at any time for any
14 reason.
15

16 Since the Department of Health and Human Services (HHS) has the authority to
17 impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule and
18 the HIPAA Security Rule, the Board agrees to indemnify and hold harmless the
19 privacy official and the security official for any CMP imposed upon the privacy
20 official and the security official in connection with the performance of his/her duties
21 for the group health plans. Notwithstanding the forgoing language, the Board shall
22 not indemnify the privacy official and/or the security official in the event the CMP
23 was imposed as the result of intentional misconduct or gross negligence by the
24 privacy official and/or security official.

1 ~~The Privacy Protection Officer shall report his/her progress to the Board upon~~
2 ~~request.~~

3 ~~Since the Department of Health and Human Services (HHS) has the authority to~~
4 ~~impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule, the~~
5 ~~Board agrees to indemnify and hold harmless the Privacy Protection Officer for any~~
6 ~~CMP imposed upon him/her in connection with the performance of his/her duties~~
7 ~~for the group health plans. Notwithstanding the foregoing language, the Board shall~~
8 ~~not indemnify the Privacy Protection Officer in the event the CMP was imposed as~~
9 ~~the result of intentional misconduct or gross negligence by the Privacy Protection~~
10 ~~Officer.~~

11 ~~The Board reserves the right to revoke any or all delegations set forth in this policy~~
12 ~~at any time for any reason.~~

13 F.S. 1002.22
14 20 U.S.C. 1232g
15 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
16 29 C.F.R. Part 1635

17 © **NEOLA 2010**

1430.03 - SICK LEAVE

Administrative staff members who are appointed to work half-time or more shall earn one (1) day of paid sick leave for each full month of employment. Earned sick leave shall be pro-rated in proportion to the number of hours employed per day. Sick leave may not be used before it is earned and credited.

A. Accrual

1. Four (4) days of earned sick leave credit shall be annually advanced at the end of the first month of employment of each contract year, and one (1) day of sick leave will be advanced at the end of each successive month of employment. However, each employee is entitled to earn no more than one (1) day of sick leave times the number of months of employment during the year of employment.
2. An employee who is in an active pay status, including leave with pay, shall earn sick leave for each month in which s/he receives pay for one (1) day more than half the number of work days during that month.
3. An employee who is on leave without pay during a month shall earn sick leave for that month if s/he has worked one (1) day more than half the number of work days during that month.
4. If the employee terminates his or her employment and has not accrued the four (4) days of sick leave available to him/her, the School Board may withhold the average daily amount for the days of sick leave used but unearned by the employee.
5. Sick leave shall be cumulative from year to year.

B. Use

1. An employee taking sick leave shall notify the appropriate supervisor and file a request for leave of absence form (Form 3430.03 F1) before beginning the leave, if possible. In an emergency, the request for leave of absence form (Form 3430.03 F1) may be filed immediately following return to duty.
2. Sick leave shall be in increments of one-half (1/2) or full days, and may be taken for the following reasons:
 - a. when the employee is unable to perform his/her duty in the school on account of personal sickness, accident, disability, or extended personal illness, and consequently has to be absent from his/her work;
 - b. for the illness or death of the employee's spouse, child, father, mother, brother, sister, other close relative, or member of the employee's own household;

- c. as personal leave with pay for up to five (5) days per fiscal year; and
- d. for the maternity or paternity of the employee or the employee's spouse, child, other close relative, or member of the employee's own household.

C. Transfer

1. From Other Public Schools

Sick leave may be transferred from other public schools in Florida funded through the Florida Education Finance Program. Transferred days may only be credited in a number equal to the number of days earned in this District.

2. To Family Members

An employee may authorize transfer of accrued sick leave to his/her spouse, child, parent, or sibling, who is also a District employee, provided that the transfer relates to one of the reasons set forth in Paragraph (B)(2) herein.

The personnel administrator approving the leave may require documentation of the recipient's relationship to the authorizing employee.

D. Compassionate Leave Program

The Compassionate Leave Program is established as a mechanism for accepting from qualified employees the voluntary donation of time from annual accumulated sick leave. Compassionate Leave may be utilized by eligible employees who need extended time off due to a catastrophic, serious health condition or life-altering event of a member of the employee's immediate family, or for someone residing within the employee's household, for whom the employee is the primary caregiver.

Exclusions include but are not limited to, normal pregnancy, any injury covered by Worker's Compensation or mental/nervous conditions, chemical dependency, alcoholism or related conditions. The following criteria will govern the creation, maintenance and use of Compassionate Leave Program:

- 1. Recipient must have been a regular employee of the district for at least one full year preceding the current fiscal year and must have used all available sick and vacation leave prior to receiving donated leave.

2. Donors are eligible to donate creditable time they have earned as long as the employee retains a minimum of 30 days of available leave after the donation is deducted.
3. The leave will be donated to a specific employee at the time the donation takes place
4. Donations will be on first received from donor, first transferred to recipient.
5. Recipient must complete an application for the Compassionate Leave Program which will contain:
 - a. Employee name
 - b. Employee Identification number
 - c. Beginning and Ending dates of leave requested
 - d. Last day of available paid leave
 - e. Explanation regarding the circumstances surrounding the reason for the leave
 - f. Physician's Statement Form providing documentation of the injury, illness or accident or other appropriate documentation for which leave is requested.
6. In no event shall any compassionate leave time approved under this policy exceed 60 days.
7. Any unused transferred sick leave hours will be returned to the authorizing employee on a last in, first out basis

F.S. 402.22, 1001.41, 1001.42(5), 1001.43(11), 1012.22, 1012.23, 1012.61
F.S. 1012.62, 1012.66

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MILITARY LEAVE

The School Board supports individuals willing to serve in the armed forces of the United States or the State of Florida to protect our country and State. In accordance with State and Federal laws, administrative staff members who must be absent from work for military service are entitled to take a military leave of absence in accordance with this policy.

Administrative staff members called to duty are required to notify the Superintendent immediately unless notice is impossible or prevented by military necessity or, under all of the relevant circumstances, the giving of such notice is otherwise impossible or unreasonable.

Reserve or Guard Training

All administrative staff members in this District who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard are entitled to leaves of absence from their respective duties, without loss of vacation leave, pay, time, or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty.

Compensation allowed for military leave to participate in required training exercises shall not exceed 240 hours in any one (1) annual period as provided in F.S. 115.07. Such leave is not charged as vacation. It shall be established that the period selected is not at the convenience of the employee but a military necessity, if it falls within the school year. Upon the recommendation of the Superintendent, leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be without pay and may be granted by the Board and when so granted shall be without loss of time or efficiency rating.

When an administrative staff member's assigned employment duty conflicts with ordered active or inactive duty training, it is the responsibility of the Board to provide a substitute employee, if necessary, for the assumption of such employment duty while the employee is on assignment for the training.

Active Military Service

Administrative staff members who are service members of the National Guard or a reserve component of the Armed Forces of the United States shall be granted leave to perform active military service, the first thirty (30) days of any such leave to be with full pay.

Leave of absence for additional or longer periods of time for assignment to duty functions of a military character shall be established as the rate that is the difference between the employee's regular pay rate and their documented rate of pay for military service.

Re-Employment

Re-employment of all administrative staff members granted military leave shall be governed in accordance with 38 U.S.C. 4312. An administrative staff members who is granted military leave for active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice, provided that the administrative staff member gives notice and files an application for re-employment within the time limitations contained in Federal law. Administrative staff members will be returned to duty in the same or a similar position as previously held in accordance with Federal law.

Benefits During Military Leave

The Board shall continue to provide all health insurance and other existing benefits to administrative staff members as required by the Uniformed Services Employment and Reemployment Rights Act, Chapter 43 of Title 38 U.S.C.

Voluntary Service

When an employee enters voluntarily into any branch of the Armed Forces for temporary or an extended period of service, military leave shall be granted at the Board's discretion. An employee whose absence will interfere with the orderly operation of the school program shall be denied military leave, except in unusual cases.

Bargaining unit members should refer to the collective bargaining agreement for more information pertaining to military leave.

F.S. 115.07, 115.09, 115.14, 121.111, 250.341, 1012.23
38 U.S.C. 2021 et seq.
38 U.S.C. 4312
38 U.S.C. 4323

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LEAVES OF ABSENCE

A leave of absence is permission granted or allowed by the School Board under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of the leave.

Administrators shall not be absent from their assigned duties except as authorized by the Superintendent. An administrator who is willfully absent from duty without leave shall forfeit compensation for the time of such absence. Contracts or appointments shall be subject to cancellation by the Board and administrator shall be subject to immediate dismissal.

All leave shall expire no later than June 30th of each school year except as otherwise permitted by law or Board policy. If leave is requested to extend beyond June 30th, the administrator shall re-apply for leave to begin July 1st of the following school year.

Leave shall be used for the purposes set forth in the leave application. An administrator who uses leave for purposes other than that set forth in the leave application may be subject to discipline, up to and including termination.

Leave may be with or without pay as provided by law, regulations of the State Board, and this policy. For any absence that is without pay, the deduction in compensation for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the employment period.

- A. Paid leaves of absence may include: vacation, sick leave, personal charged to sick, jury/witness duty, illness- or injury-in-line-of-duty, professional and military.
- B. Unpaid leaves of absence may include: professional-~~study~~, personal ~~leave not paid~~, ~~illness leave not paid~~, family and medical leave, maternity/paternity, ~~adoption and child rearing leave~~ parent and extended personal without pay.

Approval of Leaves

All requests for leave shall be submitted on the proper form to the administrator's supervisor for review and recommendation to the Human Resources Department, which may or may not grant approval. Except in cases of emergency, a request for leave should be filed at least fifteen (15) days before the date on which the proposed leave is to become effective.

Long-term leave without pay may be granted for a period up to one (1) school year. However, no more than two (2) consecutive long-term leaves for any reason shall be approved.

The approval or denial of requests for leave shall be based on the requirements of efficient operation of the District school system, as well as on consideration of what is fair to the employee.

Except in the case of sick leave or emergency, leave requests shall be approved or denied before the effective date of the leave.

A. The Superintendent is authorized to grant the following types of leave for administrators:

accrued sick

illness- or injury-in-line-of-duty, up to ten (10) days

military, up to seventeen (17) days

personal, up to five (5)days

vacation (annual)

professional

jury/witness duty

temporary duty elsewhere

B. The Superintendent is authorized to approve Family and Medical Act (FMLA) Leave under Policy 1430.01, FMLA Leave.

All other requests for leave require a recommendation by the Superintendent and approval of the Board.

F.S. 1012.22, 1012.61, 1012.63, 1012.64, 1012.66, 1012.67
F.A.C. 6A-1.080, Maximum Extent of Leave

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SCHOOL IMPROVEMENT

The School Board supports the concept of school improvement as established by the State Board of Education and will seek to create and/or maintain effective schools as defined by Florida statute. The Board shall annually approve and require implementation of a new, amended, or continuation school improvement plan for each school in the District. In an effort to improve students' academic progress, each school, in conjunction with the School Advisory Council (SAC), shall develop, implement, monitor, and evaluate annually a school improvement plan.

In addition to adopting a mission statement and educational philosophy for the District, the Board shall create, as needed, policies which support the school improvement process.

The Superintendent shall establish administrative procedures which will provide for:

A. School improvement plans which are developed and implemented by school-based teams, working collaboratively, so that both building level and District level goals for students can be identified and correlated, and then achieved through effective planning, problem solving, and assessment.

Each year the school improvement plans for schools that include any of grades K-12 shall include information and data on the school's early warning system as required by this policy and Florida law.

For grades 6-8, the school's early warning system shall include the following:

1. a list of the early warning indicators as required by State law and set forth in this policy;
2. the number of students identified by the system as exhibiting two (2) or more early warning indicators;
3. the number of students by grade level that exhibit each early warning indicator; and
4. a description of all intervention strategies employed by the school to improve the academic performance of students identified by the early warning system.

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In addition, the school improvement plan for a school that includes any of grades 6, 7, or 8 shall describe the strategies used by the school to implement the instructional practices for middle grades emphasized by the District's professional development system pursuant to State law.

B. A District-wide, school-improvement plan which provides for building-level decision-making regarding program assessment, curriculum review, determination of performance standards, budgetary review, staff development, and the monitoring and assessment of student outcomes.

C. Collaboration at both the building and District levels with parents, relevant institutions and groups, especially those in the community, who can support and facilitate school improvement in the District.

D. A system of school reports and dissemination of information regarding the performance of students and educational programs as required by Florida statute and State Board of Education rule.

In order to enhance school improvement, the Superintendent is authorized to waive any policy that has been enacted in order to comply with the following Federal statutes/regulations and to request waivers from these laws/regulations from the Superintendent of Public Instruction:

Titles I, II, IV, VI, and Part C of Title VII of the ESEA Act of 1965

The Carl Perkins Vocational and Applied Technology Education Act

The General Education Provisions Act

Parts of Education Department General Administrative Regulations

In requesting such waivers, the Superintendent is to abide by the procedures established by the State Department of Education.

84
85
86 **Early Warning System**
87

88 Every school in the District with grades 6, 7, or 8 shall implement an early warning
89 system to identify students who need additional support to improve academic
90 performance and stay engaged in school. The early warning system shall include
91 the following early warning indicators:

- 92
93 A. Attendance below ninety percent (90%) regardless of whether absence is
94 excused or a result of out-of-school suspension.
95
96 B. One (1) or more suspensions whether in school or out of school.
97
98 C. Course failure in English Language Arts or mathematics.
99
100 D. A Level 1 score on the Statewide, standardized assessments in English
101 Language Arts or mathematics.
102

103 When a student exhibits two (2) or more early warning indicators, the school's child
104 study team or a school-based team formed for the purpose of implementing the
105 requirements of this policy and State law shall convene to determine appropriate
106 intervention strategies for the student. The school shall provide at least ten (10)
107 days' written notice of the meeting to the student's parent indicating the meeting's
108 purpose, time, and location so that the parent has the opportunity to participate.

109 **SECONDARY SCHOOL REFORM**
110

111 ~~The District is implementing a Secondary School Reform Plan, which is designed to~~
112 ~~ensure instructional excellence and community engagement. The underlying~~
113 ~~principle of the plan is to significantly alter the educational experience of students in~~
114 ~~grades six through twelve with the intention of meeting the following goals:~~

- 115
116 ~~A. raise the academic performance of all students;~~
117
118 ~~B. increase the graduation rate;~~
119
120 ~~C. reduce the achievement gap;~~
121
122 ~~D. implement a cycle of continuous improvement in academics; and~~
123
124 ~~E. produce literate graduates who are ready for college, career, and~~
125 ~~citizenship.~~
126

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129 F.S. 100.42, 1001.452, 1003.02, 1008.345, 1012.98
130

NEW POLICY - VOL. 15, NO. 1

DIGITAL CLASSROOMS

Pursuant to State law, a digital classrooms plan (the plan) shall be developed to meet the unique needs of the District's students, schools, and personnel. The Superintendent is authorized to develop the plan for the School Board's consideration and adoption.

In developing the plan, the Superintendent will, among other things, seek input from the District's instructional, curriculum, and information technology staff to develop of the digital classrooms plan.

Further, the plan that is developed shall be within the parameters that are set forth in F.S. 1001.20. In addition, the plan must include, and be annually updated to reflect, the following:

- A. measurable student performance outcomes;

The outcomes related to student performance, including outcomes for students with disabilities, that are established in the plan must be tied to the efforts and strategies to improve outcomes related to student performance by integrating technology in classroom teaching and learning that are described in the plan. Results of the outcomes shall be reported at least annually for the current school year, and for up to the subsequent three (3) years when that data is available, and be accompanied by an independent evaluation and validation of the reported results.

- B. digital learning and technology infrastructure purchases and operational activities;

Such purchases and activities must be tied to the measurable outcomes established under item "A" above, including, but not limited to, connectivity, broadband access, wireless capacity, Internet speed, and data security, all of which must meet or exceed minimum requirements and protocols established by the Florida Department of Education (FLDOE). For each year that the District uses funds for infrastructure, a third-party, independent evaluation of the District's technology inventory and infrastructure needs must accompany the plan.

- C. professional development purchases and operational activities;

Such purchases and activities must be tied to the measurable outcomes established under item "A" above, including, but not limited to, using technology in the classroom and improving digital literacy and competency.

- D. digital tool purchases and operational activities;

Such purchases and activities must be tied to the measurable outcomes established under item "A" above, including, but not limited to, competency-based credentials that measure and demonstrate digital competency and certifications; third-party assessments that demonstrate acquired knowledge and use of digital applications; and devices that meet or exceed minimum requirements and protocols established by the FLDOE.

- E. online assessment-related purchases and operational activities;

Such purchases and activities must be tied to the measurable outcomes established under item "A" above, including, but not limited to, competency-based credentials that measure including, but not limited to, expanding the capacity to administer assessments and compatibility with minimum assessment protocols and requirements established by the FLDOE.

[OPTION: Select if the District participates in Federal technology initiatives and grant programs]

- The plan shall include provisions for meeting requirements of Federal technology initiatives and grant programs for which the District receives funding.

The Superintendent shall recommend the adoption of the plan by the Board.

Following adoption by the Board, the digital classroom plan shall be submitted to the FLDOE for approval by the date determined by the FLDOE.

Pursuant to the plan, teachers, administrators, students, and parents shall be provided access to:

- A. instructional materials in digital or electronic format, as defined in State law,
- B. digital materials, including those digital materials that enable students to earn certificates and industry certifications pursuant to State law, and
- C. teaching and learning tools and resources, including the ability for teachers and administrators to manage, assess, and monitor student performance data.

F.S. 1001.20, 1011.62

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NONDISCRIMINATION AND
ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

3 Any form of discrimination or harassment can be devastating to an individual's
4 academic progress, social relationship and/or personal sense of self-worth. As
5 such, the School Board will not discriminate nor tolerate harassment in its
6 educational programs or activities on the basis of race, color, national origin, sex,
7 disability (including HIV, AIDS, or sickle cell trait), marital status, age (except as
8 authorized by law), religion, military status, ancestry, or genetic information, which
9 are classes protected by State and/or Federal law (protected classes).

10 In addition, the Board will not discriminate nor tolerate harassment in its
11 educational programs or activities on the basis of sexual orientation or transgender
12 identity.

13 The Board also does not discriminate in its employment policies and practices as
14 they relate to students.

15 Equal educational opportunities shall be available to all students, without regard to
16 race, color, national origin, sex, disability (including HIV, AIDS, or sickle cell trait),
17 marital status, age (unless age is a factor necessary to the normal operation or the
18 achievement of any legitimate objective of the program/activity), religion, ancestry,
19 sexual orientation or transgender identity, place of residence within the boundaries
20 of the District, or social or economic background, to learn through the curriculum
21 offered in this District. Educational programs shall be designed to meet the varying
22 needs of all students.

23 In order to achieve the aforesaid goal, the Superintendent shall:

24 A. **Curriculum Content**

25
26 review current and proposed courses of study and textbooks to
27 detect any bias based upon the protected classes, as well as sexual
28 orientation or transgender identity, ascertaining whether or not
29 supplemental materials, singly or taken as a whole, fairly depict the
30 contribution of both genders, various races, ethnic groups, etc.,
31 toward the development of human society;

32 B. **Staff Training**

33
34 develop an ongoing program of in-service training for school
35 personnel designed to identify and solve problems of bias based
36 upon the protected classes, as well as sexual orientation or
37 transgender identity in all aspects of the program;

1 C. **Student Access**

2 1. review current and proposed programs, activities, facilities,
3 and practices to verify that all students have equal access
4 thereto and are not segregated on the basis of the protected
5 classes, as well as sexual orientation or transgender identity
6 in any duty, work, play, classroom, or school practice, except
7 as may be permitted under State and Federal laws and
8 regulations;

9 2. verify that facilities are made available for non-curricular
10 student activities that are initiated by parents or other
11 members of the community, including but not limited to any
12 group that is officially affiliated with the Boy Scouts or is
13 officially affiliated with any other Title 36 youth group,
14 pursuant to Board Policy 7510 - Use of District Facilities;

15 3. ~~In accordance with Florida statute,~~ The Board may establish
16 and maintain a single-gender nonvocational class,
17 extra-curricular activity, or school for elementary, middle, or
18 high school students and, in so doing, shall comply with all
19 requirements set forth in State law in that regard.

20 D. **District Support**

21
22 verify that like aspects of the District's program receive like support
23 as to staff size and compensation, purchase and maintenance of
24 facilities and equipment, access to such facilities and equipment,
25 and related matters;

26 E. **Student Assessment**

27
28 verify that tests, procedures, or guidance and counseling materials,
29 which are designed to evaluate student progress, rate aptitudes,
30 analyze personality, or in any manner establish or tend to establish
31 a category by which a student may be judged, are not differentiated
32 or stereotyped on the basis of the protected classes, as well as
33 sexual orientation or transgender identity.

1 The Superintendent shall appoint and publicize the name of the compliance officer(s)
2 who is/are responsible for coordinating the District's efforts to comply with
3 applicable Federal and State laws and regulations, including the District's duty to
4 address in a prompt and equitable manner any inquiries or complaints regarding
5 discrimination or denial of equal access. The Compliance Officer(s) shall also verify
6 that proper notice of nondiscrimination for Title II of the Americans with Disabilities
7 Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the
8 Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as
9 amended), the Age Discrimination Act of 1975, the Florida Civil Rights Act of 1992,
10 the Florida Educational Equity Act, and/or their implementing regulations is
11 provided to students, their parents, staff members, and the general public.

1 The Superintendent shall annually attempt to identify children with disabilities, ages
2 3-22, who reside in the District but do not receive public education. In addition,
3 s/he shall establish procedures to identify students who are Limited English
4 Proficient (LEP), including immigrant children and youth, to assess their ability to
5 participate in District programs, and develop and administer a program that meets
6 the English language and academic needs of these students. This program shall
7 include procedures for student placement, services, evaluation, and exit procedures
8 and shall be designed to provide students with effective instruction that leads to
9 academic achievement and timely acquisition of proficiency in English. As a part of
10 this program, the District will evaluate the progress of students in achieving English
11 language proficiency in the areas of listening, speaking, reading, and writing, on an
12 annual basis (see AP 2260F).

13 F.S. 553.501 et seq., Florida Americans with Disabilities Accessibility
14 Implementation Act
15 F.S. 553.014, 760.08, 760.021
16 F.S. 1000.05, Florida Educational Equity Act
17 [F.S. 1002.311](#)
18 F.A.C. 6A-19.001
19 Fourteenth Amendment, U.S. Constitution
20 20 U.S.C. Section 1681, Title IX of Education Amendment Act
21 20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974
22 20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act
23 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
24 29 U.S.C. Section 794, Rehabilitation Act of 1973, as amended
25 42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964
26 42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended
27 42 U.S.C. 6101 et seq., Age Discrimination Act of 1975
28 34 C.F.R. Part 110 (7/27/93)
29 29 C.F.R. Part 1635
30 Vocational Education Program Guidelines for Eliminating Discrimination and Denial
31 of Services, Department of Education, Office of Civil Rights, March 1979
32 Title III of the No Child Left Behind Act of 2001

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ANNUAL REPORT REQUIREMENTS

2 In any year that the District receives Title I funding, its annual report to the State
3 will include information required by law, including the following information:

4 A. number and percentage of schools identified for school improvement
5 and how long they have been in that category

6 B. achievement on statewide academic assessments, comparing the
7 District and the State as a whole

8 C. for each school ~~whether it has been identified for school~~
9 ~~improvement~~

10
11 1. whether it has been identified for school improvement and, if
12 so, for how many years, and

13
14 2. comparison of the school's student achievement on the
15 Statewide achievement assessments and other adequate
16 yearly progress indicators to those students in the District
17 and the State as a whole

18
19 D. ~~comparison of the school's student achievement on the statewide~~
20 ~~achievement assessments and other adequate yearly progress~~
21 ~~indicators to those students in the District and the State as a whole~~

22 This information must also be disseminated annually, ~~not later than the beginning~~
23 ~~of the school year~~, to all buildings and all parents, and make the information widely,
24 publicly available through such means as posting on the Internet and distribution to
25 local media and public agencies. Distribution to parents should be in an
26 understandable format and in a language that parents can understand. ~~This report~~
27 ~~to parents may be included with the student report cards at the end of the year, if all~~
28 ~~students receive report cards.~~

29 20 U.S.C. 6311
30 F.S. 1001.42, 1008.25, 1008.33, 1008.34, 1008.341, 1008.345

1 DUAL ENROLLMENT PROGRAMS-ARTICULATION AND ACCESS TO
2 FLORIDA COLLEGE SYSTEM INSTITUTIONS
3

4 ~~The School Board recognizes the value to students and to the District for students to~~
5 ~~participate in programs offered by accredited postsecondary institutions. The~~
6 ~~Superintendent shall annually develop/revise articulation agreements jointly with~~
7 ~~postsecondary institutions to provide a comprehensive articulated acceleration~~
8 ~~program.~~
9

10 **Postsecondary Enrollment Programs**

11
12 The School Board recognizes the value to students and to the District for students to
13 participate in programs offered by accredited colleges and universities. The
14 Superintendent will annually develop/revise articulation agreements jointly with
15 postsecondary institutions to provide a comprehensive articulated acceleration
16 program including, but not limited to, dual enrollment and early admission
17 programs.
18

19 The Board will approve participation by secondary students who meet the State
20 Board of Education's criteria, to enroll in approved postsecondary programs while in
21 attendance in the District. Students will be eligible to receive secondary credit for
22 completing courses contained in any of these programs. Such credit will count
23 toward graduation requirements.
24

25 No student may participate without the written consent of parents and the high
26 school principal.
27

28 The Superintendent shall establish the necessary administrative procedures to
29 comply with State law which will thereafter be properly communicated to both
30 students and their parents.
31

32 The postsecondary education institution will assign a letter grade for the student's
33 work in the course, and the District will be responsible for posting dual enrollment
34 course grades as assigned by the postsecondary institution to the high school
35 transcript. The Superintendent shall also establish procedures for the proper entry
36 on a student's transcript and other records of his/her participation in a
37 postsecondary program.
38

39 The District shall deny high school credit for any portion of postsecondary courses
40 which are taken during the period of a student's expulsion. Any Indian River
41 County Public School student who is expelled is not eligible for enrollment or

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY**

PROGRAM
2271/page 2 of 3

- 1 continuation in postsecondary courses during the period of expulsion except as
- 2 determined by mutual agreement between the District and the college or university.
- 3

1
2
3
4 **Collegiate High School Program**
5

6 The Board, in conjunction with Florida College System institutions, shall establish
7 one (1) or more collegiate high school programs. When creating a collegiate high
8 school program, the Board shall execute a contract with a local Florida College
9 System institution that contains all the requirements set forth in F.S. 1007.273.
10 The program shall be established a mutually agreeable location. Each contract
11 must be executed by January 1st of each school year for implementation during the
12 next school year.
13

14 The Board may execute a contract to establish a collegiate high school program with
15 a State university or an institution that is eligible to participate in the William L.
16 Boyd, IV, Florida Resident Access Grant Program, that is a nonprofit independent
17 college or university located and chartered in this State, and that is accredited by
18 the Commission on Colleges of the Southern Association of Colleges and Schools to
19 grant baccalaureate degrees. Such university or institution must meet the
20 requirements specified under F.S. 1007.273.
21

22 Collegiate high school programs in the District shall provide an option for
23 participating public school students in grades 11 or 12 for at least one (1) full year
24 to earn Career and Professional Education (CAPE) industry certifications pursuant
25 to F.S. 1008.44 and to successfully complete thirty (30) credit hours through the
26 dual enrollment program under F.S. 1007.271 toward the first year of college for an
27 associate degree or baccalaureate degree while enrolled in the program.
28

29 Students participating in a collegiate high school program must enter into a student
30 performance contract which must be signed by the student, the parent, and a
31 representative of the District and the applicable Florida College System institution,
32 State university, or other institution participating pursuant to State law. The
33 performance contract shall include the schedule of courses, by semester, and
34 industry certifications to be taken by the student, student attendance requirements,
35 and course grade requirements.
36

37 F.S. 1007.27, 1007.271, 1007.273, 1008.44

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PHYSICAL EDUCATION

2 The School Board recognizes the value of physical education to the maintenance of
3 the health and vitality of all students, as well as to the development of life-long
4 habits that will enhance personal fitness and wellness and has available to students
5 one-on-one counseling concerning the benefits of physical education.

6 Therefore, it shall be the policy of the Board that instruction in physical education
7 shall be available to all students in Pre-Kindergarten. Students in kindergarten
8 through grade five (5) shall be provided 150 minutes of physical education, as
9 defined in Florida statutes, each week. Students in grade six who are enrolled in a
10 school with students in Kindergarten through grade five shall also be provided 150
11 minutes of physical education as defined in Florida statutes each week.

12 For students in a middle school, which has enrolled students in grades six through
13 eight, each student is required to complete one (1) class period for one (1) semester
14 per school year of physical education.

15 Students in grades nine (9) through twelve (12) shall be required to earn a minimum
16 of one (1) credit in physical education.

17 The physical education curriculum in this District shall be in accord with standards
18 established by the Department of Education, as well as those recommended by the
19 National Association of Health, Physical Education, and Recreation.

20 Physical education instruction shall include activities requiring at least a moderate
21 level of physical exertion and duration sufficient to provide a health benefit for the
22 participants. When planning the required activities, the instructor shall consider
23 the different capabilities of the students and adapt the plans accordingly.

24 Furthermore, the outcomes of the physical education program in this District shall
25 stress physical fitness and encourage the development of a healthy, active life style.
26 Specific grade level outcomes shall be established annually in each school's school
27 improvement plan.

28 Each District shall notify student's parents of the options available to waive
29 participation in physical education prior to the placement of physical education on a
30 student's schedule. A student must meet one (1) of the following criteria to be
31 available for waiver from the required physical education class:

32 A. the student is enrolled or required to enroll in a remedial course;

- 1 B. the student's parent indicates in writing to the school that:
- 2 1. the parent requests that the student enroll in another course
3 from among those courses offered as options by the School
4 District; or
- 5 2. the student is participating in physical activities outside the
6 school day which are equal to or in excess of the mandated
7 requirement.

8 Provision shall be made at all levels to excuse individual students from specific
9 activities if direction to do so is received, in writing, from the student's physician.

10 Students may be excused from specific activities if those activities are contrary to
11 their religious beliefs. A request to excuse a student from such activities must be
12 received in writing from the student's parent or from the eligible student.

13 If one (1) of the above criteria is met and the parent has notified the District, the
14 student will not have physical education placed on their schedule for that ensuing
15 school year.

16 The Superintendent shall annually appoint _____(number) individuals to serve on
17 the District's Physical Education Committee. The committee will include
18 educational staff (including physical education teachers), school health
19 professionals, members of the public, and school administrators and will oversee the
20 implementation, evaluation, and periodic update, if necessary, of the physical
21 education policy.

22

23 The Superintendent shall be an ex officio member of the committee.

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The physical education committee will be responsible for accomplishing the following:

- A. review data about the implementation of the District's physical education policy in each of the District's schools;
- B. review the District's current physical education policy;
- C. conduct a meeting at which public input may be provided with regard to revisions needed to the physical education policy; and
- D. recommend revision of the policy, as necessary.

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Before the end of each school year the physical education committee shall submit to the Superintendent and Board their report in which they describe the implementation of the physical education policy in each school, and identify any revisions to the policy the committee deems necessary.

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The Superintendent shall report annually to the Board on the work of the physical education committee, including their evaluation of the implementation of the physical education policy District-wide, and the areas for improvement, if any, that the committee identified. The Superintendent shall also recommend any revisions deemed necessary to the policy for the Board's consideration and adoption.

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If revisions to the physical education policy are recommended and adopted, the Superintendent shall submit the revised policy to the Department of Education, as required by State law.

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F.S. 1003.453, 1003.455

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~~F.S. 1003.455~~

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DISTRICT-VIRTUAL INSTRUCTION PROGRAM

2 The District shall provide eligible students within its boundaries the following
3 options for participation part-time or full-time in virtual instruction, Kindergarten
4 through Grade 12:

5 A. through courses delivered in the traditional school setting by
6 instructional staff providing direct instruction through either virtual
7 instruction or by blending traditional and online instruction;

8 B. through enrollment in the Florida Virtual School;

9 C. through enrollment with Virtual Instruction Providers approved by
10 the Florida Department of Education (FLDOE);

11 ~~D. through participation in the District operated part time or full time~~
12 ~~virtual instruction programs organized under F.S. 1002.45(1);~~

13 ~~E. through enrollment in an online course offered by any other Florida~~
14 ~~school district.~~

D. through enrollment in an online course offered by an authorized provider in
which the district has an agreement~~any other Florida school district;~~

E. ~~X~~ through participation in the District-operated part-time or full-time virtual
instruction programs (VIP) organized under F.S. 1002.45(1).

15

16 Beginning with students entering Grade 9 in 2011-2012, aAt least one (1) of the
17 twenty-four (24) credits required for graduation must be earned through online
18 learning.

19 The District shall provide access to enroll in courses available through one of the
20 District options for virtual instruction, and shall award credit for successful
21 completion. Access to online courses is available to students during and after the
22 normal school day and through summer school enrollment. A public school student
23 will not be required to take an online course outside the regular school day in
24 addition to the student's courses for a given semester or on school grounds.

25 The purposes of the options above is to make instruction available to District
26 students using online and distance education technology in either a traditional
27 classroom or a nontraditional classroom (i.e., primarily outside of public school
28 buildings). If the student and his/her parents select part-time or full-time
29 instruction delivered by providers approved by the FLDOE, they will have the right
30 to select from the list of approved providers.

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- 1 The District may offer a full time or part time program for grade 9-12 students
- 2 enrolled in dropout prevention, academic intervention, Department of Juvenile
- 3 Justice (DJJ), core courses to meet class size requirements, or community colleges.

1 Student Eligibility

2 Students eligible for the District VIP program must meet at least one of the following
3 conditions:

4 A. The student has spent the prior school year in attendance at a
5 public school in this State and was enrolled and reported by a
6 public school district for funding during the preceding October and
7 February for the purposes of the Florida Education Finance Program
8 (FEFP) surveys.

9 B. The student is a dependent child of a member of the United States
10 Armed Forces who was transferred within the last twelve (12)
11 months to Florida from another state or foreign country pursuant to
12 the parent's permanent change of station orders.

13 C. The student was enrolled during the prior school year in a School
14 District virtual instruction program under F.S. 1002.45, a K-8
15 virtual school program under F.S. 1002.415, or a full-time Florida
16 Virtual School program under F.S. 1002.37(8)(a).

17 D. The student has a sibling who is currently enrolled in the School
18 District virtual instruction program and that sibling was enrolled in
19 such a program at the end of the prior school year.

20 E. The student is eligible to enter Kindergarten or first grade.

21 F. The student is eligible to enter grades 2 through 5 and is enrolled
22 full-time in a District virtual instruction program, virtual charter
23 school, or the Florida Virtual School.

1 **Open Enrollment**

2 The District will provide timely written notice to parents of at least one (1) open
3 enrollment period for full-time students of ninety (90) days or more which ends at
4 least thirty (30) days before the first day of the school year.

5

6 **Notification of Virtual Instruction Program to Parents and Students**

7

8 Within the first week of each school year, the District shall provide notification to
9 parents and students about a student's right and choice to participate in a virtual
10 instruction program and in courses offered by the Florida Virtual School under State
11 law.

12

13 F.S. 1000.04(4), 1001.20, 1001.42(23), 1002.20(6), 1002.321, 1002.37, 1002.45,
14 1002.455

15 F.S. 1003.02(1)(i), 1003.428(2)(c), 1003.498, 1006.29, 1007.27(1), 1011.62
16 Provider Approval for Virtual Instruction Program, F.A.C. 6A-6.0981

17 Revised ~~3/4/14~~ 12/15/14

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EDUCATIONAL OPTIONS

2 The School Board recognizes the need to provide alternative means by which
3 students achieve the goals of the District.

4 The District will provide students with access to courses available through a virtual
5 instruction program provided by the District, the Florida Virtual School and other
6 approved programs and award credit for successful completion of such courses. The
7 virtual instruction option shall consist of full-time and part-time virtual instruction
8 for students enrolled in kindergarten through grade 12.

9 The Superintendent shall prepare a plan of educational options for use in meeting
10 individual student needs. Such options may include, but not be limited to, distance
11 learning, on-line coursework, tutorial programs, independent study, correspondence
12 courses, educational travel, mentorship programs, summer school, dual enrollment,
13 collegiate high school programs, and early college entrance.

14

15 Participation must be subject to the oversight of a credentialed teacher who will
16 provide or supervise instruction, and evaluate student performance.

17

18 Credit shall be granted to the student upon successful completion of the program.
19 The credit shall be placed on the student transcript.

20 Credits earned from educational options may be counted toward graduation
21 requirements in accordance with applicable State law and administrative code.

22

23 The Superintendent shall develop the administrative procedures necessary to
24 implement this policy.

25

26 F.S. 1001.42, 1001.43, 1002.20(6), 1002.3105, 1002.321, 1002.37, 1003.4295

27 F.S. 1007.271

28 Revised ~~3/4/14~~ 11/7/14

29 © NEOLA ~~2013-2014~~

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CAREER AND TECHNICAL EDUCATION

2 The School Board recognizes that education is a function of both knowledge and the
3 application of knowledge. Education that ties abstract ideas to practical
4 applications also prepares students to use their minds, as well as preparing them to
5 be citizens, parents, and members of a civilized culture. Career and technical
6 education and academic education are complementary, rather than exclusive.

7 Career and technical education will provide experiences that complement and
8 reinforce academic concepts that are particularly amenable to contextualized
9 learning in a distinct career area and provide occupationally specific skills.

10 The Board shall provide career and technical education program offerings that
11 include, but are not limited to:

- 12 A. job preparatory courses designed to provide students with the
13 competencies necessary for effective entry into an occupation;
- 14 B. exploratory courses designed to give students initial exposure to
15 skills and attitudes associated with a broad range of occupations in
16 order to assist them in making informed decisions regarding their
17 future academic and occupational goals;
- 18 C. practical arts courses designed to teach students practical generic
19 skills which, although applicable in some occupations, are not
20 designed to prepare students for entry into an occupation;
- 21 D. career education instruction which is designed to strengthen and
22 integrate basic academic skills and career/technical skills and
23 occupational awareness;
- 24 E. accelerated career and technical programs such as vocational dual
25 enrollment designed to enable high school students to earn elective
26 credit toward graduation and postsecondary credit toward an A.S.
27 degree or a technical certificate.

28 Any effort to recruit students to participate in a particular career and technical
29 program shall follow applicable State and Federal laws regarding provision of
30 information.

1 Once developed, the Superintendent shall submit the career and technical education
2 curriculum to the Board for approval, and then submit it to the Department of
3 Education. This curriculum shall be updated annually, submitted to the Board for
4 approval, and then re-submitted to the Department of Education.
5
6

7 Career and technical education program offerings are available to middle and high
8 school students without regard to race, color, national origin, sex, age, or disability.
9 The Superintendent is to ensure that application forms for cooperative education
10 programs contain a notice of nondiscrimination. The notice of nondiscrimination
11 shall be part of the application forms provided to employers.
12

13 Procedures for program operation in accordance with applicable labor laws are
14 incorporated in the Florida Department of Education, Curriculum Frameworks, and
15 Student Performance Standards. Those documents are kept on file in the
16 Superintendent's office.
17

18 **Career and Professional Academies; Career-Themed Courses**

19 The District shall offer career and professional academies at the middle and high
20 school levels, and at least two (2) career-themed courses. A “career and professional
21 academy” is a research-based program that integrates a rigorous academic
22 curriculum with an industry-specific curriculum aligned directly to priority
23 workforce needs established by the regional workforce board or the Department of
24 Economic Opportunity. Students completing career and professional academy
25 programs must receive a standard high school diploma, the highest available
26 industry certification, and opportunities to earn postsecondary credit if the academy
27 partners with a postsecondary institution approved to operate in the state.

28 A “career-themed course” is a course, or a course in a series of courses, that leads to
29 an industry certification identified in the Industry Certification Funding List
30 pursuant to rules adopted by the State Board of Education. Career-themed courses
31 have industry-specific curriculum aligned directly to priority workforce needs
32 established by the regional workforce board or the Department of Economic
33 Opportunity. Students completing a career-themed course will be provided
34 opportunities to earn postsecondary credit if the credit for the career-themed course
35 can be articulated to a postsecondary institution approved to operate in the State.

36 The Board expects career and professional academies offered in the District's high
37 schools to provide rigorous and relevant career-themed courses that articulate to
38 postsecondary-level coursework and provide students with the opportunity to receive
39 a standard high school diploma, the opportunity to earn industry certification, the
40 opportunity to attain the Florida Gold Seal Vocational Scholars award, and the
41 opportunity to earn postsecondary credit.

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1 The Board further expects that students who successfully complete the curriculum
2 of the Career and Professional Academies that are established at the middle grades
3 level will have the opportunity to earn an industry certificate, high school credit, and
4 participate in career planning, job shadowing, and business leadership development
5 activities.

6 The Board encourages the Superintendent to forge partnerships with local
7 businesses in the development of career and professional academies. These
8 partnerships will help prepare students for the State's workforce needs, as well as
9 help attract, expand, and retain targeted, high-value industry and jobs in the
10 community.

1 A Florida Ready to Work Credential and portfolio will be awarded to students upon
2 successful completion of the instruction. Each portfolio must delineate the skills
3 demonstrated by the student as evidenced by the student's preparation for
4 employment. A Florida Ready to Work Credential is earned by students who
5 successfully pass assessments in Reading for Information, Applied Mathematics,
6 and Locating Information or any other assessments of comparable rigor. Each
7 assessment is scored on a scale of three (3) to seven (7) and a student receives a
8 level of credential based on the score they receive. A bronze-level credential requires
9 a minimum score of three (3) or above on each of the assessments, a silver-level
10 credential requires a minimum score of four (4) or above on each of the
11 assessments, and a gold-level credential requires a minimum score of five (5) or
12 above on each of the assessments.

13 The District's career and professional academies should increase student academic
14 achievement and graduation rates through integrated academic and career
15 curriculum. Each middle grades career exploration program, middle and high
16 grades career and professional academies leading to industry certification, and high
17 school graduation requirements shall be aligned.

18 Each career and professional academy and career-themed course at the high school
19 level must:

20 A. provide a rigorous standards-based academic curriculum integrated
21 with a career curriculum; consider multiple styles of student
22 learning; promote learning by doing through application and
23 adaptation; maximize relevance of the subject matter; enhance each
24 student's capacity to excel; and include an emphasis on work habits
25 and work ethics.

26 B. include one or more partnerships with postsecondary institutions,
27 businesses, industry, employers, economic development
28 organizations, or other appropriate partners from the local
29 community. Such partnerships with postsecondary institutions
30 shall be delineated in articulation agreements and include any
31 career and professional academy courses or career-themed courses
32 that earn postsecondary credit. Such agreements may include
33 articulation between the secondary school and public or private
34 two (2) year and four (4) year postsecondary institutions and
35 technical centers. Such partnerships must provide opportunities
36 for:

37 1. instruction from highly skilled professionals who possess
38 industry-certification credentials for courses they are
39 teaching;

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- 1 2. internships, externships, and on-the-job training;
- 2 3. a postsecondary degree, diploma, or certificate;

- 1 4. the highest available level of industry certification;
- 2 5. maximum articulation of credits pursuant to F.S. 1007.23
3 upon program completion.
- 4 C. promote and provide opportunities for students enrolled in a career
5 and professional academy or a career-themed course to attain, at
6 minimum, the Florida Gold Seal Vocational Scholars award
7 pursuant to F.S. 1009.536.
- 8 D. provide instruction in careers designated as high-skill, high-wage,
9 and high-demand by the regional workforce development board, the
10 chamber of commerce, economic development agencies, or the
11 Department of Economic Opportunity.
- 12 E. deliver academic content through instruction relevant to the career,
13 including intensive reading and mathematics intervention required
14 by F.S. 1003.428, with an emphasis on strengthening reading for
15 information skills.
- 16 F. offer applied courses that combine academic content with technical
17 skills.
- 18 G. provide instruction resulting in competency, certification, or
19 credentials in workplace skills, including, but not limited to,
20 communication skills, interpersonal skills, decision-making skills,
21 the importance of attendance and timeliness in the work
22 environment, and work ethics.
- 23 Each career and professional academy at the middle grades level must:
- 24 A. lead to careers in occupations designated as high-skill, high-wage,
25 and high-demand in the Industry Certification Funding List
26 approved under rules adopted by the State Board of Education.
- 27 B. integrate content from core subject areas.
- 28 C. integrate career and professional academy or career-themed course
29 content with intensive reading, English Language Arts, and
30 mathematics pursuant to F.S. 1003.428 and 1003.4282.
- 31 D. coordinate with high schools to maximize opportunities for middle
32 grades students to earn high school credit.

- 1 E. provide access to virtual instruction courses provided by virtual
2 education providers legislatively authorized to provide part-time
3 instruction to middle grades students. The virtual instruction
4 courses must be aligned to State curriculum standards for middle
5 grades career and professional academy courses or career-themed
6 courses, with priority given to students who have required course
7 deficits.
- 8 F. provide instruction from highly skilled professionals who hold
9 industry certificates in the career area in which they teach.
- 10 G. offer externships.
- 11 H. provide personalized student advisement that includes a parent-
12 participation component.

13 **Industry Certification in Industry-Certified Career Education Programs**

14
15 Secondary schools offering career-themed courses and career and professional
16 academies shall enable students in such programs to earn industry certification in
17 an industry that is:
18

- A. within an industry that addresses a critical local or Statewide
economic need;
- B. linked to an occupation that is included in the workforce system's
targeted occupation list; or
- C. linked to an occupation that is identified as emerging.

19
20 To earn industry certification, the student must demonstrate the required
21 proficiency on an assessment evaluated by an independent, third-party certifying
22 entity using predetermined standards for knowledge, skills, and competencies.
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4 **Collection of and Accounting for Expenditure of Block Tuition and Other Fees**
5 **for Career Centers**
6

7 The General Appropriations Act includes the standard tuition per contact hour for
8 residents and nonresidents and the out-of-state fee per contact hour. For adult
9 general education programs, block tuition of \$45.00 per half year or \$30.00 per term
10 shall be assessed.

11
12 According to the workforce development fees statute, a district's tuition must be
13 within five percent (above or below) of the standard tuition and out-of-state fee, if
14 applicable. For career certification programs, students who are classified as non-
15 residents for tuition purposes have a required out-of-state fee in addition the tuition.

16
17 If student financial aid fees are charged, the highest amount allowed is ten percent
18 of tuition; for capital improvement or technology fees, the amount allowed is five
19 percent each. Student financial aid, capital improvement, and technology fees are
20 discretionary and are not required.

21
22 All funds received from block tuition shall be used only for adult general education
23 programs.

24
25 Tuition shall be waived for undergraduate college credit programs and career
26 certificate programs for each recipient of a Purple Heart or another combat
27 decoration superior in precedent who meets the requirements of State law.

28
29 Out-of-state fees for students including, but not limited to, students who are
30 undocumented for Federal immigration purposes who meet the requirements of
31 State law.

32
33 The determination of resident status for tuition purposes in career centers shall be
34 made in accordance with State law.

35
36 **Strategic Plan to Address Local and Regional Workforce Demands**

37 Florida statutes require each Board to develop, in collaboration with regional
38 workforce boards, economic development agencies, and postsecondary institutions
39 approved to operate in the state, a strategic three (3) year plan to address and meet
40 local and regional workforce demands. If involvement of a regional workforce board
41 or an economic development agency in the strategic plan development is not
42 feasible, the Board, with the approval of the Department of Economic Opportunity,
43 shall collaborate with the most appropriate regional business leadership board.

44 The strategic plan must describe in detail provisions for the efficient transportation
45 of students, the maximum use of shared resources, access to courses aligned to
46 State curriculum standards through virtual education providers legislatively

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1 authorized to provide part-time instruction to middle school students, and an
2 objective review of proposed career and professional academy courses and other
3 career-themed courses to determine if the courses will lead to the attainment of
4 industry certifications included on the Industry Certified Funding List pursuant to
5 rules adopted by the State Board of Education.

1

2 The strategic three (3) year plan shall be constructed and based upon the elements
3 set forth in F.S. 1003.491. Each strategic plan shall be reviewed, updated, and
4 jointly approved every three (3) years by the School District, regional workforce
5 boards, economic development agencies, and State-approved postsecondary
6 institutions.

7 F.S. 445.004, 445.006, 446 et seq., 450.081, 1001.42, 1003.01, 1003.4156

8 F.S. 1003.428, 4003.4282, 1003.491, 1003.492, 1003.493, 1003.4935, 1004.91

9 F.S. 1004.92, 1009.21, 1009.22, 1009.26, 1008.44, 1009.536, 1011.62, 1011.8029

10 U.S.C. 201-219

11 F.A.C. 6A-6.301 through 6A-6.371, 6A-6.672, 6A-14.37

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The School Board of Indian River County Bylaws & Policies

Unless a specific policy has been amended and the date the policy was revised is noted at the bottom of that policy, the bylaws and policies of The School Board of Indian River County were adopted on August 13, 2013.

2431 - INTERSCHOLASTIC ATHLETICS

The School Board recognizes the value of interscholastic athletics and the positive impact sports have on students. A program of interscholastic athletics for students is an integral part of the total school experience and benefits the community as a whole. The program should foster the growth of school loyalty within the student body as a whole and stimulate community interest in athletics. Participation in the District's interscholastic athletics programs by a student is a privilege, not a right.

The program of interscholastic athletics shall include all activities relating to competitive sport contests, games, events, or sport exhibitions involving individual students or teams of students from high schools in this District with those from a high school in another district.

Competition involving middle schools (grades 6-8) shall be in accordance with Florida High School Athletic Association's (FHSAA's) bylaws.

Since the primary purpose of the interscholastic athletics program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship, team play, and fair competition, rather than on winning, particularly at sub-varsity levels.

An interscholastic contest is any competition between organized teams or individuals of different schools in ~~an FHSAA sanctioned, recognized or club sport~~ a sport recognized by the FHSAA, and therefore shall be subject to all regulations pertaining to such contests. The interscholastic athletics program shall be considered an essential part of the total school program and shall be under the principal's direction and general supervision. The principal shall select the personnel to direct and to act as coaches and advisors.

Interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by a school or the District alone. It should also offer an opportunity for career and educational development. The game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

Appropriate adult supervision consistent with Florida law shall be provided to all students.

Eligibility and Regulation

All middle schools and high schools shall be members of the FHSAA and governed by its rules and regulations. All District students (including transfer students) shall satisfy the eligibility requirements established by the FHSAA, Florida law, and Board Policy [2431.01](#).

The Principal of each District school shall be responsible for determining each participant's eligibility pursuant to State law, the rules of this Board, and the bylaws of the FHSAA. Any school that allows an ineligible student to participate shall be subject to the penalties set forth in Florida law and the bylaws of the FHSAA. (see also Policy [2431.01](#))

The Superintendent shall develop appropriate administrative procedures for the operation of the interscholastic athletics program. Such regulations should provide for the following safeguards:

- A. Prior to enrolling in the sport, each participant shall submit to a thorough physical examination by a District-approved physician and parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation. Physicals must be dated June 1st or later of the current school year.
- B. Any student who is found to have a health condition which may be life-threatening to self or others shall not be allowed to participate until the situation has been analyzed by a medical review panel that has determined the conditions under which the student may participate. Pursuant to F.S. 1006.20(2)d, the District shall not be liable for any student with a health condition who has been authorized to play by the parent(s) if the parent(s) of the student objects in writing to the student undergoing a medical evaluation because such evaluation is contrary to his/her religious tenets or practices.
- C. Any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation.
- D. In order to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and lay coaches should never dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes.
- E. The Superintendent and District school principals will require that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate.

Recruiting Prohibited/Penalties

The Board recognizes that the recruitment of student athletes is strictly prohibited by F.S. 1006.20. The FHSAA, through its bylaws, has prescribed penalties, sanctions and an appeals process for athletic recruiting violations. These penalties and sanctions may be applied by the FHSAA against a member school, student athletes and coaches. In addition to FHSAA penalties and sanctions, District employees found to have engaged in the improper recruitment of a student athlete may be subject to disciplinary action, up to and including termination.

A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any enrollment or eligibility document or accepted any benefit or any promise of benefit if such benefit is not generally available to the school's students or family members or is based in any way on athletic interest, potential, or performance.

Eligibility Appeals

If the Principal determines that a transfer student is ineligible to participate in interscholastic athletics, a student may submit an appeal in accordance with Florida law and the FHSAA's Bylaws.

See also Policy [5610.05](#) - Prohibition from Extra-Curricular Activities

F.S. 1002.20, 1006.15, 1006.20

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DRIVER EDUCATION

2

The School Board shall make available a program of driver education to students in the secondary schools. A course of study and instruction in the safe and lawful operation of a motor vehicle shall be made available.

3

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~~The School Board shall offer a program of driver education to students in the secondary schools. The Board chooses to charge for the behind the wheel portion of the driver education course at the rate established by the Board.~~ Secondary schools shall provide preferential enrollment to any student in the custody of the

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Department of Children and Families so long as the student maintains appropriate progress as required by the student's school.

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F.S. 1003.48

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SUMMER SCHOOL PROGRAMS

2 ~~The School Board shall conduct a summer program of instruction for those ESE~~
3 ~~students needing extended school year service, as identified in their I.E.P. and other~~
4 ~~programs as required by Florida statutes.~~

5 ~~Contingent upon available funding and resources, the Board may conduct a summer~~
6 ~~program of academic instruction for students in grades PreK-12.~~

7 ~~F.S. 1001.43~~

8 ~~© NEOLA 2004~~

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10 The School Board shall provide summer programs for students including, but not
11 necessarily limited to, the following:

12

13 A. ESE Students needing extended school year services ("ESY") as
14 identified in their Individual Education Plans ("IEP"). Summer ESY
15 programs for each individual ESE student shall be provided in
16 accordance with the student's IEP. Students in third grade who
17 have not achieved the standards required for promotion shall also be
18 eligible for summer programs.

19

20 B. Summer programs for third grade students retained under the
21 provisions of F.S. 1008.25(5)(b) shall include a summer reading
22 program. Additionally, summer programs for third grade students
23 shall provide required reading remediation and opportunity to
24 demonstrate reading proficiency.

25

26 C. Contingent upon available funds and resources, credit recovery for
27 students needing courses for graduation or for transition to high
28 school will be provided.

29

30 D. In accordance with State law, the Board shall administer the
31 voluntary prekindergarten education program at the District level for
32 students enrolled under F.S. 1002.53(3)(b) in a public school
33 summer prekindergarten program.

34

35 E. The District may also choose to implement summer enhancement
36 programs, contingent upon Board approval.

37

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F.S. ~~1001.43~~1002.53, 1002.61, 1003.428, 1008.25

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ADULT AND COMMUNITY EDUCATION

2 The School Board believes that learning is a lifelong process and that the School
3 District has the opportunity and obligation to enrich the lives of its citizens by
4 providing appropriate adult programs and assuring equal opportunity and access.
5 The Board will establish and maintain programs for learners that are designed to
6 provide and improve the employability skills of the State's workforce, programs will
7 include:

8 A. Workforce Career Education program trains students for careers
9 through job preparatory programs and high school dual enrollment
10 in post-secondary career education programs.

11 B. General Education Programs. An adult for the purpose of the
12 general education programs (~~ABE, GED, and ESOL~~)listed below shall
13 be defined as a person who has attained the age of sixteen (16) years
14 and who has legally withdrawn from school or a high school student
15 who is taking an adult education course required for high school
16 graduation on a co-enrolled basis through adult education or
17 dual-enrolled in a post-secondary career education program.

18 1. The Adult Basic Education (ABE) provides basic literacy and
19 life skills for adults who are performing at or below the eighth
20 grade level.

21 2. The ~~General Educational Development (GED)~~High School
22 Equivalency Examination Preparation program prepares
23 students, who perform at or above the ninth grade level, for
24 academic and personal success through obtaining the
25 necessary skills required to pass the ~~Official GED Test~~State's
26 high school equivalency examination and be awarded a State
27 of Florida High School Equivalency Diploma.

28 3. The English for Speakers of Other Languages (ESOL) program
29 improves language development and communication skills of
30 adults of adults with limited English proficiency.

31 C. Adult secondary education students receive high school credits that
32 lead to the award of a high school diploma by enrolling as a
33 co-enrolled (academic) and/or dual enrolled (career) high school
34 student.

1 D. Other Adult Education programs are authorized by the Board to
2 meet District and community needs.

3 **ADULT EDUCATION HIGH SCHOOL CLASSES**

4 Although there is no full time adult high school, a limited number of high school
5 credit recovery courses will be offered through the adult education program to
6 students who are behind in credits or whose grade point average puts them in
7 jeopardy of not receiving a standard diploma. Permission of the principal and
8 guidance counselor is required.

9 **FEES**

10 The Superintendent is authorized to establish a schedule for charging fees in the
11 adult program when and to the extent authorized under Florida statutes and State
12 Board of Education rules. The schedule of fees shall be approved by the Board.

13 The Superintendent shall collect the block tuition for adult general education
14 programs required in F.S. 1009.22. Such collected funds shall only be expended for
15 adult general education programs.

16 **ADULT EDUCATION CALENDAR**

17 The administrator of adult education shall annually submit a calendar for the adult
18 education program to the Superintendent for approval by the Board.

19 **TESTING CENTER FOR THE ADMINISTRATION OF THE GENERAL
20 EDUCATIONAL DEVELOPMENT (GED) DIPLOMA TEST**

21 The Board serves as an agent of the American Council of Education (ACE), ~~the~~
22 ~~General Educational Development Testing Service (GEDTS)~~, and ~~the~~ State of Florida
23 Department of Education for the administration of the ~~General Education~~
24 ~~Development Tests~~ high school equivalency examination.

1 ~~GED~~High school equivalency examination candidates must be at least eighteen (18)
2 years of age on the date of the examination. Candidates who are sixteen (16) or
3 seventeen (17) years of age and are not enrolled in a secondary school may request
4 an age waiver to take the ~~GED tests~~high school equivalency examinations. Waivers
5 may be approved by the Superintendent based on a candidate's extraordinary
6 circumstance and achievement of scoring on the tenth grade level in reading,
7 language, and math on the test for Adult Basic Education (TABE).

8 **NON-CERTIFIED, PART-TIME INSTRUCTORS**

9 In accordance with State Board of Education regulations, the Board authorizes the
10 employment of selected noncertified persons who possess talent or skill in, or
11 knowledge of, a particular subject to provide part-time instructional services to
12 adults in areas of the individual's specialty. Noncertified persons will be employed
13 only when certified persons with the needed specialties are not available. Special
14 approval of the Superintendent will be required prior to the use of such noncertified
15 persons.

16 F.S. 1003.435, 1004.93, 1004.94

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1

EXCEPTIONAL STUDENT EDUCATION

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

10

A. **Child Identification**

11

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

15

B. **Procedural Safeguards**

16

A child with a disability or one whom is suspected of having a
17 disability, and his/her parent shall be provided with safeguards, as
18 required by law, throughout the identification, evaluation, and
19 placement process, and the provision of a free, appropriate, public
20 education to the student.

21

C. **Multi-Factored Evaluation**

22

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

26

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

28

1. children are assessed in their native language or other mode
29 of communication;

30

2. tests are used for their validated purposes;

31

3. children are evaluated in all areas related to their suspected
32 disability;

- 1 4. testing is conducted by a multidisciplinary team;
- 2 5. testing materials and procedures are not racially or culturally
- 3 biased;
- 4 6. tests are administered by trained personnel qualified in
- 5 accordance with all Federal regulations and State standards;
- 6 7. tests are administered in conformance with the instructions
- 7 provided by the producer;
- 8 8. medical evaluation, when required as part of the
- 9 multi-factored evaluation, shall be provided at no cost to the
- 10 parent by a licensed physician designated by the
- 11 Superintendent or his/her designee, when other no-cost
- 12 resources are not available.

13 D. **Individualized Education Program**

14 The District will develop an individualized education program (IEP)

15 for each child with a disability who needs special education and

16 related services. The IEP shall be designed to meet the unique

17 educational needs of the child and shall be developed in meetings

18 with the child's designated IEP Team. At the initial meeting of a

19 student's IEP team, the District will provide parents with

20 information about the amount of funding the District receives for

21 each of the five (5) exceptional student education support levels for a

22 full-time student.

23 Parents of the child shall be strongly encouraged to participate in all

24 planning conferences and IEP Team meetings. The school will

25 provide written notice of an IEP meeting to the parent at least

26 ten (10) days before the meeting, indicating the purpose, time and

27 location of the meeting and who, by title or position, will attend the

28 meeting. The IEP Team meeting requirement may be waived by

29 informed consent of the parent after the parent receives the written

30 notice.

31 The District will utilize FLDOE parental consent forms for the

32 following actions in a student's IEP:

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

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

2 Except for a disciplinary interim alternative placement for no more
3 than forty-five (45) school days, if the District determines that there
4 is a need to change a student's IEP as it relates to the actions
5 described above in 1 and 2, the school must hold an IEP Team
6 meeting that includes the parent to discuss the reason for the
7 change.

8 The District will not implement the change without parental consent
9 unless the District documents reasonable efforts to obtain the
10 parent's consent and the child's parent has failed to respond, or the
11 District obtains approval through a due process hearing.

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

14 District personnel will collaborate with private instructional
15 personnel who are hired or contracted by parents in compliance
16 with F.S. 1003.572. "Private instructional personnel" include only
17 the following:

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

21 2. speech-language pathologists licensed under F.S. 468.1185;

22 3. occupational therapists licensed under part III of 379
23 Chapter 468;

24 4. physical therapists licensed under Chapter 486;

25 5. psychologists licensed under Chapter 490; and

26 6. clinical social workers licensed under Chapter 491.

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

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

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

11 **E. Least Restrictive Environment**

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

24 **F. Confidentiality of Data**

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

1 G. **Due Process**

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

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

22 During the pendency of a due process hearing or appellate
23 proceeding regarding a due process complaint, the student shall
24 remain in his/her current educational assignment, unless the
25 parent and the Board otherwise agree.

1 H. **Surrogate Parent**

2 It shall be the policy of the District that whenever the parent or a
3 person who acts in a parental role to a child with a disability or a
4 child suspected of having a disability is determined to be legally
5 unavailable, the child's rights shall be protected through the
6 assignment of a surrogate parent. A surrogate parent means an
7 individual appointed by the Superintendent and/or the court to act
8 in place of a parent in educational decision making and in
9 safeguarding a child's rights under the Individuals with Disabilities
10 Education Act. The surrogate parent shall not be an employee of
11 the Department of Education, the School District, a community-
12 based care provider, the Department of Children and Family
13 Services, or any other public or private agency involved in the
14 education or care of the child. The surrogate parent shall meet all
15 statutory requirements and attend the required training to be
16 appointed. The Superintendent shall appoint a surrogate not more
17 than thirty (30) days after the District determines a particular
18 student is in need of a surrogate.

19 I. **Testing Programs**

20 Students with disabilities shall participate in local and State-wide
21 testing programs to the maximum extent appropriate. Individual
22 exemptions shall be determined only by the student's IEP Team.
23 Exceptional students with disabilities shall have access to testing
24 sites.

25 A student for whom the IEP Team determines that the FCAT cannot
26 accurately measure the student's abilities, taking in to consideration
27 all allowable accommodations, shall have the FCAT requirement
28 waived for the purpose of receiving a standard high school diploma if
29 the student completes the minimum number of credits and other
30 requirements for graduation, but does not earn a passing score on
31 the FCAT after one (1) opportunity in the 10th grade and one (1)
32 opportunity in the 11th grade.

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

1 If the IEP Team determines that a student with a disability is
2 prevented by a "circumstance" or "condition" as defined in
3 F.S. 1008.212 from physically demonstrating the mastery of skills
4 that have been acquired and are measured by the Statewide
5 standardized assessment, a Statewide standardized end-of-course
6 assessment, or an alternate assessment under F.S. 1008.22(3)(c),
7 the IEP Team may submit to the superintendent a written request
8 for an extraordinary exemption from the administration of the
9 assessment, pursuant to F.S. 1008.212. The request may be made
10 at any time during the school year, but not later than sixty (60) days
11 before the assessment for which the request is made. The
12 superintendent will recommend to the Commissioner of Education
13 whether the request should be granted or denied, and the
14 Commissioner will grant or deny the requested exemption within
15 thirty (30) days. A copy of the District's procedural safeguards as
16 required in F.A.C. 6A-6.03311 shall be provided to the parent. If the
17 parent disagrees with the IEP Team's recommendation, the dispute
18 resolution methods described in the procedural safeguards shall be
19 made available to the parent.

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

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

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

District personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means, parents or an eligible student, from inviting another person of their choice to attend a meeting. Parents, eligible students, or other individuals invited to attend such meetings by

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY**

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parents of students with disabilities or eligible students with disabilities on school grounds shall sign-in at the front office of such school as a guest.

Parents of students with disabilities, or eligible students with disabilities, and District personnel shall sign Form 5780 F1 at the meeting's conclusion which states whether or not any District personnel have prohibited, discouraged or attempted to discourage the parents, or eligible student, from inviting a person of their choice to the meeting pertaining to their child's, or their own, educational environment, placement, or discipline.

1
2

1
2

3 Placement by the Department of Children and Family Services

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

- 8 A. provide educational instruction to the student;
- 9 B. contract with another provider to provide the educational
10 instruction;
- 11 C. contract with the private residential care facility in which the
12 student resides to provide the educational instruction; or
- 13 D. decline to provide or contract for educational instruction, in which
14 case the school district in which the legal residence of the student is
15 located shall provide or contract for the educational instruction of
16 the student.

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

4 F.S. 1001.41, 1001.42, 1002.20, 1003.01(3), 1003.4156, 1003.428, 1003.57,
5 1003.5715, 1003.572. 1008.212, 1008.22, 1008.24
6 Statewide Assessment for Students with Disabilities, F.A.C. 6A-1.0943
7 Florida Alternate Assessment Requirements, F.A.C. 6A-1.09430
8 Procedural Safeguards and Due Process Procedures for Parents and Students with
9 Disabilities, F.A.C. 6A-6.03311
10 Procedural Safeguards for Exceptional Students Who Are Gifted, F.A.C. 6A-6.03313
11 Surrogate Parents, F.A.C. 6A-6.0333
12 Definitions, ESE Policies and Procedures, and ESE Administrators, F.A.C. 6A-
13 6.03411
14 20 U.S.C. 1400 et seq.
15 20 U.S.C. 1401 et seq.
16 34 C.F.R. Part 300

17 Revised 3/4/14

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1 SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT PROGRAM

2 The School Board shall provide instructional materials and equipment, within
3 budgetary constraints, to implement the District's educational goals and objectives
4 and to meet students' needs. Instructional materials are defined as items having
5 intellectual content that by design serve as a major tool for assisting in the
6 instruction of a subject or course. The primary objective of such instructional
7 materials and equipment shall be to enrich, support, and implement the educational
8 program of the school.

9 An amount not to exceed fifty percent (50%) of the State instructional materials
10 allocation may be used to purchase non-adopted instructional materials such as:

- 11 A. materials for courses, subjects, and programs where appropriate
12 State adopted instructional materials are not available;
- 13 B. materials (print and non-print) to supplement the basic
14 instructional series selected; or
- 15 C. repair and renovation of instructional materials.

16 State law requires the Board to provide adequate instructional materials free of
17 charge to students who are enrolled in the District.

18 "Adequate instructional materials" means a sufficient number of student or site
19 licenses or sets of materials that are available in bound, unbound, kit, or package
20 form and may consist of hard-backed or soft-backed textbooks, electronic content,
21 consumables, learning laboratories, manipulatives, electronic media, and computer
22 courseware or software that serves as the basis for instruction for each student in
23 the core courses of mathematics, language arts, social studies, science, reading, and
24 literature.

25 Furthermore, Federal law requires the Board to provide accessible instructional
26 materials as specified in a student's IEP. Such accessible instructional materials
27 may be of a type or in a format as specified in the definition of adequate
28 instructional materials in this policy.

29 The Superintendent shall develop administrative procedures for the selection from
30 the State approved list, acquisition, management, use, accountability, and reporting
31 requirements of all educational and instructional materials and equipment.

32

33 Students shall be held responsible for the cost of replacing any instructional
34 materials lost, destroyed, or unnecessarily damaged.

1 A student or his/her parent(s) may purchase a copy of the designated course
2 instructional materials, regardless of format, for the District's purchase price,
3 including shipping.

4
5 Cost of materials may be charged for materials used in those activities beyond the
6 basic curriculum in which a student elects to participate, particularly in activities
7 where the product becomes the property of the student.

8
9 A list of all approved instructional materials shall be maintained by the
10 Superintendent and made available for the use of the instructional staff.

11
12 **Equipment or Instructional Materials Vendors**

13
14 The Superintendent-Principal may permit vendors to demonstrate and show only
15 that equipment and instructional materials which can be used to improve the
16 instructional program and which are under consideration for purchase by the
17 school.

18
19 **Process for Parents to Object to Specific Instructional Material**

20
21 Parents of a student attending a District school may object to the use of specific
22 instructional material in a course in which the student is enrolled.

23
24 The parent(s) shall use the process for objecting to specific instructional
25 material that is set forth in Policy 9130 - Public Complaints.

26
27 **Process for Parents to Contest Adoption of Specific Instructional Material**

28 Parents of students attending a public school in the District may contest the Board's
29 adoption of specific instructional material. The parent must file with the Board
30 within thirty (30) calendar days after the Board's adoption of specific instructional
31 material a petition on a form provided by the Board. The petition form shall be
32 publicly available by visiting in-person or by accessing the Board's website at
33 <https://www.indianriverschools.org/school-board>. The petition must be signed by
34 the parent, include the required contact information, and state the objection to the
35 instructional material.

36 Within thirty (30) calendar days after the thirty (30) day period has expired, the
37 Board will conduct at least one (1) open public hearing on all petitions timely
38 received and provide the petitioner(s) written notification of the date and time of the
39 hearing at least seven (7) calendar days before the public hearing. All instructional
40 materials contested will be made accessible online to the public at least seven (7)
41 calendar days before a public hearing. The Board's decision after convening a public
42 hearing is final and not subject to further petition or review.

1 **Instructional Materials Program**

2 The Florida State Board, as part of a consortium of schools districts consisting of
3 administrators, teachers, and content experts, hereby establishes an instructional
4 materials program that includes the review, approval, adoption, and purchase of
5 instructional materials. The program shall be implemented in accordance with the
6 terms of this policy and administrative procedure adopted in accordance herewith.
7 The program shall comply with all applicable provisions of F.S. Chapter 1006, Part I,
8 F. Instructional Materials for K12 Public Education.

9 Beginning in the 2013-2014 school year, the Superintendent shall certify to the
10 Florida Department of Education by March 31st of each year that all instructional
11 materials for core courses used by the District are aligned with applicable State
12 standards. Included in the certification shall be a list of the core instructional
13 materials that will be used or purchased for use by the District.

14 **Instructional Materials Program Review, Approval, Adoption and Purchase**
15 **Process**

16 The Board hereby establishes the following program and process for the review,
17 approval, adoption, and purchase of instructional materials.

18 A. **Review Cycle for Instructional Materials**

19 _____
20 By April 15th of each school year, the instructional material reviewer
21 shall review the instructional materials under review and evaluate
22 the content for alignment with the applicable Next Generation
23 Sunshine State Standards. The reviewer shall review the materials
24 for the level of instructional support and the accuracy and
25 appropriateness of progression of introduced content. Instructional
26 materials shall be made electronically available to the reviewer. The
27 reviewer shall rate the material on the instructional usability of the
resources.

1 B. **Duties and Qualifications of the Instructional Materials**
2 **Reviewers**

3 The Board may employ or contract with one (1) or more instructional
4 materials reviewers. The duties of an instructional materials
5 reviewer are:

6 1. Procedures

7 To adhere to prescribed procedures for evaluating
8 instructional materials submitted by publishers and
9 manufacturers in each adoption.

10 2. Evaluation of Instructional Materials

11 a. To evaluate carefully all instructional materials
12 submitted, in order to ascertain which instructional
13 materials, if any, submitted for consideration
14 implement the selection criteria developed by the
15 Board and those curricular objectives included within
16 applicable performance standards.

17 b. When recommending instructional materials for use in
18 the schools, each reviewer shall include only
19 instructional materials that accurately portray the
20 ethnic, socioeconomic, cultural, and racial diversity of
21 our society, including men and women in professional,
22 career, and executive roles, and the role and
23 contributions of the entrepreneur and labor in the total
24 development of this State and the United States.

25 c. When recommending instructional materials for use in
26 the schools, each reviewer shall include only materials
27 that accurately portray, whenever appropriate,
28 humankind's place in ecological systems, including the
29 necessity for the protection of our environment and
30 conservation of our natural resources and the effects
31 on the human system of the use of tobacco, alcohol,
32 controlled substances, and other dangerous
33 substances.

- 1 d. When recommending instructional materials for use in
2 the schools, each reviewer shall require such materials
3 as s/he deems necessary and proper to encourage
4 thrift, fire prevention, and humane treatment of people
5 and animals.
- 6 e. When recommending instructional materials for use in
7 the schools, each reviewer shall require, when
8 appropriate to the comprehension of students, that
9 materials for social science, history, or civics classes
10 contain the Declaration of Independence and the
11 Constitution of the United States. A reviewer may not
12 recommend any instructional materials for use in the
13 schools which contain any matter reflecting unfairly
14 upon persons because of their race, color, creed,
15 national origin, ancestry, gender, or occupation.
- 16 f. Any instructional material recommended by each
17 reviewer for use in the schools shall be, to the
18 satisfaction of each reviewer, accurate, objective, and
19 current and suited to the needs and comprehension of
20 students at their respective grade levels. Reviewers
21 shall consider for adoption materials developed for
22 academically talented students such as those enrolled
23 in advanced placement courses.
- 24 3. Report of Reviewers
- 25 After a thorough study of all data submitted on each
26 instructional material, the reviewer shall submit an electronic
27 report to the Superintendent for presentation to the Board.
28 The report shall be in substantially the same format as the
29 form used by the Florida Department of Education.
- 30 4. Qualifications of Instructional Materials Reviewer
- 31 The qualifications of the instructional materials reviewer shall
32 be set forth in the Board-approved job description for the
33 position, or, alternatively, in the contract for services.

1 C. **Affidavit of District Instructional Materials Reviewer**

2 Before commencing his/her duties, a District instructional materials
3 reviewer shall execute an affidavit which substantially includes the
4 following requirements of F.S. 1006.30:

- 5 1. The reviewer will faithfully discharge the duties imposed upon
6 him/her.
- 7 2. The reviewer has no interest in any publishing or
8 manufacturing organization that produces or sells
9 instructional materials.
- 10 3. The reviewer is in no way connected with the distribution of
11 the instructional materials.
- 12 4. The reviewer does not have any direct or indirect pecuniary
13 interest in the business or profits of any person engaged in
14 manufacturing, publishing, or selling instructional materials
15 designed for use in the public schools.
- 16 5. The reviewer will not accept any emolument or promise of
17 future reward of any kind from any publisher or
18 manufacturer of instructional materials or his/her agent or
19 anyone interested in, or intending to bias his/her judgment
20 in any way in, the selection of any materials to be adopted.
- 21 6. The reviewer understands that it is unlawful to discuss
22 matters relating to instructional materials submitted for
23 adoption with any agent of a publisher or manufacturer of
24 instructional materials, either directly or indirectly, except
25 during the period when the publisher or manufacturer is
26 providing a presentation for the reviewer during his/her
27 review of the instructional materials submitted for adoption.

28 D. **Compliance with F.S. 1006.32, Relating to Prohibited Acts**

- 29 1. No District official, including an instructional materials
30 reviewer, shall solicit or accept any emolument, money, or
31 other valuable thing, or any inducement, to directly or
32 indirectly introduce, recommend, vote for, or otherwise
33 influence the adoption or purchase of any instructional
34 material.

- 1 2. The District shall not participate in a pilot program of
2 materials being considered for adoption during the
3 eighteen (18) month period before the official adoption of the
4 materials by the Board. Any pilot program during the first
5 two (2) years of the adoption period must have the prior
6 approval of the Board.

- 7 3. Any Board official or instructional materials reviewer who
8 violates any provision of this section commits a misdemeanor
9 of the second degree, punishable as provided in F.S. 775.082
10 or 775.083.

- 11 4. This policy does not prohibit the Board official or
12 instructional materials reviewer from receiving sample copies
13 of instructional materials.

- 14 5. This policy does not prohibit or restrict a Board official from
15 receiving royalties or other compensation, other than
16 compensation paid to him/her as commission for negotiating
17 sales to district school boards, from the publisher or
18 manufacturer of instructional materials written, designed, or
19 prepared by such Board official, and purchased by the Board.
20 No Board official shall be allowed to receive royalties on any
21 materials not on the State-adopted list purchased for use by
22 his/her Board.

- 23 6. The Superintendent, Board member, teacher, or other person
24 officially connected with the government or direction of public
25 schools may not receive during the months actually engaged
26 in performing duties under his/her contract any private fee,
27 gratuity, donation, or compensation, in any manner
28 whatsoever, for promoting the sale or exchange of any
29 instructional material, map, or chart in any public school, or
30 be an agent for the sale or the publisher of any instructional
31 material or reference work, or have a direct or indirect
32 pecuniary interest in the introduction of any such
33 instructional material, and any such agency or interest shall
34 disqualify any person so acting or interested from holding any
35 Board employment whatsoever, and the person commits a
36 misdemeanor of the second degree, punishable as provided in
37 F.S. 775.082 and 775.083; however, this subsection does not
38 prevent the adoption of any instructional material written in
39 whole or in part by a Florida author.

1 E. **Certification of the Accuracy of Instructional Materials**

2 In addition to relying on statements of publishers or manufacturers
3 of instructional materials, the reviewer may, with the approval, and
4 subject to the direction of the Superintendent, conduct or cause to
5 be conducted an independent investigation to determine the
6 accuracy of State-adopted instructional materials.

7 When errors in Board-adopted materials are confirmed, the
8 publisher of the materials shall provide to each district school board
9 that has purchased the materials the corrections in a format
10 approved by the department.

11 The Board may remove materials from the list of Board-adopted
12 materials if it finds that the content is in error and the publisher
13 refuses to correct the error when notified by the Board.

14 The Board may remove materials from the list of Board-adopted
15 materials at the request of the publisher if, in its opinion, there is no
16 material impact on the State's education goals.

17 F. **Advertising, Bidding, and Purchasing Requirements**

18 Beginning on or before May 15th of any year in which an
19 instructional materials adoption is to be initiated, the District shall
20 advertise in a local newspaper of general circulation (the Florida
21 Administrative Register) four (4) weeks preceding the date on which
22 the bids shall be received, that at a certain designated time, not
23 later than June 15th, sealed bids or proposals to be deposited with
24 the District will be received from publishers or manufacturers for
25 the furnishing of instructional materials proposed to be adopted as
26 listed in the advertisement beginning April 1st following the
27 adoption.

28 The advertisement shall state that each bidder shall furnish
29 electronic sample copies of all instructional materials submitted, at
30 a time designated by the District, which copies shall be identical
31 with the copies approved and accepted by State instructional
32 materials reviewers, and with the copies furnished to the District
33 and Superintendent.

34 The advertisement shall state that a contract covering the adoption
35 of the instructional materials shall be for a definite term.

1 The advertisement shall fix the time within which the required
2 contract must be executed and shall state that the Department
3 reserves the right to reject any or all bids.

4 The advertisement shall give information regarding digital
5 specifications that have been adopted by the Board, including
6 minimum format requirements that will enable electronic and digital
7 content to be accessed through the District's local instructional
8 improvement system and a variety of mobile, electronic, and digital
9 devices. Beginning with specifications released in 2014, the digital
10 specifications shall include requiring the capability for searching by
11 State standards and site and student-level licensing. Such digital
12 format specifications shall be appropriate for the interoperability of
13 the content. The Board will not adopt specifications that require the
14 instructional materials to include specific references to FCAT and
15 Next Generation Sunshine State Standards and benchmarks at the
16 point of student use.

17 The bids submitted shall be for furnishing the designated materials
18 in accordance with specifications of the District. The bid shall state
19 the lowest wholesale price at which the materials will be furnished,
20 at the time the adoption period provided in the contract begins.

21 Each publisher or manufacturer of instructional materials who
22 submits a bid under this part is required to deposit with the District
23 such sum of money or certified check as may be determined by the
24 District, the amount to be not less than \$500 and not more than
25 \$2,500, according to the number of instructional materials covered
26 by the bid, which deposit shall be forfeited to the Board and placed
27 in the (General Revenue Fund) General Fund if the bidder making
28 the deposit fails or refuses to execute the contract and bond within
29 thirty (30) days after receipt of the contract in case his/her bid or
30 proposal is accepted. The District shall, upon determining that the
31 deposit is correct and proper, deposit the funds in an interest
32 bearing trust account and issue his/her official receipt.

1 **Selection and Adoption of Instructional Materials**

2 The District will notify all publishers and manufacturers of instructional materials
3 who have submitted bids that within three (3) weeks after the deadline for receiving
4 bids, at a designated time and place, it will open the bids submitted and deposited
5 with it. At the time and place designated, the bids shall be opened, read, and
6 tabulated in the presence of the bidders or their representatives. No one may revise
7 his/her bid after the bids have been filed. When all bids have been carefully
8 considered, the Board will, from the list of suitable, usable, and desirable
9 instructional materials reported by the State instructional materials reviewers, select
10 and adopt instructional materials for each grade and subject field in the curriculum
11 of public elementary, middle, and high schools in which adoptions are made and in
12 the subject areas designated in the advertisement. The adoption shall continue for
13 the period specified in the advertisement, beginning on the ensuing April 1st. The
14 adoption shall not prevent the extension of a contract as provided below. The Board
15 shall always reserve the right to reject any and all bids. The Board may ask for new
16 sealed bids from publishers or manufacturers whose instructional materials were
17 recommended by the instructional materials reviewer as suitable, usable, and
18 desirable; specify the dates for filing such bids and the date on which they shall be
19 opened; and proceed in all matters regarding the opening of bids and the awarding
20 of contracts as required by this part. In all cases, bids shall be accompanied by a
21 cash deposit or certified check of from \$500 to \$2,500, as the Board may direct. The
22 Board, in adopting instructional materials, shall give due consideration both to the
23 prices bid for furnishing instructional materials and to the report and
24 recommendations of the instructional materials reviewer. When the Superintendent
25 has finished with the report of the instructional materials reviewer, the report shall
26 be presented to the Board at a regular or special meeting and shall be available at all
27 times for public inspection.

28 In the selection of instructional materials, library media, and other reading material
29 used in the public school system, the standards used to determine the propriety of
30 the material shall include:

- 31 A. the age of the students who normally could be expected to have
32 access to the material;
- 33 B. the educational purpose to be served by the material;

34 In considering instructional materials for classroom use, priority
35 shall be given to the selection of materials which encompass the
36 State and Board performance standards provided for in
37 F.S. 1001.03(1) and which include the instructional objectives
38 contained within the curriculum frameworks approved by rule of the
39 State Board of Education.

1 C. the degree to which the material would be supplemented and
2 explained by mature classroom instruction as part of a normal
3 classroom instructional program;

4 D. the consideration of the broad racial, ethnic, socioeconomic, and
5 cultural diversity of the students of this State.

6 Any instructional material containing pornography or otherwise prohibited by
7 F.S. 847.012 may not be used or made available within any public school.

8 A publisher that offers instructional materials to the Board shall provide such
9 materials at a price that, including all costs of electronic transmission, does not
10 exceed the lowest price at which the publisher offers such instructional materials for
11 approval or sale to any state or school district in the United States.

12 A publisher shall reduce automatically the price of the instructional materials to the
13 Board to the extent that reductions in price are made elsewhere in the United
14 States.

15 **Maximization of Student Use of Authorized Instructional Materials**

16 In order to maximize student use of authorized instructional materials, the Board
17 shall:

18 A. purchase current instructional materials to provide each student
19 with a major tool of instruction in core courses of the subject areas
20 of mathematics, language arts, science, social studies, reading, and
21 literature for kindergarten through grade 12;

22 B. by the 2015-2016 fiscal year, use at least fifty percent (50%) of the
23 annual allocation for the purchase of digital or electronic
24 instructional materials included on the State-adopted list, except as
25 otherwise authorized law or rules of the State Board of Education.

1 C. use up to 100% of that portion of the annual allocation designated
2 for the purchase of instructional materials for kindergarten, and up
3 to seventy-five percent (75%) of that portion of the annual allocation
4 designated for the purchase of instructional materials for first grade,
5 to purchase materials not on the State-adopted list, which shall be
6 used for the purchase of instructional materials or other items
7 having intellectual content which assist in the instruction of a
8 subject or course.

9 These items may be available in bound, unbound, kit, or package
10 form and may consist of hardbacked or softbacked textbooks,
11 electronic content, replacements for items which were part of
12 previously purchased instructional materials, consumables, learning
13 laboratories, manipulatives, electronic media, computer courseware
14 or software, and other commonly accepted instructional tools.

15 The Superintendent shall implement procedures that will assure the maximum use
16 by the students of the authorized instructional materials.

17 **Assessment and Collection of Fees**

18 The Board may assess and collect fees from publishers participating in the
19 instructional materials approval process.

20 The amount of fees assessed and collected shall be posted on the District's website
21 and reported to the Florida Department of Education of Education. The fees shall
22 not exceed the actual cost of the review process, and the fees shall not exceed
23 \$3,500 per submission by a publisher. Any fees collected for this process shall be
24 allocated for the support of the review process and maintained in a separate line
25 item for auditing purposes.

26 The fees shall be used to cover the actual cost of substitute teachers for each
27 workday that a member of the District's instructional staff is absent from his/her
28 assigned duties for the purpose of rendering service as an instructional materials
29 reviewer. In addition, each reviewer may be paid a stipend and is entitled to
30 reimbursement for travel expenses and per diem in accordance with F.S. 112.061 for
31 actual service in meetings.

32 Instructional materials that have been reviewed by the District instructional
33 materials reviewers and approved must have been determined to align with all
34 applicable State standards pursuant to F.S. 1003.41 and the requirements in
35 F.S. 1006.31. The Superintendent shall annually certify to the Florida Department
36 of Education that all instructional materials for core courses used by the District are
37 aligned with all applicable State standards.

1 The Superintendent shall develop administrative procedures for the selection from
2 the State approved list, acquisition, management, use, accountability, and reporting
3 requirements of all educational and instructional materials and equipment.

4 Students shall be held responsible for the cost of replacing any instructional
5 materials lost, destroyed, or unnecessarily damaged. Failure to provide payment for
6 the damage or loss may result in the suspension of the student from participation in
7 extra-curricular activities, or the debt may be satisfied by the student performing
8 community service activities at the school site as determined by the school principal.

9 A student or his/her parent(s) may purchase a copy of the designated course
10 instructional materials, regardless of format, for the District's purchase price,
11 including shipping, and may be charged an additional ten percent (10%).

12 Cost of materials may be charged for materials used in those activities beyond the
13 basic curriculum in which a student elects to participate, particularly in activities
14 where the product becomes the property of the student.

15 A list of all approved instructional materials shall be maintained by the
16 Superintendent and made available for the use of the instructional staff.

17 **Free School-Related Instructional Materials**

18 Free instructional materials may be accepted for classroom and school purposes
19 under conditions that meet all the following criteria:

20 A. The initiative for securing the materials should be of the type that
21 teachers seek rather than materials forwarded to them to promote
22 the interests of an outside agency.

23 B. The materials should fill a legitimate purpose of the school
24 curriculum.

25 C. The advertising feature of the materials should be minimized.

26 D. Educational films should contain a minimum amount of commercial
27 advertising.

1 **Equipment or Instructional Materials Vendors**

2 The principal may permit vendors to demonstrate and show only that equipment
3 and instructional materials which can be used to improve the instructional program
4 and which are under consideration for purchase by the school.

5 The Superintendent shall develop administrative procedures for the implementation
6 of the Instructional Materials Program and this policy.

7 [F.S. 119.071, 1006.28 through 1006.42](#)

8 [F.A.C. 6A-6.03028](#)

9 [34 C.F.R. Part 300](#)

10 [Revised 3/4/14](#)

11 [© NEOLA 2013-2014](#)

12

1

STUDENT ASSESSMENT

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

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

16 The Board shall administer the ~~State-mandated~~ Statewide, standardized assessments
17 tests (e.g., diagnostic assessments and achievement tests) to students at the grade
18 levels and for the subjects at the times designated by the Florida Board of
19 Education. ~~The Board will establish and approve s~~ Schedules for the administration
20 of ~~anyall~~ District-mandated local assessments shall be and approved the
21 schedules by the Board as an agenda item at a Board meeting. Testing schedules for
22 Statewide, standardized assessments and local assessments will be published on the
23 Board's website and reported to the Florida Department of Education by no later
24 than October 1st of each year.

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

- 29 A. distribute to students sample assessment books and answer keys
30 that are published by the Florida Department of Education;
- 31 B. provide individual instruction in assessment taking strategies
32 without suspending the school's regular program of curricula for a
33 student who scores at Level 1 or Level 2 on a prior administration of
34 the Statewide assessment;

- 1 C. provide individualized instruction in the content knowledge and
2 skills assessed, without suspending the school's regular program of
3 curriculum for a student who scores at Level 1 or Level 2 on a prior
4 administration of the Statewide assessment or a student who,
5 through a diagnostic assessment administered by the District is
6 identified as having a deficiency in the content knowledge and skills
7 assessed; and
- 8 D. administer a practice assessment or engage in other assessment
9 preparation activities for the Statewide assessment which are
10 determined necessary to familiarize students with the organization
11 of the assessment, the format of the assessment items, and the
12 assessment directions, or which are otherwise necessary for the
13 valid and reliable administration of the assessment, as set forth in
14 rules adopted by the State Board of Education.

15 ~~At least annually, the staff members will assess the academic achievement and~~
16 ~~learning needs of each student. Procedures for such assessments may include, but~~
17 ~~need not be limited to, teacher observation techniques, cumulative student records,~~
18 ~~student performance data collected through standardized testing programs, and~~
19 ~~physical examinations.~~

20 ~~The Superintendent shall develop a program of testing that may include, but not be~~
21 ~~limited to:~~

- 22 ~~A. State mandated achievement tests;~~
- 23 ~~B. end of course tests at appropriate grade levels to measure~~
24 ~~achievement of performance objectives in designated courses;~~
- 25 ~~C. diagnostic testing, progress monitoring assessments, and alternative~~
26 ~~assessments.~~

27 The Board shall also require the following:

- 28 A. mandatory participation by all eligible students as defined by State
29 Board of Education rules;
- 30 B. Statewide assessments be taken at the student's regularly assigned
31 school, unless an alternative site is mutually agreed to by the
32 District and the Florida Virtual School or authorized contractor;
- 33 C. parents be informed of the testing program of the schools and of the
34 special Statewide, standardized assessments and tests other local
35 assessments that are to be administered to their children;

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

5 E. school and District ~~achievement test~~ assessment results will be
6 reported to the public annually;

7 ~~F. remediation services be provided to any student who scores Level I~~
8 ~~on the State-mandated achievement test;~~

9
10 ~~Remediation services shall be provided to any student who does not~~
11 ~~meet the testing requirement for graduation prior to retesting.~~

12 ~~G.F.~~ the Superintendent shall develop procedures for the annual
13 assessment of first, second, third, and fourth grade students on
14 their reading proficiency and identify those students who are
15 reading below grade level. S/He shall ensure that each student's
16 teacher is involved in the assessment and in the identification of
17 those students who are reading below grade level.

18
19 The District shall notify the parent ~~or guardian~~ of each student
20 ~~whose reading skills are below grade level that the student is not~~
21 ~~performing at grade level and~~ who exhibits a deficiency in reading,
22 shall consult with the parent in the development of a progress
23 monitoring plan, and will provide ~~intervention services to each~~
24 ~~student reading below grade level~~ intensive reading instruction to
25 the student until the deficiency is corrected.

26
27 ~~For each student who is required to be offered remediation services,~~
28 ~~the District shall involve the student's parent or guardian and~~
29 ~~classroom teacher in developing the intervention strategy, and shall~~
30 ~~offer to the parent or guardian the opportunity to be involved in the~~
31 ~~intervention services.~~

32 **Local Assessments**

33
34 Except for those subjects and grade levels measured under the statewide,
35 standardized assessment program, the District shall administer for each course
36 offered in the district a local assessment that measures student mastery of course
37 content at the necessary level of rigor for the course. Local assessments may
38 include:

39 1. Statewide assessments.

40
41 2. Other standardized assessments, including nationally recognized
42 standardized assessments.

1
2 3. Industry certification assessments.

3
4 4. District-developed or district-selected end-of-course assessments.

5
6 5. Teacher-selected or principal-selected assessments.

7
8 **Local Assessment Committees**

9
10 The Superintendent is authorized to convene local assessment committees to
11 evaluate the assessments that are available to measure the performance of the
12 District's students in all subjects and grade levels not measured by Statewide,
13 standardized assessments, and to recommend to the Superintendent the
14 assessments that would be most appropriate for the purpose required by State law.
15 In so doing, these committees shall consider item banks, facilitating the sharing of
16 developed tests with other school districts, acquiring assessments from State and
17 national curriculum-area organizations, and providing technical assistance in best
18 professional practices of test development based upon State-adopted curriculum
19 standards, as well as established protocols Statewide, standardized assessments
20 concerning administration, scoring, and security.

21
22 **Remediation**

23
24 Each student who does not meet specific levels of performance on the required
25 assessments as determined by the district school board or who scores below Level 3
26 on the statewide, standardized Reading assessment or, upon implementation, the
27 English Language Arts assessment or on the statewide, standardized Mathematics
28 assessments in grades 3 through 8 and the Algebra I EOC assessment must be
29 provided with additional diagnostic assessments to determine the nature of the
30 student's difficulty, the areas of academic need, and strategies for appropriate
31 intervention and instruction.

32
33 For each student who is not meeting the school district or state requirements for
34 proficiency in reading and mathematics, the school must develop and implement a
35 progress monitoring plan in consultation with the student's parent. The Board may
36 require low-performing students to attend remediation programs held before or after
37 regular school hours or during the summer, if transportation is provided.

38
39 **Students with Disabilities**

40 All exceptional education students in the School District shall be considered by their
41 IEP Teams for participation in the State-mandated testing program for competency
42 and proficiency testing.

43 ~~The extent of participation in and/or exemptions from the testing shall be delineated~~
44 ~~on the student's IEP.~~ After consideration by the IEP Team, the extent of
45 participation in and/or exemptions from the testing shall be delineated on the
46 student's IEP and in accordance with Florida law including, but not limited to, F.S.
47 1008.212. ~~A student with a disability, as defined in F.S. 1007.02(2), for whom the~~

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY**

PROGRAM
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~~1 IEP Team determines that the Statewide standardized assessments cannot
2 accurately measure the student's abilities, taking into consideration all allowable
3 accommodations, shall have assessment results waived for the purpose of receiving
4 a course grade and a standard high school diploma if the student completes the
5 minimum number of credits and other requirements for graduation, but does not
6 earn a passing score on the FCAT after one (1) opportunity in the 10th grade and
7 one (1) opportunity in the 11th grade. Such waiver shall be designated on the
8 student's transcript.
9~~

~~10 Further, pursuant to State law, the IEP Team may determine that end of course
11 assessments cannot accurately measure the abilities of the student with disabilities
12 and may, therefore, waive the use of the results of the end of course assessments for
13 purposes of determining the student's course grade and credit.~~

14 If the IEP Team determines that a student with a disability is prevented by a
15 "circumstance" or "condition" as defined in F.S. 1008.212 from physically
16 demonstrating the mastery of skills that have been acquired and are measured by
17 the Statewide standardized assessment, a Statewide standardized end-of-course
18 assessment, or an alternate assessment under F.S. 1008.22(3)(c), the IEP Team may
19 submit to the superintendent a written request for an extraordinary exemption from
20 the administration of the assessment pursuant to F.S. 1008.212. The request may
21 be made at any time during the school year, but not later than sixty (60) days before
22 the assessment for which the request is made. The superintendent will recommend
23 to the Commissioner of Education whether the request should be granted or denied,
24 and the Commissioner will grant or deny the requested exemption within thirty (30)
25 days. A copy of the District's procedural safeguards as required in
26 F.A.C. 6A-6.03311 shall be provided to the parent. If the parent disagrees with the
27 IEP Team's recommendation, the dispute resolution methods described in the
28 procedural safeguards shall be made available to the parent.

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

1 Assessment accommodations for students with disabilities will be provided in
2 accordance with rules of the State Board. If a student is provided with instructional
3 accommodations in the classroom that are not allowed as accommodations for
4 Statewide standardized assessments, the District will inform the parent in writing
5 and provide the parent with information regarding the impact on the student's
6 ability to meet expected performance levels. A parent must provide signed consent
7 for a student to receive classroom instructional accommodations that would not be
8 available or permitted on a Statewide standardized assessment and acknowledge in
9 writing that s/he understand the implications of such instructional
10 accommodations.

11 Students with significant cognitive disabilities may be assessed using the Florida
12 Alternate Assessment.

13 **Florida Tax Credit Scholarship Program**

14 If a student who resides in the District and qualifies for a Florida Tax Credit
15 Scholarship attends an eligible private school, pursuant to State law, that has
16 chosen not to administer the Statewide, standardized assessments, the District shall
17 designate, upon the request of the parent, an assessment site where the student can
18 participate in the Statewide, standardized assessment. The parent is responsible for
19 providing transportation to the assessment site.

20 **Test Administration and Security**

21 The District may contract with qualified contractors to administer and proctor
22 Statewide, standardized assessments ~~required under State law or local~~ assessments
23 required under State law ~~associated with Florida approved courses under Florida~~
24 ~~statutes, as approved by the FLDOE in accordance with rules of the State Board of~~
25 ~~Education~~. Assessments may be administered or proctored by qualified contractors
26 at sites that meet criteria established by rules of the State Board of Education and
27 adopted pursuant to State law to implement these contracting requirements.

28 The Board shall take appropriate and necessary actions against any employee who
29 knowingly and willfully violates test security rules adopted by the FLDOE for any
30 ~~State mandated~~ Statewide, standardized assessments.

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

| 3 F.S. 1002.37, 1002.395, ~~1003.428~~, 1003.4282, 1008.212, 1008.22, 1008.24,
4 1008.25
5 Statewide Assessment for Students with Disabilities, F.A.C. 6A-1.0943
6 Florida Comprehensive Assessment Test and End-of-Course Assessment
7 Requirements, F.A.C. 6A-1.09422
8 Florida Alternate Assessment Requirements, F.A.C. 6A-1.09430
9 Procedures for Special Exemption from Graduation Test Requirement for Students
10 with Disabilities Seeking a Standard High School Diploma, F.A.C. 6A-1.09431
11 Assessment of English Language Learners, F.A.C. 6A-1.09432

12 Revised 3/4/14

| 13 © **NEOLA 2013**~~4~~

PREFERENCE FOR VETERANS IN EMPLOYMENT

Preference in employment, reemployment, promotion, and retention shall be given to an eligible veteran, pursuant to the provisions below, as long as the veteran meets the minimum eligibility requirements and has the knowledge, skills, and abilities required for the particular position.

Appointment or Retention in Positions of Employment

Preference shall be given pursuant to the following:

- A. Those disabled veterans:
 1. who have served on active duty in any branch of the United States Armed Forces ~~of the United States~~, have ~~been separated therefrom under honorable conditions~~ received an honorable discharge, and have established the present existence of a service-connected disability ~~which~~ that is compensable under public laws administered by the U.S. Department of Veterans' Affairs; or
 2. who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense.
- B. The spouse of ~~any~~ a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of ~~any~~ a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.
- C. A wartime veteran ~~of any war~~ as defined in F.S. 1.01(14). ~~The veteran must have~~ who has served at least one (1) day during a wartime period ~~to be eligible for veterans' preference~~. Active duty for training ~~shall~~ may not be allowed for eligibility under this paragraph.
- D. The unremarried widow or widower of a veteran who died of a service-connected disability.

- E. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.
- F. A veteran as defined in F.S. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.
- G. A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

Preference in employment and retention may be given only to eligible persons who are described above ~~and who are residents of this State.~~

In all positions in which the appointment or employment of persons is not subject to a written examination, first preference in appointment, employment, and retention processes shall be given to persons included under A and B above, ~~and~~ second preference shall be given to persons included under C and D above, and third preference shall be given to persons included under E, F, and G above who possess the minimum qualifications necessary to discharge the duties of the position involved.

A disabled veteran employed as the result of being placed at the top of the appropriate employment list shall be appointed for a probationary period of one (1) year. At the end of such period, if the work of the veteran has been satisfactorily performed, the veteran will be subject to the employment policies of the District.

Reinstatement or Reemployment

When an Instructional staff member has served in the Armed Forces of the United States and is discharged or separated therefrom with an honorable discharge, the District shall reemploy or reinstate such person to the same position that s/he held prior to such service in the Armed Forces, or to an equivalent position, provided such person returns to the position within one (1) year of his/her date of separation or, in the case of extended active duty, within one (1) year of the date of discharge or separation subsequent to the extension. Such person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position.

Further, the District shall reemploy or reinstate the person who was a veteran when employed by the District and who was recalled to extended active duty in the Armed Forces of the United States and was discharged or separated therefrom with an honorable discharge to the same position that s/he held prior to service in the Armed Forces, or to an equivalent position, provided the person returns to the position within one (1) year of his/her date of separation or, in the case of extended active duty, within one (1) year of the date of discharge or separation subsequent to the extension. The person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position. For the purposes of this section, "extended active duty" means active duty, other than for training, beyond the date of honorable discharge or separation, due to military requirements.

The provisions in the preceding two (2) paragraphs pertaining to persons who are reemployed or reinstated shall apply only to a veteran's first promotion after reinstatement or reemployment, without exception.

F.S. 110.2135, 295.07, 295.08, 295.085, 295.09

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APPOINTMENT, ASSIGNMENT, TRANSFER, AND
PROMOTION OF INSTRUCTIONAL STAFF

The School Board believes that the appropriate placement of qualified and competent staff is essential to the successful functioning of the District.

~~Pursuant to statutory requirements, the percentage of temporarily certified teachers, teachers in need of improvement, or out of field teachers assigned to schools in one (1) of the three (3) lowest performing categories under State law shall not be greater than the District average of first time teachers, temporarily certified teachers, teachers in need of improvement, or out of field teachers. Such assignments shall be consistent with the collective bargaining agreement.~~

~~The District shall annually certify to the Commission of Education that this requirement is being met.~~

Appointment and Assignment

When developing his/her recommendation for ~~staff~~ appointments of instructional staff, the Superintendent shall consider nominations for staff appointments submitted by the principals. Further, if the Superintendent intends to recommend placement of a staff member in a school who was not nominated by the principal, the Superintendent will consult with that principal. In accordance with State law, a principal may refuse to accept the Superintendent's proposed assignment of an instructional staff member to his/her school unless that instructional staff member has a performance rating of effective or highly effective under F.S. 1012.34.

After such required consideration and consultation, the Superintendent shall submit written recommendations with regard to the appointment and assignment of instructional staff for Board action.

The Board shall act not later than three (3) weeks following the receipt of Florida Standards Assessment ~~FCAT~~ scores and data, including school grades, or June 30th, whichever is later, on the Superintendent's nominations of supervisors, principals, and members of the instructional staff.

In accordance with State law, the Board may reject the Superintendent's recommendation for initial appointment and assignment, or re-appointment and assignment, for good cause.

Assignment to Schools Graded "D" or "F"

Pursuant to statutory requirements, the percentage of temporarily certified teachers, teachers in need of improvement, or out-of-field teachers assigned to schools graded "D" or "F" under State law shall not be greater than the District average. Such assignments shall be consistent with the collective bargaining agreement.

A newly hired instructional staff member may be assigned to a school that has earned a grade of "F" in the previous year, or any combination of three (3) consecutive grades of "D" or "F" in the previous years, if the individual:

- A. has received an "effective" or "highly effective" rating in the immediate prior year's performance evaluation;
- B. has successfully completed or is enrolled in a teacher preparation program, is provided with high-quality mentoring during the first two (2) years of employment, holds a professional certificate and holds a probationary contract; or
- C. holds a probationary contract, holds a professional certificate and has successful teaching experience, and if, in the judgment of the school principal students would benefit from the placement of that individual.

The Superintendent will annually certify to the Commission of Education that these requirements are being met. If these requirements are not met and the Superintendent cannot certify, the Board shall be informed immediately.

Assignment to Teacher Preparation Programs

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in which candidates demonstrate an impact on student learning growth must have evidence of “clinical educator” training, a valid professional certificate and at least three (3) years K-12 teaching experience and must have earned an “effective” or “highly effective” rating on the prior year’s performance evaluation or be a peer evaluator under the District’s evaluation system.

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates an impact on student learning growth, through a Florida online or distance program must have received “clinical educator” training or its equivalent in that state, hold a valid professional certificate issued by the state in which the field experience takes place, and have at least three (3) years of K-12 teaching experience.

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates an impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received “clinical educator” training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least three (3) years of K-12 teaching experience.

Promotion and Transfer

Pursuant to State law, the Superintendent's primary consideration in recommending an individual for promotion must be the individual's demonstrated effectiveness pursuant to ~~F.S. 1012.34~~State law.

Before transferring an instructional staff member from one (1) school to another, the Superintendent shall consult with the principal of the school to which the teacher will be assigned and allow the principal the opportunity to review the teacher's records, including student performance demonstrated under F.S. 1012.34, and interview the teacher. If, in the judgment of the principal, students would not benefit from the placement, an alternative placement may be sought. A principal may refuse to accept the Superintendent's assignment or transfer of an instructional staff member who holds a professional teaching certificate to his/her school, unless that instructional staff member has a performance rating of effective or highly effective under F.S. 1012.34.

After the required considerations and consultations, the Superintendent shall submit written recommendations with regard to the promotion or transfer of instructional staff for Board action.

In accordance with State law, the Board may reject the Superintendent's recommendation for the transfer or promotion of an instructional staff member for good cause.

Required Reporting

The Superintendent must annually notify the parent of any student who is assigned to classroom with a teacher having two (2) consecutive annual performance evaluation ratings of unsatisfactory, two (2) annual performance evaluation ratings of unsatisfactory within a three (3) year period, or three (3) consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory.

Duties, Days, and Hours

The Superintendent shall make known through administrative channels the duties, days, and hours of the various classes of instructional personnel.

- A. Instructional staff members shall perform the duties required by Florida statutes, Board policy, and the collective bargaining agreement, as well as other reasonable duties as may be assigned by their immediate supervisor. Failure to perform such duties in an acceptable manner shall constitute a violation of the instructional staff member's contract and just cause for disciplinary action.

- B. Instructional staff members are responsible for student control and supervision at any location on campus or during school-sponsored activities.
- C. Instructional staff members shall not permit their family members or friends by their presence to interfere with performance of their duties during working hours.

Employment and Supervision of Relatives (Nepotism)

Instructional staff members may not nominate for employment, or directly supervise, relatives at the same work location. The instructional staff member of any District entity or office shall disclose to the Superintendent any relative for whom the instructional staff member is responsible with respect to employment decisions, payroll authorization, or job performance evaluations. All employees shall disclose to the Superintendent, the names of all relatives working at the same work location. Failure to immediately make such disclosures shall be grounds for disciplinary action, up to and including termination.

Work location is defined to include payroll cost center or any administrative unit under the direct supervision of a permanent employee of the District.

"Relative" means an individual who is related to the supervisor as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandfather, grandmother, or grandchild.

F.S. 112.3135, 1004.04, 1012.22, 1012.23, 1012.2315, 1012.27, 1012.28

DRUG AND ALCOHOL TESTING OF
EMPLOYEES WHO PERFORM SAFETY SENSITIVE FUNCTIONS

The School Board believes that the safety of students is of utmost importance and is the responsibility of the employee. To fulfill such a responsibility, employees who perform safety-sensitive functions must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' and students' health and well-being.

For purposes of this policy and the procedures associated with the policy, the following definitions shall apply.

- A. The term *illegal drug* means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
- B. The term *controlled substance* includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.
- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety-sensitive functions* includes all tasks associated with the operation and maintenance of Board-owned vehicles and other functions as assigned by the superintendent where impaired judgment puts in jeopardy the safety of employees or students.

- E. The term *while on duty* means all time from the time the employee begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

The Board requires all employees to comply with Board Policy 3124 on Drug Free Schools which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the Board concurs with the Federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substance while on duty.

The Board directs the Superintendent to establish a drug and alcohol testing program whereby any staff member performing safety sensitive functions, is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opiates
- D. Amphetamines
- E. Phencyclidine (PCP)

The drug tests are to be conducted in accordance with Federal and State regulations:

- A. prior to employment (Controlled Substances Only);
- B. for reasonable cause;
- C. upon return to duty after any alcohol or drug rehabilitation;

- D. after any accident;
- E. on a random basis, and
- F. on a follow-up basis.

Candidates shall also be tested for the presence of alcohol in their system prior to employment.

1. Any staff member who is subject to drug tests in accordance with this policy and who tests positive shall be prohibited from performing safety sensitive functions;
2. referred to the District's Employee Assistance Program; and
3. subject to discipline, up to and including discharge, in accordance with District procedures and the terms of any applicable collective bargaining agreements.

Furthermore, if during any test the lab determines that an adulterant has been added to the specimen, then the test will be considered positive.

Any staff member who refuses to submit to a test shall be prohibited from performing or continuing to perform his/her safety-sensitive functions and may be subject to disciplinary action up to and including termination.

A staff member who voluntarily discloses that they have an addiction to alcohol or controlled substances may participate in the Employee Assistance Program, and will qualify for the receipt of medical insurance benefits for treatment of alcohol or substance abuse, including follow-up care, to the extent that such benefits are provided for or offered in the Board's health insurance package. Voluntary disclosure of an alcohol or drug addiction by a staff member will not subject the staff member to disciplinary action unless such disclosure is made after the staff member is selected to be tested or immediately prior to the selection of staff members to be tested. Nothing herein shall prevent the Board from disciplining a staff member for misconduct associated with his/her alcohol and/or drug use regardless of whether the employee has disclosed that s/he has an alcohol or drug addiction.

A staff member will be subject to disciplinary action, up to and including termination, for any of the following reasons:

- A. reports for duty or performs work while having an alcohol concentration of 0.02 or greater
- B. reports for duty or performs work while testing positive for using a prohibited drug, or while being under the influence of a prohibited drug
- C. refuses to submit to drug and/or alcohol testing
- D. alters or attempts to alter or unduly influence alcohol and/or drug testing results
- E. fails to remain readily available for post-accident testing (including notifying his/her supervisor of his/her location, if the staff member leaves the scene of the accident prior to the submission of a post-accident test, unless the staff member's departure is to obtain necessary emergency medical care)

Prior to the beginning of the testing program, the District shall provide a drug-free awareness program which will inform each employee in a safety sensitive position about:

- A. the dangers of illegal drug use and controlled substance and alcohol abuse;
- B. Board Policy 3124 - Drug-Free Workplace, Policy 3161 - Fitness for Duty, Policy 3170 - Substance Abuse, and Policy 3170.01 - Employee Assistance Program;
- C. the sanctions that may be imposed for violations of Policy 3124.

All time spent undergoing an alcohol or controlled substance test, including travel time, will be paid at the staff member's regular rate of pay, or at his/her overtime rate, if applicable. Any staff member who is not allowed to return to work while awaiting test results will be compensated during the waiting period for all work time lost, including overtime, if applicable. The Board shall pay all costs associated with the administration of alcohol and controlled substance tests. This includes testing of the "split specimen" at a Federally certified laboratory if so requested by a staff member. The Board will not pay for the employee's time while not on duty, if the split specimen test results are positive.

Alcohol and drug test results shall be protected as confidential medical records as appropriate under the Americans With Disabilities Act (i.e. test results shall be provided on a right to know basis. –

A tested individual, upon written request, will have access to any records relating to his/her use of drugs and alcohol, including any records pertaining to his/her drug and alcohol tests. A tested individual must provide written authorization before his/her test result can be provided to any other person except a government agency specified in the applicable Federal regulations.

All tests shall be conducted in accordance with Federal testing procedures and be performed by a laboratory that is Federally certified (i.e. testing procedures and devices used will be as set forth in 49 C.F.R. Part 40).

The alcohol and drug testing program shall be under the direction of the Superintendent.

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples
- B. clear and consistent communication with the District's Medical Review Officer (MRO)
- C. methodology and procedures for conducting random tests for controlled substances and alcohol
- D. preparation and submission of all required reports to the District, the MRO, and to Federal and State governments

The Superintendent shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.

Educational materials explaining the requirements of the Federal regulations and of the Board's policies and procedures to meet the Federal regulations shall be provided to all staff members, including the following:

- A. the name of the person designated by the Board to answer questions about the materials
- B. information sufficient to make clear to employees the period of the work day during which they are required to comply with the regulations
- C. information concerning what conduct is prohibited
- D. the circumstances under which employees are subject to testing

- E. the procedures for testing in order to protect the employee and the integrity of the testing process, to safeguard the validity of the test results, and to confirm the results are attributed to the correct employee
- F. the requirement that staff members must submit to testing as required by the regulations
- G. an explanation of what constitutes a refusal to be tested and the attendant consequences
- H. the consequences of testing positive, including the requirements of immediate removal from safety-sensitive functions, and the procedures regarding referral, evaluation, and treatment
- I. the consequences for a test indicating an alcohol concentration greater than 0.02, and
- J. information concerning the effects of alcohol and drug misuse on an individual's health, work, and personal life; signs and symptoms of an alcohol problem (the employee's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected (including confrontation and how to refer someone to an Employee Assistance Program or to management)

These materials are to be distributed to each staff member upon being hired or transferred into a covered position thereafter. Each staff member must sign a statement certifying receipt of these materials. Each employee (and labor organization representing Board employees) shall receive written notice of the availability of this information, and the identity of the Board's designated representative in charge of answering employee questions about the materials.

F.S. 112.0455, 440.102, 1012.45

21 U.S.C. 812, Schedules I-V of Section 202 of the Controlled Substances Act

21 C.F.R. 1308.11-.15

34 C.F.R. Part 40 (DOT)

49 C.F.R. Parts 382 and 391 (FHWA)

49 C.F.R. 382.101 et seq.

Omnibus Transportation Employee Testing Act, Pub. L. 102-143, Title V

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WEAPONS

But for the exceptions specified below, pursuant to State law, the School Board prohibits support staff members District employees from possessing, storing, making, or using a weapon, including openly carrying a handgun or carrying a concealed weapon or firearm, in a school safety zone, into any elementary or secondary school, administration building, as well as into any Board meeting, and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.

Exceptions to the Board's prohibition from openly carrying a handgun or carrying concealed weapon or firearm, in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school-sponsored event, or in a District vehicle include the following:

- A. A person may carry an unloaded firearm in a case to a firearms program, class or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.
- B. A person may carry an unloaded firearm in a case to a career center having a firearms training range.

C. A person may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use.

This exception shall not apply to employees or students eighteen (18) years of age or older who park their private motor vehicles on school property.

D. Members of the Armed Forces, National Guard, police or other licensed law enforcement officers, as well as other persons approved by the school or District on a case-by-case basis, may possess a firearm or weapon.

E. Contractors, vendors, or their employees may possess and use tools, instruments, and other devices on District property or at District-sponsored events, including in vehicles in either situation, even though such items fall within the definition of weapons, provided that such possession and use is in accordance with the terms of a written contract with the Board, or is otherwise in furtherance of their duties under such a contract and is authorized in advance by the Superintendent.

~~Staff members~~All District employees shall immediately report knowledge of ~~dangerous firearms,~~ weapons, and/or threats of violence by students, staff members, or visitors to the Superintendent. Failure to report such knowledge may subject ~~the staff member~~District employees to discipline.

The Superintendent shall ~~ensure~~require that any ~~staff member~~District employee possessing a firearm, weapon, or other device designed to inflict serious bodily harm, including a concealed firearm or weapon, in violation of this policy and State law, is reported immediately to the appropriate law enforcement agency, regardless of whether such ~~staff member~~District employee possesses a valid concealed weapon license. As well, the staff member shall be subject to disciplinary action, up to and including termination, consistent with law, due process, and the terms of any negotiated agreement.

The Superintendent shall ~~conspicuously~~ post ~~such~~ notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from openly carrying a handgun or carrying a concealed weapon or firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. ~~Such~~ ~~N~~ notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and ~~parcel of~~ land school campuses. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.

F.S. 790.001, 790.06, 790.115, 790.251, 1001.43, 1006.07
18 U.S.C. 922

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EVALUATION OF INSTRUCTIONAL PERSONNEL

Pursuant to State law, evaluations shall be conducted for the purpose of increasing student learning growth by improving the quality of instructional services in the District. Except for classroom teachers who are newly hired in the District and excluding substitute teachers, a performance evaluation must be conducted for each instructional staff member at least once per year. Newly hired teachers must be observed and evaluated twice during their first year of teaching in the District.

The Principal is responsible for the performance of all personnel employed by the School Board and assigned to the school to which the Principal is assigned. The Principal shall appropriately and effectively apply the personnel evaluation system that has been recommended by the Superintendent and approved by the Board, and approved, as required by State law, by the Florida Department of Education.

As set forth in State law, the evaluation criteria must include performance of students: at least fifty percent (50%) of a classroom teacher's performance evaluation must be based upon learning growth or achievement of the teacher's students or, in the case of co-teaching or team teaching, within the teacher's academic sphere of responsibility. For subjects and grade levels not measured by Statewide assessments, School District assessments as provided in F.S. 1008.22(8) shall be used. The remaining portion shall be based upon factors identified in the District-determined, State-approved evaluation system plan. The District will use the formula adopted pursuant to Florida statutes for measuring student learning growth in all courses associated with Statewide assessments and must select an equally appropriate formula for measuring student learning growth for all other grades and subjects, except as otherwise provided in law. .

The student learning growth portion of the evaluation must include growth data on Statewide assessments for students assigned to the instructional staff member over the course of at least three (3) years. If less than three (3) years of data are available, the years for which data are available must be used and the percentage of the evaluation based upon student learning growth may be reduced to not less than forty percent (40%).

The student performance data used in the performance evaluation of non-classroom instructional personnel must be based on student outcome data that reflects the actual contribution of such personnel to the performance of the students assigned to the individual in the individual's areas of responsibility.

For purposes of performance salary schedules adopted in accordance with State law, the student assessment data in the performance evaluation must be from Statewide assessments or District-determined assessments in the subject areas taught.

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For instructional personnel who are not classroom teachers, the student learning growth portion of the evaluation must include growth data on Statewide assessments for students assigned to the instructional personnel over the course of at least three (3) years, or may include a combination of student learning growth data and other measurable student outcomes that are specific to the assigned position, provided that the student learning growth data accounts for not less than thirty percent (30%) of the evaluation. If less than three (3) years of student growth data are available, the years for which data are available must be used and the percentage of the evaluation based upon student learning growth may be reduced to not less than twenty percent (20%).

The evaluation criteria must include, but are not limited to, the following:

- A. student performance, as described above;
- B. instructional practice, including indicators based upon each of the Florida Educator Accomplished Practices adopted by the State Board and specific job expectations related to student support for instructional staff members who are not classroom teachers;
- C. professional and job responsibilities adopted by the State Board, as well as additional professional and job responsibilities established by the Board.

The Principal shall inform all instructional personnel of the criteria and procedures associated with the performance evaluation process before evaluation begins. Additionally, the Principal shall assist the teachers within the school to use student assessment data, as measured by student learning growth gains pursuant to State law, for self-evaluation and improvement.

The evaluation shall be completed and on file in accordance with the time schedule established by the Superintendent. The written report of the evaluation must be on file and provided to the employee within ten (10) days after the evaluation conference. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his/her personnel file. The evaluator may amend an evaluation based upon assessment data from the current year if the data becomes available within ninety (90) days after the close of the school year.

If an employee who holds a professional service contract is not performing his/her duties in a satisfactory manner, the evaluator shall notify the employee in writing of such determination. The notice must describe such unsatisfactory performance and include notice of the procedural requirements set forth in F.S. 1012.34.

An instructional staff member shall be given a copy of any documents relating to his/her performance which are to be placed in the personnel file.

A portion of each instructional staff member's compensation shall be based on the employee's performance evaluation as required by State law.

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In addition, the Superintendent shall annually report the evaluation results of instructional staff members using the four (4) levels of performance set forth in State law to the FLDOE. The results shall be provided by school and shall be disaggregated by classroom teachers, as defined in State law, excluding substitute teachers, and all other instructional personnel, also as defined in State law.

The Superintendent shall also notify the FLDOE of any instructional staff members who receive two (2) consecutive unsatisfactory evaluations, as well as any instructional personnel who are given written notice by the District of intent to terminate or not renew their employment.

~~The instructional personnel assessment system shall be evaluated annually to determine compliance with State law and this policy.~~ The Superintendent shall develop procedures for annual review of the instructional staff evaluation system to analyze whether it complies with Florida law and this policy. All substantial revisions to an approved system shall be approved by the Board, upon the recommendation of the Superintendent, before being submitted to the Florida Department of Education for approval. Substantial revisions are those that would cause an amendment to which performance levels would be assigned to instructional personnel.

F.S. 1012.22, 1012.28, 1012.31, 1012.34, 1012.986

Revised 3/4/14

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DELETE

1

COMPENSATION

2 ~~The base salary of all instructional staff members shall be determined by the School~~
3 ~~Board and shall be authorized by the annual salary schedule adopted by the Board~~
4 ~~upon the recommendation of the Superintendent.~~

5 ~~Pursuant to statutory requirements, a portion of each instructional staff member's~~
6 ~~compensation paid pursuant to the adopted salary schedule shall be based on~~
7 ~~demonstrated performance as required by State law and evaluated in accordance~~
8 ~~with State law and Policy 3220.~~

9 ~~Effective July 1, 2013, the adopted salary schedule shall also provide for~~
10 ~~differentiated pay for instructional staff members based upon District determined~~
11 ~~factors including, but not limited to, the following:~~

12 A. ~~additional responsibilities;~~

13 B. ~~school demographics;~~

14 C. ~~critical shortage areas;~~

15 D. ~~level of job performance difficulties.~~

16 ~~In addition, the Board may pay a salary supplement for an advanced degree in the~~
17 ~~individual's area of certification.~~

18 **Bonuses or Severance Pay**

19 ~~Any salary adjustments or supplements that would constitute bonuses must be~~
20 ~~based upon work performance. The determination of such bonus must include a~~
21 ~~process that describes performance standards and an evaluation process consistent~~
22 ~~with Policy 3220. All employees eligible for such a bonus will be notified before the~~
23 ~~beginning of the evaluation period on which the bonus is to be based.~~

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

6 ~~F.S. 215.425, 1001.42(24), 1001.43, 1011.60, 1012.22, 1012.32, 1012.33~~

7 ~~F.S. 1012.34~~

8 ~~F.A.C. 6A 1.052~~

9 ~~© NEOLA 2012~~

Replace with this Policy

COMPENSATION

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

- A. grandfathered salary schedule for instructional staff who have continuing contracts or professional service contracts and were hired before July 1, 2014; or
- B. the performance salary schedule for instructional staff who were hired after July 1, 2014, or who held annual contracts as of July 1, 2014.

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

If budget constraints in any given year limit the Board's ability to fully fund all adopted salary schedules, the performance salary schedule shall not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the District.

Grandfathered Salary Schedule for Instructional Staff

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

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

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

A. additional responsibilities;

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

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

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

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

B. school demographics;

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

The Human Resources Department shall submit to the Superintendent a list of instructional staff members who are assigned to schools that have the demographics that were approved by the Board for the current school year.

The Superintendent will authorize payment of the amount specified in the Board adopted salary schedule for instructional staff as a salary adjustment for assignment to a school that has the demographics listed above.

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

C. critical shortage areas;

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

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

The Superintendent will authorize payment of the amount specified in the annual salary schedule for instructional staff as an adjustment to the compensation of the staff members assigned in critical shortage areas.

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

D. level of job performance difficulties;

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

The Human Resources Department shall submit to the Superintendent a list of instructional staff members whose assignment is characterized by the job performance difficulties set forth in the collective bargaining agreement.

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

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

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

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

Salary Supplements

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

- A. The Human Resources Department shall submit to the Superintendent a list of instructional staff members who are eligible for the additional compensation provided by the annual salary schedule for all instructional staff members who were hired before July 1, 2011 for any advanced degree held.
- B. The Superintendent will authorize payment of the amount specified in the grandfathered salary schedule for instructional staff as a salary adjustment to the instructional staff members eligible for advanced degrees held.

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

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

Performance Salary Schedule for Instructional Staff

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

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

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

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

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

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

Salary Adjustments

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

- A. assignment to a Title I eligible school;

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

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

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

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

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

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

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

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

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

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

The Superintendent will authorize payment of the supplement specified in the collective bargaining contract for the staff members assigned in critical shortage areas.

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

D. assignment of additional academic responsibilities;

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

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

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

E. advanced degree in the area of certification.

The Human Resources Department shall submit to the Superintendent a list of instructional staff members who have earned advanced degrees in their area of certification.

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

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

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

Bonuses and/or Severance Pay

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

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

F.S. 215.425, 1001.42, 1001.43, 1011.60, 1012.22, 1012.32, 1012.33, 1012.335
F.S. 1012.34, 1012.56
F.A.C. 6A-1.052, Salary Schedules to be Adopted for All Personnel

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1 PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

2 The School Board provides coverage to eligible employees under self-funded group
3 health plans. The Board has established the following self-funded group health
4 plans:

- 5 A. Medical Plan
- 6 B. Prescription Drug Plan
- 7 C. Dental Plan
- 8 D. Vision Plan
- 9 E. Employee Assistance Plan
- 10 F. Health Flexible Spending Accounts (FSA)
- 11 G. Critical Illness Plan
- 12 H. Cancer Plan
- 13 I. Life Insurance
- 14 J. Accidental Death and Dismemberment

15 The Board acknowledges that these group health plans are required to comply with
16 the HIPAA Privacy Rule as amended by Title I of the Genetic Information
17 Nondiscrimination Act (GINA). Certain health information maintained by these
18 group health plans is afforded significant protection by this Federal law.

19 The Board hereby appoints the Executive Director of Human Resources to serve as
20 the Privacy Protection Officer of the group health plans. The Board delegates
21 authority to the Privacy Protection Officer to develop and implement the internal
22 policies and procedures for the group health plan(s) relating to the use and
23 disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule
24 is subsequently amended, the Privacy Protection Officer is authorized to make
25 necessary amendments to the internal policies and procedures.

26 The Board also acknowledges that the HIPAA Security Rule requires group health
27 plans to implement various security measures with respect to electronic protected
28 health information. The board hereby appoints the Executive Director of Human
29 Resources to serve as the security official of the group health plans.
30

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY**

INSTRUCTIONAL STAFF
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1 The Board delegates authority to the security official to develop, propose to the
2 Board, and implement policies for the group health plans relating to the security of
3 electronic protected health information, if applicable, following Board approval. In
4 the event that the HIPAA Security Rule is subsequently amended, the security
5 official is authorized to recommend to the Board necessary amendments to the
6 applicable policies. ~~The Privacy Protection Officer shall develop administrative~~
7 ~~procedures necessary to implement this policy.~~
8

9 The Board further delegates authority to the privacy official and/or the security
10 official to undertake such other actions as provided by the administrative
11 procedures in effect from time to time. The privacy official and/or security official
12 shall report his/her progress to the Board upon request. The Board reserves the
13 right to revoke any or all delegations set forth in this policy at any time for any
14 reason.
15

16 Since the Department of Health and Human Services (HHS) has the authority to
17 impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule and
18 the HIPAA Security Rule, the Board agrees to indemnify and hold harmless the
19 privacy official and the security official for any CMP imposed upon the privacy
20 official and the security official in connection with the performance of his/her duties
21 for the group health plans. Notwithstanding the forgoing language, the Board shall
22 not indemnify the privacy official and/or the security official in the event the CMP
23 was imposed as the result of intentional misconduct or gross negligence by the
24 privacy official and/or security official.

1 ~~The Privacy Protection Officer shall report his/her progress to the Board upon~~
2 ~~request.~~

3 ~~Since the Department of Health and Human Services (HHS) has the authority to~~
4 ~~impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule, the~~
5 ~~Board agrees to indemnify and hold harmless the Privacy Protection Officer for any~~
6 ~~CMP imposed upon him/her in connection with the performance of his/her duties~~
7 ~~for the group health plans. Notwithstanding the foregoing language, the Board shall~~
8 ~~not indemnify the Privacy Protection Officer in the event the CMP was imposed as~~
9 ~~the result of intentional misconduct or gross negligence by the Privacy Protection~~
10 ~~Officer.~~

11 ~~The Board reserves the right to revoke any or all delegations set forth in this policy~~
12 ~~at any time for any reason.~~

13 F.S. 1002.22
14 20 U.S.C. 1232g
15 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
16 29 C.F.R. Part 1635

17 © **NEOLA 2010**

3430.03 - SICK LEAVE

Instructional staff members who are appointed to work half-time or more shall earn one (1) day of paid sick leave for each full month of employment. Earned sick leave shall be pro-rated in proportion to the number of hours employed per day. Sick leave may not be used before it is earned and credited.

A. Accrual

1. Four (4) days of earned sick leave credit shall be annually advanced at the end of the first month of employment of each contract year, and one (1) day of sick leave will be advanced at the end of each successive month of employment. However, each employee is entitled to earn no more than one (1) day of sick leave times the number of months of employment during the year of employment.
2. An employee who is in an active pay status, including leave with pay, shall earn sick leave for each month in which s/he receives pay for one (1) day more than half the number of work days during that month.
3. An employee who is on leave without pay during a month shall earn sick leave for that month if s/he has worked one (1) day more than half the number of work days during that month.
4. If the employee terminates his or her employment and has not accrued the four (4) days of sick leave available to him/her, the School Board may withhold the average daily amount for the days of sick leave used but unearned by the employee.
5. Sick leave shall be cumulative from year to year.

B. Use

1. An employee taking sick leave shall notify the appropriate supervisor and file a request for leave of absence form (Form 3430.03 F1) before beginning the leave, if possible. In an emergency, the request for leave of absence form (Form 3430.03 F1) may be filed immediately following return to duty.
2. Sick leave shall be in increments of one-half (1/2) or full days, and may be taken for the following reasons:
 - a. when the employee is unable to perform his/her duty in the school on account of personal sickness, accident, disability, or extended personal illness, and consequently has to be absent from his/her work;
 - b. for the illness or death of the employee's spouse, child, father, mother, brother, sister, other close relative, or member of the employee's own household;

- c. as personal leave with pay for up to five (5) days per fiscal year; and
- d. for the maternity or paternity of the employee or the employee's spouse, child, other close relative, or member of the employee's own household.

C. Transfer

1. From Other Public Schools

Sick leave may be transferred from other public schools in Florida funded through the Florida Education Finance Program. Transferred days may only be credited in a number equal to the number of days earned in this District.

2. To Family Members

An employee may authorize transfer of accrued sick leave to his/her spouse, child, parent, or sibling, who is also a District employee, provided that the transfer relates to one of the reasons set forth in Paragraph (B)(2) herein.

The personnel administrator approving the leave may require documentation of the recipient's relationship to the authorizing employee.

D. Compassionate Leave Program

The Compassionate Leave Program is established as a mechanism for accepting from qualified employees the voluntary donation of time from annual accumulated sick leave. Compassionate Leave may be utilized by eligible employees who need extended time off due to a catastrophic, serious health condition or life-altering event of a member of the employee's immediate family, or for someone residing within the employee's household, for whom the employee is the primary caregiver.

Exclusions include but are not limited to, normal pregnancy, any injury covered by Worker's Compensation or mental/nervous conditions, chemical dependency, alcoholism or related conditions. The following criteria will govern the creation, maintenance and use of Compassionate Leave Program:

- 1. Recipient must have been a regular employee of the district for at least one full year preceding the current fiscal year and must have used all available sick and vacation leave prior to receiving donated leave.

2. Donors are eligible to donate creditable time they have earned as long as the employee retains a minimum of 30 days of available leave after the donation is deducted.
3. The leave will be donated to a specific employee at the time the donation takes place
4. Donations will be on first received from donor, first transferred to recipient.
5. Recipient must complete an application for the Compassionate Leave Program which will contain:
 - a. Employee name
 - b. Employee Identification number
 - c. Beginning and Ending dates of leave requested
 - d. Last day of available paid leave
 - e. Explanation regarding the circumstances surrounding the reason for the leave
 - f. Physician's Statement Form providing documentation of the injury, illness or accident or other appropriate documentation for which leave is requested.
6. In no event shall any compassionate leave time approved under this policy exceed 60 days.
7. Any unused transferred sick leave hours will be returned to the authorizing employee on a last in, first out basis

F.S. 402.22, 1001.41, 1001.42(5), 1001.43(11), 1012.22, 1012.23, 1012.61
F.S. 1012.62, 1012.66

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LEAVES OF ABSENCE

A leave of absence is permission granted or allowed by the School Board under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of the leave.

Instructional staff members shall not be absent from their assigned duties except as authorized by the Superintendent. An instructional staff member who is willfully absent from duty without leave shall forfeit compensation for the time of such absence. Contracts or appointments shall be subject to cancellation by the Board and the instructional staff member shall be subject to immediate dismissal.

All leave shall expire no later than June 30th of each school year except as otherwise permitted by law or Board policy. If leave is requested to extend beyond June 30th, the instructional staff member shall re-apply for leave to begin July 1st of the following school year.

Leave shall be used for the purposes set forth in the leave application. An instructional staff member who uses leave for purposes other than that set forth in the leave application may be subject to discipline, up to and including termination.

Leave may be with or without pay as provided by law, regulations of the State Board, and this policy. For any absence that is without pay, the deduction in compensation for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the employment period.

- A. Paid leaves of absence may include: sabbatical, vacation, sick ~~leave~~, personal charged to sick, jury/ witness duty, illness- or injury-in-line-of-duty, professional and military.
- B. Unpaid leaves of absence may include: professional ~~study~~, personal ~~leave not paid~~, ~~illness leave not paid~~, family and medical leave, maternity/ paternity, adoption and child rearing leave parent, and extended personal without pay.

Staff not covered by the Collective Bargaining Agreement shall be governed by the following:

Approval of Leaves

All requests for leave shall be submitted on the proper form to the instructional staff member's supervisor for review and recommendation to the Human Resources Department, which may or may not grant approval. Except in cases of emergency, a request for leave should be filed at least fifteen (15) days before the date on which the proposed leave is to become effective.

Long-term leave without pay may be granted for a period up to one (1) school year. However, no more than two (2) consecutive long-term leaves for any reason shall be approved.

The approval or denial of requests for leave shall be based on the requirements of efficient operation of the District school system, as well as on consideration of what is fair to the employee.

Except in the case of sick leave or emergency, leave requests shall be approved or denied before the effective date of the leave.

A. The Superintendent is authorized to grant the following types of leave for instructional staff:

accrued sick

illness- or injury-in-line-of-duty, up to ten (10) days

military, up to seventeen (17) days

personal, up to five (5)days

vacation (annual)

jury/witness duty

temporary duty elsewhere

B. The Superintendent is authorized to approve Family and Medical Act (FMLA) Leave under Policy 4430.01, FMLA Leave.

All other requests for leave require a recommendation by the Superintendent and approval of the Board.

Instructional staff members should refer to the collective bargaining agreement for more information pertaining to leaves of absence.

F.S. 1012.22, 1012.61, 1012.63, 1012.64, 1012.66, 1012.67
F.A.C. 6A-1.080, Maximum Extent of Leave

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MILITARY LEAVE

The School Board supports individuals willing to serve in the armed forces of the United States or the State of Florida to protect our country and State. In accordance with State and Federal laws, instructional staff members who must be absent from work for military service are entitled to take a military leave of absence in accordance with this policy.

Instructional staff members called to duty are required to notify the Superintendent immediately unless notice is impossible or prevented by military necessity or, under all of the relevant circumstances, the giving of such notice is otherwise impossible or unreasonable.

Reserve or Guard Training

All instructional staff members in this District who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard are entitled to leaves of absence from their respective duties, without loss of vacation leave, pay, time, or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty.

Compensation allowed for military leave to participate in required training exercises shall not exceed 240 hours in any one (1) annual period as provided in F.S. 115.07. Such leave is not charged as vacation. It shall be established that the period selected is not at the convenience of the employee but a military necessity, if it falls within the school year. Upon the recommendation of the Superintendent, leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be without pay and may be granted by the Board and when so granted shall be without loss of time or efficiency rating.

When an instructional staff member's assigned employment duty conflicts with ordered active or inactive duty training, it is the responsibility of the Board to provide a substitute employee, if necessary, for the assumption of such employment duty while the employee is on assignment for the training.

Active Military Service

Instructional staff members who are service members of the National Guard or a reserve component of the Armed Forces of the United States shall be granted leave to perform active military service, the first thirty (30) days of any such leave to be with full pay.

Leave of absence for additional or longer periods of time for assignment to duty functions of a military character shall be established as the rate that is the difference between the employee's regular pay rate and their documented rate of pay for military service.

Re-Employment

Re-employment of all instructional staff members granted military leave shall be governed in accordance with 38 U.S.C. 4312. An instructional staff member who is granted military leave for active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice, provided that the instructional staff member gives notice and files an application for re-employment within the time limitations contained in Federal law. Instructional staff members will be returned to duty in the same or a similar position as previously held in accordance with Federal law.

Benefits During Military Leave

The Board shall continue to provide all health insurance and other existing benefits to instructional staff members as required by the Uniformed Services Employment and Reemployment Rights Act, Chapter 43 of Title 38 U.S.C.

Voluntary Service

When an employee enters voluntarily into any branch of the Armed Forces for temporary or an extended period of service, military leave shall be granted at the Board's discretion. An employee whose absence will interfere with the orderly operation of the school program shall be denied military leave, except in unusual cases.

Bargaining unit members should refer to the collective bargaining agreement for more information pertaining to military leave.

F.S. 115.07, 115.09, 115.14, 121.111, 250.341, 1012.23
38 U.S.C. 2021 et seq.
38 U.S.C. 4312
38 U.S.C. 4323

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PREFERENCE FOR VETERANS IN EMPLOYMENT

Preference in employment, reemployment, promotion, and retention shall be given to an eligible veteran, pursuant to the provisions below, as long as the veteran meets the minimum eligibility requirements and has the knowledge, skills, and abilities required for the particular position.

Appointment or Retention in Positions of Employment

Preference shall be given pursuant to the following:

- A. Those disabled veterans:
 - 1. who have served on active duty in any branch of the United States Armed Forces ~~of the United States~~, have ~~been separated therefrom under honorable conditions~~ received an honorable discharge, and have established the present existence of a service-connected disability ~~which~~ that is compensable under public laws administered by the U.S. Department of Veterans' Affairs; or
 - 2. who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense.
- B. The spouse of ~~any~~ a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of ~~any~~ a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.
- C. A wartime veteran ~~of any war~~ as defined in F.S. 1.01(14). ~~The veteran must have~~ who has served at least one (1) day during a wartime period to be eligible for veterans' preference. Active duty for training ~~shall~~ may not be allowed for eligibility under this paragraph.
- D. The unremarried widow or widower of a veteran who died of a service-connected disability.

- E. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.
- F. A veteran as defined in F.S. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.
- G. A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

Preference in employment and retention may be given only to eligible persons who are described above ~~and who are residents of this State.~~

In all positions in which the appointment or employment of persons is not subject to a written examination, first preference in appointment, employment, and retention processes shall be given to persons included under A and B above, ~~and~~ second preference shall be given to persons included under C and D above, and third preference shall be given to persons included under E, F, and G above who possess the minimum qualifications necessary to discharge the duties of the position involved.

A disabled veteran employed as the result of being placed at the top of the appropriate employment list shall be appointed for a probationary period of one (1) year. At the end of such period, if the work of the veteran has been satisfactorily performed, the veteran will be subject to the employment policies of the District.

Reinstatement or Reemployment

When a Support Staff member has served in the Armed Forces of the United States and is discharged or separated therefrom with an honorable discharge, the District shall reemploy or reinstate such person to the same position that s/he held prior to such service in the Armed Forces, or to an equivalent position, provided such person returns to the position within one (1) year of his/her date of separation or, in the case of extended active duty, within one (1) year of the date of discharge or separation subsequent to the extension. Such person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position.

Further, the District shall reemploy or reinstate the person who was a veteran when employed by the District and who was recalled to extended active duty in the Armed Forces of the United States and was discharged or separated therefrom with an honorable discharge to the same position that s/he held prior to service in the Armed Forces, or to an equivalent position, provided the person returns to the position within one (1) year of his/her date of separation or, in the case of extended active duty, within one (1) year of the date of discharge or separation subsequent to the extension. The person shall also be awarded preference in promotion and shall be promoted ahead of all others who are as well qualified or less qualified for the position. For the purposes of this section, "extended active duty" means active duty, other than for training, beyond the date of honorable discharge or separation, due to military requirements.

The provisions in the preceding two (2) paragraphs pertaining to persons who are reemployed or reinstated shall apply only to a veteran's first promotion after reinstatement or reemployment, without exception.

F.S. 110.2135, 295.07, 295.08, 295.085, 295.09

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DRUG AND ALCOHOL TESTING OF CDL LICENSE HOLDERS AND OTHER
EMPLOYEES WHO PERFORM SAFETY SENSITIVE FUNCTIONS

The School Board believes that the safety of students ~~while being transported to and from school or school activities~~ is of utmost importance and is the ~~primary~~ responsibility of the ~~employee driver of the school vehicle~~. To fulfill such a responsibility, ~~each driver, as well as other~~ employees who perform safety-sensitive functions ~~with Board owned and/or operated ("Board owned") vehicles~~ must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' and students' health and well-being.

For purposes of this policy and the procedures associated with the policy, the following definitions shall apply.

- A. The term *illegal drug* means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
- B. The term *controlled substance* includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.
- C. The term *controlled substance abuse* includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term *safety-sensitive functions* includes all tasks associated with the operation and maintenance of Board-owned vehicles and other functions as assigned by the superintendent where impaired judgment puts in jeopardy the safety of employees or students.
- E. ~~The term *CDL license holder* means all regular and substitute bus drivers, other staff members who may drive students in Board owned vehicles or inspect, repair, and maintain Board owned vehicles.~~

~~E.F.~~ The term *while on duty* means all time from the time the employee ~~CDL license holder~~ begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

The Board ~~requires~~expects all employees ~~CDL license holders~~ to comply with Board Policy 14124 on Drug Free Schools which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the Board concurs with the Federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substance while on duty.

The Board directs the Superintendent to establish a drug and alcohol testing program whereby ~~each regular and substitute bus driver, and any other staff member who holds a CDL license, as well as~~ any staff member performing safety sensitive functions, is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opiates
- D. Amphetamines
- E. Phencyclidine (PCP)

The drug tests are to be conducted in accordance with Federal and State regulations:

- A. prior to employment (Controlled Substances Only);
- B. for reasonable cause;
- C. upon return to duty after any alcohol or drug rehabilitation;

- D. after any accident;
- E. on a random basis, and
- F. on a follow-up basis.

Candidates shall also be tested for the presence of alcohol in their system prior to employment.

Any staff member who is subject to drug tests in accordance with this policy and who tests positive shall be ~~prohibited from driving any school vehicle:~~

1. prohibited from performing safety sensitive functions;
2. referred to the District's Employee Assistance Program; and
3. subject to discipline, up to and including discharge, in accordance with District procedures and the terms of any applicable collective bargaining agreements.

Furthermore, if during any test the lab determines that an adulterant has been added to the specimen, then the test will be considered positive.

Any staff member who refuses to submit to a test shall be prohibited from performing or continuing to perform his/her safety-sensitive functions and may be subject to disciplinary action up to and including termination. (~~e.g., driving any Board-owned vehicle~~).

A staff member who voluntarily discloses that they have an addiction to alcohol or controlled substances may participate in the Employee Assistance Program, and will qualify for the receipt of medical insurance benefits for treatment of alcohol or substance abuse, including follow-up care, to the extent that such benefits are provided for or offered in the Board's health insurance package. Voluntary disclosure of an alcohol or drug addiction by a staff member will not subject the staff member to disciplinary action unless such disclosure is made after the staff member is selected to be tested or immediately prior to the selection of staff members to be tested. Nothing herein shall prevent the Board from disciplining a staff member for misconduct associated with his/her alcohol and/or drug use regardless of whether the employee has disclosed that s/he has an alcohol or drug addiction.

A staff member will be subject to disciplinary action, up to and including termination, for any of the following reasons:

- A. reports for duty or performs work while having an alcohol concentration of 0.02 or greater
- B. reports for duty or performs work while testing positive for using a prohibited drug, or while being under the influence of a prohibited drug
- C. refuses to submit to drug and/or alcohol testing
- D. alters or attempts to alter or unduly influence alcohol and/or drug testing results
- E. fails to remain readily available for post-accident testing (including notifying his/her supervisor of his/her location, if the staff member leaves the scene of the accident prior to the submission of a post-accident test, unless the staff member's departure is to obtain necessary emergency medical care)

Prior to the beginning of the testing program, the District shall provide a drug-free awareness program which will inform each employee holding a safety sensitive position about ~~CDL license holder about:~~

- A. the dangers of illegal drug use and controlled substance and alcohol abuse;
- B. Board Policy 14124 - Drug-Free Workplace, Policy 14161 - Fitness for Duty, Policy 14170 - Substance Abuse, and Policy 14170.01 - Employee Assistance Program;
- C. the sanctions that may be imposed for violations of Policy 14124.

All time spent undergoing an alcohol or controlled substance test, including travel time, will be paid at the staff member's regular rate of pay, or at his/her overtime rate, if applicable. Any staff member who is not allowed to return to work while awaiting test results will be compensated during the waiting period for all work time lost, including overtime, if applicable. The Board shall pay all costs associated with the administration of alcohol and controlled substance tests. This includes testing of the "split specimen" at a Federally certified laboratory if so requested by a staff member. The Board will not pay for the employee's time while not on duty, if the split specimen test results are positive.

Alcohol and drug test results shall be protected as confidential medical records as appropriate under the Americans With Disabilities Act (i.e. test results shall be provided on a right to know basis. ~~- the employee, the employer, and the substance abuse professional—and the results shall not be presented until analyzed by a Medical Review Officer.~~

A tested individual, upon written request, will have access to any records relating to his/her use of drugs and alcohol, including any records pertaining to his/her drug and alcohol tests. A tested individual must provide written authorization before his/her test result can be provided to any other person except a government agency specified in the applicable Federal regulations.

All tests shall be conducted in accordance with Federal testing procedures and be performed by a laboratory that is Federally certified (i.e. testing procedures and devices used will be as set forth in 49 C.F.R. Part 40).

The alcohol and drug testing program shall be under the direction of the Superintendent ~~or designee~~.

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples
- B. clear and consistent communication with the District's Medical Review Officer (MRO)
- C. methodology and procedures for conducting random tests for controlled substances and alcohol
- D. preparation and submission of all required reports to the District, the MRO, and to Federal and State governments

The Superintendent shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.

Educational materials explaining the requirements of the Federal regulations and of the Board's policies and procedures to meet the Federal regulations shall be provided to all staff members, including the following:

- A. the name of the person designated by the Board to answer questions about the materials
- B. information sufficient to make clear to employees the period of the work day during which they are required to comply with the regulations
- C. information concerning what conduct is prohibited
- D. the circumstances under which employees are subject to testing

- E. the procedures for testing in order to protect the employee and the integrity of the testing process, to safeguard the validity of the test results, and to confirm the results are attributed to the correct employee
- F. the requirement that staff members must submit to testing as required by the regulations
- G. an explanation of what constitutes a refusal to be tested and the attendant consequences
- H. the consequences of testing positive, including the requirements of immediate removal from safety-sensitive functions, and the procedures regarding referral, evaluation, and treatment
- I. the consequences for a test indicating an alcohol concentration greater than 0.02, and
- J. information concerning the effects of alcohol and drug misuse on an individual's health, work, and personal life; signs and symptoms of an alcohol problem (the employee's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected (including confrontation and how to refer someone to an Employee Assistance Program or to management)

These materials are to be distributed to each staff member upon being hired or transferred into a covered position thereafter. Each staff member must sign a statement certifying receipt of these materials. Each employee (and labor organization representing Board employees) shall receive written notice of the availability of this information, and the identity of the Board's designated representative in charge of answering employee questions about the materials.

F.S. 112.0455, 440.102, 1012.45

21 U.S.C. 812, Schedules I-V of Section 202 of the Controlled Substances Act

21 C.F.R. 1308.11-.15

34 C.F.R. Part 40 (DOT)

49 C.F.R. Parts 382 and 391 (FHWA)

49 C.F.R. 382.101 et seq.

Omnibus Transportation Employee Testing Act, Pub. L. 102-143, Title V

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REVISED POLICY – VOL. 14, NO. 2

WEAPONS

But for the exceptions specified below, pursuant to State law, the School Board prohibits ~~support staff members~~ District employees from possessing, storing, making, or using a weapon, including openly carrying a handgun or carrying a concealed weapon or firearm, in a school safety zone, into any elementary or secondary school, administration building, as well as into any Board meeting, and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

~~(+) without the permission of the Superintendent.~~

Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.

Exceptions to the Board's prohibition from openly carrying a handgun or carrying concealed weapon or firearm, in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school-sponsored event, or in a District vehicle include the following:

- A. A person may carry an unloaded firearm in a case to a firearms program, class or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.
- B. A person may carry an unloaded firearm in a case to a career center having a firearms training range.

- C. A person may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use.
- (x) This exception shall not apply to employees or students eighteen (18) years of age or older who park their private motor vehicles on school property.
- D. Members of the Armed Forces, National Guard, police or other licensed law enforcement officers, as well as other persons approved by the school or District on a case-by-case basis, may possess a firearm or weapon.
- [x] Contractors, vendors, or their employees may possess and use tools, instruments, and other devices on District property or at District-sponsored events, including in vehicles in either situation, even though such items fall within the definition of weapons, provided that such possession and use is in accordance with the terms of a written contract with the Board, or is otherwise in furtherance of their duties under such a contract and is authorized in advance by the Superintendent.

~~Staff members~~All District employees shall immediately report knowledge of ~~dangerous firearms,~~ weapons, and/or threats of violence by students, staff members, or visitors to the Superintendent _____. Failure to report such knowledge may subject ~~the staff member~~District employees to discipline.

The Superintendent shall ~~ensure~~require that any ~~staff member~~District employee possessing a firearm, weapon, or other device designed to inflict serious bodily harm, including a concealed firearm or weapon, in violation of this policy and State law, is reported immediately to the appropriate law enforcement agency, regardless of whether such ~~staff member~~District employee possesses a valid concealed weapon license. As well, the staff member shall be subject to disciplinary action, up to and including termination, consistent with law, due process, and the terms of any negotiated agreement.

~~[] A weapon may be brought on District property for educational purposes under controlled circumstances when authorized by the Superintendent.~~

~~The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities.~~

~~[x]~~ The Superintendent shall ~~conspicuously~~ post ~~such~~ notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from openly carrying a handgun or carrying a concealed weapon or firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. Such ~~N~~ notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and ~~parcel of land~~ school campuses. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.

F.S. 790.001, 790.06, 790.115, 790.251, 1001.43, 1006.07
18 U.S.C. 922

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1 PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

2 The School Board provides coverage to eligible employees under self-funded group
3 health plans. The Board has established the following self-funded group health
4 plans:

- 5 A. Medical Plan
- 6 B. Prescription Drug Plan
- 7 C. Dental Plan
- 8 D. Vision Plan
- 9 E. Employee Assistance Plan
- 10 F. Health Flexible Spending Accounts (FSA)
- 11 G. Critical Illness Plan
- 12 H. Cancer Plan
- 13 I. Life Insurance
- 14 J. Accidental Death and Dismemberment

15 The Board acknowledges that these group health plans are required to comply with
16 the HIPAA Privacy Rule as amended by Title I of the Genetic Information
17 Nondiscrimination Act (GINA). Certain health information maintained by these
18 group health plans is afforded significant protection by this Federal law.

19 The Board hereby appoints the Executive Director of Human Resources to serve as
20 the Privacy Protection Officer of the group health plans. The Board delegates
21 authority to the Privacy Protection Officer to develop and implement the internal
22 policies and procedures for the group health plan(s) relating to the use and
23 disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule
24 is subsequently amended, the Privacy Protection Officer is authorized to make
25 necessary amendments to the internal policies and procedures.

26 The Board also acknowledges that the HIPAA Security Rule requires group health
27 plans to implement various security measures with respect to electronic protected
28 health information. The board hereby appoints the Executive Director of Human
29 Resources to serve as the security official of the group health plans.
30

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY**

SUPPORT STAFF
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1 The Board delegates authority to the security official to develop, propose to the
2 Board, and implement policies for the group health plans relating to the security of
3 electronic protected health information, if applicable, following Board approval. In
4 the event that the HIPAA Security Rule is subsequently amended, the security
5 official is authorized to recommend to the Board necessary amendments to the
6 applicable policies. ~~The Privacy Protection Officer shall develop administrative~~
7 ~~procedures necessary to implement this policy.~~
8

9 The Board further delegates authority to the privacy official and/or the security
10 official to undertake such other actions as provided by the administrative
11 procedures in effect from time to time. The privacy official and/or security official
12 shall report his/her progress to the Board upon request. The Board reserves the
13 right to revoke any or all delegations set forth in this policy at any time for any
14 reason.
15

16 Since the Department of Health and Human Services (HHS) has the authority to
17 impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule and
18 the HIPAA Security Rule, the Board agrees to indemnify and hold harmless the
19 privacy official and the security official for any CMP imposed upon the privacy
20 official and the security official in connection with the performance of his/her duties
21 for the group health plans. Notwithstanding the forgoing language, the Board shall
22 not indemnify the privacy official and/or the security official in the event the CMP
23 was imposed as the result of intentional misconduct or gross negligence by the
24 privacy official and/or security official.

1 ~~The Privacy Protection Officer shall report his/her progress to the Board upon~~
2 ~~request.~~

3 ~~Since the Department of Health and Human Services (HHS) has the authority to~~
4 ~~impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule, the~~
5 ~~Board agrees to indemnify and hold harmless the Privacy Protection Officer for any~~
6 ~~CMP imposed upon him/her in connection with the performance of his/her duties~~
7 ~~for the group health plans. Notwithstanding the foregoing language, the Board shall~~
8 ~~not indemnify the Privacy Protection Officer in the event the CMP was imposed as~~
9 ~~the result of intentional misconduct or gross negligence by the Privacy Protection~~
10 ~~Officer.~~

11 ~~The Board reserves the right to revoke any or all delegations set forth in this policy~~
12 ~~at any time for any reason.~~

13 F.S. 1002.22
14 20 U.S.C. 1232g
15 42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
16 29 C.F.R. Part 1635

17 © **NEOLA 2010**

4430.03 - SICK LEAVE

Support staff members who are appointed to work half-time or more shall earn one (1) day of paid sick leave for each full month of employment. Earned sick leave shall be pro-rated in proportion to the number of hours employed per day. Sick leave may not be used before it is earned and credited.

A. Accrual

1. Four (4) days of earned sick leave credit shall be annually advanced at the end of the first month of employment of each contract year, and one (1) day of sick leave will be advanced at the end of each successive month of employment. However, each employee is entitled to earn no more than one (1) day of sick leave times the number of months of employment during the year of employment.
2. An employee who is in an active pay status, including leave with pay, shall earn sick leave for each month in which s/he receives pay for one (1) day more than half the number of work days during that month.
3. An employee who is on leave without pay during a month shall earn sick leave for that month if s/he has worked one (1) day more than half the number of work days during that month.
4. If the employee terminates his or her employment and has not accrued the four (4) days of sick leave available to him/her, the School Board may withhold the average daily amount for the days of sick leave used but unearned by the employee.
5. Sick leave shall be cumulative from year to year.

B. Use

1. An employee taking sick leave shall notify the appropriate supervisor and file a request for leave of absence form (Form 3430.03 F1) before beginning the leave, if possible. In an emergency, the request for leave of absence form (Form 3430.03 F1) may be filed immediately following return to duty.
2. Sick leave shall be in increments of one-half (1/2) or full days, and may be taken for the following reasons:
 - a. when the employee is unable to perform his/her duty in the school on account of personal sickness, accident, disability, or extended personal illness, and consequently has to be absent from his/her work;
 - b. for the illness or death of the employee's spouse, child, father, mother, brother, sister, other close relative, or member of the employee's own household;

- c. as personal leave with pay for up to five (5) days per fiscal year; and
- d. for the maternity or paternity of the employee or the employee's spouse, child, other close relative, or member of the employee's own household.

C. Transfer

1. From Other Public Schools

Sick leave may be transferred from other public schools in Florida funded through the Florida Education Finance Program. Transferred days may only be credited in a number equal to the number of days earned in this District.

2. To Family Members

An employee may authorize transfer of accrued sick leave to his/her spouse, child, parent, or sibling, who is also a District employee, provided that the transfer relates to one of the reasons set forth in Paragraph (B)(2) herein.

The personnel administrator approving the leave may require documentation of the recipient's relationship to the authorizing employee.

D. Compassionate Leave Program

For support employees not subject to a collective bargaining agreement, and if negotiated through collective bargaining for applicable employees, the Compassionate Leave Program is established as a mechanism for accepting from qualified employees the voluntary donation of time from annual accumulated sick leave. Compassionate Leave may be utilized by eligible employees who need extended time off due to a catastrophic, serious health condition or life-altering event of a member of the employee's immediate family, or for someone residing within the employee's household, for whom the employee is the primary caregiver.

Exclusions include but are not limited to, normal pregnancy, any injury covered by Worker's Compensation or mental/nervous conditions, chemical dependency, alcoholism or related conditions. The following criteria will govern the creation, maintenance and use of Compassionate Leave Program:

- 1. Recipient must have been a regular employee of the district for at least one full year preceding the current fiscal year and must have used all available sick and vacation leave prior to receiving donated leave.

2. Donors are eligible to donate creditable time they have earned as long as the employee retains a minimum of 30 days of available leave after the donation is deducted.
3. The leave will be donated to a specific employee at the time the donation takes place
4. Donations will be on first received from donor, first transferred to recipient.
5. Recipient must complete an application for the Compassionate Leave Program which will contain:
 - a. Employee name
 - b. Employee Identification number
 - c. Beginning and Ending dates of leave requested
 - d. Last day of available paid leave
 - e. Explanation regarding the circumstances surrounding the reason for the leave
 - f. Physician's Statement Form providing documentation of the injury, illness or accident or other appropriate documentation for which leave is requested.
6. In no event shall any compassionate leave time approved under this policy exceed 60 days.
7. Any unused transferred sick leave hours will be returned to the authorizing employee on a last in, first out basis

F.S. 402.22, 1001.41, 1001.42(5), 1001.43(11), 1012.22, 1012.23, 1012.61
F.S. 1012.62, 1012.66

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LEAVES OF ABSENCE

A leave of absence is permission granted or allowed by the School Board under its adopted policies for an employee to be absent from duty for a specified period of time with the right to return to employment upon the expiration of the leave.

Support staff members shall not be absent from their assigned duties except as authorized by the Superintendent. A support staff member who is willfully absent from duty without leave shall forfeit compensation for the time of such absence. Contracts or appointments shall be subject to cancellation by the Board and the support staff member shall be subject to immediate dismissal.

All leave shall expire no later than June 30th of each school year except as otherwise permitted by law or Board policy. If leave is requested to extend beyond June 30th, the support staff member shall re-apply for leave to begin July 1st of the following school year.

Leave shall be used for the purposes set forth in the leave application. A support staff member who uses leave for purposes other than that set forth in the leave application may be subject to discipline, up to and including termination.

Leave may be with or without pay as provided by law, regulations of the State Board, and this policy. For any absence that is without pay, the deduction in compensation for each day of absence shall be determined by dividing the annual salary by the number of days/hours for the employment period.

- A. Paid leaves of absence may include: sabbatical, vacation, sick ~~leave~~, personal charged to sick, jury/ witness duty, illness- or injury-in-line-of-duty, and military.
- B. Unpaid leaves of absence may include: professional ~~study~~, personal ~~leave not paid~~, ~~illness leave not paid~~, family and medical leave, maternity/ paternity, ~~adoption and child rearing leave~~ parent, and extended personal without pay.

Staff not covered by the Collective Bargaining Agreement shall be governed by the following:

Approval of Leaves

All requests for leave shall be submitted on the proper form to the support staff member's supervisor for review and recommendation to the Human Resources Department, which may or may not grant approval. Except in cases of emergency, a request for leave should be filed at least fifteen (15) days before the date on which the proposed leave is to become effective.

Long-term leave without pay may be granted for a period up to one (1) school year. However, no more than two (2) consecutive long-term leaves for any reason shall be approved.

The approval or denial of requests for leave shall be based on the requirements of efficient operation of the District school system, as well as on consideration of what is fair to the employee.

Except in the case of sick leave or emergency, leave requests shall be approved or denied before the effective date of the leave.

A. The Superintendent is authorized to grant the following types of leave for support staff:

Accrued sick leave, up to one (1) day per month of employment

illness- or injury-in-line-of-duty leave, up to ten (10) days

military leave, up to seventeen (17) days

personal leave, up to five (5) days charged to accrued sick leave

vacation (annual) leave

jury/witness duty leave

temporary duty elsewhere

B. The Superintendent is authorized to approve Family and Medical Act (FMLA) Leave under Policy 4430.01, FMLA Leave.

All other requests for leave require a recommendation by the Superintendent and approval of the Board.

Support staff members in a collective bargaining unit should refer to the collective bargaining agreement for more information pertaining to leaves of absence.

F.S. 1012.22, 1012.61, 1012.63, 1012.64, 1012.66, 1012.67
F.A.C. 6A-1.080, Maximum Extent of Leave

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MILITARY LEAVE

The School Board supports individuals willing to serve in the armed forces of the United States or the State of Florida to protect our country and State. In accordance with State and Federal laws, support staff members who must be absent from work for military service are entitled to take a military leave of absence in accordance with this policy.

Support staff members called to duty are required to notify the Superintendent immediately unless notice is impossible or prevented by military necessity or, under all of the relevant circumstances, the giving of such notice is otherwise impossible or unreasonable.

Reserve or Guard Training

All support staff members in this District who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard are entitled to leaves of absence from their respective duties, without loss of vacation leave, pay, time, or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations for such personnel when assigned to active or inactive duty.

Compensation allowed for military leave to participate in required training exercises shall not exceed 240 hours in any one (1) annual period as provided in F.S. 115.07. Such leave is not charged as vacation. It shall be established that the period selected is not at the convenience of the employee but a military necessity, if it falls within the school year. Upon the recommendation of the Superintendent, leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be without pay and may be granted by the Board and when so granted shall be without loss of time or efficiency rating.

When a support staff member's assigned employment duty conflicts with ordered active or inactive duty training, it is the responsibility of the Board to provide a substitute employee, if necessary, for the assumption of such employment duty while the employee is on assignment for the training.

Active Military Service

Support staff members who are service members of the National Guard or a reserve component of the Armed Forces of the United States shall be granted leave to perform active military service, the first thirty (30) days of any such leave to be with full pay.

Leave of absence for additional or longer periods of time for assignment to duty functions of a military character shall be established as the rate that is the difference between the employee's regular pay rate and their documented rate of pay for military service.

Re-Employment

Re-employment of all support staff members granted military leave shall be governed in accordance with 38 U.S.C. 4312. A support staff member who is granted military leave for active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice, provided that the support staff member gives notice and files an application for re-employment within the time limitations contained in Federal law. Support staff members will be returned to duty in the same or a similar position as previously held in accordance with Federal law.

Benefits During Military Leave

The Board shall continue to provide all health insurance and other existing benefits to support staff members as required by the Uniformed Services Employment and Reemployment Rights Act, Chapter 43 of Title 38 U.S.C.

Voluntary Service

When an employee enters voluntarily into any branch of the Armed Forces for temporary or an extended period of service, military leave shall be granted at the Board's discretion. An employee whose absence will interfere with the orderly operation of the school program shall be denied military leave, except in unusual cases.

Bargaining unit members should refer to the collective bargaining agreement for more information pertaining to military leave.

F.S. 115.07, 115.09, 115.14, 121.111, 250.341, 1012.23
38 U.S.C. 2021 et seq.
38 U.S.C. 4312
38 U.S.C. 4323

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1

HOMELESS STUDENTS

2 For purposes of this policy, pursuant to Federal and State law, homeless children
3 and youth are defined as individuals who lack a fixed, regular, and adequate
4 nighttime residence, and include those who meet any of the following criteria:

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

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

9 C. live in emergency or transitional shelters;

10 D. are abandoned in hospitals or awaiting for foster care placement;

11 E. have a primary nighttime residence that is a public or private place
12 not designed for or ordinarily used as a regular sleeping
13 accommodation for human beings; or

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

16 Additionally, pursuant to State law, an unaccompanied homeless youth is an
17 individual who is sixteen (16) years of age or older and is found by the District's
18 Liaison for Homeless Children to be an unaccompanied homeless youth eligible for
19 services under Federal law.

20
21 ~~Additionally, Further,~~ -pursuant to Federal and State law, children or youth who are
22 experiencing homelessness also include migratory children who are living in
23 circumstances described in A-F above.

24 It is the policy of the School Board that homeless students are afforded the same
25 free appropriate public education as provided to other students and have access to
26 the educational and other services that they need so that they have the opportunity
27 to meet the same challenging Florida academic achievement standards to which all
28 students are held. Homeless preschool-aged children and their families shall have
29 access to the educational services for which they are eligible, including preschool
30 programs administered by the School District.

31 Homeless students will not be stigmatized or segregated on the basis of their status
32 as homeless. The District shall establish safeguards that protect homeless students
33 from discrimination on the basis of their homelessness.

1 The District shall remove barriers to the enrollment and retention of homeless
2 students in schools in the District. Homeless students shall be enrolled
3 immediately, even if they do not have the necessary enrollment documentation such
4 as immunization and health records, proof of residency or guardianship, birth
5 certificate, school records, and other documentation.

6 Further, the Homeless Liaison will assist, to the extent feasible, the homeless
7 students and their parent(s)/guardian(s) or unaccompanied homeless students in
8 their efforts to provide documentation to meet State and local requirements for entry
9 into school. No Board policy, administrative procedure, or practice will be
10 interpreted or applied in such a way as to inhibit the enrollment, attendance, or
11 school success of homeless children.

12 The District will keep homeless students in the school of origin, that is, the school
13 that the child or youth attended when permanently housed or last enrolled, or will
14 be assigned to the school serving the grade in which the student will be placed in
15 the attendance zone where the child or youth currently resides.

16 Homeless students will be provided services comparable to other students in the
17 District including:

- 18 A. transportation services;
- 19 B. educational services for which the homeless student meets eligibility
20 criteria including services provided under Title I, Part A of the
21 Elementary and Secondary Education Act or similar State and local
22 programs, educational programs for children with disabilities and
23 gifted students, and educational programs for students with limited
24 English proficiency;
- 25 C. programs in vocational and technical education;
- 26 D. school nutrition programs; and
- 27 E. before- and after-school programs.

1 The Board recognizes that homeless students have the right to remain in their
2 school of origin and the right to dispute their school assignment, if their assignment
3 is other than their school of origin. The Board requires that these rights and the
4 dispute process be communicated to the parent or guardian of the homeless student
5 or unaccompanied youth. According to the child's or youth's best interest, a
6 homeless student will either remain in the school of origin for the duration of
7 homelessness, or be enrolled in the school in the attendance zone where the student
8 currently resides. The school of origin is the school that student attended when
9 permanently housed or last enrolled.

10 In determining the best interest of the student, the District shall, to the extent
11 feasible, keep the student in the school of origin, except when doing so is contrary to
12 the wishes of the homeless student's parent/guardian or the unaccompanied youth.
13 If the student is sent to a school other than the school of origin or a school
14 requested by the parent/guardian, a written explanation, including a statement
15 regarding the right to appeal, will be provided to the homeless student's
16 parent/guardian or the unaccompanied youth. Each school in the District shall
17 post public notice of educational rights of children and youth experiencing
18 homelessness.

19 At the request of the parent/guardian, or in the case of an unaccompanied youth, or
20 the local Homeless Liaison, transportation shall be provided for a homeless student
21 to and from the school of origin as follows:

- 22 A. If the homeless student continues to live in the School District in
23 which the school of origin is located, transportation will be provided.
- 24 B. If the homeless student moves to an area served by another district,
25 though continuing his/her education at the school of origin, the
26 district of origin and the district in which the student resides must
27 agree upon a method to apportion responsibility and costs for
28 transportation to the school of origin. If the districts cannot agree
29 upon such a method, the responsibility and costs must be shared
30 equally.

31 The Superintendent will appoint a Liaison for Homeless Children who will perform
32 the duties as required by law, as well as additional duties that may be assigned by
33 the Superintendent. Such duties include, but are not limited to, providing written
34 certification documenting that an individual meets the definition set forth in State
35 law of "unaccompanied homeless youth". The written certification shall be issued on
36 official District letterhead stationery of the Homeless Liaison and shall include the
37 date of the finding, a citation to F.S. 746.067(2), and the Homeless Liaison's
38 signature.
39
40

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1 Additionally, the Liaison will coordinate and collaborate with the State Coordinator
2 for the Education of Homeless Children and Youth as well as with community and
3 school personnel responsible for the provision of education and related services to
4 homeless children and youth.

5 F.S. 743.067
6 42 U.S.C. 11431 et seq.

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8

1

ENTRANCE REQUIREMENTS

2 The School Board shall establish entrance age requirements for students which are
3 consistent with statute and sound educational practice and which ensure the
4 equitable treatment of all eligible children.

5 Pursuant to State law, all children who have attained the age of six (6) years or who
6 will have attained the age of six (6) years by February 1st of any school year or who
7 are older than six (6) years of age but who have not attained the age of sixteen (16)
8 years, except as otherwise provided in Florida statute, are required to attend school
9 regularly during the entire school term. Further, all children enrolling in a District
10 school shall meet the immunization requirements set forth in F.S. 1003.22, as well
11 as provide evidence of a physical exam as required by State law.

12 **MAXIMUM AGE FOR ATTENDANCE IN THE REGULAR HIGH SCHOOL PROGRAM**

13 A student reaching the age of twenty (20) years on or before September 1st of any
14 year shall be considered ineligible for attendance in high school. The student shall
15 be informed of opportunities to continue his/her education in a different
16 environment, including, but not limited to, adult education and GED testhigh school
17 equivalency examination preparation. However, exceptional education students may
18 remain in school until the student earns a standard diploma up through and
19 including the school year in which the student turns twenty-two (22) years of age.

20 A. Any parent/guardian of a student under the age of eighteen (18) or
21 an adult student when initially enrolling in a District school for the
22 first time shall be required to present:

- 23 1. certification of immunization as required by the Department
24 of Health; (An exemption may be granted as provided in
25 F.S. 1003.22)
- 26 2. evidence of date of birth pursuant to F.S. 1003.21;
- 27 3. evidence of health examination pursuant to F.S. 1003.22;
- 28 4. proof of residency in Indian River County; and

1 5. a report card from the last school attended, if the student has
2 previously been enrolled in another school. (In the absence of
3 a report card the student shall be temporarily assigned to the
4 grade deemed appropriate until a copy of the official record is
5 received.)

6 The person enrolling the student will be required to complete the
7 enrollment form. The form includes a section that identifies the
8 persons authorized to remove the student from school for proper
9 and legitimate purposes. The number of authorized adults is limited
10 to six (6). Only the person enrolling the student has the right to
11 identify and list authorized persons. A court order issued by a
12 Florida judge with proper jurisdiction over the parties provided to
13 the school will be the only exception.

14 B. Voluntary Pre-Kindergarten—A student who has attained or will
15 attain the age of four (4) years on or before September 1st of the
16 school year shall be eligible for admission to voluntary
17 pre-kindergarten.

18 C. Kindergarten--A student who has attained or will attain the age of
19 five (5) years on or before September 1st of the school year shall be
20 eligible for admission to kindergarten.

21 D. First Grade--A student shall be eligible for admission to first grade if
22 s/he has attained or will attain the age of six (6) years on or before
23 September 1st of the school year and has:

24 1. received promotion from a Florida public or nonpublic school
25 kindergarten; or

26 2. satisfactorily completed a comparable kindergarten
27 curriculum in an out-of-state public or nonpublic school; or

28 3. resided in a state or country where kindergarten was not
29 compulsory. The child will be eligible if s/he has
30 demonstrated first grade readiness skills.

- 1 E. Students who are participating in a home education program in
2 accordance with F.S. 1002.41, may be admitted to the public
3 schools of this District on a part-time basis. Admission
4 consideration is restricted to middle and high schools and the
5 following shall apply:
- 6 1. Students in home education who wish to attend public
7 schools must have met the criteria for a home education
8 program during the entire semester immediately prior to the
9 time of admission, meet the same registration requirement as
10 full-time students, and enroll for and attend at least one (1)
11 regularly scheduled class period at the zoned school. Such
12 students must register prior to the start of the semester they
13 will attend. Students enrolled in public school full time will
14 be given priority in course registration. Homeschooled
15 students who are excluded from a class/course at their zoned
16 school due to space limitation may attend another school, if
17 space in that class/course is available and a variance is
18 granted. Students in exceptional student education will be
19 provided services as required by law.
- 20 2. Students enrolled in home education programs who have
21 requested to participate in an extra-curricular activity that
22 requires enrollment in a curricular program will be allowed to
23 register for the program immediately with no requirement for
24 one (1) full prior semester of home education enrollment. The
25 student's eligibility to participate in extra-curricular activities
26 shall be governed by F.S. 1006.15.
- 27 3. The District is not responsible for the transportation of
28 students in a home education program to or from the school.
29 The school Principal will establish the time and place for
30 arrival and departure of home education students. Students
31 who attend school on a part-time basis are subject to all
32 applicable rules and regulations pertaining to full-time
33 students, including required immunization. Attendance on a
34 part-time basis does not entitle the student to participate in
35 non-interscholastic, extra-curricular activities, including
36 graduation events.

1 **Verification of Residence**

2 Verification of a parent or guardian's residence shall be required at the time the
3 child registers in a District school. Verification of residence may also be required at
4 any other time at the discretion of the Superintendent or designee.

5 **Notification of in Loco Parentis**

6 In cases in which a student is temporarily not residing with his/her parents or legal
7 guardian for a short period of time, the parent or legal guardian of the student shall
8 designate in writing that adult person with whom the student resides who stands in
9 loco parentis to the student in order for him/her to be admitted or continue in
10 school. This statement shall be notarized and presented to the principal.

11 **ADMISSION - REQUIREMENTS FOR ORIGINAL ENTRY**

12 Any student enrolled in a school of the District for the first time shall be required to
13 present certification of a medical exam performed within one (1) year prior to entry
14 into Florida schools. Certification of immunization is also required from those
15 communicable diseases identified by the Department of Health: poliomyelitis,
16 diphtheria, rubella, rubeola, pertussis, mumps, and tetanus. An exemption may be
17 granted as provided in F.S. 1003.22.

18 Any student previously enrolled in a public school outside the State of Florida who
19 seeks admission to school within the District shall be admitted under the same
20 admission requirements established in the state in which the student resided prior
21 to moving to the District. However, any student who does not present a certification
22 of school entry health examination and immunization within thirty (30) days will be
23 refused attendance in school until the requirement is completed. An exemption may
24 be granted as provided in F.S. 1003.22.

25 A student enrolled as an original entry shall present evidence of date of birth as
26 outlined in F.S. 1003.21. In addition, s/he should present proof of residency and a
27 report card or school records from the school of last attendance. Placement will be
28 made according to the student's school records. In the absence of appropriate
29 records, the principal shall temporarily assign the student to the grade deemed to be
30 proper until a copy of the student's official record is received or proper grade
31 placement is otherwise determined. Schools are to maintain a log of the transfer of
32 student cumulative folders from one school to the next and a confirmation of receipt
33 needs to be documented. (F.S. 1003.21, 1003.22, 1003.25)

1 **Out-of-County Admissions**

2 Out-of-county admissions require written approval of the school board of the county
3 where the student resides and approval by the District Superintendent and shall be
4 placed on the Board's consent agenda.

5 F.S. 1003.01, 1003.21, 1003.22

6 F.A.C. 6A-1.098, 6A-1.0985

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1

WITHDRAWAL FROM SCHOOL

2 A student aged sixteen (16) and over who desires to withdraw from school for
3 reasons other than transfer shall receive an exit interview to be conducted by the
4 student's guidance counselor or other school personnel, as provided in
5 F.S. 1003.21(1)(c), which shall include counseling regarding opportunities to
6 continue the student's education in a different environment, including, but not
7 limited to, adult education and ~~GED test~~ high school equivalency examination
8 preparation. The student must also be counseled that re-entry into the School
9 District during the same or subsequent semesters, while encouraged, may result in
10 the student missing assignments and/or falling behind in accumulation of grades
11 and credits needed for graduation. The student is required to satisfy outstanding
12 property and financial obligations and sign a letter of intent to terminate, as
13 provided in F.S. 1003.21(1)(c). The School District must notify the student's
14 parent/guardian of receipt of a letter of intent to terminate from the student. A
15 student who withdraws to avoid disciplinary action for misconduct shall be held
16 accountable upon re-entering the School District. The Department of Motor Vehicles
17 shall be notified as per F.S. 322.091(1).

18 F.S. 1002.20, 1003.21

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REVISED POLICY – VOLUME 15 NUMBER 1

SELF-ADMINISTERED MEDICATION AND EPINEPHRINE USE

A student may carry and self-administer a metered dose inhaler, epinephrine auto-injector, prescribed pancreatic enzyme supplement and/or may carry diabetic supplies and equipment to manage and care for their diabetes, or other approved prescribed medication provided the student's parent or guardian provides the following:

- A. For self-administration of a metered dose inhaler, the parent or guardian must provide the District with a written authorization that is signed and dated by both the parent or guardian and physician. The written approval by the physician must include the following:
 1. name of the medication in the metered dose inhaler;
 2. the prescribed dosage;
 3. the times or the special circumstances under which the medication is to be administered; and
 4. any other special related information regarding the administration of the metered dose inhaler.

- B. For self-administration of an epinephrine auto-injector, the parent or guardian must provide the District with a written authorization that is signed and dated by both the parent or guardian and the physician. The written approval by the physician must include:
 1. the times or the special circumstances under which the medication is to be administered; and
 2. any other special related information regarding the administration of the epinephrine auto-injected.

- C. For self-administration of prescribed pancreatic enzyme supplements, the parent or guardian must provide the District with a written authorization that is signed and dated and provide the prescription label containing the following:
1. name of the medication;
 2. the prescribed dosage;
 3. the times or the special circumstances under which the medication is to be administered; and
 4. any other special related information regarding the administration of the medication.
- D. For the use of a diabetic supplies and equipment, the parent or guardian must submit written authorization from the student's physician, containing the following:
1. an identification of the diabetic supplies and equipment the student is authorized to carry;
 2. a description of which activities the child is capable of performing without assistance;
 3. the times or the special circumstances under which the medication is to be administered;
 4. any other special related information regarding the administration of the medication.
- E. For other prescribed approved medication used for emergency purposes and/or medication approved by Health Services Coordinator in collaboration with the student's health care provider, the parent or guardian must provide the District with a written authorization that is signed and dated and provide the prescription label containing the following:
1. name of the medication;
 2. the prescribed dosage;
 3. the times or the special circumstances under which the medication is to be administered; and

4. any other special related information regarding the administration of the medication.

~~[] School principals may request and be granted permission by the Superintendent to purchase from a wholesale distributor, as defined in F.S. 499.003 and identified by the District's Director of Purchasing, and maintain in a locked, secure location on school premises a supply of epinephrine auto injects for use if a student is having an anaphylactic reaction.~~

~~The supply of epinephrine auto-injectors may be provided to and used by a student authorized to self administer epinephrine by auto injector under State law.~~

~~The supply of epinephrine auto injectors may also be provided to and used by trained school personnel pursuant to Policy 5330.03.~~

The School District and its employees are not liable for damages as a result of any injury arising from a student's self-administration of any medication. ~~prescribed pancreatic enzyme supplements and/or for the use of diabetic supplies and equipment.~~

~~[]~~ **Epinephrine Use and Supply**

~~School principals may request and be granted permission by the Superintendent to purchase from a wholesale distributor, as defined in F.S. 499.003 and identified by the District's Director of Purchasing, and maintain in a locked, secure location on school premises a supply of epinephrine auto injects for use if a student is having an anaphylactic reaction.~~

~~The Superintendent 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. The supply of epinephrine auto injectors may be provided to and used by a student authorized to self-administer epinephrine by auto-injector under F.S. 1000.20(3)(i)(1) or trained school personnel.~~

~~The School Board and its employees and agents, including the physician who provides the standing protocol for school epinephrine auto injectors, are not liable for any injury arising from the use of an epinephrine auto injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction:~~

- ~~A. — unless the trained school personnel's action is willful and wanton;~~
- ~~B. — notwithstanding that the parents or guardians of the student to whom the epinephrine is administered have not been provided notice or have not signed a statement acknowledging that the District is not liable; and~~
- ~~C. — regardless of whether authorization has been given by the student's parents or guardians or by the student's physician, physician's assistant, or advanced registered nurse practitioner.~~

F.S. ~~381.88, 985.04, 1002.20, 1002.221~~

1 PROMOTION, ACCELERATION, PLACEMENT, AND RETENTION

2 The School Board recognizes that the personal, social, physical, and educational
3 growth of children will vary and that they should be placed in the educational
4 setting most appropriate to their needs at the various stages of their growth.

5 ~~It shall be the policy of the Board that each student be moved forward in a~~
6 ~~continuous pattern of achievement and growth that is in harmony with his/her own~~
7 ~~development.~~ The Board shall provide for the placement, acceleration, and
8 progression of students through adopted student progression plans. The District
9 student progression plan includes the standards for evaluating each student's
10 performance, including how well s/he masters the performance standards approved
11 by the State Board of Education. A student will be promoted to the succeeding grade
12 level when s/he has demonstrated sufficient proficiency to permit him/her to move
13 ahead in the educational program of the next grade.

14 No student may be assigned to a grade level based solely on age or other factors that
15 constitute social promotion. (F.S. 1008.25(6)(a))

16 **Progress Monitoring Plans and Remediation**

17
18 Each student must participate in the Statewide, standardized assessment program
19 that is required by F.S. 1008.22. Each student who does not meet specific levels of
20 performance on the required assessments as determined by the Board or who scores
21 below Level 3 on ~~FCAT Reading or FCAT Mathematics~~ the Florida Standards
22 Assessment for ELA or Mathematics or on the common core English Language Arts
23 or mathematics assessments as applicable under F.S. 1008.22 must be provided
24 with additional diagnostic assessments to determine the nature of the student's
25 difficulty, the areas of academic need, and strategies for appropriate intervention
26 and instruction.

27
28 The school in which the student is enrolled must develop, in consultation with the
29 student's parent, and must implement a progress monitoring plan. The purpose of
30 the progress monitoring plan is to guide the teacher's instruction that will assist the
31 student in meeting State and District expectations for proficiency in reading and
32 math. Each progress monitoring plan must identify the specific need and planned
33 intervention in the area(s) of deficiency.

34
35 Following remediation and subsequent evaluation, if the documented deficiency has
36 not been remediated, the student may be retained. Each student who does not meet
37 the minimum performance expectations defined by the Commissioner of Education
38 for the Statewide assessment tests in reading, writing, science, and mathematics
39 must continue to be provided with remedial or supplemental instruction until the
40 expectations are met or the student graduates from high school or is not subject to

1 compulsory school attendance. An appropriate alternative placement must be
2 considered for a student who has been retained two (2) or more years.

3
4 Any student who exhibits a substantial deficiency in reading, based upon locally
5 determined or statewide assessments conducted in kindergarten or grade 1, grade 2,
6 or grade 3, or through teacher observations, must be given intensive reading
7 instruction immediately following the identification of the reading deficiency. The
8 student's reading proficiency must be reassessed by locally determined assessments
9 or through teacher observations at the beginning of the grade following the intensive
10 reading instruction. The student must continue to be provided with intensive
11 reading instruction until the reading deficiency is remedied.

12
13 If a student's reading deficiency is not remedied by the end of grade 3, as
14 demonstrated by scoring Level 2 or higher on the Statewide, standardized
15 assessment required under F.S. 1008.22 for grade 3, the student must be retained.

16 ~~If a student's reading deficiency as identified on the Progress Monitoring Plan has~~
17 ~~not been remediated by the end of grade 3, as demonstrated by scoring at Level 2 or~~
18 ~~higher on the Statewide assessment test in reading, the student must be retained.~~
19 ~~An appropriate alternative placement must be considered for a student who has~~
20 ~~been retained two (2) or more years.~~

21
22 The Board may only exempt students in third grade from mandatory retention, for
23 good cause. Good cause exemptions are limited to the following:

- X A. Students with disabilities ~~whose~~who's Individual Educational Plan indicates that participation in the Statewide assessment program is not appropriate, consistent with the requirements of State Board of Education rule.
- X B. Limited English Proficient students who have had less than two (2) years of instruction in an English for Speakers of other Languages program.
- X C. Students who demonstrate an acceptable level of performance on an alternative standardized reading assessment approved by the State Board of Education.
- X D. Students with a portfolio, demonstrating reading performance equal to at least ~~FCAT 2.0~~Level 2 on the FSA.
- X E. Students with disabilities who participate in the ~~FCAT 2.0~~FSA and who have an Individual Educational Plan or a Section 504 Plan that reflects that the student has received the intensive remediation in reading, and was previously retained in kindergarten, grade 1, grade 2 or grade 3.

F. Students who have received intensive remediation in reading for two (2) or more years but still demonstrate a deficiency in reading and who were previously retained in kindergarten, grade 1, grade 2 or grade 3 for a total of two (2) years. Intensive reading instruction for students so promoted must include an altered instructional day based upon an academic improvement plan that includes diagnostic information and specific reading strategies. A student may not be retained more than once in grade 3 referenced by F.S. 1008.25.

1 Further, a student who has been retained in third grade due to a reading deficiency
2 shall be promoted mid-year if the student has demonstrated mastery of the State-
3 mandated requirements in reading.

4 A student may be retained at his/her current grade level when s/he has failed to
5 achieve the instructional objectives set forth at the current grade level that are
6 requisite for success at the succeeding grade level. Parents must be informed in
7 advance of the possibility of retention of a student at a grade level.

8 ~~A student in grades nine through twelve must have an annual review of the
9 electronic personal education plan created pursuant to Florida statute.~~

10 The Superintendent shall develop administrative procedures for promotion,
11 acceleration, placement, and retention of students that:

- 12 A. require the recommendation of the relevant staff members for
13 promotion, acceleration, placement, or retention;
- 14 B. require that parents are informed in advance of the possibility of
15 retention of a student at a grade level;
- 16 C. require that the parent(s) give their consent to the acceleration of
17 their child;
- 18 D. assure that efforts will be made to remediate the student's
19 difficulties before s/he is retained;
- 20 E. assign to the principal the final responsibility for determining the
21 promotion, acceleration, placement, or retention of each student;

- 1 F. provide parents the opportunity to request the acceleration,
2 assignment, or retention of their child;
- 3 G. provide parents the opportunity to appeal the decision about their
4 child's acceleration, assignment, or retention.

5 **~~PROGRESS MONITORING PLANS AND REMEDIATION~~**

6 ~~The School District monitors the progress of all students through several aspects of~~
7 ~~the District progress monitoring plan. The District progress monitoring schedule is~~
8 ~~accessible through the District website.~~

9 ~~Students who do not demonstrate proficiency with grade level curriculum in reading,~~
10 ~~writing, science, and mathematics or who score below Level 3 in reading or math~~
11 ~~must be provided with additional diagnostic assessments to determine the nature of~~
12 ~~the student's difficulty and areas of academic need. In consultation with the~~
13 ~~student's parent, the school must develop and implement a Progress Monitoring~~
14 ~~Plan.~~

15 ~~The purpose of the Progress Monitoring Plan is to guide the teacher's instruction~~
16 ~~which will assist the student in meeting State and District expectations for~~
17 ~~proficiency in reading and math. Each Progress Monitoring Plan must identify the~~
18 ~~specific need, and planned intervention in the area(s) of deficiency.~~

19 **CREDIT ACCELERATION PROGRAM (CAP)**

20 CAP allows a secondary student to earn high school credit in a course that requires
21 a Statewide, standardized end-of-course (EOC) assessment whether or not the
22 student is enrolled in the course or has completed the course. Course credit shall
23 be awarded if the student takes the standardized end-of-the-course assessment and
24 makes a passing proficient score. The standardized EOC assessment will be taken
25 during the regular administration of the assessment.

26
27 **Retention of Students with Disabilities**

28
29 Retention and assignment of a student with a disability will be determined by the
30 student's Individual Education Plan (IEP) Team and follow the requirements of
31 Florida Law. The assignment of and services to be provided to a student with a
32 disability will be documented on the student's IEP with consideration of necessary
33 accommodations and/or modifications to ensure access to, involvement and
34 progress within the general education curriculum.

35
36 **PROMOTION OF STUDENTS WITH A DISABILITY**

**THE SCHOOL BOARD OF
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- 1 ~~Promotion is based upon the satisfactory completion of the approved materials~~
- 2 ~~and/or textbooks for the assigned ESE grade level based on the District's grading~~
- 3 ~~system.~~
- 4 Promotion of students with disabilities is based upon a review of classroom
- 5 performance; school-based, district, and state assessments; and documented
- 6 progress towards the students' IEP goals and objectives.

1 **STATE UNIFORM TRANSFER OF SCHOOL COURSE/CREDITS**

2 Grade or level placement for transfer students in school classes, to include students
3 from out of state and from foreign countries, will be in accordance with the
4 following:

5 A. Grades earned and offered for acceptance shall be based on an
6 official transcript and shall be accepted at face value subject to
7 validation if required for the receiving school's accreditation. If
8 validation is necessary, or if the student does not possess an official
9 transcript or is a home education student, successful completion of
10 courses shall be validated through performance during the first
11 grading period, as outlined below.

12 B. Validation of courses shall be based on performance in classes at
13 the receiving school. A student transferring into a school shall be
14 placed at the appropriate sequential course level and should be
15 passing each required course at the end of the first grading period.
16 Students who do not meet this requirement shall have courses
17 validated using the Alternative Validation Procedure, as outlined
18 below.

19 C. If validation based on performance as described above is not
20 satisfactory then any one of the following alternatives shall be used
21 for validation purposes as determined by the teacher, principal and
22 parent:

- 23 1. portfolio evaluation by the Superintendent or designee;
- 24 2. demonstrated performance in courses taken at other public
25 or private accredited schools;
- 26 3. demonstrated proficiencies on nationally-normed
27 standardized subject area tests;
- 28 4. demonstrated proficiencies on the [FCAT/FSA](#); or
- 29 5. written review of the criteria utilized for a given subject
30 provided by the former school.

31 Students must be provided at least ninety (90) days from date of transfer to prepare
32 for assessments outlined in this policy if required. (F.S. 1003.4156(3))

1 **HIGH SCHOOL CREDIT EARNED IN MIDDLE SCHOOL**

2 A middle school student may earn credits toward high school graduation through
3 courses offered while in middle school. Specific courses may also be used to satisfy
4 requirements for the Florida Bright Futures Scholarship.

5 **ARTICULATED ACCELERATION**

6 It is the intent of the Legislature that a variety of acceleration mechanisms be
7 available for secondary and post-secondary students attending public educational
8 institutions. It is intended that the articulated acceleration serve to shorten the
9 time necessary for a student to complete the requirements associated with the
10 awarding of a high school diploma and a post-secondary degree, broaden the scope
11 of curricular options available to students or increase the depth of study available
12 for a particular subject. Among the mechanisms for accelerated articulation are:
13 1) dual enrollment; 2) early admission; 3) advanced placement; 4) the International
14 Baccalaureate Program; 5) Credit by Examination, and 6) the Advanced
15 International Certificate of Education Program. Credit earned through the Florida
16 Virtual School shall provide additional opportunities for acceleration. At the
17 beginning of each school year, the parents of all students in or entering high school
18 will be informed of the opportunities and benefits of accelerated articulation.
19 (F.S. 1007.27, 1003.02(1)(i))

20 ~~**PROMOTION OF STUDENTS WITH A DISABILITY**~~

21 ~~Promotion is based upon the satisfactory completion of the approved materials~~
22 ~~and/or textbooks for the assigned ESE grade level based on the District's grading~~
23 ~~system.~~

24 ~~**RETENTION/ASSIGNMENT OF STUDENTS WITH A DISABILITY**~~

25 ~~Retention and assignment of students with a disability will be as determined by the~~
26 ~~Individual Education Plan (IEP) Committee and reflected in the Individual Education~~
27 ~~Plan (IEP). Extended school year services may be provided for any student who~~
28 ~~would severely regress in his/her skills and overall functioning as demonstrated by~~
29 ~~supporting documentation to include the objectives on an IEP or a Summary of~~
30 ~~Skills or lack thereof.~~

31 F.S. 1003.4156, 1008.22, 1008.25

32 F.A.C. 6A-1.094222

33

34

35

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- 1 ~~F.S. 1003.4156, 1008.25~~
- 2 ~~F.A.C. 6A-1.094222~~
- 3 ~~© NEOLA 2010~~

REVISED POLICY – VOL. 15, NO. 1

STUDENT HAZING

Hazing activities of any type are inconsistent with and disruptive to the educational process, and prohibited at any time in school facilities, on school property, and/or off school property if the misconduct is connected to activities or incidents that have occurred on school property. No administrator, faculty member, or other School Board employee shall encourage, permit, authorize, condone, or tolerate any hazing activities. No student shall plan, encourage, or engage in any hazing.

Hazing is defined as ~~performing any act or coercing another, including the victim, to perform any act that causes or creates a substantial risk of causing mental or physical harm~~ any action or situation that endangers the mental or physical health or safety of a student at a school for purposes including, but not limited to, initiation or admission into or affiliation with any organization operating under the sanction of a school. "Hazing" includes, but is not limited to, pressuring, ~~or~~ coercing, or forcing ~~a the~~ student into violating State or Federal law, any brutality of a physical nature, such as whipping, beating, branding or, exposure to the elements, or forced consumption of any food, liquor, drug, or other substance, ~~or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student.~~ Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Administrators, faculty members, and other employees of the Board shall be alert particularly to possible situations, circumstances, or events that might include hazing. Administrators, staff members, and volunteers shall not intentionally remain ignorant of hazing or potential hazing activities. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Superintendent in accordance with procedures set forth herein. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law.

Procedure for Reporting

The Board designates the principal as the person responsible for receiving all complaints of hazing. Any student or student's parent/guardian who believes s/he has been or is the victim of harassment should immediately report the situation to the school principal. Complaints against the principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board Chair.

All school employees are required to report alleged violations of this policy and alleged acts of hazing to the principal or as described above. School employees must report the alleged violations and acts to the principal within twenty-four (24) hours.

All other members of the school community, including students, parents, volunteers, and visitors, are encouraged to report any act that may be a violation of this policy to the principal or as described above.

Written and oral reports shall be considered official reports. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

Discipline for Hazing

Students in grades 6-12 found to have engaged in acts of hazing as defined herein shall be subject to disciplinary action in accordance with the Student Code of Conduct.

Reports to Law Enforcement (Grades 9 through 12)

An alleged act of hazing involving any student in grades 9-12 shall be reported to the local law enforcement agency if the alleged act meets the following criteria:

- A. a person who commits an act of hazing upon another person who is a member of or an applicant to any type of student organization, if the person knew or should have known the act would result in serious bodily injury or death of such other person and the act results in the serious bodily injury or death of such other person; or

- B. a person who commits an act of hazing upon another person who is a member of or applicant to any type of student organization, if the person knew or should have known the act would create a potential risk of physical injury or death to such other person and the act creates a potential risk of physical injury or death of such other person.

Referral of Victims and Perpetrators of Hazing to a Certified School Counselor

Individual(s) who are alleged victims or perpetrators of hazing shall be referred to a certified school counselor whose responsibility it will be to address any counseling needs of the victim or perpetrator deemed necessary by the certified school counselor which may include, but is not limited to, counseling and support to address the needs of the victim and perpetrator, interventions to address the behavior of students who perpetrated the hazing, and interventions which include assistance and support for victims of hazing.

District Reporting of Hazing Incidents

Hazing incidents shall be reported in each school's safety and discipline report required under F.S. 1006.09. The report shall include the number of hazing incidents reported, the number of incidents referred to a local law enforcement agency, the number of incidents that result in disciplinary action taken by the school, and the number of incidents that do not result in either referral to a local law enforcement agency or disciplinary action taken by the school.

Notice

The Superintendent shall distribute this policy to all students and Board employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or in-service programs.

~~Administrators, staff members, and volunteers shall not intentionally remain ignorant of hazing or potential hazing activities.~~

F.S. 1001.43, 1006.09, 1006.135

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The School Board of Indian River County
Bylaws & Policies

Unless a specific policy has been amended and the date the policy was revised is noted at the bottom of that policy, the bylaws and policies of The School Board of Indian River County were adopted on August 13, 2013.

5610.05 - PROHIBITION FROM EXTRA-CURRICULAR ACTIVITIES

Participation in extra-curricular activities, including interscholastic sports, is a privilege and not a right. Therefore, the School Board authorizes the Superintendent, principals, and assistant principals to prohibit a student from participating in any particular or all extra-curricular activities of the District for offenses or violations of the Code of Student Conduct for a period not to exceed the remainder of the school year in which the offense or violation of the Code of Student Conduct took place.

~~Student athletes and performing arts students~~ participants in interscholastic extracurricular competitive activities are also subject to Policy _____ regarding random drug testing. In addition, student athletes are further subject to the Athletic Code of Conduct and may be prohibited from participating in all or part of any interscholastic sport for violations therein.

Students prohibited from participation in all or part of any extra-curricular activity are not entitled to further notice, hearing, or appeal rights.

F.S. 1006.07, 1006.15, 1006.20

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REVISED POLICY – VOL. 14, NO. 2

WEAPONS

Pursuant to State law, ~~t~~The School Board prohibits students from ~~possessing, storing, making, or using a weapon, including~~ openly carrying a handgun or carrying a concealed weapon or firearm, in a school safety zone, into any elementary or secondary school, into any administration building, as well as into any Board meeting, ~~and~~ any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, a school-sponsored event, or in a District vehicle.

~~{ } without the permission of the Superintendent.~~

Weapons and firearms as defined in F.S. 790.001 and include, but are not limited to, firearms, guns of any type, knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

For purposes of this policy, the term "weapon" also means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons.

This policy shall also encompass such actions as look-alike items, false fire alarms, bomb threats, or intentional calls to falsely report a dangerous condition.

~~{ } The Superintendent is authorized to establish administrative procedures on weapons which require students to immediately report knowledge of weapons and threats of violence by students [] and staff to the building principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school.~~

Exceptions to the Board's prohibition from openly carrying a handgun or carrying a concealed weapon or firearm in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school-sponsored event, or in a District vehicle include the following:

- A. A student may carry an unloaded firearm in a case to a firearms program, class, or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.
- B. A student eighteen (18) years of age or older may carry an unloaded firearm in a case to a career center having a firearms training range.
- C. Members of the Armed Forces, National Guard, police or other licensed law enforcement officers, as well as students enrolled in the District's Junior ROTC Program while under the direct supervision of District staff members, may possess a firearm or weapon.
- [X] Items pre-approved by the building principal as part of a class or individual presentation or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy. (Working firearms and any ammunition will never be approved as part of a presentation.)

~~[NOTE: choose this option only if the Board has chosen not to exercise its authority to prohibit staff and students from having unloaded firearms in their motor vehicles that are parked on school property.]~~

- [-X] A student eighteen (18) years of age or older may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use.

The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

- [X] The Superintendent shall post notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from openly carrying a handgun or carrying a concealed weapon or firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. Such notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and school campuses. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.
- (-) ~~Items pre approved by the building principal as part of a class or individual presentation or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy. (Working firearms and any ammunition will never be approved as part of a presentation.)~~

F.S. ~~790~~, 790.001, 790.06, 790.115, 790.251, 1001.43(1)(a), 1006.07
18 U.S.C. 922
20 U.S.C. 7151

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STUDENT/PARENT RIGHTS

2 The School Board recognizes that students possess not only the right to an
3 education but the rights of citizenship as well. Federal and State law prohibit the
4 Board from adopting any policy or rule, or from entering into any agreement, that
5 infringes upon or waives the rights of freedoms afforded to students by the United
6 States Constitution.

7 In providing students the opportunity for an education to which they are entitled,
8 the District shall attempt to offer nurture, counsel, and custodial care appropriate to
9 their age and maturity. The District shall, at the same time, guarantee that no
10 student is deprived of the basic right to equal treatment and equal access to the
11 educational program, due process, a presumption of innocence, free expression and
12 association, and the privacy of his/her own thoughts.

13 Attendant to the rights guaranteed to each student, however, are certain
14 responsibilities, which include respect for the rights of others, obedience to properly
15 constituted school authority, and compliance with the procedures and rules of the
16 District.

17 The Board realizes that as students differ in age and maturity, so they differ in
18 ability to handle both the rights of citizens and the concomitant responsibilities.
19 The exercise of each right shall be granted, therefore, with due regard for the degree
20 of responsibility possessed by the student and the student's need for the continuing
21 guidance and control of those responsible for his/her education.

22 Since a student who has reached the age of majority possesses the full rights of an
23 adult, s/he may authorize those school matters previously handled by his/her
24 parents, but s/he also assumes the responsibility for his/her performance in school,
25 attendance, and compliance with school rules.

26
27 **Meeting Rights Involving Students with Disabilities**

28
29 Parents, or eligible students, may be accompanied by another person of their choice
30 at any meeting with District personnel.

31 District personnel will not object to the attendance of such adult or discourage or
32 attempt to discourage through any action, statement, or other means, parents or an
33 eligible student, from inviting another person of their choice to attend any meeting.
34 Parents, eligible students, or other individuals invited to attend such meetings by
35 parents of students with disabilities or eligible students with disabilities on school
36 grounds shall sign-in at the front office of such school as a guest.
37

Parents, or eligible students, and District personnel shall sign Form 5780 F1 at the meeting's conclusion which states whether or not any District personnel have prohibited, discouraged or attempted discourage the parents, or eligible student, from inviting a person of their choice to the meeting pertaining to their child's, or their own, educational environment, placement, or discipline

1 F.S. 1002.20, 1003.4505

2 © **NEOLA 2010**

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WEAPONS

But for the exceptions specified below, pursuant to State law, tThe School Board prohibits visitors from possessing, storing, making, or using a weapon, including openly carrying a handgun or carrying a concealed weapon or firearm, in a the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, and any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school-sponsored event, or in a District vehicle.

~~† without the permission of the Superintendent.~~

The term “weapon” means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives. (F.S. 790.001)

Exceptions to the Board’s prohibition from openly carrying a handgun or carrying a concealed weapon or firearm, in the school safety zone of any elementary or secondary school, into any administration building, as well as into any Board meeting, any setting that is under the control and supervision of the District for the purpose of school activities approved and authorized by the District including, but not limited to, property leased, owned, or contracted for by the District, any school-sponsored event, or in a District vehicle include the following:

- A. A person may carry an unloaded firearm in a case to a firearms program, class or function which has been approved in advance by the Principal or site administrator as a program or class to which firearms could be carried.
- B. A person may carry an unloaded firearm in a case to a career center having a firearms training range.

C. A person may have an unloaded firearm securely encased within the interior of a private motor vehicle if the firearm or weapon is carried for a lawful purpose and is not readily available for immediate use.

(X) This exception shall not apply to employees or students eighteen (18) years of age or older who park their private motor vehicles on school property.

D. Members of the Armed Forces, National Guard, police or other licensed law enforcement officers, as well as other persons approved by the school or District on a case-by-case basis, may possess a firearm or weapon.

[X] Contractors, vendors, or their employees may possess and use tools, instruments, and other devices on District property or at District-sponsored events, including in vehicles in either situation, even though such items fall within the definition of weapons, provided that such possession and use is in accordance with the terms of a written contract with the Board, or is otherwise in furtherance of their duties under such a contract and is authorized in advance by the Superintendent.

The Superintendent shall refer a visitor who violates this policy to law enforcement officials and may take any necessary steps to exclude the visitor from District property and District-sponsored events, regardless of whether such visitor possesses a valid concealed weapon license.

~~{}~~ ~~An exception to this policy includes weapons under the control of law enforcement personnel.~~

~~The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities.~~

The Superintendent shall ~~conspicuously~~ post ~~such~~ notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report prohibiting an individual from openly carrying a handgun or carrying a concealed weapon or firearm in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. ~~Such~~ notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and ~~parcel of land~~ school campuses. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.

F.S. 790.001, 790.06, 790.115, 790.251, 1001.43 (1)(a), 1006.07
18 U.S.C. 922

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1

STUDENT RECORDS

2 In order to provide appropriate educational services and programming, the School
3 Board must collect, retain, and use information about individual students.
4 Simultaneously, the Board recognizes the need to safeguard students' privacy and
5 restrict access to students' personally identifiable information.

6 **Maintenance of Student Records**

7 The Board is responsible for the records of all students who attend or have attended
8 schools in this District. Only records mandated by the State or Federal government
9 and necessary and relevant to the function of the School District or specifically
10 permitted by this Board shall be compiled by District employees.

11 Each school shall maintain a permanent cumulative record for each student
12 enrolled in the school which shall contain the data as prescribed by Administrative
13 Rule F.A.C. 6A-1.0955 and this policy. Each student's cumulative record shall
14 include the following types of data:

15 A. Category A Records, Permanent Information

- 16 1. Student's full legal name.
- 17 2. Authenticated birthdate, place of birth, race, ethnicity, and
18 sex.
- 19 3. Last known address of the student.
- 20 4. Name(s) of the student's parent(s) or guardian(s).
- 21 5. Name and location of last school attended.
- 22 6. Number of days present and absent, date enrolled, date
23 withdrawn.
- 24 7. Courses taken and record of achievement, such as grades,
25 credits, or certification of competence.
- 26 8. Date of graduation or date of program completion.

- 1 9. Records of requests for access to and disclosure of personally
2 identifiable information from the student's educational
3 records.
- 4 B. Category B Records, Temporary Information
- 5 1. Health information, family background data, standardized
6 test scores, State-mandated achievement test scores,
7 educational and vocational plans, honors and activities, work
8 experience reports, and teacher/counselor comments.
- 9 2. Reports of student services or exceptional student staffing
10 committees including all information required by
11 F.S. 1001.42.
- 12 3. Correspondence from community agencies or private
13 professionals.
- 14 4. Driver education certificate.
- 15 5. A list of schools attended.
- 16 6. Written agreements of corrections, deletions, or expunctions
17 as a result of meetings or hearings to amend educational
18 records.
- 19 7. Written requests to waive access to confidential records.
- 20 8. Written requests to restrict the release of directory
21 information.
- 22 9. Court orders of relevance.
- 23 10. Records of major student discipline actions, suspension,
24 and/or expulsion records.
- 25 11. Home language survey.
- 26 12. Student Limited English Proficiency (LEP) Plans.

1 13. Such other records of educational importance as the school
2 shall deem necessary.

3 14. Records designated for retention by the Florida Department of
4 State in General Records Schedule GS7 for *Public Schools Pre-*
5 *K - 12, Adult and Vocational/Technical.*

6 Category A and B records shall be maintained in compliance with the approved
7 District records retention schedule.

8 Individual exceptional student records shall be kept separate from regular
9 cumulative records. These records shall be sent to each succeeding school the
10 student attends in the District and shall be maintained in accordance with the
11 approved District records retention plan.

12 Periodic review for elimination of outdated information in student records by the
13 custodian or designees shall be made in accordance with F.S. 1001.52, and the
14 approved District records retention plan. The custodian of the student records shall
15 be responsible for maintaining the accuracy of information by purging student
16 records in accordance with the General Records Schedule for Public Schools (GS-7).
17 Explanations placed in the education record and the record of access shall be
18 maintained for as long as the education record to which it pertains is maintained.
19 This procedure must be implemented before records are released to any vocational-
20 technical centers, community colleges, or institutions of higher learning in which the
21 student seeks or intends to enroll.

1	Type Record	Location	Custodian	Address
2	Active and inactive	Last school	Principal of last	As shown in
3	student records as	attended	school attended	local directory
4	specified in the current			
5	Student Records Manual			
6	for the District			
7	Inactive student	Central	Superintendent	Records
8	cumulative records	District	or designee	Management
9	(Category A) as specified	office		Educational
10	in the current Student			Services
11	Records Manual for the			Facility
12	District			
13	Individual exceptional	Last school	Principal of last	As shown in
14	student education	attended	school attended	local directory
15	records as specified in			
16	the current Student			
17	Records Manual for the			
18	District			
19	Individual student	Last school	Principal of last	As shown in
20	psychological records as	attended	school attended	local directory
21	specified in the current			
22	Student Records Manual			
23	for the District			

Limitations on Collection and Retention of Certain Information

The District shall not collect, obtain, or retain information on the political affiliation, voting history, religious affiliation, or biometric information of a student or a parent or sibling of a student. For purposes of this paragraph, the term “biometric information” means information collected from the electronic measurement or evaluation of any physical or behavioral characteristics that are attributable to a single person, including fingerprint characteristics, hand characteristics, eye characteristics, vocal characteristics, and any other physical characteristics used for the purpose of electronically identifying that person with a high degree of certainty. Examples of biometric information include, but are not limited to, a fingerprint or hand scan, a retina or iris scan, a voice print, or a facial geometry scan.

The District shall not maintain any report or record relative to a student that includes a copy of a student's fingerprints.

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1 The Superintendent or designee will be responsible for the privacy and security of
2 records that are not under the supervision of the school principal.

3
4 Notwithstanding the provisions of this paragraph, if the District used a palm
5 scanner system for identifying students for breakfast and lunch programs on March
6 1, 2014, it may continue to use the palm scanner system through the 2014-2015
7 school year.

8
9 Fingerprints

10 ~~No report or record relative to a student which includes a copy of the student's~~
11 ~~fingerprints will be maintained by the District.~~

12 ~~The Superintendent or designee will be responsible for the privacy and security of~~
13 ~~records that are not under the supervision of the school principal.~~

1 **Access to Student Records**

2 The rights of students and their parents with respect to education records created,
3 maintained, or used by the District must be protected in accordance with FERPA,
4 State law, and the implementing regulations and rules issued pursuant thereto.
5 Students and their parents have the right to access their education records,
6 including the right to inspect and review those records, have the right to waive their
7 access to their education records in certain circumstances, have the right to
8 challenge the content of education records, have the right of privacy with respect to
9 such records and reports, and receive annual notice of their rights with respect to
10 education records.

11 In addition to students and their parents and eligible students, student records shall
12 be available only to designated school officials and personnel, to such other persons
13 as the parent or eligible student authorizes in writing, a court of competent
14 jurisdiction or to other individuals or organizations as permitted by law. The term
15 "parents" includes legal guardians or other persons standing in loco parentis (such
16 as a grandparent or stepparent with whom the child lives, or a person who is legally
17 responsible for the welfare of the child). The term "eligible student" refers to
18 students who are eighteen (18) years of age or older, or who are enrolled in a
19 postsecondary institution, regardless of age.

20 Schools may, without consent of parents, guardians, or eligible students, provide
21 access to school officials to perform an administrative, supervisory, or instructional
22 task, or to perform a service or benefit for the student or the student's family, and
23 psychologists within the School District providing they have a legitimate educational
24 interest. Support employees may be designated by the principal for the purpose of
25 doing clerical work and maintaining student records. However, such persons shall
26 receive in-service training concerning the confidentiality of student records and work
27 under the supervision and control of an administrative staff member.

28 Whenever a student has attained eighteen (18) years of age, the permission and
29 consent required of and rights accorded to the parents of the student as to student
30 records maintained by the District, shall thereafter be required of and accorded to
31 the eligible student only, unless the eligible student is a dependent of his/her
32 parents as defined in Title 26 U.S.C. Section 152 of the Internal Revenue Code of
33 1954. The School District may, in this instance, disclose personally identifiable
34 information from the education records to the parents without the prior consent of
35 the eligible student.

1 Whenever a student has enrolled in a postsecondary institution, regardless of age,
2 the permission and consent required of and rights accorded to the parents of the
3 student as to student records maintained by the postsecondary institution shall
4 thereafter be required of and accorded to the eligible student only. However, if the
5 student is not eighteen (18) years of age, then the permission and consent required
6 of and rights as to the student records maintained by the District shall be retained
7 by the parents.

8 The custodian of the student record shall permit the eligible student or the parents
9 or guardians of the student who is or has been in attendance in the School District
10 to inspect and review the education records of the eligible student or student.
11 Provisions for such inspection and review shall be made within a reasonable period
12 of time of the request, but in no case shall be more than thirty (30) days after the
13 request has been made.

14 The District presumes that the eligible student or either parent of the student has
15 the right to inspect, review, and receive copies of the education records of the
16 student or eligible student unless the Board, its staff, or the individual school has
17 been provided a legally binding instrument or court order governing such matters as
18 divorce, separation, or custody which provides to the contrary.

19 In instances where records are opened to parents, guardians, or eligible students,
20 schools shall make available a member of the professional staff to interpret the
21 record and shall provide copies, upon request and payment of the current District
22 copy rate, which shall not exceed the maximum rate for copies of public records as
23 set forth in F.S. Chapter 119.

24 The copy rate will include actual reproduction costs and will not include the labor
25 costs for retrieval.

26 School officials shall provide requesting parents, guardians, or eligible students an
27 opportunity for a hearing to challenge the content of their child's or the eligible
28 student's school records, to insure that the records are not inaccurate, misleading,
29 or otherwise in violation of the privacy or other rights of students, and to provide an
30 opportunity for the correction or deletion of any such inaccurate, misleading, or
31 otherwise inappropriate data contained therein.

1 Parents, guardians, and eligible students may waive their right of access to
2 confidential letters or statements of recommendations or evaluation. Such waiver
3 shall be made in writing to the custodian of the records and shall be signed by the
4 parent, guardian, or eligible student. Such waiver shall apply to recommendations
5 or evaluation only if:

6 A. the parent, guardian, or eligible student is, upon request, notified of
7 the names of all persons submitting confidential letters or
8 statements; and

9 B. such recommendations or evaluations are used solely for the
10 purpose for which they were specifically intended.

11 The waiver of right of access may be revoked in writing with respect to actions
12 occurring after the revocation.

13 **Court Request of Records**

14 A. Student records may be disclosed to a court of competent
15 jurisdiction provided that reasonable notification is given in advance
16 to the parents and student. If the principal or his/her designee is
17 unable to notify prior to time for compliance set forth in the court
18 order, s/he shall bring to the court's attention the provision of the
19 Family Educational Rights and Privacy Act of 1974 and comply with
20 the court's instruction.

21 B. Student records may be disclosed pursuant to a lawfully issued
22 subpoena, upon the condition that the student, or his/her parent if
23 the student is either a minor and not attending an institution of
24 postsecondary education or a dependent of such parent as defined
25 in 26 U.S.C. 152 (s. 152 of the Internal Revenue Code of 1954), is
26 notified of the order or subpoena in advance of compliance therewith
27 by the educational institution or agency.

28 The Superintendent may, in writing, authorize access to student records to
29 representatives of the Federal, State, or local educational authorities.

30 Transcripts of a student's records may be released without written consent from the
31 students' parents, guardians, or eligible student, to any vocational-technical center,
32 community college, or any postsecondary institutions of higher learning in which the
33 student seeks or intends to enroll. A copy of the records may be released to the
34 student's parents, guardians, or eligible student upon request. This policy is also
35 applicable in instances where such a request is in connection with a student's
36 application for, or receipt of, financial aid.

1 Hearing Procedure to Correct Student Records

2 Whenever a parent, guardian, or eligible student believes the content of the student
3 record is inaccurate, misleading, or in violation of their privacy, they may request in
4 writing an informal meeting with the custodian of the record for the purpose of
5 requesting the correction, deletion, or expunction of any inaccurate, misleading, or
6 otherwise inappropriate data or material contained in the student record.

7 If the parties at the informal meeting agree to make deletions, to expunge material,
8 or to add a statement of explanation or rebuttal to the file, such agreement shall be
9 reduced to writing and signed by the parties, and the appropriate school officials
10 shall take the necessary actions to implement the agreement. If agreement is not
11 reached, denial of the request and notification of the right to a formal hearing shall
12 be made in writing to the parent, guardian, or eligible student with a copy to the
13 Superintendent or designee.

14 Upon the request of a parent, guardian, or eligible student, a formal hearing shall be
15 held. Such hearing shall be requested, in writing, within ten (10) days of the written
16 notice of denial at the informal meeting, to the Superintendent or designee, who
17 shall appoint a hearing officer who shall be any official of the school system with no
18 direct interest in the outcome of the hearing. The hearing officer shall convene and
19 conduct the hearing and shall render a decision in writing to all concerned parties
20 within ten (10) days of the conclusion of the hearing. Such hearing shall be held
21 within a reasonable period of time but in no case shall be held more than thirty (30)
22 days from the date of the written request.

23 The parents, guardian, eligible student, and officials of the school shall be afforded a
24 full and fair opportunity to present evidence relevant to the issues raised. The
25 hearing shall be recorded and available to all parties. However, the record of such
26 hearings are exempt from disclosure under F.S. Chapter 119.

27 If the decision of the hearing officer is that the records are not inaccurate,
28 misleading, or otherwise in violation of privacy rights, the parent, guardian, or
29 eligible student shall be allowed to comment in writing on the information in the
30 education record and set forth any reasons for disagreeing with the decision. This
31 written response shall be filed in the education records of the student.

1 **Disclosure of Student Record Information**

2 Notwithstanding any other provision in this policy, student education records shall
3 not be disclosed to any person, public body, body politic, political subdivision, or
4 agency of the Federal government except when authorized by State or Federal law or
5 in response to a lawfully issued subpoena or court order. In accordance with State
6 law, student education records are exempt from the provisions of F.S. Chapter 119.

7 A. Prior Written Consent

8 1. Prior written consent of the parent, guardian, or eligible
9 student shall be obtained prior to disclosing personally
10 identifiable student information other than directory
11 information. The written consent shall include: signature of
12 the parent, guardian, or eligible student; date; specification of
13 records or information to be disclosed; purpose of the
14 disclosure; and the party or class of parties to whom a
15 disclosure is to be made.

16 2. Disclosures of personally identifiable student information will
17 be made only on the condition that the party or parties to
18 whom the information is disclosed shall not disclose the
19 information to any other party without prior written consent
20 of the parent, guardian, or eligible student, as appropriate.
21 Personally identifiable student information which is disclosed
22 to an institution, agency, or organization may be used by its
23 officers, employees, and agents, but only for the purpose for
24 which the disclosure was made. The District presumes the
25 parent, guardian, or eligible student has the authority to
26 grant permission for disclosure of personally identifiable
27 student information unless the District has been provided
28 with evidence that there is a legally binding instrument or
29 State law or court order governing such matters as divorce,
30 separation, or custody which provides to the contrary.

31 B. Without Prior Written Consent

32 Personally identifiable information or records of a student may be
33 released to the following persons or organizations without the prior
34 written consent of the student or the student's parent or guardian:

35 1. Officials of schools, school systems, career centers, or public
36 postsecondary educational institutions in which the student
37 seeks or intends to enroll; and a copy of such records or

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1 reports shall be furnished to the parent or student upon
2 request.

1 2. Other school officials, including teachers within the
2 educational institution or agency, who have a legitimate
3 educational interest in the information contained in the
4 records.

5 3. The United States Secretary of Education, the Director of the
6 National Institute of Education, the Assistant Secretary for
7 Education, the Comptroller General of the United States, or
8 State or local educational authorities who are authorized to
9 receive such information subject to the conditions set forth in
10 applicable Federal statutes and regulations of the United
11 States Department of Education, or in applicable State
12 statutes and rules of the State Board of Education.

13 The disclosed records must be used to audit or evaluate a
14 Federal or State supported education program, or to enforce
15 or comply with Federal requirements related to those
16 education programs. A written agreement between the
17 parties is required under this exception. ~~(see Form 8330 F16)~~

18 This written agreement must include:

- 19 a. designation of the receiving individual or entity as an
20 authorized representative;
- 21 b. specification of the information to be disclosed;
- 22 c. specification that the purpose of the disclosure is to
23 carry out an audit or evaluation of a government-
24 supported educational program or to enforce or comply
25 with the program's legal requirements;
- 26 d. a summary of the activity that includes a description of
27 methodology and an explanation of why personally
28 identifiable information is necessary to accomplish the
29 activity;
- 30 e. a statement requiring the organization to destroy all
31 personally identifiable information when it is no longer
32 needed to carry out the audit or evaluation, along with
33 a specific time period in which the information must be
34 destroyed; and

1 f. a statement of policies and procedures that will protect
2 personally identifiable information from further
3 disclosure or unauthorized use.

4 Under the audit exception, the District will use "reasonable
5 methods" to verify that the authorized representative complies
6 with FERPA regulations. Specifically, the District will verify,
7 to the greatest extent practical, that the personally
8 identifiable information is used only for the audit, evaluation,
9 or enforcement of a government-supported educational
10 program. The District will also ascertain the legitimacy of the
11 audit or evaluation and will only disclose the specific records
12 that the authorized representative needs. Further, the
13 District will require the authorized representative to use the
14 records only for the specified purpose and not to disclose the
15 information any further, such as for another audit or
16 evaluation. Finally, the District will verify that the
17 information is destroyed when no longer needed for the audit,
18 evaluation, or compliance activity.

19 4. Appropriate parties in connection with a student's application
20 for or receipt of financial aid, if necessary to determine the
21 eligibility for the aid; determine the amount of the aid;
22 determine the conditions of the aid; and/or enforce the terms
23 and conditions of the aid.

24 5. Individuals or organizations conducting studies for or on
25 behalf of an institution or a board of education for the
26 purpose of developing, validating, or administering predictive
27 tests, administering student aid programs, or improving
28 instruction, if the studies are conducted in a manner that
29 does not permit the personal identification of students and
30 their parents by persons other than representatives of such
31 organizations and if the information will be destroyed when
32 no longer needed for the purpose of conducting such studies.

33 In order to release information under this provision, the
34 District will enter into a written agreement with the recipient
35 organization that specifies the purpose of the study. ~~(see~~
36 ~~Form 8330-F14)~~

1 This written agreement must include: (1) specification of the
2 purpose, scope, duration of the study, and the information to
3 be disclosed; (2) a statement requiring the organization to
4 use the personally identifiable information only to meet the
5 purpose of the study; (3) a statement requiring the
6 organization to prohibit personal identification of parents and
7 students by anyone other than a representative of the
8 organization with legitimate interests; and (4) a requirement
9 that the organization destroy all personally identifiable
10 information when it is no longer needed for the study, along
11 with a specific time period in which the information must be
12 destroyed.

13 While the disclosure of personally identifiable information
14 without consent is allowed under this exception, it is
15 recommended that whenever possible the administration
16 either release de-identified information or remove the
17 students' names and social security identification numbers to
18 reduce the risk of unauthorized disclosure of personally
19 identifiable information.

20 6. Accrediting organizations, in order to carry out their
21 accrediting functions.

22 7. School Readiness programs as provided in State law in order
23 to carry out their assigned duties.

24 8. For use as evidence in student expulsion hearings conducted
25 by a district school board under F.S. Chapter 120; however,
26 public records of expulsion hearings shall not contain any
27 personally identifiable information.

28 9. Appropriate parties in connection with an emergency, if
29 knowledge of the information in the student's educational
30 records is necessary to protect the health or safety of the
31 student or other individuals.

- 1 10. The Auditor General and the Office of Program Policy Analysis
2 and Government Accountability in connection with their
3 official functions; however, except when the collection of
4 personally identifiable information is specifically authorized
5 by law, any data collected by the Auditor General and the
6 Office of Program Policy Analysis and Government
7 Accountability is confidential and exempt from F.S. 119.07 (1)
8 and shall be protected in a way that does not permit the
9 personal identification of students and their parents by other
10 than the Auditor General, the Office of Program Policy
11 Analysis and Government Accountability, and their staff, and
12 the personally identifiable data shall be destroyed when no
13 longer needed for the Auditor General's and the Office of
14 Program Policy Analysis and Government Accountability's
15 official use.
- 16 11. A court of competent jurisdiction in compliance with an order
17 of that court or the attorney of record in accordance with a
18 lawfully issued subpoena, upon the condition that the
19 student and the student's parent are notified of the order or
20 subpoena in advance of compliance therewith by the
21 educational institution or agency.
- 22 Student records may be disclosed record pursuant to a
23 lawfully issued subpoena, upon the condition that the
24 student, or his/her parent if the student is either a minor and
25 not attending a postsecondary educational institution or a
26 dependent of such parent as defined in 26 U.S.C. 152 (section
27 152 of the Internal Revenue Code of 1954), is notified of the
28 order or subpoena in advance of compliance therewith by the
29 educational institution or agency.
- 30 12. Credit bureaus, in connection with an agreement for financial
31 aid that the student has executed, if the information is
32 disclosed only to the extent necessary to enforce the terms or
33 conditions of the financial aid agreement. Credit bureaus
34 shall not release any information obtained under this
35 paragraph to any person.

- 1 13. Parties to an interagency agreement among the Department of
2 Juvenile Justice, school and law enforcement authorities, and
3 other signatory agencies for the purpose of reducing juvenile
4 crime and especially motor vehicle theft by promoting
5 cooperation and collaboration, and the sharing of appropriate
6 information in a joint effort to improve school safety, to
7 reduce truancy and in-school and out-of-school suspensions,
8 and to support alternatives to in-school and out-of-school
9 suspensions and expulsions that provide structured and
10 well-supervised educational programs supplemented by a
11 coordinated overlay of other appropriate services designed to
12 correct behaviors that lead to truancy, suspensions, and
13 expulsions, and that support students in successfully
14 completing their education. Information provided in
15 furtherance of such interagency agreements is intended solely
16 for use in determining the appropriate programs and services
17 for each juvenile or the juvenile's family, or for coordinating
18 the delivery of such programs and services, and as such is
19 inadmissible in any court proceedings prior to a dispositional
20 hearing unless written consent is provided by a parent or
21 other responsible adult on behalf of the juvenile.
- 22 14. Consistent with the Family Educational Rights and Privacy
23 Act, the Department of Children and Families or a
24 community-based care lead agency acting on behalf of the
25 Department of Children and Families, as appropriate.
- 26 15. Parents of a dependent student as defined by the Internal
27 Revenue Service Tax Code of 1986 and in this policy.
- 28 16. "Directory information" as specified in this policy.
- 29 17. If the District initiates legal action (a lawsuit) against a
30 parent, or if the parent initiates legal action against the
31 District. In such circumstances, the District may disclose to
32 the court, without a court order or subpoena, the education
33 records of the student that are relevant for the District to
34 proceed with legal action as the plaintiff or to defend itself.

1 18. If the release is to the Attorney General of the United States
2 or to his/her designee in response to an ex parte order in
3 connection with the investigation or prosecution of terrorism
4 crimes specific in Sections 2331 and 2332 of
5 Title 18, U.S. Code.

6 Under this exception, school officials are not required to
7 record (i.e., on an access log) the disclosure of information
8 from a student's education record when the school makes
9 pursuant to an ex parte order.

10 Further, an educational institution that, in good faith,
11 produces information from education records in compliance
12 with an ex parte order shall not be liable to any person for
13 that disclosure.

14 19. If the release is otherwise permitted under Federal law.

15 C. Record of Disclosures

16 Record of any requests or disclosures of personally identifiable
17 student information shall be maintained except for disclosures to
18 the parent, guardian, or eligible student; disclosure of directory
19 information; or to any other school officials with a legitimate
20 educational interest. The record of requests for disclosure shall
21 include the following: the parties who have requested or obtained
22 personally identifiable student information, the legitimate interests
23 of the persons requesting or obtaining the information, and
24 date parental/eligible student consent was obtained.

25 With regard to such disclosures, a "school official" is determined to
26 be any employee of the School Board of Indian River County,
27 Florida, with direct responsibility for providing services to students.
28 A "legitimate educational interest" is determined to mean
29 responsibility for providing direct educational services to students
30 which will include teaching, counseling, psychological services, or
31 other services to students which require access to personally
32 identifiable information and/or those specified in the law.

1 D. Disclosures - Health or Safety Emergencies

2 Disclosure of personally identifiable student information may be
3 made by school officials in the event of a health or safety emergency.
4 Such emergency situations shall be declared in writing to the
5 Superintendent by a recognized legal official with authority to
6 declare such emergency. The declaration of a health or safety
7 emergency shall include the need for specific personally identifiable
8 student information, the time requirements for the information, and
9 the parties to whom the information is disclosed who are responsible
10 for utilizing the information to deal with the emergency.

11 **Transfer of Student Records**

12 When a student, previously enrolled in the District transfers out of the District to
13 another school, public or private, within this State or out of State, the principal,
14 upon written request of the principal of the receiving school, the parent, guardian, or
15 eligible student, shall immediately transfer a copy of the student's cumulative record
16 containing Category A and B information to the requesting school. Pursuant to
17 Federal law, disciplinary records with respect to suspension and expulsion shall be
18 considered "other records of educational importance" and, as a Category B record,
19 shall be transferred to the requesting school. The Board authorizes the
20 administration to forward all Category A and B student records, including
21 disciplinary records with respect to any current suspension and expulsion, upon
22 request to a school or school district in which a student of this District is enrolled,
23 seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis,
24 upon condition that the student's parents be notified of the transfer, receive a copy
25 of the record if desired, and have an opportunity for a hearing to challenge the
26 content of the record. The school shall retain a copy of the Category A information
27 in its files. A copy of the Category B (Exceptional Student Education Audit File)
28 records will also be retained. Category B health and testing information shall be
29 retained if it is related to a weighted or categorical program placement which is
30 subject to audit. The files which are retained will be held by the principal who is
31 custodian of the records for the period of time specified in the Student Records
32 Manual. Category A student records and Category B (Exceptional Student
33 Education Audit File) beyond the specified time after the student leaves the District
34 will be forwarded to Records Management. When a request comes to the school for
35 student records after the files have been sent to Records Management, the written
36 request should be forwarded to Records Management. Based upon reasonable
37 requests, viewers of educational records will receive explanation and interpretation
38 of the records. Records Management will make copies of the student's files at the
39 current the District's copy rate, which shall not exceed the maximum rate for copies
40 of public records as set forth in F.S. Chapter 119.

1 While all reasonable efforts shall be made to collect for damaged or lost library books
2 or textbooks, under no conditions shall the transfer of a student's cumulative record
3 be delayed or denied for failure to pay any fine or fee assessed by the school.
4 Progress reports to parents (report cards) may not be withheld for failure to pay any
5 fine, fee, or an assessment for lost or damaged books.

6 The Superintendent shall prepare administrative procedures to ensure that students
7 and parents are adequately informed each year regarding their rights to:

8 A. inspect and review the student's educational records;

9 B. request amendments if the parent believes the record is inaccurate,
10 misleading, or otherwise in violation of the student's privacy rights;

11 C. consent to disclosures of personally-identifiable information
12 contained in the student's educational records, except to those
13 disclosures allowed by the law;

14 D. challenge District noncompliance with a parent's request to amend
15 the records through a hearing;

16 E. file a complaint with the Department of Education;

17 F. obtain a copy of the District's policy and administrative procedures
18 on student records.

19 The Superintendent shall also develop, and update as needed, procedures for:

20 A. the proper storage and retention of records including a list of the
21 type and location of record;

22 B. informing District employees of the Federal and State laws
23 concerning student records.

24 The District is authorized to use the microfilm process or electromagnetic processes
25 of reproduction for the recording, filing, maintaining, and preserving of records.

26 No liability shall attach to any member, officer, or employee of this District
27 specifically as a consequence of permitting access or furnishing student records in
28 accordance with this policy and procedures.

1 Any entity receiving personally identifiable information pursuant to a study, audit,
2 evaluation or enforcement/compliance activity must comply with all FERPA
3 regulations. Further, such an entity must enter into a written contract with the
4 Board delineating its responsibilities in safeguarding the disclosed information.
5 Specifically, the entity must demonstrate the existence of a sound data security plan
6 or data stewardship program, and must also provide assurances that the personally
7 identifiable information will not be re-disclosed without prior authorization from the
8 Board. Further, the entity conducting the study, audit, evaluation or
9 enforcement/compliance activity is required to destroy the disclosed information
10 once it is no longer needed or when the timeframe for the activity has ended, as
11 specified in its written agreement with the Board.—~~See Form 8330 F14 and~~
12 ~~Form 8330 F16 for additional contract requirements.~~

13 **Request for Student Social Security Numbers at Enrollment**

14
15 When a student enrolls in a District school, the District shall request that the
16 student provide his/her social security number and shall indicate whether the
17 student identification number assigned to the student is his/her social security
18 number. A student satisfies this requirement by presenting his/her social security
19 card or a copy of the card to a school enrollment official. However, a student is not
20 required to provide his/her social security number as a condition for enrollment or
21 graduation.

22 F.S. Chapter 119, 1001.41, 1001.52, 1002.22, 1002.221, 1002.222, 1003.25
23 F.A.C. 6A-1.0955
24 20 U.S.C. Section 1232f through 1232i (FERPA)
25 20 U.S.C. 7908
26 26 U.S.C. 152
27 20 U.S.C. 1400 et seq., Individuals with Disabilities Act
28 Privacy Rights of Parents and Students - P.L. 90-247
29 No Child Left Behind Act of 2001 - P.L. 107-110

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CONFIDENTIALITY

2 State and Federal law requires that student education records, including health
3 records, be confidential. (see Policy 8330) State law also exempts certain
4 information and records from public disclosure (see Policy 8310). As such, the
5 School Board is obligated to take appropriate steps to maintain certain information
6 and records as confidential.

7 Pursuant to State law, any District employee who has custody of information and
8 records for which there is a statutory exemption to the right of any person to inspect
9 and copy a public record has the duty and obligation to assert the exemption and
10 redact the confidential information from the record before producing the remainder
11 of such record for inspection and copying.

12 Further, individuals who have access to student education records may not remove
13 them from Board property without express permission from their building principal
14 or supervisor. An individual authorized to remove student education records from
15 school property is responsible for the safety and security of the records and for
16 returning them to the District intact. Confidential information and records may not
17 be disclosed except as authorized by Board policy and procedures.

18 A student's educational record and all personally identifiable information shall not
19 be properly released except on the condition that the information being transferred
20 will not be subsequently released to any other party without first obtaining the
21 consent of the parent or adult/eligible student. The disclosed information may be
22 used by the appropriate officials of the agency or institution to which the
23 information was properly released, but only for the purpose for which the disclosure
24 was made.

25 Released copies of educational records and personally identifiable information must
26 be destroyed when no longer required by the person to whom the information was
27 appropriately released. In order to comply with the above, all copies of the
28 information being released should be marked as follows: "Information contained
29 herein may not be released without written permission of the parent or eligible
30 student. This information shall be destroyed when no longer needed."

31 Individuals who have access to confidential information and records while employed
32 by the Board are reminded that their legal obligation to maintain such confidences
33 extends beyond their term of employment in the District and they are prohibited
34 from releasing, disclosing, or otherwise disseminating confidential information or
35 records subsequent to leaving the Board's employ.

1 Confidential Information Received from Another Public Agency

2 In addition, when the District receives in trust from a public agency information
3 identified as confidential (whether such information is confidential by Florida law,
4 Common Law Privilege, Case Law, or Federal law), the Board will maintain the
5 confidentiality of said information to the maximum extent permitted by the law.

6 In order to prohibit the unauthorized disclosure of information identified as
7 confidential by the sending public agency, the Board may seek to obtain court
8 protection by:

9 A. denying requests for release of such information absent subpoena or
10 court order;

11 B. pursuing motions to quash or protective orders to prohibit
12 unauthorized/unlawful disclosure of such information.

13 When possible, the Board will attempt to notify the sending public agency of the
14 request for release of confidential information that it provided to the District before
15 complying with the request.

16 Limited Use of Social Security Numbers and Other Statutorily Exempt Information

17 The District recognizes the need to safeguard privacy and restrict access to
18 personally identifiable information contained in employee and student personnel
19 records collected in the course of the District's business. Pursuant to State law, all
20 social security numbers held by the District are confidential and exempt from
21 F.S. 119.071 and Section 24(a), Article I of the State Constitution. This exemption
22 applies to all social security numbers held by the District before, on, or after the
23 effective date of this exemption. In addition, there are statutory exemptions for
24 other personally identifiable information.

25 It is the policy of the Board that neither the Board nor its employees shall permit the
26 release of the social security numbers or other statutorily exempt information of an
27 employee, student, or other individual except in accordance with State and Federal
28 law. Access to documents containing social security numbers shall be restricted to
29 only those District employees who have a need to know such information.

1 Further, it is the policy of the Board that social security numbers shall only be
2 collected in order to fulfill its responsibilities as prescribed by law. The District,
3 upon the collection of an individual's social security number, and upon the
4 individual's request, shall provide that person with a statement of the purpose or
5 purposes for which the social security number is being collected and used. Social
6 security numbers shall not be used by the District for any purpose other than the
7 purpose stated.

8 Pursuant to State law, when a student enrolls in a District school, the District shall
9 request that the student provide his/her social security number and shall indicate
10 whether the student identification number assigned to the student is his/her social
11 security number. A student satisfies this requirements by presenting his/her social
12 security card or a copy of the card to a school enrollment official. However, a
13 student is not required to provide his/her social security number as a condition for
14 enrollment or graduation. The District shall record the student's permanent record
15 and shall indicate in that record if the number recorded is not a social security
16 number.

17
18 Pursuant to State law, if a document containing social security numbers and/or
19 other statutorily exempt information is to be released in compliance with a public
20 records request, the social security numbers and/or the other statutorily exempt
21 information shall be redacted before the document is provided to the requestor.

22 Social security numbers may be disclosed to another governmental entity or its
23 agents or employees if disclosure is necessary for that agency to perform its duties
24 and responsibilities. The District shall inform the receiving agency in writing of its
25 obligation to maintain the confidential and exempt status of such information.

26 Limitations on Collection and Retention of Certain Information

27
28 The District shall not collect, obtain, or retain information on the political affiliation,
29 voting history, religious affiliation, or biometric information of a student or a parent
30 or sibling of a student. For purposes of this paragraph, the term "biometric
31 information" means information collected from the electronic measurement or
32 evaluation of any physical or behavioral characteristics that are attributable to a
33 single person, including fingerprint characteristics, hand characteristics, eye
34 characteristics, vocal characteristics, and any other physical characteristics used for
35 the purpose of electronically identifying that person with a high degree of certainty.
36 Examples of biometric information include, but are not limited to, a fingerprint or
37 hand scan, a retina or iris scan, a voice print, or a facial geometry scan.

38
39 No report or record relative to a student which includes a copy of a student's
40 fingerprints will be maintained by the District. The Superintendent or designee will
41 be responsible for the privacy and security of records that are not under the
42 supervision of the school principal.

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Notwithstanding the provisions of this paragraph, if the District used a palm scanner system for identifying students for breakfast and lunch programs on March 1, 2014, it may continue to use the palm scanner system through the 2014-2015 school year.

6 Responsibility to Enforce This Policy and Consequences for Failing to Do So

7 As described above, the Board prohibits the release of social security numbers and
8 other statutorily exempt, confidential information to unauthorized persons or
9 entities.

10 If an employee is asked to provide a social security number or other statutorily
11 exempt information from a file or record maintained by the District, the employee
12 shall refuse to release the social security number and/or the other statutorily
13 exempt information, and shall notify his/her immediate supervisor as soon as
14 practicable.

15 Employees who intentionally display, disclose, transfer, or unlawfully use the social
16 security number of any student, employee, or other individual, as well as any other
17 statutorily exempt, confidential information, in violation of this policy shall be
18 subject to discipline, up to and including termination.

1 Accordingly, the Superintendent shall provide all staff with access to this policy. In
2 addition, the Superintendent shall take the steps necessary so that staff who have
3 access to files and records that contain confidential information and/or social
4 security numbers are made aware of their responsibility to see that such information
5 is released only in accordance with Federal and State law and this policy, as well as
6 the consequences if they fail in that regard.

7 F.S. 119.07(1)d; 119.071(5)(a)2, 119.071(5)(a)3, 119.071(5)(a)4; 119.071(5)(a)5
8 F.S. 1002.222, 1008.386
9 20 U.S.C. 1232g

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STUDENT ABUSE AND NEGLECT

2 The School Board is concerned with the physical and mental well-being of the
3 students of this District and requires that staff comply with the mandated
4 identification and reporting of cases of child abuse or neglect in accordance with
5 law.

6 Reporting Suspected Cases

- 7 A. Any person, including teachers, administrators, support personnel,
8 and other District and school personnel who knows, or has
9 reasonable cause to suspect that a child or a student has been
10 abused, abandoned, or neglected by a parent, legal custodian,
11 caregiver, or other person responsible for the child's welfare shall
12 report such knowledge or suspicion to the Department of Children
13 and Families in a manner prescribed by law. A person who is
14 required to report known or suspected child abuse, abandonment,
15 or neglect and who knowingly and willfully fails to do so, or who
16 knowingly and willfully prevents another person from doing so is
17 guilty of a felony of the third degree.
- 18 B. The proper procedure for reporting known or suspected cases of
19 child abuse, abandonment, and neglect is:
- 20 1. Report immediately by telephone to the Department of
21 Children and Families central abuse hotline, using the single
22 Statewide toll-free telephone number: 1-800-96-ABUSE
23 (1-800-962-2873). School personnel reporting such cases are
24 required to provide their names to the hotline staff. The
25 names of reporters shall be entered into the record of the
26 report, but shall be held confidential as provided by law.
- 27 2. As soon as practicable after making the report, the school
28 staff member shall inform the principal or supervisor of their
29 knowledge or suspicions, and advise that individual that the
30 report has been made.
- 31 3. A notice regarding this reporting requirement shall be posted
32 in a prominent place in each school in the District.

- 1 C. School personnel are advised that reporting their knowledge or
2 suspicions of suspected abuse to a principal, or supervisor, or other
3 school or District personnel does not comply with the mandatory
4 reporting requirements of the law. The principal, supervisor, and
5 other school or District personnel who are informed of suspected
6 abuse, abandonment, and neglect likewise have an obligation to
7 report to the central abuse hotline as required by law.
- 8 D. No employee of the District shall be subject to reprisal or discharge
9 because of his/her actions in reporting abuse or neglect pursuant to
10 the requirements of F.S. 39.203.
- 11 E. No Board employee may agree, as a condition of receiving
12 information about child abuse, neglect, or abandonment from a
13 victim, a perpetrator, witness, or other person, that the Board
14 employee will not report this information as required by law and this
15 Board policy.
- 16 F. If the person accused of the abuse or neglect is an employee of the
17 School Board of Indian River County and acting in their official
18 capacity:
- 19 1. The principal or the principal's designee will report or cause
20 to be reported suspected cases of child abuse, neglect, or
21 abandonment to the appropriate law enforcement agency that
22 come to the attention of school teachers, other school
23 officials, or personnel. This notification must be made
24 immediately.
- 25 2. The appropriate law enforcement agency is the agency which
26 has law enforcement jurisdiction throughout the municipality
27 (municipal law enforcement) or the unincorporated area
28 (sheriff's department) where that alleged abuse occurred. The
29 law enforcement agency having jurisdiction will issue to the
30 reporter an incident report number to document that
31 reporting notification. Include that incident report number,
32 as well as the date and time of notification, as a reference for
33 school-based documentation.

1 3. Immediately after notifying law enforcement, report the
2 suspected Board employee involved case by telephone to the
3 Department of Children and Families central abuse hotline,
4 using the single Statewide toll-free telephone number
5 1-800-96-ABUSE (1-800-962-2873). School personnel
6 reporting such cases are required to provide their names to
7 the hotline staff. The names of reporters shall be entered into
8 the record of the report, but shall be held confidential as
9 provided by law.

10 G. Failure to report as required by law is a third degree felony and can
11 be punishable up to five (5) years in jail, up to a \$5,000 fine.
12 Additional penalties may also result.

13 **False Reports**

14
15 A person who knowingly and willfully makes a false report of child abuse,
16 abandonment, or neglect, or who advises another to make a false report, is guilty of
17 a felony of the third degree and may be subject to other penalties in accordance with
18 Florida law.

19
20 **Training**

21
22 All [X] teachers [X] instructional staff members in grades K-12
23 (x) and all school administrators, psychologists, nurses, and social
24 workers.
25 are required to participate in the continuing education training provided by the
26 Department of Children and Family Services on identifying and reporting child
27 abuse and neglect.

28
29
30 Referral to Law Enforcement

31 Reports on the central abuse hotline (1-800-96-ABUSE) alleging that a public school
32 employee acting in official capacity has abused a child or student may also be
33 referred to the sheriff's department or local law enforcement by the Department of
34 Children and Families. The sheriff's department or local law enforcement agency
35 may contact the school to initiate a criminal investigation.

36 F.S. 39.201, 39.202, 39.203, 39.303, 39.305, 984.03, 984.04

37 F.S. 1001.41, 1006.061, 1012.98

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY**

OPERATIONS
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1

FOOD SERVICE PROGRAM

2 The School Board shall, upon the recommendation of the Superintendent, employ
3 the staff necessary to a food service program in each school in accordance with
4 Federal and State laws, regulations, Board policies, and District procedures.

5 The Food Services Program shall participate in the National School Lunch and
6 Breakfast Programs and comply with all Federal and State regulations pertaining to
7 the program.

8 A. Food Service Program

9

10 The purchase of food (except produce) and all nonfood supplies
11 purchased with School Food Service funds are subject to the
12 requirements of School Board policies and the Superintendent's
13 procedures governing the Food and Nutrition Service Program,
14 financial and internal account procedures, applicable federal and
15 state regulations, and the requirements of the Florida School Food
16 Service Operations Manual.

17

18 Under no conditions may a School Food and Nutrition Service
19 Program be operated under a fee, concession, or contract agreement
20 with a food service management company, or under any similar
21 arrangement except upon the approval of the Board and pursuant to
22 a contract with the Board.

23

24 There shall be an annual evaluation of the School Food and
25 Nutrition Service Program to provide a basis for improvement and to
26 meet the need for changing conditions. The results of the evaluation
27 shall be presented to the Board annually.

28

29 The District recognizes the importance of good nutrition to each
30 student's educational performance.

31

32 This program shall be operated primarily as a service to students by
33 providing:

34

1. attractive and nutritious meals for students;

35

2. food service facilities designed to achieve the maximum in
36 efficiency and cleanliness;

1 3. the opportunity for developing in the students good eating
2 and social habits.

3
4 4. competitive food items and beverages that are available for
5 sale to students a la carte in the dining area that comply with
6 the current USDA Dietary Guidelines for Americans. (see also
7 Policy 8550, Competitive Foods)

8
9 B. Staffing

10 1. Administrative Responsibility

11
12 The direct responsibility for supervision and administration of
13 the food service program shall be delegated to a director of
14 county-wide food services who shall provide system-wide
15 coordination and supervision directed toward the most
16 efficient and nutritional operation at the lowest possible cost
17 to the student.

18
19 There shall be a program of inservice training for food service
20 personnel. The Food Service Director shall be responsible for
21 the development and implementation of the training program
22 for food service personnel.

23 2. Principal

24
25 The principal and local school staff shall have the following
26 responsibilities:

27 a. to comply with Federal and State laws, regulations,
28 and the Board's policies

29 b. to effect, through classroom instruction and learning
30 experiences outside the classroom, ways to increase
31 the students knowledge of nutrition

32 c. to schedule students to effect the greatest participation
33 in the school food service program

34 d. to comply with food holds and recalls in accordance
35 with USDA regulations.

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3. Food Service Manager

The Food Service Manager shall work under the direct supervision of the Director of Food and Nutrition Services of the assigned school in accordance with Board policy, State law, and other applicable legal requirements.

The Food Service Manager shall be responsible for the control of unauthorized persons in the school food preparation area. Admission to such area or areas shall be limited to: the food service staff, campus administrators, and personnel on official school business.

4. Other Food Service Personnel

Additional personnel shall be employed in accordance with established procedures and job classifications.

5. Employment of Minors

The rate of pay for employed minors shall be that of a beginning cafeteria worker. Length of workday and duties performed shall be in compliance with the Child Labor Laws. No student shall be required to work for a free or reduced-price meal.

C. General Provisions

1. Availability of Meals

Students, employees of the Board, Board members, and the invited guests of school principals are the only persons who may eat in the school cafeteria.

2. Commodities

U.S. Department of Agriculture (USDA) commodities shall be used in accordance with current USDA and applicable State rules and regulations.

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3. Sanitation

A copy of each school's most recent sanitation inspection report shall be posted in a publicly visible location and on the school website.

4. Food Safety

As required by law, a food safety program based on the principles of the Hazard Analysis and Critical Control Points (HACCP) system shall be implemented with the intent of preventing food-borne illnesses. For added safety and security, access to the facility and food stored therein shall be limited to food service staff and other authorized personnel.

D. Cost of Meals

The food service program shall be operated on a nonprofit basis. The price of meals shall be set by the Board upon the recommendation of the Superintendent. Food service employees are given a lunch as part of their salary; other adults shall pay the Board-adopted adult sale price.

E. Eligibility for Free or Reduced-Price Meals

It is the intent of the Board to participate in the National School Lunch and Breakfast Program and to offer paid, free, or reduced-price meals in accordance with the USDA guidelines.

F. School Breakfast Program

1. Breakfast meals shall be available to all students in each elementary, middle, and high school. The Board will do so by participating in the National School Breakfast Program and offering paid, free, and reduced-price breakfast meals in accordance with USDA Guidelines.

Further, the Board shall offer breakfast meals free of charge to all students in each elementary, middle, and high school in which eighty percent (80%) or more of the students are eligible for free or reduced-price meals.

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2. Eligibility

Those persons who are eligible for free or reduced-price meals shall be approved and properly accounted for by the principal in accordance with criteria established by the USDA or other authority.

3. Identification

The identification of students receiving free or reduced-price meals shall be safeguarded and confidential.

G. Accounting

Superintendent

The Superintendent shall be responsible for the accurate accounting of all commodities, equipment, supplies, and cash in accordance with School District requirements and for making such reports as required.

A periodic review of the food-service accounts shall be made by the Superintendent. Any surplus funds from the National School Lunch Program shall be used to reduce the cost of the service to students or to purchase cafeteria equipment. Surplus funds from a-la-carte foods purchased using funds from the nonprofit food service account must accrue to the nonprofit food service account.

26 F.S. 1001.41, 1001.42, 1001.51, 1006.06, 1013.12
27 F.A.C. 6A-7.0411, 6A-7.41, 6A-7.42(2), 6A-7.421, 6A-7.45, 6A-7.46
28 7 C.F.R. 210, 215, 220, 240

29 © **NEOLA 2012**

1

WELLNESS

2 As required by law, the School Board establishes the following wellness policy for the
3 School District.

4 The Board recognizes that good nutrition and regular physical activity affect the
5 health and well-being of the District's students. Furthermore, research suggests
6 that there is a positive correlation between a student's health and well-being and
7 his/her ability to learn. Moreover, schools can play an important role in the
8 developmental process by which students establish their health and nutrition habits
9 by providing nutritious meals and snacks through the schools' meal programs, by
10 supporting the development of good eating habits, and by promoting increased
11 physical activity both in and out of school.

12 The Board, however, believes this effort to support the students' development of
13 healthy behaviors and habits with regard to eating and exercise cannot be
14 accomplished by the schools alone. It will be necessary for not only the staff, but
15 also parents and the public at large to be involved in a community-wide effort to
16 promote, support, and model such healthy behaviors and habits.

17 The Board sets the following goals in an effort to enable students to establish good
18 health and nutrition habits:

19 A. With regard to nutrition education, the District shall:

- 20 1. Nutrition education shall be included in the sequential,
21 comprehensive Health curriculum in accordance with the
22 curriculum standards and benchmarks established by the
23 State.
- 24 2. Nutrition education shall extend beyond the classroom by
25 engaging and involving the school's food service staff.
- 26 3. Nutrition education posters, such as the New Meal Pattern
27 Basics, will be displayed in the cafeteria.
- 28 4. The school cafeteria shall serve as a learning lab by allowing
29 students to apply the knowledge, attitudes, and skills taught
30 in the classroom when making choices at mealtime.

1 B. With regard to physical activity, the District shall:

2 1. Physical Education

3
4 A sequential, comprehensive physical education program
5 (including physical activities) shall be provided for students
6 including those with disabilities, special health care needs,
7 and in alternative educational settings (to the extent
8 consistent with students' IEPs), in accordance with the
9 standards and benchmarks established by the State.

10 2. Physical Activity

11
12 Physical activity and movement shall be integrated, when
13 possible, across the curricula and throughout the school day.

14 C. With regard to other school-based activities the District shall:

15 1. The schools shall schedule mealtimes so there is minimum
16 disruption by bus schedules, recess, and other special
17 programs or events.

18 2. The school shall provide attractive, clean environments in
19 which the students eat.

20 3. Schools in our system utilize electronic identification and
21 payment systems, therefore, eliminating any stigma or
22 identification of students eligible to receive free and/or
23 reduced meals.

24 Furthermore, with the objectives of enhancing student health and well-being, and
25 reducing childhood obesity, the following guidelines are established:

26 A. In accordance with Policy 8500, entitled Food Service, the food
27 service program shall comply with Federal and State regulations
28 pertaining to the selection, preparation, consumption, and disposal
29 of food and beverages as well as to the fiscal management of the
30 program.

31 B. The sale of foods of minimal nutritional value in the food service
32 area during the lunch period is prohibited.

- 1 C. As set forth in Policy 8531, entitled Free and Reduced Price Meals,
2 the guidelines for reimbursable school meals are not less restrictive
3 than the guidelines issued by the U.S. Department of Agriculture
4 (USDA).
- 5 D. The food service program will strive to be financially self-supporting;
6 however, if it is necessary to subsidize the operation, it will not be
7 through the sale of foods with minimal nutritious value.
- 8 E. The food service program will provide all students affordable access
9 to the varied and nutritious foods they need to be healthy and to
10 learn well.
- 11 F. All foods available on campus during the school day shall comply
12 with the current USDA Dietary Guidelines for Americans, including
13 competitive foods that are available to students a la carte in the
14 dining area, as classroom snacks, from vending machines, for
15 classroom parties, or at holiday celebrations.
- 16
17 G. All food items and beverages available for sale to students for
18 consumption on campus between midnight and sixty (60) minutes
19 after the close of the regular school day shall comply with the
20 current USDA Dietary Guidelines for Americans, including, but not
21 limited to, competitive foods that are available to students a la carte
22 in the dining area, as well as food items and beverages from vending
23 machines, from school stores, or as fund-raisers by student clubs
24 and organizations, parent groups, or boosters clubs.
- 25 H.G. The school food service program may involve students, parents,
26 staff, and/or school officials in the selection of competitive food
27 items to be sold in the schools.
- 28 I.H. The school shall prepare and distribute to staff, parents, and
29 after-school program personnel a list of snack items that comply
30 with the current USDA Dietary Guidelines for Americans.
- 31 J.I. The food service program shall be administered by a director who is
32 properly qualified, certificated, licensed, or credentialed, according
33 to current professional standards.
- 34 K.J. All food service personnel shall receive pre-service training in food
35 service operations.
- 36 L.K. Continuing professional development shall be provided for all staff of
37 the food service program.

**THE SCHOOL BOARD OF
INDIAN RIVER COUNTY**

OPERATIONS
8510/page 4 of 5

- 1 The Superintendent has the operational responsibility for measuring and evaluating
- 2 the District's implementation and progress under this policy.

1 The superintendent shall assign members of an ad hoc committee to review this
2 policy annually and recommend changes to the superintendent. The committee
3 shall- include representatives of the administration, the food and nutritional services
4 department, parents, students and the public. After measuring and evaluating- the
5 progress toward achieving the goals set forth herein and reviewing the changes
6 from the committee, the superintendent shall submit to the board on an annual
7 basis a summary of the evaluation and any recommended changes to this policy.

8 42 U.S.C. 1751 et seq.

9 42 U.S.C. 1771 et seq.

10 F.S. 1001.41, 1001.42, 1001.43, 1006.06, 1006.0605, 1006.0606

11 F.A.C. 6A-7.0411

12 Revised 3/4/14

13 © **NEOLA 2013**

REVISED POLICY – VOL. 15, NO. 1

ANTI-FRAUD

This policy is implemented to make employees aware of activities ~~which~~ that may be fraudulent, illegal, or otherwise unethical. The District will not tolerate such activities, and disciplinary measures will be implemented as appropriate.

Scope

This policy applies to any fraud, or suspected fraud, involving elected officials, employees, consultants, vendors, contractors, outside agencies and employees of such agencies, and any other parties with a business relationship with the District.

Policy

Fraud and fraudulent activity are strictly prohibited. The obligation to report fraud includes instances when the employee knew or should have known that an incident of fraud had occurred. All administrators shall be vigilant for any conduct that appears to constitute fraud or fraudulent activity within the scope of their responsibility.

Each employee or agent of the District shall be responsible for reporting any observed or suspected fraud or fraudulent activity to the Superintendent who shall serve as agency chief inspector. If the observed or suspected fraud or fraudulent activity involves a School Board member or the Superintendent, the report should be made to the Board Attorney or the State of Florida's Chief Inspector General. Reports to the State of Florida's Chief Inspector General may be filed by connecting to the State's Chief Inspector General's fraud hotline (<http://www.floridaoig.com/reportfraud.htm>), by calling the fraud hotline maintained by the Chief Inspector General (1-800-543-5353), or by faxing the complaint to the Chief Inspector General (1-850-921-0817).

~~The obligation to report fraud includes instances when the employee knew or should have known that an incident of fraud had occurred.~~

~~All administrators shall be vigilant for any conduct that appears to constitute fraud or fraudulent activity within the areas scope of their responsibility.~~

~~Allegations of fraud or fraudulent activity may be disclosed to the Superintendent, who shall serve as agency chief inspector, with the Board Attorney when the allegation involves the superintendent or a Board member, or with the State of Florida's Chief Inspector General.~~

~~In addition to or instead of filing a written report with the Superintendent, or Board Attorney when the allegation involves the superintendent or a Board member, the report may be filed by connecting to the State's Chief Inspector General's fraud hotline (<http://www.floridaoig.com/reportfraud.htm>), by calling the fraud hotline maintained by the Chief Inspector General (1-800-543-5353), or by faxing the complaint to the Chief Inspector General (1-850-921-0817).~~

~~[] Further, the District will provide a link on its website so that tips about alleged fraud or fraudulent activity can be made anonymously. However, an investigation of misconduct will not be conducted solely on the basis of an anonymous allegation. If corroborating evidence can be found, then disciplinary action will be taken.~~

[NOTE: Choose one of the following two options]

Option 1 (for Districts that do not include an anonymous complaint procedure)

~~However, whistleblower protection provided by State law will not apply to individuals who utilize the State's Chief Inspector General's fraud hotline to report alleged fraud or fraudulent activity. Whistleblower protection may apply to individuals who comply with the requirements for whistleblower protection under State law and who report alleged fraud or fraudulent activity directly to the Superintendent, who serves as the agency chief inspector.~~

[end of Option 1]

Option 2 (for districts that include an anonymous complaint procedure)

~~However, whistleblower protection provided by State law will not apply to individuals who utilize the State's Chief Inspector General's fraud hotline, as well as those who use the link on the District's website. Whistleblower protection may apply to individuals who comply with the requirements for whistleblower protection under State law and who report alleged fraud or fraudulent activity directly to the Superintendent, who serves as the agency chief inspector.~~

[end of Option 2]

When the information provided meets the criteria for fraud or fraudulent activity that is set forth in State law, this policy, and Policy 1211, Policy 3211, Policy 4211, AP 1211, AP 3211, and AP 4211, a staff member, former staff member, applicant, or any other person who files the complaint can keep their identity confidential unless:

- A. disclosure is necessary to protect the public's health, safety, and welfare;
- B. absolutely necessary or unavoidable during the investigation; or
- C. if disclosure is required by State law.

Pursuant to Policy 1550, Policy 3550, or Policy 4550, an allegation of fraud or fraudulent activity and all information obtained pursuant to an investigation by the Superintendent of the allegation of fraud or fraudulent conduct will be confidential and exempt from inspection or copying until the investigation ceases to be active or until the Superintendent provides written notice to the employee who is the subject of the investigation.

~~[] Anonymous complaints for which no corroboration can be found will be retained by the District but, pursuant to State law, shall not be placed in any employee's personnel file.~~

~~All reporting and investigation shall be done in accordance with the District's Whistleblower's Policy and Procedure. (Policy 1211, AP 1211, Policy 3211, AP 3211, Policy 4211, and AP 4211)~~

Fraud – Definitions

Fraud is defined as the intentional, false representation or concealment of a material fact in order to personally benefit or induce another to act to his/her detriment.

Actions constituting fraud include, but are not limited to the following:

- A. falsifying, unauthorized altering, or forgoing District documents, including but not limited to the following:
 - 1. claims for payments or reimbursements, which would include, but not be limited to, submitting false claims for travel or overtime
 - 2. absence or leave forms, an example of which would be reporting falsely an absence as a sick day or failing to report an absence
 - 3. files, either in electronic or printed format, photographic records or audio records that are maintained by the District, or accounts belonging to the District
 - 4. a check, bank draft, wire transfer, or any other District financial document
 - 5. student records that are maintained in either electronic or printed formats
 - 6. fire, health, sanitation, and safety reports that are maintained in either electronic or printed formats
- B. misappropriating funds, supplies, or other assets of the District
- C. handling or reporting money or financial transactions in an improper or illegal manner
- D. disclosing, either directly or indirectly, confidential and proprietary information to outside parties for personal gain

- E. disclosing to other persons the purchasing/bidding activities engaged in or contemplated by the District so that any entity, person, or business has an unfair advantage in the purchasing/bid process
- F. causing the District to pay excessive prices or fees where justification is not documented
- G. accepting or offering a bribe, gifts or other favors under circumstances that indicate that the bribe, gift or favor was intended to influence a decision that was, or needed to be, made
- H. removing, destroying, or using for personal gain records, furniture, fixtures and/or equipment
- I. using State or Federal funds for other than their designated and approved purposes, or
- J. using District equipment or work time for any outside private business activity.

This list is meant to illustrate the types of activities that are prohibited, and is not intended to be all-inclusive. Other misconduct of a similar nature is prohibited.

Investigation

Investigations of alleged fraud or fraudulent activity shall be conducted in accordance with this policy and the District's whistleblower policy and procedure (Policy 1211, AP 1211, Policy 3211, AP 3211, Policy 4211, and AP 4211).

If the allegations of fraudulent misconduct involve a District employee, former employee, applicants, or independent contractor, the Superintendent shall determine whether an conduct a thorough investigation by the District is warranted. If the Superintendent determines that the allegations appear to involve criminal misconduct, the matter shall be referred to the Sheriff's Office.

If the allegation involves the Superintendent or a Board member, the allegation shall be referred to the Board Attorney. If the Board Attorney determines that the allegations appear to involve criminal misconduct, the matter shall be referred to the Sheriff's Office. If the Board Attorney determines that the allegations do not appear to involve criminal misconduct, the matter shall be assigned by the Board Attorney to a third party, who is not an employee of the District, for the purpose of conducting an investigation concerning the allegations. Upon the conclusion of this investigation, the investigator shall forward the report to the Board Attorney. The Board Attorney shall forward the report to the Board ~~which shall take~~so that such action as is appropriate can be taken.

Any investigation conducted pursuant to this policy shall be conducted without regard for the length of service, position/title, or relationship of the individual who is alleged to have committed or concealed fraud.

Confidentiality

The District will maintain confidentiality with regard to the reports of suspected misconduct and the investigation, to the extent consistent with the conduct of an appropriate investigation and the District's obligations under the Whistleblower's Act, the Freedom of Information Act, and F.S. Chapter 119. However, absolute confidentiality for reporting witnesses and investigation results cannot be guaranteed.

Except as authorized by the Superintendent or his/her designee, the reporting witness and others interviewed are not to discuss the allegations or investigation with other District employees or officials, vendors or contractors. Such discussions may interfere with the investigation. Further, because of the nature of the alleged misconduct, unsubstantiated allegations that are not privileged could harm an innocent individual's reputation and result in potential civil liability.

Non-Retaliation

Those who, in good faith, report suspected fraud or fraudulent activity will not be subject to any retaliation as a result of bringing the suspected misconduct to the attention of the District. ~~They—~~Employees, former employees, applicants for employment, or independent contracts will be subject to protection of the District's Whistleblower's policy and administrative procedure. (Policy 1211, AP 1211, Policy 3211, AP 3211, Policy 4211, and AP 4211)

Additionally, ~~individuals~~ employees who knowingly make a false report of suspected fraud or fraudulent activity shall be subject to disciplinary action pursuant to the District's Whistleblower's policy and administrative procedure. (Policy 1211, AP 1211, Policy 3211, AP 3211, Policy 4211, and AP 4211)

F.S. 112.387 - 112.31895

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1 PARENT ORGANIZATIONS, BOOSTER CLUBS,
2 AND OTHER FUND-RAISING ACTIVITIES

3 The School Board appreciates the efforts of all organizations whose objectives are to
4 enhance the educational experiences of District students, to help meet educational
5 needs of students and/or provide extra educational benefits not provided for, at the
6 time, by the Board.

7 These needs may be educational to parents and/or children. In addition to parents,
8 membership should be made available to District staff and members of the
9 community.

10 Each volunteer organization shall work within the appropriate school setting and in
11 cooperation with the principal and other staff members and shall abide by the
12 policies of the Board.

13 Each group will submit its bylaws/purpose statement to the principal for review and
14 approval.

15 Each group shall purchase liability insurance (riders – self-insured) to protect the
16 entity against claims resulting from damage or injury resulting from any act or
17 omission of any school-support entity.

18 Further, for any fund-raisers by student clubs and organizations, parent groups, or boosters clubs that involves the sale to students of food items and/or beverages that will be consumed on campus during the school day, the food and/or beverages items to be sold shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations and applicable State law. However, the Board authorizes the Superintendent to grant special exemption from the standards for competitive foods as specified above for the purpose of conducting infrequent school-sponsored fundraisers, provided the number of exemptions approved does not exceed the maximum number of school days permitted by F.A.C. 5P-1.003. If approved, fund-raisers that involve the sale of food items or beverages to students on campus must be consistent with regulations established in Policy 8550, Competitive Foods, whether those food items and beverages are compliant with, or a special exemption to, the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in Schools regulations.

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3 The Superintendent shall develop the administrative procedures so that each
4 group's fund-raising activities are in compliance with Board policies, that the funds
5 are used for school-related projects that have the approval of the Principal, and that
6 all fund-raising activities are coordinated through the Principal.

7 © **NEOLA 2004**

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SELECTION OF INSTRUCTIONAL MATERIALS AND EQUIPMENT

The School Board shall provide instructional materials and equipment, within budgetary constraints, to implement the District's educational goals and objectives and to meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the school.

State law requires the Board to provide adequate instructional materials free of charge to students who are enrolled in the District.

"Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hard-backed or soft-backed textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serves as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature.

Furthermore, Federal law requires the Board to provide accessible instructional materials as specified in a student's IEP. Such accessible instructional materials may be of a type or in a format as specified in the definition of adequate instructional materials in this policy.

The School Board must either (1) adopt instructional materials selected from the state-approved materials according to the state adoption cycles, (2) adopt instructional materials pursuant to a School Board instructional materials review program prescribed by this policy, or (3) a combination of both.

State-Adopted Instructional Materials

The Florida Commissioner of Education shall determine annually the areas in which instructional materials shall be submitted for adoption and evaluate them pursuant to law.

The Superintendent shall assign responsibilities for the District's participation in the State adoption of instructional materials, determine areas of the curriculum in which State adoption of instructional materials is needed and communicate those needs to the Commissioner of Education, and establish procedures for the requisition, purchase, receipt, storage, distribution, use, conservation, maintenance of records and reports, and management practices, and property accountability concerning instructional materials. The duties and responsibilities include keeping

**THE SCHOOL BOARD OF
Indian River County**

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adequate records and accounts for all financial transactions for funds collected pursuant to F.S. 1006.28(2)(a). Such records and account shall be a component of the educational service delivery scope of the District's best financial management practices review under F.S. 1008.35.

Non-State Adopted Instructional Materials

The School Board shall implement its own instructional materials review and selection program for materials that are not state-adopted. Procedures shall be established, which are incorporated by reference in and made a part of this policy, to provide for evaluation and selection of non-state-adopted instructional materials. These procedures shall include processes, criteria, and requirements for (1) selection of reviewers, one or more of whom must be a parent with a child enrolled in a District public school, (2) review of instructional materials, (3) selection of materials, including a thorough review of curriculum content, and (4) reviewer recommendations. The procedures must also identify by subject area, a review cycle for instructional materials, specify the qualifications of reviewers, establish a process that certifies the accuracy of instructional materials and comply with all other requirements in Section 1006.283(2), F.S.

Evaluation and Selection of Instructional Materials (Textbooks)

A. Criteria for Selection

Textbooks and instructional materials should provide quality learning experiences for students, enrich and support the curriculum, and be consistent with the Florida State Standards. School teaching staff and administrators shall evaluate instructional materials by following the State's Guidelines for the Review of Instructional Materials. Below are the major components of the review guidelines. The complete guidelines, including specific indicators may be found on the State's Curriculum and Instruction website: <http://www.fldoe.org/academics/standards/instructional-materials/>

1. Alignment To Florida's Perspective (Florida's Continuous Improvement Model; Reading in the content area; universal design for curriculum access; Florida's vision for the subject area)
2. Content (Alignment with curriculum; level of treatment; expertise for content development; accuracy of content; currency of content; authenticity of content; multicultural representation; humanity and compassion)

3. Presentation (Comprehensiveness of student and teacher resources; alignment of instructional components; organization of instructional materials; readability of instructional materials; pacing of content; ease of use and durability of materials)
 4. Learning (Motivational strategies; teaching a few “Big Ideas;” explicit instruction; guidance and support; active participation of students; targeted instructional strategies; targeted assessment strategies)
- B. Instructional materials must also be evaluated for bias-free content. There are five (5) areas in which bias is evidenced in instructional materials:
1. Contextual Invisibility (The omission or under representation of various racial and ethnic groups, people with disabilities, older people, women and people from a variety of social classes.)
 2. Stereotyping And Characterization (Assignment of traditional and rigid roles or attributes to a group.)
 3. Historical Distortions And Omissions (Materials which present only one interpretation of an issue, situation, or group of people.)
 4. Language Bias (Materials which perpetuate single-standard language usage that reflects bias based on gender, race, ethnicity, disability, age, and class.)
 5. Inaccurate And Stereotypical Visual Images (Pictures which present and reinforce sexism, racial and ethnic stereotypes, etc.)
- C. No school official or member of a District or State instructional materials council shall accept any emolument, money, or other valuable thing, or any inducement, to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional materials.
- D. No member of the District evaluation committee may discuss matters relating to instructional materials submitted for adoption with any agent of a publisher or manufacturer of instructional materials,

either directly or indirectly, except during the period when the committee shall have been called into session for the purpose of evaluating instructional materials submitted for adoption or in a public presentation showcasing the materials. Aside from exception noted above, both parties (District evaluation committee member and agent of a publisher or manufacturer or instructional materials) must comply with the District's "Cone of Silence." (Policy 6324)

Lost and Damaged Instructional Materials

Students shall be held responsible for the cost of replacing any instructional materials lost, destroyed, or unnecessarily damaged. Failure to provide payment for the damage or loss may result in the suspension of the student from participation in extra-curricular activities, or the debt may be satisfied by the student performing community service activities at the school site as determined by the school principal.

Ability to Purchase by Parents/Student

A student or his/her parent(s) may purchase a copy of the designated course instructional materials, regardless of format, for the District's purchase price, including shipping.

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

A list of all approved instructional materials shall be maintained by the Superintendent and made available for the use of the instructional staff.

Free School-Related Instructional Materials

Free instructional materials may be accepted for classroom and school purposes under conditions that meet all the following criteria:

- A. The initiative for securing the materials should be of the type that teachers seek rather than materials forwarded to them to promote the interests of an outside agency.
- B. The materials should fill a legitimate purpose of the school curriculum.
- C. The advertising feature of the materials should be minimized.
- D. Educational films should contain a minimum amount of commercial advertising.

Equipment or Instructional Materials Vendors

The Superintendent may permit vendors to demonstrate and show only that equipment and instructional materials which can be used to improve the instructional program and which are under consideration for purchase by the school.

Process for Parents to Object to Specific Instructional Material

Parents of a student attending a District school may object to the use of specific instructional material in a course in which the student is enrolled.

The parent(s) shall use the process for objecting to specific instructional material that is set forth in Policy 9130, *Public Complaints*.

Instructional Materials Adoption and Purchase

Whether instructional materials are selected and purchased from a state-approved instructional materials list or through the District's own instructional materials selection process, the School Board shall:

- A. Conduct an open noticed public hearing to receive comment on recommended materials being considered for adoption,
- B. Provide public access to recommended materials at least twenty (20) calendar days prior to School Board consideration,
- C. Provide public notice of the materials being considered for adoption that specifically lists the materials and how they can be accessed,
- D. Conduct an open noticed public meeting on a date other than the date of the public hearing required above to approve an annual instructional materials plan identifying instructional materials that will be purchased by the District for the entire District. [This does not include instructional materials by a school or teacher for the benefit of only that teacher or school]
- E. Receive public comment at the public hearing and meeting in accordance with Policy 0169.1, *Public Participation*.
- F. The School Board takes action on the proposed Instructional Materials.

Objections to Adopted Materials

**THE SCHOOL BOARD OF
Indian River County**

PROGRAM
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-
- A. Within 30 calendar days after the meeting in which the Board adopts any instructional material, a parent of a currently enrolled Indian River School District student may contest the School Board's adoption of a specific instructional material by filing a petition on the form available and posted on the District's website. The petition must include the parent's signature, required contact information and state the specific objection to the material.
 - B. Within thirty (30) calendar days of the end of the 30-day filing period described in Section A, the School Board shall hold at least one open duly noticed public hearing on all petitions timely received. All instructional materials contested must be made accessible online to the public at least 7 days before the public hearing.
 - C. The District must also notify each petitioner in writing of the date and time of the hearing at least seven (7) days before a public hearing.
 - D. The School Board shall receive public comment at the public hearing and meeting in accordance with Policy 0169.1, *Public Participation*.
 - E. The School Board shall consider the objection(s) but is not required to make any changes in the materials adoption.
 - F. The School Board's determination at the end of the hearing is final and not subject to further petition or review.

Access to Instructional Materials

The School Board shall provide annual written notice to parents of the ability to access their child's instructional materials. In addition, the notice shall be posted on the District's instructional materials information website.

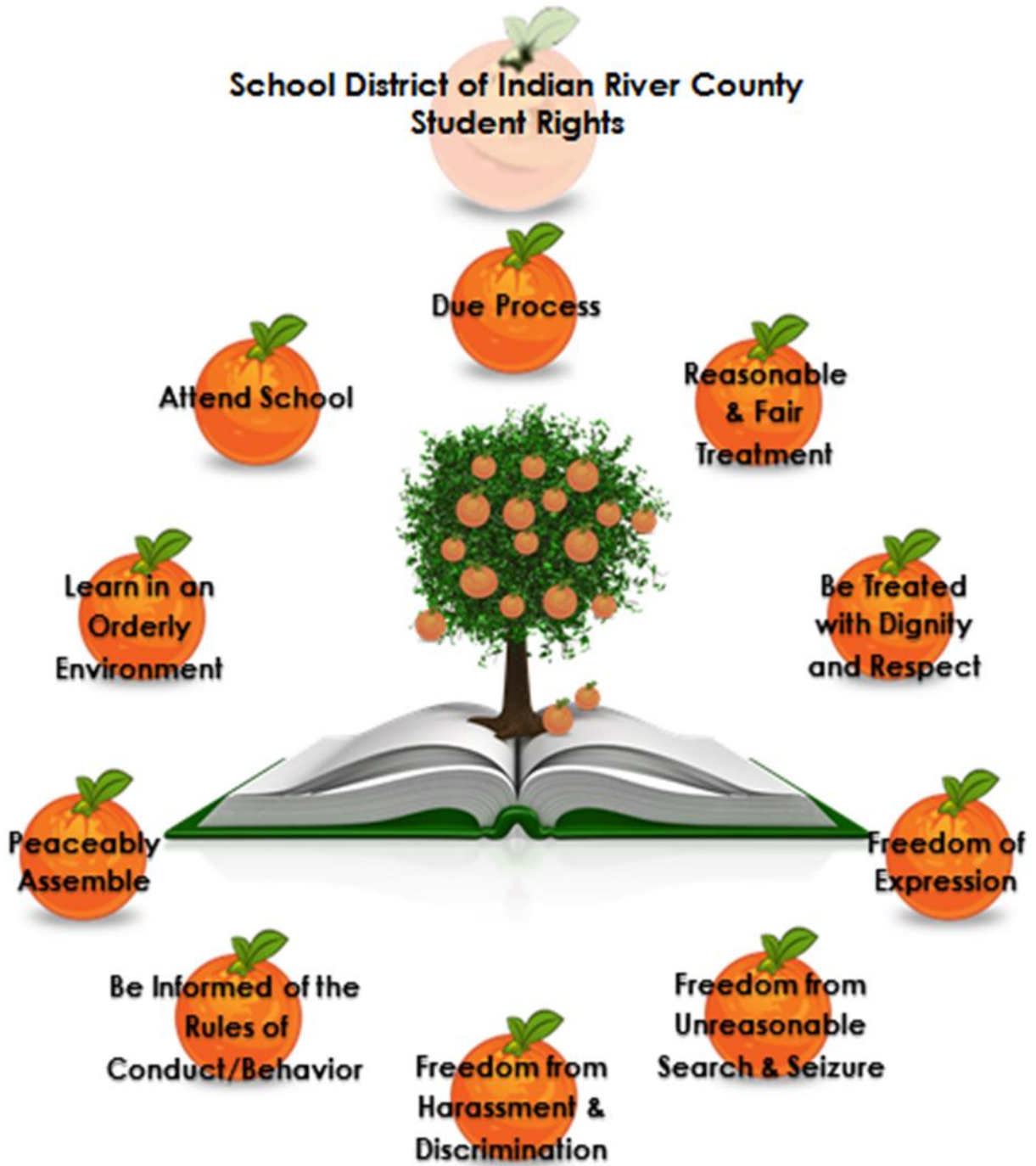
The School Board must also provide notice and access for teachers, administrators, students and parents to a local instructional improvement system for electronic and digital instructional materials.

F.S. 119.071, 1006.28 through 1006.42
F.A.C. 6A-6.03028
34 C.F.R. Part 300



**SCHOOL DISTRICT
OF
INDIAN RIVER COUNTY**

**POSITIVE CLIMATE AND DISCIPLINE
CODE OF CONDUCT
STUDENT HANDBOOK
2015 - 2016**



INDIAN RIVER COUNTY SCHOOLS

ELEMENTARY SCHOOLS

Beachland Elementary	564- 3300
Citrus Elementary	978 -8350
Dodgertown Elementary	564-4100
Fellsmere Elementary	564-5970
Glendale Elementary	978-8050
Indian River Academy	564-3390
Liberty Magnet School	564-5300
Osceola Magnet School	564-5821
Pelican Island Elementary	564-6500
Rosewood Magnet School	564-3840
Sebastian Elementary	978-8200
Treasure Coast Elementary	978-8500
Vero Beach Elementary	564-4550

MIDDLE SCHOOLS

Gifford Middle School	564-3550
Oslo Middle School	564-3980
Sebastian River Middle School	564-5111
Storm Grove Middle School	564-6400

HIGH SCHOOLS

Sebastian River High School **564-4170**

Vero Beach High School **564-5400**

ALL OTHER SCHOOLS

Alternative Center for Education **564-6240**

Wabasso School **978-8000**

Technical Center for Adult & Career Education **564-4970**

CHARTER SCHOOLS

Imagine Schools **567-2728**

Indian River Charter High **567-6600**

North County Charter Elementary **794-1941**

St. Peter's Academy **562-1963**

Sebastian Charter Junior High **388-8838**



School District of Indian River County

A CommUNITY Partnership Toward Educational Excellence

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Superintendent's Letter



School District of Indian River County

1990 25th Street • Vero Beach, Florida, 32960-3395 • Telephone: 772-564-3000 • Fax: 772-569-0424

Frances J. Adams, Ed.D. - Superintendent

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DRAFT

“Educate and inspire every student to be successful”

Shawn R. Frost
District 1

• Dale Simchick
District 2

• Matthew McCain
District 3

• Charles G. Searcy
District 4

• Claudia Jiménez
District 5

“To serve all students with excellence”
Equal Opportunity Educator and Employer

Introduction: Mission and Vision Statement, Core Values, and Guiding Principles

Mission and Vision Statement:

To serve all students with excellence while educating and inspiring every student to success.

Core Values:

Positive Climate School Core Values:

- Foster positive climates that are safe, supportive, and engaging
- Provide fair and consistent disciplinary procedures
- Focus on accountability measures for behavior that allow *all* students to grow behaviorally, socially, and academically through fair, proactive, corrective, and instructive strategies

Overview of the Guiding Principles for Positive School Climates:

School climate reflects the school community's norms, goals, and values. Students, families, and educators working together create positive school climates. Our schools' communities are responsible for providing the nurturing, positive, and safe environment needed to maximize student success by:

- Providing support for all students and staff
- Building relationships with parents and community-based organizations to provide systems of support promoting safe environments that embrace success for *all* students
- Preparing all students to thrive in college, career, and community endeavors
- Ensuring all schools are safe environments where positive and effective teaching and learning take place

A simple consequence-based model of discipline is not effective. Therefore, our school district has progressed to a system that recognizes discipline as part of a larger strategy in creating positive, just environments where students can flourish and succeed. Our goal is not exclusion from school, but to hold students accountable for their actions and promote the development of positive character. This is accomplished by helping students develop confidence in their abilities, and by improving self-control and decision-making skills that lead to academic and social growth.

With the School District of Indian River County's Mission and Vision Statement, Core Values, and Guiding Principles as a foundation, the Positive Climate and Discipline Code of Student Conduct Handbook has been developed to help students, families, community members, and staff understand what is needed to support safe and orderly learning environments. This Code applies to all students in pre-kindergarten through 12th grade while:

- Assembling on school grounds
- Being transported by school district transportation
- Participating in school-sponsored events, trips, and activities
- Participating in athletic functions

Section 1: Expectations, Rights, and Responsibilities

Expectations and Responsibilities for the School Community

Each member of the school community plays an important role in the creation of a safe, supportive, and positive school climate. In order for this to be accomplished, we must work together, supporting and respecting one another's roles. All community members, including school staff and administration, parents/guardians, community organizations, and students, are responsible for promoting engaging school environments that support teaching and learning.

Responsibilities of School Staff and Administration

1. Know rules and regulations, discipline policies, intervention strategies and programs, and sources of community support available to our students.
2. Promote a positive, safe, and supportive school climate, where all students can grow academically, socially, and emotionally.
3. Utilize a positive system of supports and interventions as needed, in an effort to keep students in school and engaged in the learning process.
4. Recognize, encourage, and reward appropriate and positive conduct by all students.
5. Participate in professional development promoting student engagement and support, positive classroom management, and a positive school climate.
6. Make every effort to communicate and respond to parents/guardians in a way that is accessible and easily understood.
7. Implement consequences that align with disciplinary actions, in a graduated and progressive manner, increasing in intensity as behaviors increase in severity and frequency, or when a pattern of behavior has been established.
8. Administer interventions and consequences consistently and equitably, regardless of national origin, race, gender, ethnicity, religion, age, disability, and sexual orientation.
9. Eliminate disproportionality in discipline referrals, as well as in-school and out-of-school suspensions.
10. Provide each student with due process prior to intervention, or to consequences being administered, as a result of an infraction.
11. Use exclusionary disciplinary measures as a last resort, and in accordance with district policies.
12. Provide students and parents/guardians with makeup work when students are suspended from school.
13. Ensure that students are under the supervision of school staff while on school premises during "reasonable time" before and after school, and while attending or participating in a school-sponsored activity. "Reasonable time" is defined as 30 minutes before and after school, and 30 minutes before and after a school activity is scheduled or occurs.
14. Involve School Resource Officers only when a serious infraction occurs that endangers the safety and welfare of oneself or others.

Expectations and Responsibilities for Parents

1. Encourage your children to:
 - a. Contribute to a safe, supportive, and positive school climate
 - b. Demonstrate courtesy and respect for self and others
2. Understand, and make certain your children follow, the Positive Climate and Discipline Code of Student Conduct.
3. Ensure that your child attends school regularly and arrives to school on time.

- a. If your child is absent, report absences to the **attendance clerk** at your child's school within 48 hours of the absence. Failure to notify the school within 48 hours will result in an unexcused absence.
 - b. Provide advanced written notice if you need to remove your child from class for appointments.
4. Review and ensure that your children follow the district/school dress code policy. Parents are expected to monitor student dress before leaving home. Please be advised that you will be contacted to provide appropriate clothing if your child violates the dress code. **Note: Individual schools may have additional dress code policies that are approved by the School Advisory Council (SAC).**
5. Support your child's school in accessing and implementing methods to improve conduct, such as counseling, after-school programs, and mental health services.
6. Visit your school's website or attend school meetings for information regarding what your child is learning. Assist your child with assignments and homework to the best of your ability.
7. Be certain your child has the necessary school supplies each day.
8. Share concerns with school officials as they arise.
9. When visiting your child's school, report to the office and sign in using the electronic visitor management system.
10. Ensure that the school has your **current** home, work, and cellular telephone numbers, and updated home address, e-mail address, and emergency contact information. Only people listed as emergency contacts:
 - a. Can obtain information about the student
 - b. Can pick up a student from school, unless specific written permission is given by the legal guardian. Identification will be required upon pick-up during the day, and signing out is required.
11. Make efforts to participate in your child's school activities, conferences, and problem-solving meetings.
12. Both parents have the right to access student records and information, and be provided information about what is happening at school. These parental rights apply regardless of marital status, unless a certified court document, stating otherwise, is delivered to the school's Principal.
13. Schools will provide law enforcement, crowd control, and proper supervision during extracurricular school activities. However, if a student is attending any event as a spectator, the student's safety and well-being are the responsibility of the parent.
14. Damage done to school district property by a student, including lost or damaged books and teaching materials, is the responsibility of the parent. If property or damages are not restored, schools may require:
 - a. Student loss of extracurricular activity privileges
 - b. Participation in community service

Expectations, Rights, and Responsibilities for Students

Note: Student Rights are included inside the cover page.

Students attending Indian River County public schools are expected to follow all school rules and district policies. They are expected to demonstrate behavior that has a positive impact on school climate. In order to meet these expectations, students must:

1. Make every reasonable effort to attend school all day, every day, and to be on time. If absent, students will obtain, complete, and return missing assignments within the designated time period. Pre-approval from administration is required for college visits and other educational opportunities.
2. Arrive to school with all necessary materials and be prepared to learn.
3. Follow district and school dress codes.
4. Treat others with respect and courtesy.
5. Understand and recognize how conduct affects other students and school staff.
6. Demonstrate respect for school property, and follow the Student Network and Internet Responsible Use and Safety Agreement.
7. Make every effort to restore relationships negatively affected by poor conduct.
8. Make every reasonable effort to participate in activities, interventions, and appropriate programs recommended by school staff.
9. Demonstrate good citizenship by reporting threats, and hazardous or dangerous situations, to an adult in authority.

Peaceful Assembly

Students shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of schools.

Expectations and Responsibilities for Community-Based Organizations

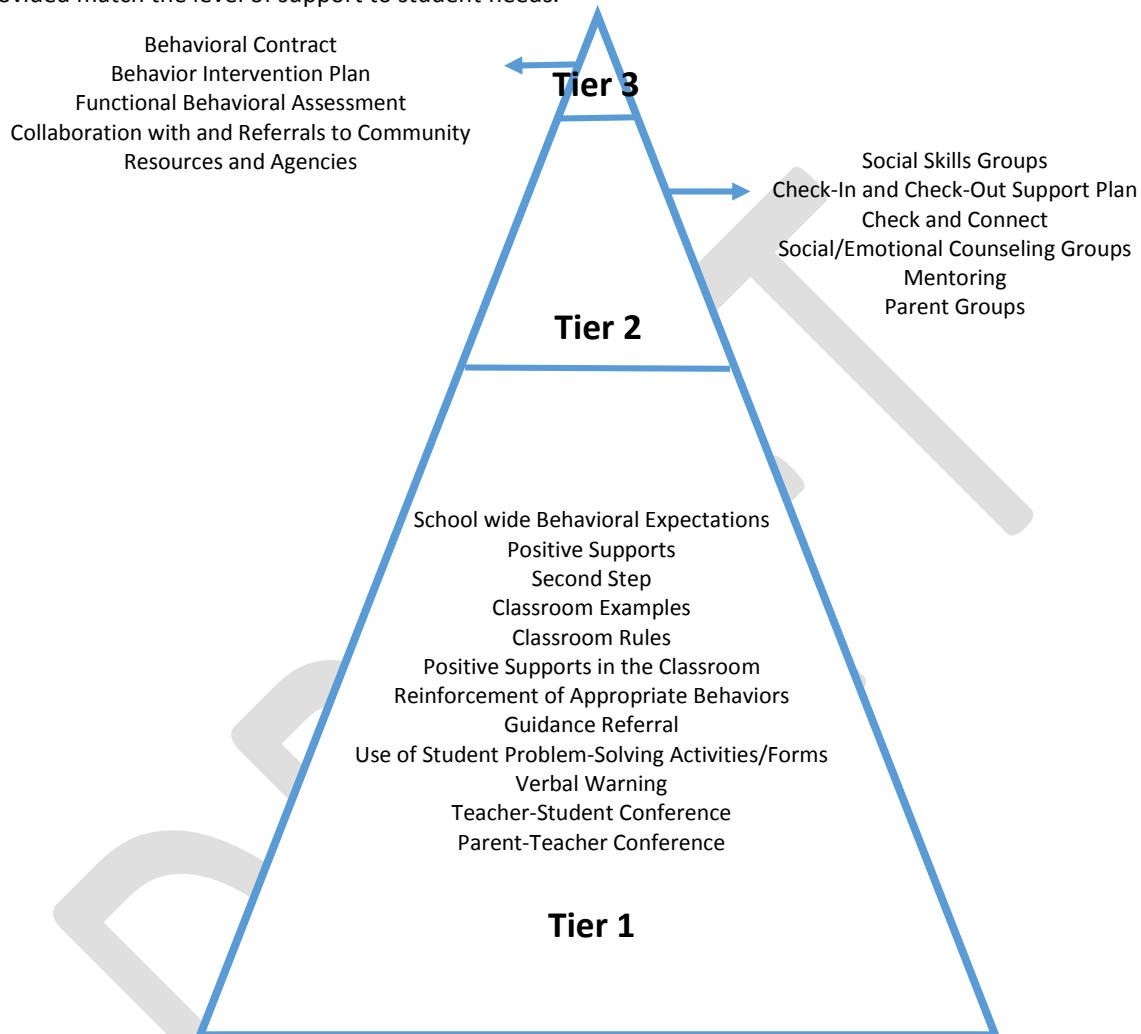
The School District of Indian River County recognizes that, "Schools Can't Do it Alone" (Jamie Vollmer).

Community members such as law enforcement, mental health service providers, and youth activity service providers play a crucial role in the establishment of a safe, supportive, and positive school climate. This is accomplished through mutual support and respect. All community-based organizations share the following objectives:

1. Assist schools in creating positive, safe, supportive, healthy, and engaging learning environments.
2. Serve as a resource for students, families, and school staff as needed.
3. Collaborate with school and district staff to share ideas and strategies that promote positive, healthy, and enriching school environments.

Section 2: Prevention and Intervention Practices

An approach to prevention and intervention has been established to support our students. Interventions and strategies are provided to students through a Multi-Tiered System of Supports (MTSS) framework. Through MTSS, schools apply strategies to maximize student learning and behavioral outcomes. The interventions and supports provided match the level of support to student needs.



Our schools will take action steps to:

- Create processes that support positive school climates by using evidence-based strategies through our MTSS framework.
- Use school and student data to plan and implement the tiered strategies and interventions. Educators, administrators, and support staff may work with community-based organizations to provide support services as needed.

Tier 1- Universal Supports for all students include strategies that are used to teach social, emotional, and behavioral learning. These strategies maximize students' abilities to problem-solve, and help develop a sense of responsibility and confidence in one's ability.

Tier 2- Targeted Interventions focus on targeted interventions for students who need additional support in specific areas.

Tier 3- Intensive Individualized Interventions promote social and emotional learning, and follow social learning principles and standards.

Note: Students who receive Tier 2 levels of support continue to receive Tier 1 instruction and support. Students who receive Tier 3 levels of support continue to receive Tier 1 and Tier 2 instruction and support.

Section 3: Student Attendance

What You Should Know About Attendance

School attendance is one of the strongest predictors of student success and is required of all students between the ages of six (6)--or turning 6 before February 1st-- and 16, unless otherwise exempted by law.

Good attendance provides students with opportunities to learn in the classroom and develop into strong students and citizens. Even just two absences a month can add up to far too much time lost in the classroom. Missing 10% or more of school days is considered chronic absenteeism. Below are percentages reflecting the impact of attendance.

96-100% is considered Good Attendance; 91-95% is considered At Risk of Underachievement; 90% is considered Seriously At Risk of Underachievement; 85% indicates Severe Concerns with Underachievement.

Regular school attendance is crucial to student success in school. Absenteeism has a negative impact on students' educational progress and sense of responsibility. Educators shall encourage regular attendance of students, maintain accurate attendance records, and follow reporting procedures.

Provisions shall be made for promoting school attendance by addressing personal problems, educating parents, and enforcing compulsory attendance laws and related child welfare legislation. Additionally:

- Absences must be reported to the school by the parent or adult student within two days (48 hours). Failure to report and explain the absence(s) shall result in unexcused absence(s). Final authority for determining acceptability of the reason for the absence(s) shall rest with the principal.
- Teachers shall record absentees each period of the school day and report absences--excused and unexcused--as required by the school.
- Parents will be contacted when a student has three (3) unexcused or unexplained absences, to prevent patterns of nonattendance.
- When a student has at least five (5) unexcused or unexplained absences within a calendar month, or ten (10) unexcused or unexplained absences within a ninety (90) calendar day period, the following will occur:
 - The teacher shall report to the Principal that the child may be exhibiting a pattern of nonattendance, if applicable.

- The Principal will refer the case to the MTSS/Individual Problem Solving Team to determine if early patterns of truancy are developing. If the MTSS/Individual Problem Solving Team finds that a pattern of nonattendance is developing, a meeting with the parent must be scheduled to identify potential remedies. If the problem is not resolved, the MTSS/Individual Problem Solving Team will implement interventions.

Habitual Truancy

When a student has a total of fifteen (15) unexcused absences within ninety (90) calendar days, with or without knowledge and consent of parents/guardians, s/he will be considered habitually truant. Parents will be notified of the excessive absences and the intent to notify the Department of Highway Safety and Motor Vehicles, if appropriate. When students are truant they may be subject to having a truancy petition filed. Please note that this may happen under state statute if the student has:

- 1) At least five (5) unexcused or unexplained absences within a calendar month
- 2) Ten (10) unexcused or unexplained absences within a ninety (90) calendar day period
- 3) More than fifteen (15) unexcused absences within a ninety (90) calendar day period

Tardiness

Tardiness is defined as an arrival to school or class after the designated time, or after the tardy signal has sounded. When tardiness become excessive --four (4) or more times per nine-week grading period-- the parent/guardian will be notified by classroom teachers. Progressive interventions will be initiated by the MTSS Individual Problem Solving Team.

An early departure is any unexcused departure prior to the end of the class or school day. Parents are encouraged to keep students in school for the entire school day with minimum interruptions or requests for early dismissal. Early dismissals interfere with classroom instruction. Dismissal within the final 30 minutes of the school day is prohibited unless the Principal determines that it is an emergency, or the student has a medical, dental, or court appointment that cannot be rescheduled.

Excused Absences

The following factors are deemed to be reasonable excuses for students' school absences:

- Personal illness: Medical evidence may be required by the principal or designee for absences exceeding five (5) consecutive days
- Court appearance
- Medical appointment
- Approved school activity
- Insurmountable problems (Prior permission by principal or designee is required except in the case of an emergency)
- Attendance at a center under the supervision of Children and Families Services
- Significant community events with prior permission of the principal or designee
- Religious instruction or religious holiday
- Death of a family member
- Out-of-school suspension
- Confinement at a detention center
- All other reasonable excuses with prior approval of the principal or designee

Students shall not be given excused absences to remain out of school for the purpose of working, unless the job is an integral part of the student's instructional program.

Absences not included in the above list shall be documented as unexcused.

Makeup School Work for Absences

For any absence excluding truancy, the student shall have two (2) days to make up work for each day missed. Principals may grant time extensions to the student for extenuating circumstances. Assignments and credit for makeup work are within teacher discretion.

Discipline

No student shall be suspended for unexcused tardiness, lateness, absences, or truancy.

Any student who fails to attend any regularly scheduled class and has no excuse should be referred to the appropriate administrator. Disciplinary action shall include parental/guardian notification.

A student's grade in any course is based on performance in the instructional setting and shall not be reduced for reasons of conduct. If a student violates attendance standards or other rules of the school, appropriate discipline will be applied, but grades will be determined by the student's academic performance.

Additional Attendance Processes

- Parents have the right to challenge attendance records by providing documentation that may change the status of an absence. Challenges must be made within the grading period in which the absence occurred. After the documentation is submitted and reviewed, final decision rests with the principal.
- Any student who, due to a specifically identifiable physical or mental impairment, exceeds or may exceed the district's limit on excused absences, is referred for eligibility evaluation under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.

Section 4: Student Discipline

Overview

The goal of progressive discipline is to promote positive school climates and opportunities for students to develop relationships, resulting in better decisions and choices. District policies and school norms set expectations for behavior and consequences that will help students make better choices, improve social-emotional behavior, increase engagement and self-efficacy, and support achievements.

Students are responsible for their behavior and are held accountable when they behave inappropriately. Students shall only be removed from the educational environment as a last resort, after guaranteed due process. They are expected to follow the Positive Climate and Discipline Code of Student Conduct standards, federal and state laws, and school board policies while:

- On school grounds
- At school-sponsored activities and events
- Being transported to and from school or school-related activities and events

Note: Off-campus felonies impacting school environment also may be considered when applying discipline procedures.

Progressive Discipline Practices

Progressive disciplinary actions will be administered based on policies and procedures clearly communicated to staff, students, parents, and guardians. When deciding upon levels of interventions and consequences, administrators will consider developmental factors, student exceptionalities, and cultural sensitivities. Other considerations include:

- Previous conduct
- Probability of a recurring violation
- Intent and severity of the offense
- Patterns of established behavior

Criminal and violent offenses could result in increased interventions and consequences. Accountability measures are intended to keep students safe and engaged in the educational process.

Bus Safety Rules

Riding the school bus is a privilege. Student conduct directly affects the school bus climate; therefore, students must follow bus safety and courtesy rules. Safety and security measures on the school bus include video recordings of students and the driver while on board. Parents are responsible for the supervision and safety of students until boarding, and after departing, the bus.

A written notice including a phone number is required twenty-four (24) hours in advance to allow a student to ride a different bus. The Principal and Director of Transportation must approve the request.

<p>1. At the Bus Stop</p> <ul style="list-style-type: none"> • Wait in an orderly manner • Stay a safe distance from the roadway: at least ten (10) feet • Arrive at your bus stop five (5) minutes early • Be cautious of traffic 	<p>2. When the Bus Arrives</p> <ul style="list-style-type: none"> • Make sure bus warning lights are on • Get in line to board • Let smaller children board first • When crossing the street to board the bus, always cross in front of the bus.
<p>3. On the Bus</p> <ul style="list-style-type: none"> • Keep all body parts inside the bus • Keep bus neat and clean • Be polite and speak with an 'indoor voice' • Do not eat or drink • Use appropriate language • Stay in seat until arriving at your stop • Be respectful of the rights and safety of the driver and passengers • Wear seatbelts when provided • The use of headphones and electronic devices must not distract the driver 	<p>4. Exiting the Bus</p> <ul style="list-style-type: none"> • Exit in an orderly manner • Follow school bus exit procedures • Check all directions for oncoming traffic • Avoid danger zones • Cross the street only in front of the bus • Exit at designated stop
<p>Students will avoid:</p>	
<ul style="list-style-type: none"> • Use of electronic devices to take or send pictures or images • Fighting, rough-housing, loud noises, and distracting or disruptive behavior • Throwing objects • Vandalism • Public displays of affection and sexual behavior • Being disrespectful and disobeying the bus driver or assistant • Delaying the bus route schedule • Banned items including live animals, glass containers, skateboards, rollerblades, laser pointers, and objects that could be used to inflict bodily injury • Balloons, bouquets, and large musical instruments • Bullying and harassment of peers, or any conduct that endangers the safety and welfare of others 	
<p>Bus Safety Violations Procedures:</p> <ul style="list-style-type: none"> • Bus driver completes the discipline referral form and submits it to the Principal • Principal investigates and uses the Levels of Interventions and Consequences Matrix to hold student accountable 	

Student Dress Code

Dress code standards foster a safe, healthy, and positive climate that promotes constructive discipline, maintains order, and supports the teaching and learning process.

Elementary Students:

Elementary school students wear a unified dress code. Each school will provide a description of their unified dress code.

Dress and Grooming Expectations for All Students:

- Pants are to be worn above the hip bone, with no visible undergarments, and present no safety hazards.
- Dress and grooming practices will not interfere with school work, create disorder, disrupt the educational program, or prevent the student from achieving educational objectives.
- Hair and clothing must not block vision or restrict movement.
- Clothing will contain no inappropriate sayings, themes, or advertisements such as alcohol, tobacco, drugs, or gang-related symbols.
- Clothing will fit appropriately and include no oversized, undersized, or tight garments.
- Apparel will contain no sheer, net, mesh, or sleepwear items. Shirts will cover the person from the shoulders to the waist at all times, with no revealed midriff or cleavage.
- Shorts, skorts, and skirts are to extend beyond finger-length or mid-thigh, whichever measurement is longer.
- Apparel will not contain hoods, headphones*, ear buds*, hair picks, combs, 'do rags, stocking caps, bandanas, scarves, towels, and other headgear.
- Hats and sunglasses may be worn for P.E. activities, recess, or other specific circumstances when authorized by the Principal.
- Jewelry, accessories, or extended fingernails that could be deemed unsafe are not permitted.
- Dog-type collars, chains, and spikes are not allowed.
- Trench coats are prohibited.
- Dress practices must not be indecent, vulgar, or disruptive to an orderly learning environment.
- Certain courses may require a specific dress code.

Note: The Principal has the final authority to determine when personal appearance does not meet expectations.

**Unless otherwise approved for instructional purposes.*

State statute authorizes the school board to establish dress code requirements. All elementary schools will adhere to a unified dress code established by the school board and superintendent. For middle and high schools, the school board requires the School Advisory Council (SAC) to decide whether a unified or restrictive dress code is necessary for the safety and welfare of the student body and school personnel. When the SAC determines that a unified or restrictive dress code is necessary, the proposition shall be submitted to a vote of the families of students at such school, pursuant to a procedure established by the superintendent. If the proposition is approved by persons eligible to vote, and passes with a written vote of at least fifty percent + 1 (majority vote) in favor of the proposition, then the requirement for a unified or restrictive dress code shall be established and enforced at that school.

Student Use of Wireless Communication Devices

Student possession of a wireless communication device (WCD) is a privilege. To promote positive behavior and protection of students, all WCD users are expected to follow procedures and to sign a Network and Internet Responsible Use and Safety Agreement.

The student is solely responsible for any equipment that s/he brings to school.

The principal has the authority to allow or discontinue WCD use; therefore, all procedures are subject to principal approval. While on school district property, students must adhere to the following procedures:

- A. Students may use WCDs while riding to and from school, or to and from school-sponsored activities on a bus or other school board-provided vehicle, at the discretion of the bus driver and administrator,

teacher, sponsor, advisor, or coach. Distracting behavior that creates an unsafe environment will not be permitted.

- B. When a student arrives at school, the WCD should be set to 'silent' or 'vibrate' and remain in that mode throughout the school day.
- C. With principal permission, the student may use their WCD before school, during lunch, and after school as long as they do not create a distraction, disruption, or otherwise interfere with the educational environment or school functions.
- D. WCDs may **not** be used in the hallways during class changes.
- E. The WCD may be used in class **only** for educational purposes, with the principal's and teacher's expressed permission.
- F. The student must connect to the district Wi-Fi to access the Internet during classroom instruction even if they have their own data plan in compliance with CIPA (Children's Internet Protection Act).
- G. Students must disable or deactivate any personal hotspots or other Internet sharing capability while on school grounds.
- H. During class, WCDs should not be visible when not being used as part of classroom instruction.
- I. Students may not use WCDs, personal data plans, or other networks to access or view Internet websites that are otherwise blocked for students by the district's web filter.
- J. Students may not download or stream any audio or video files without teacher permission.
- K. Students may not participate in cyberbullying, sending hate e-mail/ posts/ texts, or making false, harassing, or obscene e-mail/ posts/ texts ("sexting").
- L. Students may not take pictures or videos of anyone on campus, or post or send any pictures or videos without a teacher's permission.
- M. Students may not participate in hacking, cracking, vandalizing, introducing viruses, worms, Trojan horses, or time bombs, and may not use Peer-to-Peer (P2P) computing or networking.
- N. Students may not use another person's password or account, change or steal another person's work or files, or use another's personal electronic device.
- O. Students may not use proxies, HTTPS, or special ports. Students may not change browser settings or in any other way try to get through Internet filters.
- P. Students may not post any personal information about themselves or anyone else online.
- Q. Students will not have the ability to access network folders or print from personal devices.
- R. Students must charge devices before coming to school; devices are not to be charged at school.

- S. During after-school activities, WCDs may only be used with the permission of the principal and administrator, teacher, sponsor, advisor, or coach.
- T. The district is not responsible for the security, repair, troubleshooting, technical support, loss, misplacement, theft, or damage of any personal WCD.

Note: Schools may implement site-specific procedures beyond those listed above.

Drugs and Alcohol Possession, Use, and Distribution

The misuse of drugs is a serious problem with legal, physical, and social implications for the entire school community. "Drugs" shall mean:

- A. all dangerous controlled substances as so designated and prohibited by Florida statute
- B. all chemicals which release toxic vapors
- C. all alcoholic beverages
- D. any prescription or patent drug, except those for which permission to use in school has been granted pursuant to school board policy
- E. anabolic steroids
- F. any substance that is a "look-alike" of any of the above

Possession, concealment, or distribution of any drug or drug-related paraphernalia as the term is defined by law, or the misuse of a product containing a substance that can provide an intoxicating or mood-altering effect, is prohibited on school grounds, on school vehicles, and at any school-sponsored event. Further, it is established that a drug-free zone exists within 1000 feet of any facility used by the district for educational purposes.

Progressive interventions and consequences for drug and alcohol behavior actions are listed in the Levels of Interventions and Consequences sections of this handbook.

Over-the-Counter (OTC) Medication

"Medication" shall include all medicines prescribed by a physician as well as any non-prescribed (over-the-counter) drugs, preparations, and remedies, including herbal products and vitamin supplements.

Students are not allowed to have medication in their possession on school property, on the school bus, or while attending any school-sponsored activity. This includes asthma inhalers, epinephrine auto-injectors, pancreatic enzymes, and diabetic medications/monitoring/treatment supplies when prescribed by a physician unless proper documentation (a physician-approved Medication Form and an Authorization to Carry Form) has been filed in the school's health room.

A parent/guardian (middle or high school students only) may provide to the school Principal a medication permission slip for non-prescription, over-the-counter medications used to relieve pain, granting the Principal permission to assist in administering medication to the student. Non-prescription, over-the-counter medications used to relieve pain, which are provided by the parent/guardian to the school, shall be stored and administered as provided in this policy and shall be governed by the district's Medication Procedures Handbook. The only approved non-prescription medication to relieve pain as contemplated by this policy is acetaminophen (Tylenol).

Tobacco-Free Safe and Healthy Learning Environment

Tobacco is the leading cause of preventable death in Florida. Most tobacco use begins before the age of eighteen. It is important that schools provide a safe and healthy learning environment, free from exposure to known carcinogens, and one in which adults are role models for healthy behavior. As school district personnel and school

visitors serve as role models to students, comprehensive school policies are a necessary strategy to prevent youth initiation, as well as to reduce tobacco use.

All uses of tobacco products in any form including the use of electronic “vapor,” or other substitute forms of cigarettes, clove cigarettes, or other smoking devices are prohibited in all school board-owned properties, facilities, and at any school board-sponsored event, 24 hours a day/365 days a year, for students, district personnel, and visitors.

Students are prohibited from possessing or using tobacco products during school-sponsored events whether on or off district property. If a tobacco citation is issued by a School Resource Officer (SRO) it is mandatory that the student pay a civil penalty and attend a school-approved anti-tobacco program. The anti-tobacco program is ten weeks in duration and is offered at the Substance Awareness Center of IRC. **Failure to complete this program or to pay the civil penalty will result in the suspension of the student’s driver’s license or withholding of license.** Additionally, students possessing or using tobacco products are subject to progressive disciplinary and accountability measures.

Weapons

Students are prohibited from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and in any setting that is: under the control and supervision of the district for the purpose of school activities including property leased, owned, or contracted by the district, a school-sponsored event, or in a district vehicle.

Students are required to immediately report knowledge of weapons and threats of violence by students and staff to the building principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school.

Any student who violates this policy will be reported to the student’s parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

Exceptions include items pre-approved by the building principal as part of a class or individual presentation, or as theatrical props used under adult supervision. **This exception does not apply to working firearms or to any ammunition.**

Gun Free Schools

The ***Gun Free Schools Act of 1994*** establishes that any student who is determined to have brought a firearm, as defined in *18 U.S.C. s.921*, to school, to any school function, or onto any school-sponsored transportation will be expelled, with or without continuing educational services, from the student’s regular school for a period of no less than one full year, and will be referred for criminal prosecution.

Student Groups

Student groups will be recognized as authorized school organizations only if they are approved by the school administration, sponsored by school-approved personnel, composed of members of the current student body, conduct the majority of their meetings at school, and have established aims which are educational in nature.

Membership or participation in the organization or operation of any fraternity, sorority, or other secret group as described by law is prohibited. In particular, any type of gang or gang-related activity is prohibited on district property or in the guise of school-sponsored activities.

Bullying, Harassment, Cyberbullying, Hazing, Dating Violence and Abuse, Bias Behavior, and Gang-Related Activities

The school district is committed to providing an educational setting that is safe, secure, and free from harassment and bullying for all of our students and school employees. Unlawful bullying and harassment, cyberbullying, hazing, dating violence and abuse, bias behavior, and gang-related activities of any type will not be permitted.

Schools shall appropriately **identify, report, investigate,** and **respond to situations** of bullying, harassment, cyberbullying, hazing, dating violence and abuse, bias behavior, and gang-related activities of any type. This applies whether incidents occur on school grounds, at school-sponsored events, through school computer networks, off school grounds, or in any way have an impact on school safety and positive school climate.

Violent Crimes and Victimization

Violent crimes and victimization committed on campus, during any school-sponsored event, or connected to a district school in any way will be reported to law enforcement. Offenders are subject to arrest and criminal prosecution.

Getting Help:

Reporting Procedures

Our schools are steadfast in providing educational settings that are safe, secure, and free from bullying, cyberbullying, harassment, hazing, dating violence and abuse, gang-related activities, and bias behavior for all students and school employees. **The school principal is the person responsible for receiving all complaints.** Any student or parent/guardian who experiences any of the above acts should immediately report the situation to the school principal. **If an act occurs during non-school hours, it should be reported to a law enforcement agency.**

Note: Written and oral reports are considered official reports. Reports can be made anonymously. After a formal investigation is completed, interventions and consequences will be applied as needed.

A victim of the above acts, or anyone who witnesses an act and has credible information, may utilize the **No- Go - Tell** reporting procedures. For example:

No: Tell the offender to stop, or you can say to yourself, “No, I won’t allow this person to make fun of me, tease me, or bully me.”

Go: Walk away calmly. Don’t fight back; if possible, find a friend to walk away with you. Try not to show anger or fear. (Students who bully like to see they can upset you.)

Tell: Tell your teacher, school counselor, or an administrator if you are being bullied at school. **Telling is not tattling.** Write down--or ask someone to write down for you-- what happened, where and when it happened, and who bullied you. Remember that you can always tell your parents or guardians.

➤ Report the incident:

- To an adult
- In writing
- In the anonymous “Comments” box(es) located in your school’s main office, health room, guidance office, student support specialist office, and media center.

If bullying occurs after school hours, report it to your local law enforcement agency or notify your SRO when returning to school.

- If you witness bullying (**you are a bystander**), you should:

- Refuse to join in
- Never fight a bully
- Get others to help you speak out against the bully
- Distract the bully
- Report all bullying to school staff
- Utilize the universal web-based reporting system on your school and/or School District of Indian River County website: www.indianriverschools.org
- Utilize comment reporting boxes that are placed in your school's main office, health room, guidance office, student support specialist office, and media center
- Utilize reporting forms located next to the comment boxes or downloaded from the SDIRC website
- Contact local law enforcement if an act occurs after school hours

Note: Accountability measures are included in the Offenses/Violations and Levels of Interventions and Consequences sections of this handbook.

Section 5: Expectations, Consequences, and Accountability Measures

This section describes the levels of interventions and consequences that have been designed to support students and maintain safe, nurturing, and engaging learning environments, and it also includes the matrix to be used when an infraction/offense has occurred.

Levels of Interventions and Consequences

Level 1	Level 2	Level 3	Level 4	Level 5
Teachers use these interventions to help the students adjust behavior in the classroom				
<p>Classroom Levels Interventions/Consequences If these interventions are successful, referral to the school administrator may not be necessary.</p> <ul style="list-style-type: none"> Warning Seat change Parent outreach Teacher conference with student Mentoring In-class time-out/ Thinking space† Time-out in another classroom setting Restitution (replacing an item, repairing harm) Restorative Practices† (letter of apology) Reinforcement of appropriate behaviors Written reflection about incident Detention before or after school Behavior agreement Loss or suspension of privileges Informal and/or preventative school-based mentoring Informal and/or preventative school-based/teacher-based strategies Confiscation of item Behavior Agreement 	<p>Appropriate when Level 1 Interventions/Consequences have been ineffective In some cases, referral to the school administrator may be necessary.</p> <ul style="list-style-type: none"> Parent/ guardian involvement Phone call/letter to parent or guardian Confiscation of item Supervised time-out outside of classroom Conference with parent or guardian Detention Behavior Agreement Teacher and/or administrator conference with student and/or parent Restitution Restorative Practices† Parent contract Peer mediation Loss or suspension of privileges Temporary removal from class Informal and/or preventative school-based mentoring School-based or outside facilitated conflict resolution Informal and/or preventative school-based/teacher-based strategies Short-term in-school counseling 	<p>Appropriate when Level 2 Interventions/Consequences have been ineffective</p> <ul style="list-style-type: none"> Office referral required Parent/guardian notification required Work detail Restitution Restorative Practices† In-school intervention In-school suspension In-class time-out/ Thinking space† Community Service (volunteer work for any non-profit organization, public or private, as a form of restitution) Learning lab† Loss or suspension of privileges Temporary removal from class Informal and/or preventative school-based mentoring School-based or outside facilitated conflict resolution Referral to Individual Problem Solving Team Check and Connect† Check In-Check Out Civil Citation (if applicable for infraction) Class or schedule change Suspension 1-2 days Bus Suspension 1-5 days 	<p>Appropriate when Level 3 Interventions/Consequences have been ineffective</p> <ul style="list-style-type: none"> Office discipline referral required Parent/guardian notification required Restricted activity Restitution Restorative Practices† SERT referral for consideration for alternative school-based program Loss of parking privileges Loss or suspension of privileges Temporary removal from class School-based or outside facilitated conflict resolution Suspension (1–5 days except for attendance or tardiness-related offenses) Student re-entry or success plan Referral to Individual Problem Solving Team Civil Citation (if applicable for infraction) Behavior Contract Student re-entry or success plan (when student returns from any suspension) 	<p>Appropriate when Level 4 Interventions/Consequences have been ineffective or for major infractions and/or Level 1 School Environmental Safety Incident Reporting (SESIR)</p> <ul style="list-style-type: none"> Office discipline referral required Parent/guardian notification required Restitution Restorative Practices† Short-term suspension (1-5 days) Long-term suspension (6-10 days) SERT referral for consideration of alternative placement or expulsion hearing Student re-entry or success plan (when student returns from any suspension) Referral to Individual Problem Solving Team Civil Citation (if applicable for infraction) <p>† If available at school</p> <p>Note: Detailed descriptions of levels can be found in the glossary.</p>

Offenses/Violations and Levels of Consequences Matrix

Abbreviation Key:
 E-Elementary
 S-Secondary
 LE- Law Enforcement
 SESIR-School Environmental Safety Incident Reporting*
 SS-Student Services
 SAC-Substance Awareness Center
 HA-Health Assistant

Level 1 SESIR Incidents are to be referred to the Suspension and Expulsion Review Team (SERT).

Offense/Violation	Level of Consequence					SESIR Major Incident Report	School will contact/report to:
	1	2	3	4	5		
Abusive language/Profanity/Gestures Gestures, verbal, and nonverbal messages including swearing, name calling, or use of words in an inappropriate way.	E/S	E/S	E/S				
Aiding and Abetting Knowingly giving aid or help to another student in violation of any of the Positive Climate and Discipline Code of Student Conduct standards, or acting to help violator escape detection, shall be considered equal to the student directly committing the violation.	E/S	E/S	E/S				
Alcohol Possession* (Possession, sale, use, or purchase of alcoholic beverages) Use should be reported only if the person is caught in the act of using or is discovered to have used these substances in the course of the investigation.	Possession		E	E/S	S	S	✓ LE, HA, SAC, SS, SESIR Level 4
	Consumption		E	E/S	S	S	✓ LE, HA, SAC, SS, SESIR Level 4
	Possession/Intent to Distribute		E	E/S	S	S	✓ LE, HA, SAC, SS, SESIR Level 4
	Distribution		E	E/S	S	S	✓ LE, HA, SAC, SS, SESIR Level 4
Arson (district) The act of willfully or intentionally igniting a fire, or damaging--or attempting to damage--any real or personal property by fire or incendiary device, excluding the act of lighting a match alone.	E	E	E/S	S	S		LE, SS
Arson* (Intentionally setting a fire on/with school property) To damage any dwelling, structure, or conveyance, or its contents, whether occupied or not, by fire or explosion.	E	E	E/S	E/S	E/S	✓	LE, SESIR Level 1, SS

<p>Assault An intentional unlawful threat by word or act to do violence to a person, coupled with apparent ability to do so, which creates a well-founded fear that such violence is imminent.</p>	E	E	E/S	E/S	S		
<p>Battery/FS 1006.13(5) The physical use of force or violence by an individual against another. The attack must be serious enough to warrant consulting law enforcement and result in serious bodily injury. (Report an incident as battery, rather than a fight, only when the force or violence is carried out against a person who does not fight back.) Increased criminal penalties may be imposed on anyone who commits a battery on a school employee or volunteer.</p>	E	E	E/S	E/S	E/S	✓	LE, SESIR Level 1, SS
<p>Bus Safety Violations Failure to comply with rules set forth to ensure safe travel on a school bus.</p>	E/S	E/S	E/S				*Excluding school suspension
<p>Breaking and Entering/Burglary* (Illegal entry into a facility) The unlawful entry with force or unauthorized presence in a building, other structure, or conveyance with evidence of the intent to damage or remove property or to harm a person(s).</p>			E/S	E/S	E/S	✓	LE, SESIR Level 2, SS
<p>Bullying Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. It may involve but is not limited to: teasing, social exclusion, threat, intimidation, stalking, physical violence, theft, sexual, religious, or racial harassment, public humiliation, or destruction of property.</p> <p>Bullying is not:</p> <ul style="list-style-type: none"> • An altercation between equals • Good-natured playful teasing among equals or peers • Isolated incidents • Annoying different people at different times 	E/S	E/S	E/S	E/S	E/S	✓	LE, SESIR Level 4, SS

<p>Cheating, Plagiarism The inappropriate and deliberate distribution or use of information, notes, materials, or work of another person in the completion of an academic exam, test, or assignment without specific teacher permission and proper crediting of the source (plagiarism).</p>	E/S	E/S	S	S	S		
<p>Continuation of Mid-Range Infractions Three or more mid-range infractions that need to be addressed. Any behavioral infraction that merits repeated ODR(s) where interventions have been implemented and the behavior has not changed.</p>			E/S	E/S	E/S		
<p>Contraband The processing or use of items which are prohibited at school or school-sponsored events.</p>	E/S	E/S	E/S				
<p>Cyberbullying Bullying through the use of technology or any electronic communication, including transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo electronic system, or photo optical system. This includes electronic mail, Internet communications, instant messages, and facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or impersonates another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution, by electronic means, of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.</p>	E/S	E/S	E/S	E/S	E/S	✓	LE, SESIR, Level 4, SS
<p>Disrespect/Insolence An act of rudeness, contempt, or lack of respect.</p>	E/S	E/S	E/S	E/S			
<p>Disruption Behavior causing an interruption in a class or activity. Includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or rough-housing; and sustained out-of-seat behavior.</p>	E/S	E/S	E/S				

<p>Disruption on Campus – Major* (Significantly disrupts campus activities, school-sponsored events, or school bus transportation) Disruptive behavior that poses a serious threat to the learning environment or to the health, safety, and welfare of others. This includes bomb threats [F.S. 1006.07(2)(m)], inciting a riot, and initiating a false fire alarm.</p>				E/S	E/S	E/S	✓	LE, SESIR Level 3, SS
<p>Dress Code Violation Student wears clothing, or practices grooming habits, that do not fit within the dress code guidelines required by the district.</p>	<p>First offense: Verbal warning and notification of parent/guardian.</p>	E/S	E/S	E/S				
	<p>Second Offense: Student is ineligible to participate in any extracurricular activity for a period of time not to exceed five (5) days, and holding of a parent conference.</p>							
	<p>Third and Subsequent Offenses: In-school suspension not to exceed three (3) days, student cannot participate in any extracurricular activity for a period not to exceed thirty (30) days, and Principal shall call parent/guardian and send a written letter of in-school suspension and ineligibility to participate in extracurricular activities.</p>							
<p>Drugs (excluding alcohol) *Illegal distribution of drugs; sale or possession of drugs and paraphernalia; the manufacture, cultivation, or distribution of any drug, narcotic, controlled substance, or substance represented as a drug.</p>	<p>Possession</p>		E	E/S	E/S	E/S	✓	LE, HA, SAC, SS, SESIR Level 3
	<p>Consumption</p>		E	E/S	E/S	E/S	✓	LE, HA, SAC, SS, SESIR Level 3
	<p>Distribution</p>		E	E/S	E/S	E/S	✓	LE, HA, SAC, SS, SESIR Level 3
	<p>Possession/Intent to Distribute</p>		E	E/S	E/S	E/S	✓	LE, HA, SAC, SS, SESIR Level 3
	<p>Sales</p>		E	E/S	E/S	E/S	✓	LE, HA, SAC, SS, SESIR Level 3
	<p>Paraphernalia</p>		E	E/S	E/S	E/S	✓	LE, HA, SAC, SS, SESIR Level 3
<p>Failure to Serve A student who fails to adhere to/report for a consequence for an infraction.</p>				E/S	E/S			

<p>False Accusations Against Classmate(s) The act of intentionally publicizing--verbal or written--untrue, injurious allegations against another classmate or knowingly bringing false charges against a classmate. If accusations against a classmate are found to be false, the student lodging the false accusation may receive the same punishment as would have been received by the wrongly accused individual. The Principal may adjust the consequence after considering the circumstances of misdirected staff time and damage to the wrongly accused individual.</p>	E	E	E/S				
<p>False Accusations Against Staff Member(s) The act of intentionally publicizing--verbal or written--untrue, injurious allegations against a staff member or knowingly bringing false charges against a staff member. If accusations against a staff member are found to be false, the student lodging the false accusation may receive the same punishment as would have been received by the wrongly accused individual. The Principal may adjust the consequence after considering the circumstances of misdirected staff time and damage to the wrongly accused staff member.</p>	E	E	E/S	E/S	E/S		
<p>False Fire Alarm (district) Activating a fire alarm system or equipment (such as fire extinguishers, hoses, or sprinklers) when there is no fire or legitimate emergency.</p>	E	E/S	E/S				
<p>Fighting (district) Participating in an altercation involving physical violence in which individuals may or may not sustain minor personal injury.</p>	E/S	E/S	E/S	E/S			
<p>Fighting* Two or more persons mutually participating in the use of force or physical violence that requires physical restraint or results in injury.</p>	E/S	E/S	E/S	E/S	E/S	✓	LE, SESIR Level 3, SS
<p>Gambling Any participation in games or activities of chance for money or items of value. *May refer to other Major SESIR.</p>	S	S	S	S			
<p>Gang-Related Activity Any visible activity/contraband that represents/references a gang or group (such as bandanas, hand signs, verbiage, and gang graffiti). Any student known by law enforcement to be a present or possible gang member shall be reviewed by law enforcement and administration.</p>		E	E/S	E/S	E/S		LE, SS Note: A student is at risk of being put on the state and national gang registry by law enforcement, if s/he meets the following criteria: admits to criminal gang membership and associates with one or more known criminal gang members.

<p>Harassment* Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that:</p> <ol style="list-style-type: none"> 1. Places a student or school employee in reasonable fear of harm to person or damage to property 2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits 3. Has the effect of substantially disrupting the orderly operation of a school <p>Harassment also encompasses:</p> <ol style="list-style-type: none"> 1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment (reporting an act of bullying or harassment that is not made in good faith is considered retaliation) 2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by: <ol style="list-style-type: none"> a) Incitement or coercion b) Accessing, or knowingly and willingly causing or providing access to data or computer software, through a computer, computer system, or computer network within the scope of the district school system c) Acting in a manner that has an effect substantially similar to the effect of bullying or harassment 			E/S	E/S	E/S	✓	LE, SESIR Level 4, SS
<p>Hazing* Any action or situation that endangers the mental or physical health or safety of a student for purposes including initiation or admission into, or affiliation with, any organization operating under the sanction of a school. This includes coercing or forcing a student into violating state or federal law, any brutality of a physical nature such as whipping, beating, branding, or exposure to the elements, as well as forced consumption of any food, liquor, drug, or other substance. Hazing does not include customary athletic events or other similar contests or competitions, or any activity or conduct that furthers a legal and legitimate objective. Permission, consent, or</p>			S	S	S	✓	9-12 LE, SESIR Level 3, SS

assumption of risk by an individual subjected to hazing shall not lessen the prohibitions of hazing.								
Homicide* The unjustified killing of one human being by another, including acts referred to as 'murder' or 'manslaughter.'					E/S	✓		LE, SESIR Level 1, SS
Inappropriate Behavior Any behavior not defined elsewhere in the Positive Climate and Discipline Code of Student Conduct.	E/S	E/S	E/S	E/S				
Inappropriate Physical Contact/Scuffling Non-serious, but inappropriate physical contact, such as pushing.	E/S	E/S	E/S					
Inappropriate Display of Affection Engaging in an inappropriate display of affection while in school.	E	E	E/S					
Kidnapping* Forcibly, or by threat: confining, abducting, or imprisoning another person against his/her will and without lawful authority.					E/S	✓		LE, SESIR Level 1, SS
Lack of Supplies The failure of a student to be in possession of any school supplies necessary to participate in and complete classroom activities or assignments. Supplies include: pencils, paper, books, notebooks, pens, rulers, protractors, gym clothing, musical instruments, or any other item reasonably needed to participate in classroom activities or assignments.	E/S	E/S						
Larceny/Theft* Taking of property from a person, building, or vehicle. The unauthorized taking, carrying, riding away, or concealing the property of another person--including motor vehicles--without threat, violence, or bodily harm. Student is in possession of, has passed onto someone else, or is responsible for removing someone else's property. (The item must be \$300 or more to report in SESIR.)			E/S	E/S	E/S	✓		LE, SESIR Level 3, SS
Lying/Misrepresentation/Forgery Student delivers message that is untrue or deliberately violates rules, or has signed a person's name without permission.	E/S	E/S	E/S	E/S				
Noncompliance/Defiance Refusal to follow directions, talking back, or socially rude interactions (hall violations, gum chewing, throwing objects) without intent to harm.	E/S	E/S	E/S					

<p>Off-Campus Felony Arrest with Petition Filed by State Attorney*</p> <p>The arrest of a student for the alleged commission of a felony or a delinquent act which would be classified as a felony if committed by an adult at a time and place where students are not subject to control of the school. (*If the incident is shown to have an adverse impact on the educational program, discipline, or welfare of the school, the student may be suspended and placed in an alternative program).</p>					S	✓	LE, SESIR, SS
<p>Open Defiance/Insubordination</p> <p>The open or flagrant challenge of any adult in authority.</p>	E/S	E/S	E/S	E/S			
<p>Other Major*</p> <p>(major incidents that do not fit within the other definitions) Any serious, harmful incident resulting in the need for law enforcement intervention not previously classified. Examples: student producing or knowingly using counterfeit money, participating in gambling activities, possessing child pornography, or possessing drug paraphernalia.</p>			E/S	E/S	E/S	✓	LE, SESIR Level 3, SS
<p>Parking/Driving Offense</p> <p>Failing to follow established rules and regulations concerning the privilege of driving and parking vehicles on a school campus.</p>		S	S				
<p>Physical Attack*</p> <p>Actual and intentional striking of another person against his/her will, or intentional causing of bodily harm to an individual.</p>			E/S	E/S	E/S	✓	LE, SESIR Level 2, SS
<p>Physical Aggression Toward Staff (Elementary Students)</p> <p>Inappropriate physical contact toward staff such as hitting, biting, and pushing.</p>	E	E	E	E			
<p>Possession of Over-the-Counter/ Prescription Medication</p> <p>Possession of over-the-counter or prescription medications without following health room medication procedures.</p>	E/S	E/S	E/S				
<p>Production and/or Distribution of Obscene/ Inappropriate Materials</p> <p>The production or distribution of written language, electronic messages, pictures, and objects that are considered to be offensive, socially unacceptable, or not suitable for an educational setting.</p>	E/S	E/S	E/S	E/S			

<p>Profanity to Staff Using any profane, vulgar, or unnecessary crude utterance or gesture, whether directed toward a staff member, member of transportation staff, teacher, administrator, or volunteer.</p>	E/S	E/S	E/S	E/S			
<p>Robbery* (using force to take something from another) The taking or attempt to take anything of value that is owned by another person or organization, under confrontational circumstances of force, or threat of force or violence, or by causing the victim fear.</p>	E/S	E/S	E/S	E/S	E/S	✓	LE, SESIR Level 2, SS
<p>“Sexting” The transmission of nude images or acts of sex or sexual conduct by electronic means, through the use of cell phones, PDAs, and other portable devices of any type, or through computers or other electronic and machine devices. It is a violation of this Code for students to participate in “sexting” in any manner (either by posing, transmitting, receiving, or assisting with any aspect of the activity) while on campus, participating in any school or school-sponsored activity, or while being transported under the authority of the district.</p>	E/S	E/S	E/S	E/S	E/S		
<p>Sexual assault* An incident that includes threat of: rape, fondling, indecent liberties, child molestation, or sodomy. Both male and female students can be victims of sexual assault. The threat must include all of the following elements: intent, fear, and capability.</p>			E/S	E/S	E/S	✓	LE, SEISIR Level 2, SS
<p>Sexual Battery* (attempted or actual) Any sexual act directed against another person, forcibly or against the person’s will, or when the victim is not capable of giving consent because of youth or mental incapacity.</p>	E/S	E/S	E/S	E/S	E/S	✓	LE, SESIR Level 1, SS
<p>Sexual Harassment* (undesired sexual behavior) Unwanted verbal or physical behavior with sexual connotations by an adult or student that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment, while causing discomfort, humiliation, or unreasonably interfering with school performance or participation. An incident when one person demands a sexual favor from another under the threat of physical harm or adverse consequence.</p>	E/S	E/S	E/S	E/S	E/S	✓	LE, SESIR Level 3, SS

<p>Sexual Offense/Misconduct (other)* Other sexual contact including intercourse--without force or threat of force--subjecting an individual to lewd sexual gestures, comments, sexual activity, or exposure to private body parts in a lewd manner.</p>	E/S	E/S	E/S	E/S	E/S	✓	LE, SEISIR Level 3, SS
<p>Skipping (cannot be given a suspension) The act of not reporting to class or school without receiving prior approval, or without following the established procedures for checking out of school.</p>	E/S	E/S	E/S				
<p>Tardy (cannot be given a suspension) Arrival to class after the designated starting time or after the tardy signal has sounded.</p>	E/S	E/S	E/S				
<p>Teasing & Taunting Children are commonly teased about such matters as their appearance, weight, behavior, abilities, and clothing. The most common kind of teasing is verbal bullying or taunting. This behavior is intended to distract, irritate, or annoy the recipient. Because it is hurtful, it is different from playful joking and is generally accompanied by some degree of social rejection.</p>	E/S	E/S	E/S				
<p>Teen Dating Violence or Abuse A pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past dating relationship to exert power and control over another when one or both partners are teenaged. Abuse may include insults, coercion, social sabotage, sexual harassment, stalking, threats, and acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner. This may also include abuse, harassment, and stalking via electronic devices such as cell phones and computers, and harassment through a third party, and may be physical, mental, or both.</p>	S	S	S	S	S		Dating violence and abuse reports shall be investigated, documented, and referred to appropriate agencies.
<p>Threat/Intimidation*(Must investigate) (instilling fear in others) A threat to cause physical harm to another person with or without the use of a weapon that includes all of the following elements: (1) Intent – an intention that the threat is heard or seen by the person who is the object of the threat; (2) Fear – a reasonable fear or apprehension by the person who is the object of the threat that the threat could be carried out; and (3) Capability – the ability of the offender to actually carry out the threat directly or by a weapon or other instrument that can easily be obtained.</p>			E/S	E/S	E/S	✓	LE, SESIR Level 3, SS

Threatening Behavior (Must investigate) The act of declaring the student's intent by word or act to do violence.				E/S	E/S			
Threatening Behavior to Staff (Must Investigate) The act of declaring intent by word or act to commit violence against a staff member, teacher, administrator, or volunteer, or to his/her property.				E/S	E/S	E/S		
Tobacco/E-Cigarettes 17 Years and Younger* (cigarettes or other forms of tobacco) The possession, use, distribution, or sale of tobacco products on school grounds, at school-sponsored events, or on school transportation.	First offense	E/S	E/S				✓	LE, HA, SAC, SS, SESIR LEVEL 4
	Second offense	E/S	E/S				✓	LE, HA, SAC, SS, SESIR LEVEL 4
	Third and subsequent offense(s)	E/S	E/S	E/S			✓	LE, HA, SAC, SS, SESIR LEVEL 4
Tobacco/E-Cigarettes 18 Years or Older (cigarettes or other forms of tobacco) The possession, use, distribution, or sale of tobacco products on school grounds, at school-sponsored events, or on school transportation.	First offense	E/S	E/S				✓	LE, HA, SAC, SS, SESIR LEVEL 4
	Second offense	E/S	E/S				✓	LE, HA, SAC, SS, SESIR LEVEL 4
	Third and subsequent offense(s)	E/S	E/S	E/S			✓	LE, HA, SAC, SS, SESIR LEVEL 4
Trespassing* (illegal entry onto campus) To enter or remain on school grounds/campus, school transportation, or at a school-sponsored event off campus without authorization or invitation, and with no lawful purpose for entry.				E/S	E/S	E/S	✓	LE, SESIR LEVEL 2, SS
Under the influence* Observed or suspected of having mental or physical faculties so impaired as to reduce the ability to think or act with ordinary care due to the intake of alcohol, excessive medication, or intoxicating drugs or other substances.			E/S	E/S	E/S	E/S	✓	LE, SESIR LEVEL 4, SS
Unsafe Act/Unauthorized Area A physical act which compromises the health/safety of an individual, interfering with the orderly operation of school or school activities. This includes pushing, shoving, hitting, kicking, and slapping. This also includes the act of inciting, advising, encouraging, or being an accomplice to a violation of the Positive Climate and Discipline Code of Student Conduct.		E/S	E/S	E/S	S			

<p>Use/Possession of Combustibles Student is in possession of/use of substances and objects readily capable of causing bodily harm or property damage (matches, lighters, firecrackers, gasoline, and lighter fluid)</p>			E/S	E/S	E/S	✓	LE, SESIR, SS
<p>Vandalism/Property Damage (\$1000 or more)* (destruction, damage, or defacement of school or personal property) The intentional destruction, damage, or defacement of public or private property without consent of the owner or the person having custody or control of it. (The amount of damage must be \$1000 or more to report in SESIR, including time and labor.)</p>			E/S	E/S	E/S	✓	LE, SESIR LEVEL 3, SS
<p>Vandalism/Property Damage less than \$1000 The intentional destruction, damage, or defacement of public or private property without consent of the owner or the person having custody or control of it.</p>		E/S	E/S	E/S	E/S		
<p>Violation of Student Network and Internet Responsible Use and Safety Policy The inappropriate use of computers, resources, electronic networks, or calculators that violates the Acceptable Use Policy for Network Access (File: EHAA); hacking into or accessing/breaking into restricted accounts or networks; modifying or destroying files without permission; illegally copying software; entering, accessing, viewing, distributing, or printing inappropriate/unauthorized files, programs, pornographic sites, or sites advocating hate or violence.</p>		E/S	E/S	E/S	E/S		
<p>Violation of Behavior Agreement Violation of an individualized behavior contract intended to improve a student's behavior.</p>		E/S	E/S	E/S			
<p>Violation of Stipulated Order in Lieu of Expulsion A student who receives a stipulated order in lieu of an expulsion proceeding is expected to adhere to the order. Failure to comply with the order may result in a recommendation for expulsion.</p>				E/S	E/S		

<p>Weapons possession* (possession of firearms and other instruments that can cause harm) Possession of any instrument or object that can inflict serious harm on another person or cause reasonable fear of serious harm. Possession of a pocket knife or eating utensil is not included unless there is intent to harm. Weapons include: firearms, guns of any type, including air and gas-powered guns--whether loaded or unloaded--knives (excludes plastic knives and blunt-bladed table knives), razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives. F.S. 1006.07(2)(I)</p>				E/S	E/S	✓	LE, SESIR LEVEL 2, SS
<p>Weapons/Handcuffs Possession (district) The act of possessing, storing, distributing, selling, or purchasing any object that can inflict serious harm on another person or cause reasonable fear of serious harm. This includes fixed blade knives (household), folding knives, switch blade knives, common pocket knives, razor blades, box cutters, sharp cutting instruments, ice picks, chains, pipes, 'nunchucks,' brass knuckles, Chinese stars, BB or pellet guns, propellants, paintball guns, "look alike" weapons, or any object or substance directly represented to be, or falsely represented to be, a weapon of mass destruction (such as an anthrax hoax).</p>			E/S	E/S	E/S		
<p>Wireless Communication Devices (WCDs) Misuse The inappropriate use of WCDs that violates the Student Network and Internet Responsible Use and Safety guidelines, hacking into--or accessing or breaking into--restricted accounts or networks, modifying or destroying files without permission, illegally copying software, and entering, accessing, viewing, distributing, or printing inappropriate/unauthorized files, programs, pornographic sites, or sites advocating hate or violence.</p>		E/S	E/S	E/S			

Section 6: Procedures Relating to Disciplinary Actions

Emergency Removal, Suspensions, and Alternative Placement as a Consequence for Behavioral Infractions

The school board recognizes that exclusion from a school's educational program, whether by emergency removal, suspension, or expulsion, is the most severe sanction that can be imposed on a student in this school district, and is one that cannot be imposed without due process. No student is to be removed, suspended, expelled, or excluded from an activity, program, or school unless his/her behavior represents a severe infraction as specified in the Levels of Interventions and Consequences sections of this handbook.

Emergency Removal

The exclusion of a student who poses a continuing danger to school district property or persons, or whose behavior presents an ongoing threat of disruption to the educational process.

Suspension

The student shall not be allowed to attend regular classes or school-sponsored activities for a prescribed number of days not to exceed ten (10). The Principal may refer the student during the period of the suspension to in-school suspension, a center for special counseling, or remand the student to parent/guardian custody. Prior to suspending a student, except in emergencies, the Principal shall make an effort to employ parental assistance or alternative methods of dealing with the student, and document such efforts.

Prompt notice of a suspension will be given by telephone to the student's parent/guardian, if possible. Formal written notification will be sent to the student's parent/guardian within twenty-four (24) hours of the time the student is informed of the suspension.

All out-of-school suspensions shall not commence prior to the beginning of the next school day following the infraction, unless the parents/guardians have been notified, except in emergencies or disruptive conditions which require immediate suspension, or in the case of a serious breach of conduct that is defined as:

- willful disobedience
- open defiance of a member of the school staff
- violence against persons or property
- any other act which substantially disrupts the orderly conduct of the school

Prior to suspension, students will be given an informal and impartial hearing before the Principal, and be informed of the charge(s) which may result in suspension.

If the student denies the charge(s), s/he will be given an explanation of the evidence, an opportunity to present his/her version of the case, and notification of the action taken by the Principal. In cases of extremely disruptive or dangerous behavior, persons or groups involved may be immediately suspended and ejected from the school campus without the necessity of a prior hearing. In such instances, each student shall be afforded an informal hearing before the Principal prior to the end of the third day of suspension.

Students may be suspended from any or all co-curricular or extracurricular activities. The length of suspension shall be in accordance with progressive discipline practices.

Our school district will honor disciplinary consequences of suspension and expulsion from other districts. A student who has been suspended or expelled from another district will have to complete the suspension or expulsion term prior to attending a school in our district.

Bus Suspension

Students may lose bus-riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior. The Principal is the only person with authority to suspend a student.

Expulsion

Expulsion is the removal of the right and obligation of a student to attend a public school for a period of time and under conditions set by the school board, not to exceed the remainder of the term or school year and one (1) additional year of attendance.

A principal may recommend the expulsion of a student to the Superintendent. The principal shall provide the Superintendent with an adequate history of the student's actions and alternative measures taken relevant to the recommendation. When the Superintendent makes a recommendation for expulsion to the school board, written notice will be given to the student and parent/guardian, setting forth the charges and advising the student and parent/guardian of their right to due process.

When school board action on a recommendation for the expulsion of a student is pending, the Superintendent may extend the suspension assigned by the principal beyond ten (10) school days, if such suspension expires before the next regular or special meeting of the school board. In the case of a student receiving exceptional education services, please refer to the Special Programs and Placement Plan for Exceptional Student Education.

Placement in Alternative Education & Expulsion Recommendation Process

Suspension Expulsion Review Team (SERT)

When a student commits a serious breach of conduct, a principal may request that the student be considered for alternative education placement or for expulsion.

The Superintendent shall refer the case to the SERT, which is comprised of Student Services professionals and school-based administrators. After reviewing all available information, SERT may recommend to the Superintendent one of the following:

- (1) A return to school with conditions listed in the stipulated order
- (2) Placement at the alternative school program with conditions listed in the stipulated order
- (3) Recommendation for an expulsion hearing and parent/guardian notification of the right to appear at the expulsion hearing

Procedures for Appeal of Alternative Education Placements

The Superintendent has final discretion to accept the recommendation of SERT or to make a different recommendation, based on review of all available information.

Expulsion Appeals

Parents may appeal an expulsion recommendation in writing. The school board will hold a meeting to consider the written evidence presented at the hearing, as well as arguments of the principal, student, and parents/guardians. The board may then decide to uphold the expulsion or to authorize alternative discipline.

A student and parents/guardians must be given written notice of the intention to expel and the reasons therefore, and an opportunity to appear with a representative before the school board's hearing officer to answer the charges. The student and parents/guardians will also be provided with a brief description of the student's rights and the hearing procedure. The school board shall act on any recommended expulsion by the hearing officer.

Procedures for Felony Suspensions

A principal may initiate suspension proceedings against any student who is formally charged by a prosecuting attorney with a felony, or with a delinquent act which would be a felony if committed by an adult, for an incident which allegedly occurred on property other than that owned by the school district. If the incident is shown to have an adverse impact on the educational program, discipline, or welfare of the school, the student may be suspended or placed at an alternative program. The principal will hold an administrative hearing to make the determination. Teachers will be notified by the principal or another administrator if they have a student in their class who has been charged with a felony. For additional information regarding this procedure, please contact the Director of Student Services.

Discipline Process for Students with Disabilities

When the behavior of a student eligible under the IDEA or Section 504 is such to justify serious disciplinary action, three (3) possible courses of action may be available depending upon the nature and severity of the behavioral problem:

- In-school or out-of-school suspension for a cumulative total of ten (10) days in any one (1) school year
- Interim Alternative Education Placement (IAEP) for possession of a weapon or illegal drugs at school
- Expulsion from school

In-School/Out-of-School Suspension

The principal may assign in-school or out-of-school suspensions for a student eligible under the IDEA or Section 504 for short-term periods not to exceed a cumulative ten (10) days during a school year. Such short-term suspensions from a program are not considered a change in educational placement and the procedural safeguards associated with a change of placement are not required. However, the Principal, in collaboration with a resource specialist and a student support specialist, should stay alert to the possible need to convene the Individual Education Plan (IEP) team or the Section 504 team to review the appropriateness of the student's current IEP or Section 504 Accommodation Plan and its implementation, and to determine whether the behavior and its frequency/intensity creates the need for a Behavioral Assessment and Behavioral Intervention Plan.

If the principal suspends a student eligible under the IDEA or Section 504 and suspects that further disciplinary action may be necessary during the school year, it is essential that the Individual Education Plan (IEP) team or the Section 504 team convene within ten (10) days of the suspension to complete a Functional Behavior Assessment (FBA). In addition, a Behavior Intervention Plan (BIP) may need to be developed by the IEP team or Section 504 team and made a part of the student's IEP. If the FBA and BIP cannot be completed prior to the student's suspension, they must be completed within the ten (10) days at the beginning of the suspension.

Interim Alternative Educational Placement

A student eligible under the IDEA or Section 504 may be placed in an interim alternative educational setting under one of the following conditions:

- A. An Interim Alternative Educational Placement (IAEP) has been made a part of the student's IEP or Section 504 Accommodation Plan, and its use is limited to ten (10) days or less in any school year.
- B. The student has been found to possess a weapon or illegal drugs in school.
- C. The student is considered to be a danger to self or others as determined by an independent hearing officer. The IEP team or Section 504 team may, however, choose to go directly to a court to obtain authority for an IAEP without involving a hearing officer.

The Individual Education Plan (IEP) team or the Section 504 team may place a student in a forty-five (45) calendar day IAEP if the student is found to have violated the Positive Climate and Discipline Code of Conduct by carrying a weapon to school or to a school function, or by possessing, using, distributing, or soliciting illegal drugs at school or at a school function.

The student's IEP team or Section 504 team is to convene as soon as possible and no later than ten (10) days after the placement begins, to determine whether or not the drug or weapons violation is related to the student's disability. If the IEP team or Section 504 team determines that the behavior is causally related to the disability, it should review the Behavioral Intervention Plan (BIP) and make any modifications necessary to deal more effectively with the inappropriate behavior and prevent its reoccurrence. If there is no BIP, one should be developed, or a behavioral assessment performed.

If the IEP team or Section 504 team finds no causal relationship between the student's disability and the weapon or drugs violation, the school may continue the forty-five (45) calendar day interim alternative educational placement and proceed with expulsion.

Expulsion

If the principal decides that a request for consideration for recommendation of an expulsion hearing should occur, the parents are to be notified on the date the principal makes the request accompanied by a notice of parent rights,

which delineates all of the rights and procedural safeguards to which the parents and students have access to in connection with an expulsion. Within ten (10) school days following the decision to request consideration for a recommendation for an expulsion hearing, the student's IEP team or Section 504 team shall convene to conduct a Manifestation Determination for students identified with disabilities under IDEA and/or Section 504.

Search and Seizures

Principals may conduct a warrantless search of a student's possessions, locker, vehicle, or any other storage area on school property, if there is reason to believe that contraband is present. School officials, in coordination with law enforcement, may use canine 'sniffers' for searches on campus without prior student notification. When alcohol or drug use is reasonably suspected, students may be required by staff to submit to a Breathalyzer or drug test. If a student refuses to submit to a drug or alcohol test following reasonable suspicion by staff, the student will be subject to discipline for open defiance/insubordination/gross disrespect.

School administrators/designees have the legal right to search any vehicle brought onto a school campus if it is suspected that the vehicle contains contraband.

Investigations Involving Students

School employees have a duty to cooperate with law enforcement agencies and the Department of Children and Family Services, and comply with investigations relating to child abuse, abandonment, neglect, or an alleged unlawful sexual offense involving a child. The Principal may also assist authorities in their investigations of other violations of law in which students are alleged to be involved.

Before student(s) are questioned as a witness to, or a suspect in, an alleged violation of law, the Principal shall attempt to contact the parent prior to questioning and remain in the room during the questioning, unless compelling reasons for exclusion are provided by the law enforcement agency.

Non-Discrimination Grievance Procedure

Students may participate in appropriate programs and activities without regard to race, color, religion, national origin, sex, disability, marital status, or age, except as otherwise provided by state law.

All written grievances may be properly directed to the principal of the school alleged to be in violation of Title IX of the Florida Education Equity Act.

Student Grievance Procedure

The steps described below must be followed in the submittal and resolution of student grievances.

Step 1

A student should first take the complaint to the person(s) and appropriate school official(s) involved and try to solve the problem informally. If this does not work, then s/he may go on to the next step. The student may also begin the process at the second step.

Step 2

The student or parents/guardians must give the principal a written and signed harassment grievance notification no later than thirty (30) days after the date of the event giving rise to the grievance. This event is the initial response by a school official to an accusation of harassment. A copy of the grievance is to be given to all persons involved, describing the problem and giving all the facts. The student should offer the best solution to the problem. The principal shall make a decision within seven (7) days.

Step 3

If a student does not agree with the principal's decision, the parents/guardians may send another harassment grievance, just as in Step 2, to the superintendent. A copy of the grievance is to be given to the principal. This must be done within seven (7) days after receiving the principal's decision. The superintendent will make a decision within seven (7) days after receiving the grievance.

Step 4

If the parents of the student do not agree with the superintendent's decision, they may send the harassment grievance to the board within seven (7) school days after they receive the superintendent's decision. A copy of the harassment grievance is to be given to the superintendent. The board will take action at its next regularly scheduled meeting. The board will communicate its decision to the grieving party within thirty (30) days.

Section 7: Interscholastic and Extracurricular Activities

Interscholastic athletics and sports have a positive impact on students and are an integral part of the school experience, benefitting the community as a whole. The program should foster the growth of school loyalty within the student body, and stimulate community interest in athletics. Participation in the district's interscholastic athletics programs is a privilege. All middle schools and high schools are members of the FHSAA and are governed by its rules and regulations. All district students (including transfer students) shall satisfy the eligibility requirements established by the FHSAA, Florida law, and school board policy.

Participation in extracurricular activities, including interscholastic sports, is a privilege. Therefore, the school board authorizes the superintendent, principals, and assistant principals to prohibit a student from participating in extracurricular activities of the school district for offenses or violations of the Positive Climate and Discipline Code of Student Conduct for a period not to exceed the remainder of the school year in which the offense or violation took place. All procedures relating to disciplinary actions, as outlined in Section 5 and Section 6 of this handbook, must be followed prior to prohibiting a student from participating.

In addition, student athletes are further subject to the Florida High School Athletic Association (FHSAA) Code of Conduct and may be prohibited from participating in all or part of any interscholastic sport for violations therein.

Section 8: Other Useful Information**Enrollment**

Children who have or will have attained the age of six (6) years by February 1st of any school year or who are older than six (6) years of age but have not attained the age of sixteen (16) years, except as otherwise provided in Florida statute, are required to attend school regularly during the entire school term.

Students reaching the age of twenty (20) years on or before September 1st of any year shall be considered ineligible for attendance in high school. The student shall be informed of opportunities to continue his/her education in a different environment, including adult education, and to obtain a high school equivalency test. Exceptional education students may remain in school until the student earns a standard diploma up to and including the school year in which the student turns twenty-two (22) years of age.

Additional enrollment information may be found in the Parent Handbook available in the Enrollment Office and at your child's school upon request.

McKinney-Vento Assistance Act for Homeless Students

Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and are afforded the following rights:

- To be enrolled immediately, and attend school even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, and school records

- To continue enrollment in the school that s/he attended before becoming homeless, or in the school for which the student is currently zoned
- To request transportation to school of origin
- To participate in programs with students who are not homeless
- To receive free breakfast and lunch

Additional information may be obtained by contacting the SDIRC Homeless Liaison.

Health Services

School Health Services are provided in collaboration with the Indian River County Health Department. At the beginning of the school year, school principals will provide written information regarding health services and screenings performed during the school year. Additional details are included in the Health Service Manual.

Corporal Punishment

Corporal punishment is prohibited.

English Language Learners (ELLs)

The goal for ELL students is to achieve proficiency in English. Students whose native language is one other than English maintain the right to appropriate use of their native language without being subject to disciplinary action. At parent request, communication--both verbal and written--from the school or district office will be translated into the native language when deemed appropriate and feasible.

School Resource Officers /Law Enforcement

School Resource Officers (SROs) are employees of the Indian River County Sheriff's Office who are housed at all middle and high schools. As sworn law enforcement officers, SROs work with the school administration and staff to maintain a safe and lawful environment. SROs are governed by state statute and cannot ignore any criminal acts that may come to their attention. SROs are not required to document parental contact prior to interviewing a student suspect, victim, or witness, as long as they are performing their job duties in accordance with law and procedures at their assigned schools. However, the school's principal will attempt to contact a parent/guardian before any interview with an SRO takes place.

Other law enforcement personnel must check in with the Principal when entering campus except in the case of a public safety emergency. The Principal has the authority to deny an on-campus interview if the interview may disrupt the educational program. Other law enforcement officers have the authority to question students, on school grounds, who are either suspects or witnesses to criminal acts without a parent/guardian present. School staff shall make reasonable efforts to notify the parent/guardian and document these attempts.

Family Educational Rights and Privacy Act

Student Records

In order to provide appropriate educational services and programming, the school board must collect, retain, and use information about individual students. The board recognizes the need to safeguard student privacy and restrict access to personally identifiable information.

The rights of students and parents/guardians with respect to education records created, maintained, or used by the district must be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), and state law.

Students and parents/guardians have the right to access their education records, inspect and review records, access records in certain circumstances, challenge the content of education records, maintain privacy with respect to such

records and reports, and to receive notice of their rights with respect to educational records. Additional record information may be found on school board policy 8330.

Section 9: Student Network and Internet Responsible Use and Safety

Advances in telecommunications and other related technologies have fundamentally altered the ways in which information is accessed, communicated, and transferred in society. Such changes are driving the need for educators to adapt their means and methods of instruction, and the way they approach student learning, to harness and utilize the vast, diverse, and unique resources available on the Internet. The school district is pleased to provide Internet services to its students. The district's Internet system has a limited educational purpose. The district's Internet system has not been established as a public access service or a public forum. The district has the right to place restrictions on its use to ensure accordance with its limited educational purpose. Student use of the district's computers, network, and Internet services ("Network") will be governed by this policy, related administrative guidelines, and the Positive Climate and Discipline Code of Student Conduct. The due process rights of all users will be respected in the event there is a suspicion of inappropriate use of the Network.

Users have no expectation of privacy in any communication sent or received by e-mail, during use of the Internet or Network access, use of electronic resources, in materials stored on any school board-provided electronic device, in materials stored using any board electronic device, or in materials stored on any personal electronic device that is connected to the board network.

The district encourages students to utilize the Internet in order to promote educational excellence in our schools by providing opportunities to develop the resource sharing, innovation, and communication skills and tools that are essential to both life and work. The instructional use of the Internet will be guided by the board's policy on instructional materials.

The Internet is a global information and communication network that provides an incredible opportunity to bring previously unimaginable education and information resources to our students. The Internet connects computers and users in the district with computers and users worldwide. Through the Internet, students and staff can access up-to-date, highly relevant information that will enhance their learning and education. Further, the Internet provides students and staff with the opportunity to communicate with other people throughout the world. Access to such an incredible quantity of information and resources brings with it, however, certain unique challenges.

First and foremost, the district may not be able to technologically limit access to services through the district's Internet connection to only those that have been authorized for the purpose of instruction, study, and research related to the curriculum. Because it serves as a gateway to any publicly available file server in the world, access to the Internet will open classrooms and students to electronic information resources which have not been screened by educators for use by students of various ages.

The district has implemented technology protection, utilizing software and hardware measures which monitor, block, and filter Internet access to visual displays that are obscene, use child pornography, or are harmful to minors. Nevertheless, parents/guardians are advised that a determined user may be able to gain access to services on the Internet that the school board has not authorized for educational purposes. In fact, it is impossible to guarantee that students will not gain access through the Internet to information and communications that they and their parents/guardians may find inappropriate, offensive, objectionable, or controversial. Parents/guardians assume risks by consenting to allow their child to participate in the use of the Internet. Parents/guardians of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

Pursuant to federal law, students shall receive education about the following:

- A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications
- B. the dangers inherent with the online disclosure of personally identifiable information

- C. the consequences of unauthorized access ("hacking"), cyberbullying, and other unlawful or inappropriate activities by students online.
- D. unauthorized disclosure, use, and dissemination of personal information regarding minors

Site Administrators/Principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying procedures. The board expects that staff members will provide guidance and instruction to students in the appropriate use of the Internet, and will monitor students' online activities while at school.

Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions, or use of specific monitoring tools to review browser history and network, server, and computer logs.

All Internet users (and parents/guardians of minors) are required to sign a written agreement annually, or at the time of enrollment, to abide by the terms and conditions of this policy and its accompanying procedures.

Students and staff members are responsible for good behavior on the district's computers and the Internet just as they are in classrooms, school hallways, and other school premises and school-sponsored events. Communications on the Internet are often public in nature. General school rules for behavior and communication apply. The board does not sanction any use of the Internet that is not authorized by or conducted strictly in compliance with this policy and its accompanying procedures.

Students shall not access social media for personal use from the district's network, but shall be permitted to access social media for educational use in accordance with their teacher's approved plan for such use.

The use of these technology resources is a privilege. Users who disregard this policy and its accompanying procedures may have their use privileges suspended or revoked, and disciplinary action taken against them. Users granted access to the Internet through the district's computers assume personal responsibility and liability, both civil and criminal, for use of the Internet not authorized by this board policy and its accompanying procedures.

Section 10: Forms to Be Completed by Students and Parents

STUDENT NETWORK AND INTERNET RESPONSIBLE USE AND SAFETY AGREEMENT

PLEASE READ THE FOLLOWING CAREFULLY. THIS IS AN AGREEMENT THAT MUST BE SIGNED BEFORE A STUDENT WILL BE GIVEN A NETWORK ACCOUNT WITH ACCESS TO E-MAIL AND/OR THE INTERNET.

To access the School District of Indian River County's computers, network and Internet services ("Network") at school, students under the age of eighteen (18) must obtain parent permission and must sign and return this form. Students eighteen (18) and over may sign their own forms.

Use of the Network/Internet is a privilege, not a right. The School District of Indian River County's Network/Internet connection is provided for educational purposes only. Unauthorized and inappropriate use will result in a cancellation of this privilege.

The SDIRC has implemented technology protection measures, which protect against (e.g. block/filter) Internet access to visual displays/depictions/materials that are obscene, constitute child pornography, or are harmful to minors. The SDIRC also monitors online activity of students in an effort to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, or harmful to minors. Nevertheless, parents/guardians are advised that determined users may be able to gain access to information, communication and services on the Internet that the SDIRC has not authorized for educational purposes that they and their parents/guardians may find inappropriate, offensive, objectionable, or controversial. Parents/Guardians assume this risk by consenting to allow their students to participate in the use of the Internet. Students accessing the Internet through the school's computers assume personal responsibility and liability, both civil and criminal, for unauthorized or inappropriate use of the Internet.

The SDIRC has the right, at any time, to access, monitor, review, and inspect any directories, files, or messages residing on or sent using the district's computers and networks. Messages relating to, or in support of, illegal activities will be reported to the appropriate authorities.

Examples of prohibited activities while on the Network include, but are not limited to:

- Using another person's username and password.
- Accessing chat rooms, social media such as Facebook and Twitter, and other forms of direct electronic communications for non-educational purposes.
- Using electronic resources for financial gain, advertising, political activity, or personal business activity.
- Accessing, downloading, storing, viewing, sending, or displaying text, images, movies, or sounds that contain pornography, obscenity, or language that offends or tends to degrade others.
- Sending, or attempting to send, anonymous messages of any kind or pretending to be someone else while sending a message.
- Accessing, or attempting to access, the Network, or any devices attached to the Network, to engage in "hacking" or other unlawful activities.
- Using electronic resources for illegal or inappropriate activities.
- Violating copyright laws, and obtaining copies of or modifying files, data, or passwords belonging to others.
- Accessing confidential student or employee information without authorization, or through misuse of authorization, and communicating such information with unauthorized persons.

- Downloading files to district hard drives without prior authorization, attempting to view other computers or computer resources across the network, or disclosing personally identifiable information of minors via electronic resources, except as expressly authorized by the minor student's parent/guardian.

Please carefully review the forms on the following pages with your child, complete all required information, and return them to your child's school.

DRAFT

STUDENT NETWORK AND INTERNET RESPONSIBLE USE AND SAFETY AGREEMENT

Please complete the following information and return to your child's school:

Student User's Full Name (please print): _____

School: _____ Grade: _____

Parent/Guardian's Name: _____

Parent/Guardian

As the parent/guardian of this student, I have read the Student Network and Internet Responsible Use and Safety Policy, any guidelines referenced within, and have discussed them with my child. I understand that student access to the Network/Internet is designed for educational purposes and that the district has taken available precautions to restrict and/or control student access to material on the Internet that is obscene, objectionable, inappropriate and/or harmful to minors. However, I recognize that it is impossible for the district to restrict access to all objectionable and/or controversial materials that may be found on the Internet. I will not hold the district (or any of its employees, administrators, or officers) responsible for materials my child may acquire or come in contact with while on the Internet. Additionally, I accept responsibility for communicating to my child the guidelines concerning acceptable use of the Internet: setting and conveying standards for my child to follow when selecting, sharing, and exploring information and resources on the Internet. I further understand that individuals and families may be liable for violations.

To the extent that proprietary rights in the design of a website hosted on the district's servers would endow my child upon creation, I agree to assign those rights to the district.

Check below to agree:

____ I give permission for my child to use and access the Network/Internet at school and for the board to issue an e-mail account to my child.

Parent/Guardian's Signature: _____ Date: _____

Student

I have read and agree to abide by the Student Network and Internet Responsible Use and Safety Policy, and any guidelines referenced within. I understand that any violation of the terms and conditions set forth in the policy and guidelines is inappropriate and may constitute a criminal offense. As a user, I agree to communicate over the Internet and the Network in an appropriate manner, while honoring all relevant laws, restrictions, and guidelines.

Student's Signature: _____ Date: _____

Teachers and building principals are responsible for determining what constitutes unauthorized or inappropriate use. The principal may deny, revoke, or suspend access to the Network/Internet to individuals who violate the Student Network and Internet Responsible Use and Safety Policy and related guidelines, and take such other disciplinary action as is appropriate pursuant to the Positive Climate and Discipline Code of Student Conduct.

STUDENT/PARENT ACKNOWLEDGMENT FORM, 2015-2016

The Positive Climate and Discipline Code of Student Conduct has been developed to help your child gain the greatest possible benefit from his/her school experiences. The Code defines the responsibilities and the rights of students attending Indian River County Public Schools, and clearly identifies the consequences for student actions which violate this Code.

The school is in need of your help and cooperation. Students, parents, and schools working together can maintain a safe and purposeful atmosphere in the schools where students can learn to their full potential.

Since parents/guardians share responsibility for the actions of their children, they should also become familiar with the rules and expectations described in this handbook. Please read and discuss this important document with your child, then sign this form and return it to your child's school, where it will be kept on file.

ID#:

Student Name (Print) / School:

DOB:

Student Signature / Date:

Cellular phone number:

Parent/Guardian Name (Print) / Date:

Parent/Guardian Signature / Date:

Note: Failure to return this acknowledgment form will not release a student or the parents/guardians of the student from responsibility for knowledge of the contents of the Positive Climate and Discipline Code of Student Conduct and will not excuse noncompliance with the Positive Climate and Discipline Code of Student Conduct by the student.

Statement of Academic Honesty

The School District of Indian River County strongly believes that academic honesty must be practiced by all its students. In accordance with the school district's mission to serve all students with excellence, the district must take an unwavering stand on academic integrity. Cheating and plagiarism are wrong. Cheating and plagiarism in any form as defined by this Code will be considered a critical breach of character and integrity, as well as a serious violation of the Positive Climate and Discipline Code of Student Conduct. The School District of Indian River County defines cheating as:

The inappropriate and deliberate distribution or use of information, notes, materials, or work of another person in the completion of an academic exam, test, or assignment without specific teacher permission and proper crediting of the source (plagiarism).

Refer to the Levels of Interventions and Consequences sections within this handbook for a listing of consequences relating to violations of academic honesty.

In addition to the consequences applied by the teacher, a cheating or plagiarism violation will be referred to the administration and may result in the loss of eligibility or removal from an academic club, loss of academic honors and awards, and loss of eligibility to apply for or receive local academic scholarships. These decisions, any or all, would be decided by a committee of teachers appointed by the principal.

I have read and understand the SDIRC's policy concerning academic honesty.

Parent/Guardian Signature

Date

Media Release

As the parent/guardian of a student in the Indian River County School District, I hereby grant the School Board of Indian River County, Florida, and its officers and employees, permission to photograph and/or record my student while involved in any and all school activities.

I understand that my student's photograph, name (both verbally and in print), face, likeness, voice, and appearance contained in such media productions may be used for purposes including but not limited to public service announcements, professional development, school publicity, and other programs shown to the school community and the general public, and may appear in newspapers, on television, on district and public websites, in district publications (such as school yearbooks, school newspapers, and class pictures), and other communication tools inside and outside the district. Indicate preference by checking the box below:

- I WILL allow my student to be photographed and/or recorded for the purposes explained above.
- I will NOT allow my student to be photographed and/or recorded for the purposes explained above.

NOTE: The Request to Withhold Information (for junior and seniors only) form which was previously included in the code is now available on the SDIRC website: www.indianriverschools.org, and in high school guidance offices.

Parent/Guardian Signature

Date

----- Sign and return to your child's school -----

Glossary

Behavior Agreement: An agreement that outlines expectations, rewards, and consequences related to student conduct.

Behavior Intervention Plan (BIP): A method that takes the observations made in a Functional Behavioral Assessment and turns them into a concrete plan of action for managing a student's behavior.

Bias Behavior: Behavior that intentionally or unintentionally directs any harmful or hurtful word or action toward an individual or group based upon actual or perceived identity characteristics including: race, religion, national origin, sexual orientation, ethnicity, culture, social economic status, gender identity, and cognitive, physical, or developmental ability.

Conscious Discipline: A leading method in integrating classroom management and social-emotional learning. It utilizes everyday events rather than an external curriculum, and addresses the adult's emotional intelligence as well as the child's. Teaches responses to daily conflict that afford opportunities to teach critical life skills.

Corporal Punishment: A form of physical punishment that involves the deliberate infliction of pain as retribution for an offense, for the purpose of disciplining or reforming a wrongdoer, or to deter attitudes or behavior deemed unacceptable.

Disproportionately: Having or showing a difference that is not fair, reasonable, or expected; too large or too small in relation to something.

Due Process: The legal requirement that the state must respect all of the legal rights that are owed to a person. Due process balances the power of law of the land and protects the individual person.

Exclusionary Disciplinary Measures: Describes any type of school disciplinary action that removes or excludes a student from his or her usual educational setting. Two of the most common exclusionary discipline practices at schools are suspension and expulsion.

Functional Behavior Assessment (FBA): A process that identifies specific target behavior, the purpose of the behavior, and what factors maintain behavior interfering with the student's educational progress.

Health Assistant: Nurse, or nursing assistant, working in the school health room on campus.

Individual Education Plan (IEP): A plan detailing how the student learns, how the student best demonstrates that learning, and what teachers and service providers will do to help the student learn more effectively. Developing an IEP requires assessing students in all areas related to known disabilities while simultaneously considering ability to access the general curriculum, considering how the disability affects the student's learning, forming goals and objectives that correspond to the needs of the student, and choosing a placement in the least restrictive environment possible for the student.

Individualized Education Program (IEP) Team: A multi-disciplinary group of individuals, including the student's parent/guardian, who is responsible for developing, reviewing, and revising an Individualized Education Program and corresponding Individual Education Plan for a student who has been identified with a disability according to State Board of Education criteria.

Level(s): Levels of interventions and consequences have been designed to support students by maintaining safe, nurturing, and engaging learning environments. As a graduated form of correction, the levels vary as such:

- Level One: The goal of these interventions and consequences is for teachers to engage students through a support system designed to safeguard a positive learning environment, and to create conditions that prevent or decrease inappropriate and disruptive behavior.

- Level Two: These interventions and consequences are implemented to promote appropriate conduct. The goal is to correct negative behavior by providing the necessary support system to encourage students to recognize, utilize, and maintain appropriate responses.
- Level Three: These interventions and consequences are implemented to correct behaviors that may interfere with the learning environment. The goal is to adequately address behavioral infractions while helping students recognize, and learn from, their own inappropriate reactions.
- Level Four: These interventions and consequences are a necessary response to serious behavioral infractions, when the severity is significant enough to warrant an intensive response. The ultimate goal is to promote a safe school environment while decreasing potentially destructive and dangerous behavior.
- Level Five: These interventions and consequences will be applied when the severity of behavior is significant enough to potentially endanger the safety and welfare of self and others, and when progressive discipline practices have proven ineffective.

Multi-Tiered System of Supports (MTSS) Individual Problem Solving Team: A multi-disciplinary team that engages in the problem-solving process related to individual student needs, in order to identify the nature and intensity of supports required by a student, and to accelerate student progress related to the academic and behavioral domains of schooling.

Parent: For the purpose of this Code, parent(s) includes legal guardian(s).

Positive School Climate (PSC): A positive school climate exists when all members of the school community feel safe, included, and accepted, and actively promote positive behaviors and interactions. Principles of equity and inclusive education are embedded in the learning environment to support a safe environment and a culture of mutual respect.

Principal: P principal means principal or designee; p principal means principal only.

Restorative Justice: A theory of justice that emphasizes repairing, rather than punishing, the harm caused or revealed by misconduct through:

- Identifying the misconduct and attempting to repair the damage
- Including all people impacted by a conflict in the process of responding to the conflict
- Creating a process that promotes healing, reconciliation, and the rebuilding of relationships, in order to foster mutual responsibility and constructive responses to wrongdoing

Restorative practices: A framework for a broad range of restorative justice approaches designed to proactively build a school community based on cooperation, mutual understanding, trust, and respect. Responses to conflict include all persons involved, in order to find solutions that restore relationships and repair the harm done to the school community.

School Climate: The learning environment and relationships found within a school and school community.

School Community: Includes students, teachers, administrators, counselors, social workers, and other school staff, as well as families and the surrounding neighborhoods and communities.

School Environmental Safety Incident Reporting (SESIR): A system developed by the Florida Department of Education to enable school districts to correctly code data used to report incidents that are against the law or represent serious breaches of student conduct.

School Norms or Values: A list of the ways students, teachers, administrators, and all members of the school community should treat one another, developed with the participation of all stakeholder groups.

School Resource Officers (SROs)/Law Enforcement (LE): All safety officers permanently assigned to work in a school or set of schools. In some localities, they are sworn or certified law enforcement officers employed by city police

departments, whereas in other localities they make up an independent school police department and are employed directly by the school district.

Section 504 Plan: A facet of the Rehabilitation Act of 1973, that guarantees certain rights to people with disabilities. Schools comply with Section 504 through the following process: identifying students with disabilities, evaluating those students, and if the student is eligible, creating a written accommodation plan, often called a “504 Plan.”

Stakeholder/Community: Any person/group with a vested interest in the educational outcomes at public schools, with such interests including but not limited to: the life success and potential of students and their families, the quality of working conditions for those who are employed at--or rendering services to--public schools, and the credibility and reputation of those who are charged with the responsibility of producing educational outcomes, paid or unpaid.

Student Code of Conduct: A Student Code of Conduct, or Discipline Code, is a policy adopted by a school or district to help create a safe and positive school environment for all students, staff, and other members of the school community. The Code sets forth the expected behaviors for students and a process for how teachers, support staff, and administrators should respond to behavior. Codes often include a description of school-wide preventive practices, students’ and parents’ rights and responsibilities, a list of behaviors that are prohibited, and descriptions of the positive interventions (such as counseling, mediation, and restorative circles) and exclusionary responses (such as suspension and expulsion) that staff can use to respond to those behaviors.

Superintendent: Superintendent means superintendent or designee; superintendent means superintendent only.

Statutes and Policies:

The Positive Climate and Discipline Code of Student Conduct was created pursuant to the following Florida state statutes, Indian River County School Board policies, and United States Code:

STATE STATUTES	BOARD POLICIES	UNITED STATES CODE
<p>F.S.322.091: Driver's Licenses F.S.790.001(13): Concealed Weapons F.S.847.0141: 'Sexting' F.S.874.03(3): Criminal Gang Members F.S.893: Drug Abuse Prevention/Control F.S.984.12: Truancy F.S.984.151: Unexcused Absences F.S. 985.04(4): Children and Families in Need of Services F.S.1001.43(1)(b): Enforcement of Dress Code F.S.1001.54(1)(c): Removal of Disruptive Students F.S.1002.20(3)(b): Immunizations F.S.1003.01(8): Habitual Truancy F.S.1003.21(2)(c): School Attendance F.S.1003.24: Attendance Policy F.S.1003.26, F.S.1003.26(1)(b), and F.S.1003.26(1)(c): Enforcement of School Attendance F.S.1003.27(2)(b): Court Procedure and Penalties F.S.1003.31: Students Subject to Control of School F.S.1003.32: Authority of Teacher; Responsibility for Control of Students; District School Board and Principal Duties F.S.1006.062: Administration of Medication F.S.1006.07: Student Discipline and Safety F.S.1006.07(2)(d)(1): Dress Code Policy F.S.1006.07(2)(f): Wireless Communications F.S.1006.09(2): Suspension Proceedings F.S.1006.11: Standards for Use of Reasonable Force F.S.1006.11(2): Enactment of Reasonable Force F.S.1006.147: Bullying and Harassment F.S.1006.147b: Cyberbullying F.S.1006.148: Dating Violence and Abuse</p>	<p>2260.02: Nondiscrimination Grievance Procedure 2430: District-Sponsored Clubs and Activities 2430.01: Special Programs by Community Volunteers 2431: Interscholastic Athletics 2451: Alternative School Plans/Programs 5111.01: Homeless Students 5112: Entrance Requirements 5136: Wireless Communication Devices 5200: Attendance 5223: Absences for Religious Instruction 5225: Absences for Religious Holidays 5230: Late Arrival and Early Dismissal 5310: Health Services 5320: Immunization 5330: Use of Medications 5410: Student Progression 5500: Student Conduct 5511: Dress and Grooming 5512: Tobacco-Free Environment 5513: Care of School Property 5516: Student Hazing 5517: Anti-Harassment 5517.01: Bullying and Harassment 5517.02: Anti-Harassment Complaint Procedure 5517.03: Dating Violence and Abuse 5520: Disorder and Demonstration 5530: Drug Prevention 5540: The Schools and Investigations Involving Students 5600: Student Discipline 5605: Suspension/Expulsion of Disabled Students 5610: Removal, Suspension, and Expulsion of Students 5610.01: Emergency Removal of Students 5610.04: Suspension of Bus Riding/Transportation Privileges 5610.05: Prohibition from Extra-Curricular Activities 5611: Due Process Rights 5630: Corporal Punishment and Use of Reasonable Force and Restraint 5771: Search and Seizure 5772: Weapons 5780: Student/Parent Rights 5840: Student Groups 7540: Computer Technology and Networks 7540.03: Student Network and Internet Responsible Use and Safety 8330: Student Records 8405: School Safety 8462: Student Abuse and Neglect 8600: Transportation</p>	<p>18 U.S.C. s.921: Firearms (Definition)</p>

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DESCRIPTION OF STANFORD ACHIEVEMENT TEST, TENTH EDITION

Overview: Guides teaching and learning toward high achievement standards.

Accreditation: Sold only to accredited/approved schools & school districts

Age Range: Thirteen Levels - Kindergarten - Grade 12

Administration: Untimed with flexible guidelines.

Forms: Complete and abbreviated M-C battery by grade and subject

Norms: Scaled Scores, National and Local Percentile Ranks and Stanines, Grade Equivalents, and Normal Curve Equivalents, Achievement/Ability Comparisons (AACs) with the Otis-Lennon School Ability Test®, Eighth Edition

Requirements for Purchase: The Stanford Achievement Test Series is sold only to schools and school districts.

PRICES AND OTHER TERMS

- There is no minimum charge for tests and related materials.
- Minimum charge of \$150.00 for Scoring Orders.

Please allow approximately 21 working days processing time for multiple choice assessments, providing the shipment is in processable condition when it arrives at the appropriate scoring center, plus the transportation time required to ship the score reports back to you.

- Please include 8.5% to cover shipping and handling costs.
- Terms are Net 30 days. No discount is allowed for cash payments.
- Please add state and local taxes where applicable. If your account is not currently listed as "tax-exempt", the applicable tax will be charged.
- All prices and terms are subject to change without notice. Catalog prices quoted in this proposal are valid through June 30, 2015.

SHIPPING

- Test materials and score reports are shipped by ground delivery with traceable means, unless first class, air or special delivery is requested. Allow three weeks for delivery of test materials.
- Orders that specify a delivery date are treated as authorizing air or special delivery charges to ensure delivery by requested deadline.
- Orders are not shipped C.O.D.
- FOB Shipping Point

PLEASE SEND ALL ORDERS AND INQUIRIES TO:

Pearson Assessment & Information
Customer Service
19500 Bulverde Road
San Antonio, TX 78259
Phone:800-328-5999 Fax: 888-5562103

Connect Ed

February 17, 2015

Good evening. This is Deborah Long, Director of Secondary Education, calling from the School District of Indian River County with an important message for parents of students in grades 6 through 12. We have been reviewing new materials that will be used in grades 6-12 math classes. These materials are now available for a twenty day, public review, from February 17 thru March 9, 2015, and they can be accessed on-line through the School District's website at indianriverschools.org or at the District Office in the Curriculum and Instruction Department. A flyer about this was sent home with students today. If you did not see it and want a copy, please contact your child's school. The complete procedure for adopting instructional materials is also available on the School District website. A public hearing is scheduled on March 10, 2015, at 6:00 pm in the Board Room at the School District Office, 1990 25th Street, Vero Beach, to receive public comments. If you have questions, please contact Judy Smith at 564-3100.

Math Adoption

Connect Ed

March 9, 2015

Good Evening. This is Deborah Taylor-Long, Director of Secondary Education, calling from the School District of Indian River County with an important message for parents of students in grades 6 through 12. We have been reviewing new instructional materials that will be used in grades 6 -12 math classes. These materials have been provided for public review from February 17th thru March 9th on the district's website as well as available to view at the School District office in the Curriculum and Instruction Department. The opportunity for public review has been extended through March 23, 2015. Please take this time to review these materials if you have not already. The public hearing for receiving public comments will be March 24, 2015, at 6:00 pm in the Board Room at the School District office located at 1990 25th Street, Vero Beach. If you have any questions, please contact Judith Smith at 564-3100.



Instructional Materials Adoption Timeline Math 6 – 12

Event	Date	Description	Contact
Instructional Materials Committee meets and makes recommendation	January 16, 2014 – May 20, 2014	Complete steps 1 – 8 of the Procedures for Instructional Materials Adoption	Deborah Long, Director of Secondary Education (772-564-3209)
Connect-Ed Telephone Call	February 17, 2015	Notification to parents of Procedure for Instructional Materials Adoption	Judy Smith, Administrative Assistant to Curriculum & Instruction (772-564-3100)
Flyer	February 17, 2015	Notification to parents of public review of instructional materials	Deborah Long, Director of Secondary Education, (772-564-3209) with assistance from Middle School & High School principals
SDIRC Website	February 17, 2015	Post flyer, Procedure for Instructional Materials Adoption, Timeline, and Parent Petition Form	Ravi Annam, Webmaster (772-564-3210) with assistance from Curriculum & Instruction Department
20 Day Instructional Materials on display at the SDIRC Office and on the SDIRC website	February 18, 2015 – March 9, 2015	Public preview of instructional materials	Ravi Annam, Webmaster (772-564-3210) and Camille Batory, Executive Assistant to Curriculum & Instruction (772-564-3014)
SDIRC School Board Public Hearing Notice	March 2, 2015	Include a detailed list of instructional materials being recommended and how to access and preview these materials	Judy Stang, Executive Assistant to the School Board (772-564-3200)
SDIRC Public Hearing	March 24, 2015	Board hears Superintendent's recommendation of instructional materials, listens to public comments, and votes to adopt the recommended instructional materials	SDIRC Board and Superintendent
30 Day Contest Period	March 25, 2015 - April 23, 2015 NOTE: Must be received by 5 pm on April 23, 2015	Parents may file a petition which is available on the District website and at the Curriculum & Instruction Department	Judy Smith, Administrative Assistant to Curriculum & Instruction (772-564-3100)
7+ Days Written Notice to Petitioners	April 27, 2015	Written notification to the petitioners of the date and time of the Board hearing. Approved instructional materials remain available	Judy Smith, Administrative Assistant to Curriculum & Instruction (772-564-3100)
SDIRC Special School Board Meeting to Hear Petitions re: Math Textbook Adoption for Grades 6-12	May 12, 2015 3:00 p.m.	School Board will conduct a public hearing on all petitions timely received. The School Board's decision is final and not subject to further petition or review	SDIRC School Board
Instructional Materials Removed from the Website and Curriculum & Instruction Department	May 12, 2015 5:00 p.m.	Instructional materials for the adoption will be removed after the public hearing.	Ravi Annam, Webmaster (772-564-3210) and Judy Smith, Administrative Assistant to Curriculum & Instruction (772-564-3100)
SDIRC Board Meeting	May 12, 2015 6:00 p.m.	Action taken on the math materials adoption for grades 6-12.	SDIRC School Board and Judy Stang, Executive Assistant to the School Board (772-564-3200)

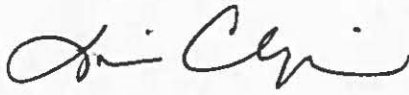
Course Number	Course Title	Textbook
1205010	M/J Grade 6 Mathematics	BIG IDEAS MATH COURSE 1, A COMMON CORE CURRICULUM, 2015/1ST FLORIDA EDITION
1205020	M/J Grade 6 Mathematics Advanced	BIG IDEAS MATH COURSE 1 ADVANCED, A COMMON CORE CURRICULUM, 2015/1ST FLORIDA EDITION
1205040	M/J Grade 7 Mathematics	BIG IDEAS MATH COURSE 2, A COMMON CORE CURRICULUM, 2015/1ST FLORIDA EDITION
1205050	M/J Grade 7 Mathematics Advanced	BIG IDEAS MATH COURSE 2 ADVANCED, A COMMON CORE CURRICULUM, 2015/1ST FLORIDA EDITION
	Log In for above titles	https://www.bigideasmath.com/teachers/ Username: Indianriver Password: Indianriver
1200370	Algebra 1A	Pearson Algebra 1 1 st Florida Edition
1200380	Algebra 1B	Pearson Algebra 1 1 st Florida Edition
1200310	Algebra 1	Pearson Algebra 1 1 st Florida Edition
1200320	Algebra 1 Honors	Pearson Algebra 1 1 st Florida Edition
1206310	Geometry	Pearson Geometry 1 st Florida Edition
1206320	Geometry Honors	Pearson Geometry 1 st Florida Edition
	Log In for above titles	Pearsonrealize.com Username: IndianRiverMath Password: Florida1
1200330	Algebra 2	Houghton Mifflin Algebra 2 Core Math
1200340	Algebra 2 Honors	Houghton Mifflin Algebra 2 Core Math
	Log In for above titles	My.hrw.com Sample word: FLMA13
1201310	Analysis of functions	Algebra and Trigonometry 2014/9 th Edition (Larson)
1211300	Trigonometry	Algebra and Trigonometry 2014/9 th Edition (Larson)
1202340	Pre-calculus	Pre-Calculus with Limits: A Graphing Approach, 6 th Edition (Larson)
1200700	College Readiness	College Prep Algebra 1 st Edition (Larson)
	Available now in hard copy	Ebook links available TBA



Gary Chartrand, *Chair*
John R. Padget, *Vice Chair*
Members
Ada G. Armas, M.D.
John A. Colon
Marva Johnson
Rebecca Fishman Lipsey
Andy Tuck

MEMORANDUM

TO: District School Superintendents
District Facilities Planners

FROM: Linda Champion 

DATE: January 5, 2015

SUBJECT: Annual Certification of Facilities Data

Section 1013.31(1)(d), Florida Statutes, states in part, "...School districts shall periodically update their inventory of educational facilities...." Section 6.1(5)(c), State Requirements for Educational Facilities (SREF) 2014, requires that, "Prior to April 1 of each year, each district shall review the Florida Inventory of School Houses (FISH) and shall certify to the Office that the inventory is current and accurate."

Correct facilities data is essential in our analyses of the need for class size reduction and the determination of Public Education Capital Outlay (PECO) maintenance requirements, which ultimately result in legislative funding. Any FISH errors can significantly influence funds the district will receive and will distort all analyses made from FISH data.

Please return the attached form, signed by the appropriate officials, before April 1, 2015. The district superintendent and the board chair must sign the certification; the signature of the director of facilities planning is optional.

If you have any questions concerning the process or inventory, please call Mr. Brian Gouin at 850-245-9296.

Thank you for your assistance in this matter.

LC/bg

Attachment

Linda Champion
Deputy Commissioner, Finance and Operations




FLORIDA DEPARTMENT OF EDUCATION
OFFICE OF EDUCATIONAL FACILITIES
FLORIDA INVENTORY OF SCHOOL HOUSES
CERTIFICATION OF FACILITIES DATA

WHEREAS, Section 1013.03(3), F.S., states in part that the Department of Education must, "Require boards to submit other educational plant inventories data...."

WHEREAS, Section 1013.31(1)(d), F.S., states in part, "...School districts shall periodically update their inventory of educational facilities...."

WHEREAS, State Requirements for Educational Facilities, Section 6.1(5)(c) requires that, "Prior to April 1 of each year, each district shall review the Florida Inventory of School Houses and shall certify to the Office that the inventory is current and accurate."

THEREFORE, on behalf of the School Board of Indian River County, the authorized representatives whose signatures appear below hereby certify that, to the best of their knowledge, the educational facilities inventory data for the district contained in the Florida Inventory of School Houses is current and accurate pursuant to applicable statutes and rules.



Director of Facilities Planning

3/11/15

Date

Superintendent

Date

Board Chair

Date

Return signed form to:
Office of Educational Facilities
Florida Department of Education
325 West Gaines Street, Room 1054
Tallahassee, Florida 32399-0400

Approval to Award RFP #2015-13-01 to Multiple Vendors for Aluminum Walkway Covers - Mr. Morrison

A Request for Proposal (RFP) was promulgated to obtain a price per square foot for Item 1 (installation of new walkway covers) and also an hourly rate for Item 2 (repairs to existing walkway covers). Award was not made on the basis of price alone, but to the proposer whose submission contained the most advantageous combination of price, qualifications, staff experience, pending litigation and recent commercial projects/references. To meet the time and task demands of our school system award is being recommended to a pool of responsive and responsible bidders for non-emergency projects. Projects less than \$5,000 will be awarded on a rotational or best fit basis. All awarded vendors will be invited to quote new projects that exceed \$5,000.

Notification was sent to fourteen (14) vendors in our vendor data base and was posted on the Purchasing Department's website. Proposals were due on March 3, 2015 and were publicly opened in the Purchasing Department. Three (3) responses were received and reviewed by the Evaluation Team. The Team determined that all respondents were qualified contractors to participate in the procurement process. The recommended vendors are listed below.

Legend: Award _____ Reject ()

Vendor	Total Points Awarded of Possible 300
<u>One Call Property Services, Inc.</u>	247
<u>Perfection Architectural Systems, Inc.</u>	254
<u>Window Sales & Services of Vero, Inc.</u>	300

The Purchasing Department recommends award of Item 1 (new installations) to three vendors: One Call Property Services, Inc., Perfection Architectural Systems, Inc. and Window Sales & Services of Vero, Inc. and award of Item 2 (walkway repairs) to two vendors: One Call Property Services and Window Sales & Services of Vero, Inc. as the best responsive and responsible bidders meeting specifications, terms, and conditions.

Failure to file a protest with the time prescribed in Florida Statutes 120.57(3) or failure to post a bond or other security required by law within the time allowed for filing a bond shall constitute a waiver or proceedings under Chapter 120, Florida Statutes.

Bid Tabulation					
School District of Indian River County		<i>One Call Property Services</i>	<i>Perfection Architectural</i>	<i>Window Sales and Services</i>	
SDIRC 2015-13					
RFP for Standard Aluminum Walkway Covers					
Opens: 03.03.15 @ 2:00 pm					
Post: 03.11.15 Board: 03.24.15					
Description		Cost per sq. ft.	Cost per sq. ft.	Cost per sq. ft.	
Item 1.A.1 Cost per Sq. Ft. for Standard Aluminum Walkway Covers as specified					
Footers with Blockouts		\$27.20	\$32.00	\$26.85	
Footers with Core Drilling		\$27.20	\$34.00	\$21.85	
Footers with Flange Mounting		\$27.20	\$29.00	\$21.85	
Description		Hourly Rate	Hourly Rate	Hourly Rate	
Item 1.A.2 Hourly rate for miscellaneous repairs, installation of repurposed District-owned materials, redecking of existing walkway covers.		\$45.00	No Bid	\$45.00	

SDIRC 2015-13 RFP for Standard Aluminum Walkway Covers

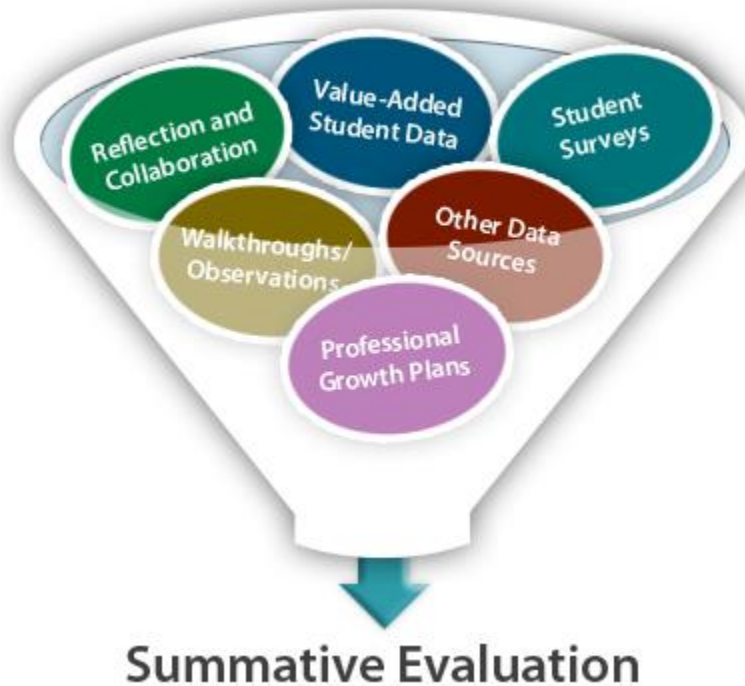
EVALUATION

	<i>Hourly Rate</i>	<i>Qualifications</i>	<i>Staff Experience</i>	<i>Litigation</i>	<i>Recent Commercial Projects and References</i>	<i>John Earman</i>	<i>Scott Ganger</i>	<i>Rick Huff</i>	TOTAL POINTS ASSIGNED
Bidder	30	20	20	10	20				
One Call Property Services						70	80	97	247
Perfection Architectural						70	86	98	254
Window Sales & Services						100	100	100	300

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Teacher Evaluation **Procedures Manual**

2013-2015



School District of Indian River County

November 2014

Introduction

This document is the Teacher Evaluation Program (TEP) Procedures Manual as implemented by the School District of Indian River County. The District has adopted the research of Dr. Robert Marzano. This framework of instruction and evaluation identifies the cause and effect relationship between teaching practices and student achievement with the ultimate aim of helping teachers and leaders make the most informed decisions that yield the greatest benefits for students.

Purposes and Principles

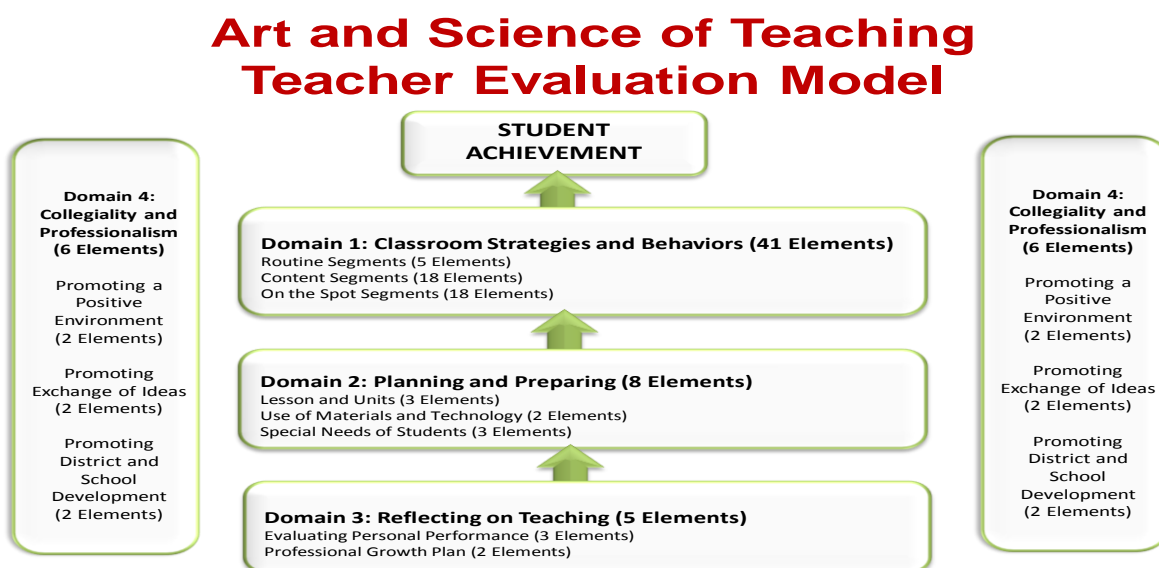
The purpose of the teacher evaluation system is to increase student learning growth by improving the quality of instructional, administrative, and supervisory service. The system is founded on a core of effective practices that have been strongly linked to increased student achievement and includes the Florida Educator Accomplished Practices, the contemporary research of Dr. Robert Marzano, and the requirements of Florida Statute 1012.34. The District has opted to utilize the Florida State model including all of the observation instruments that are linked directly to effective teaching practices and the Florida Educator Accomplished Practices (FEAPs).

Guiding Principles of TEP:

What: Identifying the causal relationship between teaching practices and student achievement to help teachers and leaders make the most informed decisions that yield the greatest benefits for their students.

Why: Student achievement is in the forefront as a paramount goal for instruction. Effective teachers will continue to grow in their craft while helping students to experience learning growth.

How: Improve classroom instruction by using a model of teacher evaluation based on professional growth.



Implementation Process

Beginning with the 2012-2013 school year: Full implementation of the Marzano Evaluation Framework (State Model) with the exception of Deliberate Practice.

- **Deliberate Practice** will be implemented beginning with the 2013-2014 school year.
 - ▶ Selection of **up to three** Deliberate Practice elements will consist of teacher selection, with mutual agreement.

Annual Evaluation

A teacher's final summative evaluation will be the combination of the teacher's Student Growth Score (VAM) and the Instructional Practice Score (IPS).

Per Article IV.2 (F) of the Collective Bargaining Agreement the Instructional Practice Score and the Student Growth Score will count as follows:

For the 2013-14 and 2014-2015 school years, the percentages used for the summative rating will be as follows:

- a. 50% derived from the Instructional Practice Score and 50% derived from the Student Growth Score or other student measure listed in the TEP Manual for teachers with three years of data. Student measures shall only be based on students assigned to the MBU, or shall not count towards the three years of data.
- b. 60% derived from the Instructional Practice Score and 40% derived from the Student Growth Score or other student measure listed in the TEP Manual for teachers with less than three years of data. Student measures shall only be based on students assigned to the MBU, or shall not count towards the three years of data. **Please see note (*) below.**
- c. 70% derived from the Instructional Practice Score and 30% derived from the Student Growth Score or other student measure listed in the TEP Manual for instructional personnel who are not classroom teachers with the three years of data.
- d. 80% derived from the Instructional Practice Score and 20% derived from the Student Growth Score or other student measure listed in the TEP Manual and for whom three years of data are not available, for instructional personnel who are not classroom teachers with less than three years of data.

***Teachers administering new assessments during the 2014-2015 school year shall derive 40% of their summative rating from the Student Growth Score.**

Instructional Practice (IPS) Evaluation Score

The Instructional Practice Score (IPS) is derived from evidence collected through observations, walk-throughs and conferences. The District will be using the Marzano Framework's Formative rating scale for the 4 Domain's and the corresponding elements as shown below:

	4	3	2	1	0
Formative Ratings Used for Each Domain Element	Innovating	Applying	Developing	Beginning	Not Using

Student Growth Score (SGS)

Beginning in the 2011-2012 school year student assessment results will be incorporated into teacher evaluations in accordance with F.S. 1012.34 (3)(a) 4(b) and (d). In accordance with F.S. 1012.34(3)(a)(1) **FCAT Statewide Standardized Assessments (SSA)** will be used to measure student growth for classroom teachers whose students take the **FCAT (SSA)**. The Value Added Measure (VAM) for the teacher will be applied using the procedure outlined below.

Appendix A (located in the back) outlines what Student Growth Assessment Measure will be assigned to each position.

As district and/or state approved assessments become available for ~~non-FCAT~~ **non-(SSA)** subject areas, the district will use these assessments to calculate the teacher's student growth score. Additional district/state approved assessments will be added to the Appendix A as they are adopted by the district.

Procedure for Applying the Value Added Growth Model:

A Value Added Growth Model produces a score for a teacher which reflects the average amount of learning growth of the teacher's students above or below the expected learning growth of similar students in the state, using specific variables accounted for in the model. A score of "0" indicates that students performed no better or worse than expected, based on the factors in the model. A positive score indicates that the students, on an aggregate level, performed better than expected, a negative score indicates that the students scored worse than expected. ~~For the~~ **Beginning with the** 2012-2013 school year, the School District of Indian River County will use the following steps to classify teachers under a Value Added Model.

Each teacher's VAM will be compared against a set of cut scores. The cut score of 0 will be used in the initial classification process.

If a teacher's VAM (raw score not considering the standard error or confidence intervals) is 0 or above then the teacher would be classified as at least Effective. To determine if the teacher is Highly Effective, the standard error will be multiplied by a confidence interval and subtracted from the teacher's VAM to provide a high level of certainty that the teacher's VAM is above 0.

Method for classifying HIGHLY EFFECTIVE:

- If Teacher VAM is positive and the $VAM - (\text{Standard Error} * \text{Confidence Interval}) > 0$, then the teacher is classified as Highly Effective
- A confidence interval of 1.5 standard errors will be used in the determination of Highly Effective.

Method for Classifying EFFECTIVE:

- If Teacher VAM is positive and the $VAM - (\text{Standard Error} * \text{Confidence Interval}) < 0$, then the teacher is classified as EFFECTIVE.
- A confidence interval of 1.5 standard errors will be used in this determination of EFFECTIVE.
- If Teacher VAM is negative and the $VAM + (\text{Standard Error} * \text{Confidence Interval}) > 0$, then the teacher is classified as EFFECTIVE.
- A confidence interval of 1 standard error will be used in this determination of EFFECTIVE.

To determine if the teacher is Unsatisfactory, or Needs Improvement, the standard error will be multiplied by a confidence interval and added to the teacher's VAM to provide an extremely high level of certainty that the teacher's VAM is below 0.

Method for classifying UNSATISFACTORY:

- If Teacher VAM is negative and $VAM + (\text{Standard Error} * \text{Confidence Interval}) < 0$, then the teacher is classified as Unsatisfactory
- A confidence interval of 2 standard errors will be used in the determination of Unsatisfactory.

Method For Classifying NEEDS IMPROVEMENT:

- If Teacher VAM is negative and $VAM + (\text{Standard Error} * \text{Confidence Interval})$ does not meet the definition of Effective or Unsatisfactory, then the teacher is classified as Needs Improvement.

Evaluation Criteria

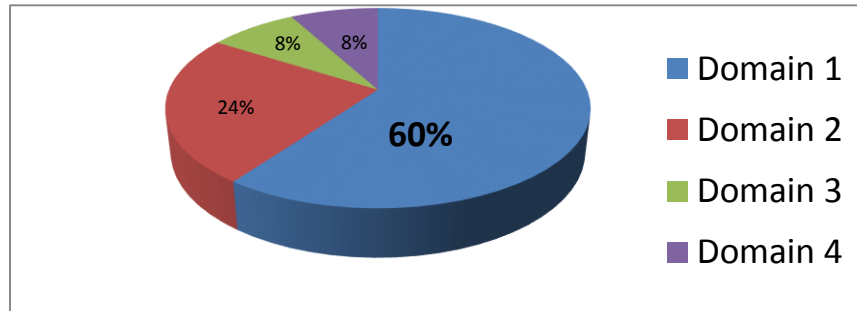
Consistent with FS 1012.34 (3)(a)(1)(a), a calculation of learning growth will include at least 3 years of student growth data. The 2011-12 school year will be considered year one, with 2012-2013 as year two, unless future legislation postpones implementation of SB 736 mandates. Student ~~FCAT~~ SSA data provided by the FLDOE will be used.

The student performance data will be translated into a rating scale using the four levels of performance: Highly Effective, Effective, Needs Improvement/Developing and Unsatisfactory. (See Scoring Rubric on page 8) Individual teacher scores will be categorized in one of the four levels of performance, with an assigned score for the Student Growth Score. This rating will be averaged and weighted appropriately to the Instructional Practice Score for the teacher's final summative rating for the school year.

Teachers administering new assessments during the 2014-2015 school year shall derive 40% of their summative rating from the Student Growth Score.

Rubrics and Weighting

Each domain has been assigned a weight as indicated below. The score you receive for Domain 1 will count for 60% of your Instructional Practice Score (IPS), Domain 2 will count for 24% of the IPS and so on, to give the teacher a total IPS score. The figure below shows the percentages for each domain



The calculated total IPS Score using the weights as shown above is added to the teacher's Student Growth Score to provide each teacher their Final Summative Rating using the rubric below. The Teacher Evaluation system provides four levels of overall performance that defines the summative rating: Highly Effective, Effective, Needs Improvement/Developing, and Unsatisfactory. An example is provided for teachers following the "Final Summative Rubric" below.

Teacher Categories

- **Category I teacher:** first three (3) years of hire within the District
- **Category II teacher:** any MBU not a Category I teacher

MARZANO'S INSTRUCTIONAL PRACTICE (IPS) SCORING RUBRIC

Category I Teacher					
Year 1	Domains	Highly Effective (4)	Effective (3)	Developing (2)	Unsatisfactory (1)
	D1:	At least 50% at Level 3 or higher and At least 15% at Level 4 and no more than 5% at Level 1 or 0	At least 50% at Level 3 or higher	Less than 50% at Level 3 or higher and Less than 25% at Level 1, 0	Greater than or equal to 25% at level 1, 0
	D2:				
	D3:				
	D4:				

Category II Teacher					
Year 1	Domains	Highly Effective (4)	Effective (3)	Needs Improvement (2)	Unsatisfactory (1)
	D1:	At least 55% at Level 3 or higher and At least 15% at Level 4 and no more than 5% at Level 1 or 0	At least 55% at Level 3 or higher	Less than 55% at Level 3 or higher and Less than 25% at Level 1, 0	Greater than or equal to 25% at level 1, 0
	D2:				
	D3:				
	D4:				

FINAL EVALUATION SCORE

(IPS + Student Growth Summative Scores = Final Evaluation Summative Score)

EXAMPLE:

Below is an example of how the Student Growth Score will be combined with the Instructional Practice Score to arrive at a Final Evaluation Score.

	Rubric Score	Weighting	Summative Score
Student Growth Score (VAM)	2	40%	2 X 40% = 0.8
Instructional Practice Score (IPS)	3	60%	3 X 60% = 1.8
Final Evaluation Score			2.6

FINAL EVALUATION RATING RUBRIC

SDIRC's FINAL EVALUATION RATING RUBRIC (Marzano's Rubric)

SDIRC's Rubric for Summative Rating	Low	High	Final Evaluation Rating
	3.5	4.0	Highly Effective
	2.5	3.4	Effective
	1.5	2.4	Developing/Needs Improvement Category I/Category II
	1.0	1.4	Unsatisfactory

Observation/Evaluation Timeline

Status	Component	Quantity	Timeline
Category I and II Teachers	Formative Conference	1	October 15
Category I Teacher	Formal Observation – including pre-observation conference, observation and post-observation conference – must be scheduled	2	Complete 1 formal observation by Dec. 9 Complete 1 formal observation by May 15 *Additional Formal observation(s) may be requested by the MBU or evaluator
Category I Teacher	Informal Observation – at least 10 minutes in length – can be announced or unannounced	4	At least 2 per semester
Category II Teacher	Formal Observation – including pre-observation conference, observation and post-observation conference – must be scheduled	1	Complete 1 formal observation by Dec. 9 *Additional Formal observation(s) may be requested by the MBU or evaluator
Category II Teacher	Informal Observation – at least 10 minutes in length – can be announced or unannounced	2	At least 1 per semester
Category I and II Teacher	Evaluation Conference Final IPS Score	1	By May 25

Common Language and Definitions

GLOSSARY

TERM	DESCRIPTION
Artifact	Written, electronic, photographic, or other forms of evidence for the purpose of demonstrating levels of proficiency within the Marzano Framework.
Causal Model of Teacher Evaluation	This term describes the link between classroom practices and behaviors that have a direct impact on student learning. In the Marzano Evaluation Framework, Domain 1 Classroom Strategies and Behaviors have the most direct link to student learning.
Common Language	<p>A transparent way to talk about instruction that is shared by everyone. It is a well-articulated knowledge base that describes the complexity of teaching and describes key strategies revealed by the research to have a high probability of impacting student learning. It should also describe the instructional context for appropriate use of instructional strategies to have the highest probability for raising student learning. The common language represents what a school or district defines as effective instruction.</p> <p>A common language enables teachers to engage in decision making, professional conversations and deliberate practice aimed at improving student achievement.</p> <p>For administrators, a common language provides the means to offer focused formative and summative feedback. It supports administrators in making decisions regarding hiring and selection of teachers, the induction of new teachers, professional development, coaching and support for struggling teachers as well as opportunities to develop career ladders for teachers. A common language is a key improvement strategy that provides the context for aligning all instructional programs.</p>
Contemporary Research	Recent research conducted within the last five to seven years.
Deliberate Practice	A mindset that requires teachers to precisely attend to what they are doing in the classroom on a daily basis to identify what is working and what isn't and to determine why students are learning or not. In deliberate practice teachers identify up to three thin slices of teaching to focus their efforts to improve. Deliberate practice requires establishing a baseline for performance in a focus area (thin slice) and engaging in focused practice, feedback and monitoring of progress within a time-bound goal for improvement.
Design Questions	9 Questions teachers ask themselves when planning a lesson or unit of instruction. (Domain 1)
Domain	A body of knowledge defined by research representing a particular aspect of teaching.

TERM	DESCRIPTION
FEAPs	Florida Educator Accomplished Practices embody 3 essential principles: <ol style="list-style-type: none"> 1. The effective educator creates a culture of high expectations for all students by promoting the importance of education and each student’s capacity for academic achievement. 2. The effective educator demonstrates deep and comprehensive knowledge of the subject taught. 3. The effective educator exemplifies the standards of the profession. There are 6 accomplished practices: 1. Quality Instruction 2. The Learning Environment 3. Instructional Delivery and Facilitation 4. Assessment 5. Continuous Improvement, Responsibility and Ethics 6. Professional Responsibility and ethical conduct
Focused Feedback	Feedback that is focused on specific classroom strategies and behaviors during a set time interval. The feedback is informative, constructive, objective and actionable. Feedback is generally provided by administrators, coaches, and peers.
Focused Practice	Practice that is focused on a limited number of strategies where corrections, modifications, and adaptations are made to improve student learning at an appropriate level of difficulty so that the teacher can experience success.
Individual Professional Development Plan (IPDP)	The IPDP is a plan related to specific performance data for students to whom the teacher is assigned. It defines the inservice objectives and specific measurable improvements expected in student performance as a result of inservice activity received by teacher. It includes an evaluation component to ascertain the effectiveness of provided in-service as well as the overall professional development plan as established by the school principal.
Instructional Practices Score (IPS)	The observation portion of a MBU’s annual evaluation which is based on multiple observations undertaken by the MBU’s supervisor.
Lesson Segment	Parts of a lesson that have unique goals and purposes for teachers and for students. Teachers engage in intentional and specific actions during these times. The Marzano Evaluation Framework consists of three major lesson segments: Lesson Segments Addressing Routine Events, Lesson Segments Addressing Content, and Lesson Segments Enacted on the Spot.
Not Using	Instructional strategy was called for in the lesson, but not observed.

TERM	DESCRIPTION
Planning (Pre)Conference	The planning or pre-conference provides an opportunity for the teacher and the administrator to talk about the lesson prior to the formal announced observation. During this time, the teacher and observer use the planning conference form as a means to discuss the lesson, engage in collaborative decision making, clarify expectations and identify areas where specific feedback will be provided.
Reflection (Post)Conference	The reflection or post-conference provides an opportunity for the teacher and the administrator to reflect about the lesson, clarify expectations and plan forward using the reflection (post)conference form as a guide for reflection and feedback.
Statewide Standardized Assessments (SSA)	Any standardized state approved assessment for a given subject.
Struggling Teacher	A teacher who demonstrates a trend of ineffective or unsatisfactory behaviors which results in a less than effective summative, i.e., moving from Category II to Category I.
Student Evidence	Specific observable behaviors that students engage in response to the teacher's use of particular instructional strategies.
Student Growth Score	This score defines student growth as indicated by the Value Added Model (VAM) score. This does not correlate in any manner with the student FCAT levels.
Summative Rating Score	A combination of a teacher's instructional practice score and their Student Growth score.
Teacher Evidence	Specific observable behaviors that teachers engage in when using a particular instructional strategies.
Thin Slices of Behavior	Notable teaching moves that can be observed in a classroom.
Three years of data	Current year plus two immediately preceding years.
Value Added Model (VAM)	Formula developed by the state to measure student-learning growth.

DEFINITIONS OF COMPONENTS

90-Day Performance Probation	<ul style="list-style-type: none"> The statutory 90-Day process for which unsuccessful completion could lead to termination of a professional services contract or continuing contract for unsatisfactory performance. During this 90-day period the district will offer assistance to the MBU as prescribed by statute.
Category I Teacher	<ul style="list-style-type: none"> A teacher in the first three (3) years of hire within the District. One year equals one day more than half a year.
Category II Teacher	<ul style="list-style-type: none"> Any MBU not a Category I teacher
Evaluation Final IPS Conference (scheduled in advance with the MBU)	<ul style="list-style-type: none"> Presentation of teacher artifacts and evidences of value added measures at or before the Evaluation Conference Individual overview of performance Finalizing the evaluation IPS Signing the forms
Formal Observation (mutually scheduled)	<ul style="list-style-type: none"> 30 minutes or one class period, whichever is greater Scheduled pre-observation conference Scheduled post-observation conference Used for annual evaluation Written feedback Observer gathers evidence regarding classroom instructional practices and behaviors
Formative Conference (scheduled in advance with the MBU)	<ul style="list-style-type: none"> Individual overview of evaluation procedure Goal setting Review of forms Review of electronic data components of evaluation system Identifying category of MBU (Category I or II teacher) Selection of Deliberate Practice element(s) will consist of teacher selection, with mutual agreement.
Informal Observation – (announced or unannounced)	<ul style="list-style-type: none"> At least 10 minutes in length Used for annual evaluation Written feedback Observer gathers evidence regarding classroom instructional practices and behavior
Performance Deficiency	<ul style="list-style-type: none"> Performance indicated by receipt of a score on any Marzano element lower than Applying.
Unsatisfactory Performance	<ul style="list-style-type: none"> Two consecutive unsatisfactory annual evaluations, two unsatisfactory annual evaluations within a three year period, or three consecutive annual evaluations of Needs Improvement or a combination of Needs Improvement and Unsatisfactory.

Examples of Domain Sources of Evidence

Domain 1: Classroom Strategies & Behaviors

- Formal observation(s)
- Informal, announced observation
- Informal, unannounced observation
- Student surveys
- Videos of classroom practice
- Artifacts

Domain 2: Planning and Preparing

- Planning & conference or preconference
- Lesson plan documentation
- Differentiated documents
- Technology
- Rubrics

Domain 3: Reflecting on Teaching

- Self-assessment
- Reflection conference
- Professional Growth Plan
- Conferences
- Discussions
- Artifacts

Domain 4: Collegiality & Professionalism

- Conferences
- Discussions
- Professional Learning Communities
- Communication logs
- Mentoring
- Artifacts

Annual Review by the District

An annual review of the teacher evaluation system will be completed by the evaluation committee to determine compliance with Florida Statute. Any recommended revisions will be reviewed and approved by the SDIRC and IRCEA negotiating teams before incorporation into the evaluation system.

An ongoing evaluation of the teacher evaluation system to include analysis of data such as overall district trends, fidelity of implementation, and feedback from users will be conducted by the evaluation committee. Reports will be made to the Superintendent and the IRCEA. Periodic updates will be presented to the School Board as appropriate. The following methods will be used to collect data:

- Surveys to assess teacher/evaluator perceptions of adequacy of training, understanding of the system, fairness of the process, and impact of the new process on teaching and student learning
- Surveys of selected teachers and evaluators to gather feedback on system implementation and identify necessary adjustments
- Correlation of teacher performance ranking and student performance data
- Trend data on professional development offerings
- Patterns of performance on various components of the framework
- Review and feedback on the forms, rubric language, processes and support materials for recommended revisions

This analysis will be conducted with the assistance of the Curriculum and Instruction Department. Recommended revisions must be negotiated between the parties.

Amending Evaluations

In accordance with Section 1012.34(3)(a)4(d), Florida Statutes, the evaluator may amend an evaluation based upon assessment data from the current school year if the data becomes available within 90 calendar days after the close of the school year. An evaluation may also be amended: (1) following the evaluation conference meeting by mutual agreement between the teacher and evaluator; (2) as a result of an appeal of an evaluation according to the procedures set forth in Article IV, Teacher Evaluation; or (3) as a result of an award by an arbitrator.

Observation/Evaluation Forms

All Teacher Observation/Evaluation Forms will be placed within the TEP manual.

Procedures for Struggling Teachers (Non Probationary)

Non Probationary teachers only, if the evaluator observes deficiencies or an area where additional training is needed, intervention can occur in two (2) ways: a simple conference on the deficiency and/or a Teacher Improvement Plan (TIP).

A conference on the deficiency is a conversation between the teacher and evaluator that is usually documented on an approved form. After the teacher understands the evaluator's expectations, the teacher has time to work on the deficiency before there is a follow-up conversation. The administrator is required to give the teacher a reasonable period of time to make improvement. If the expectations have been met, the form is signed by the teacher and evaluator. In many cases, no further assistance is necessary. If the concern has not been addressed satisfactorily, the administrator may assign the teacher to complete a Teacher Improvement Plan (TIP).

A TIP is a more formalized process that takes longer to complete. The administrator will hold a conference with the teacher, identify the deficiencies and make specific, comprehensive suggestions/strategies in writing, as to how the performance of the teacher can be improved. The teacher has up to sixty (60) calendar days in which to satisfactorily complete a TIP. A TIP must be completed prior to a teacher receiving Notification of Unsatisfactory Performance.

Notification of Unsatisfactory Performance

The following process shall be instituted following teacher notification of unsatisfactory performance. The teacher shall be:

1. Notified in writing of the unsatisfactory performance. This notification must specifically describe the unsatisfactory performance and include the following:
 - a. A meeting with the teacher
 - b. Specific, written recommendations as to how to improve the performance in areas that are unsatisfactory
 - c. Provide administrative assistance to help correct the deficiencies, e.g. professional development opportunities, mentoring/coaching, etc.
 - d. Provide a specific period of time in which the deficiencies are to be corrected. During this time period the teacher must be evaluated periodically and apprised of the progress. These evaluations will be conducted by someone other than the teacher's original evaluator.
2. The teacher will be placed on performance probation for a 90 day period (90 calendar days). Within this 90 day window the teacher must demonstrate corrective action.
3. After the close of the 90 calendar days, the evaluator must evaluate the teacher within 14 days, to see if the performance deficiencies have been corrected.
4. The evaluator must also (at the same time) forward a recommendation to the Superintendent.
5. The Superintendent has 14 days upon receipt of the recommendation to notify the teacher, in writing, whether performance deficiencies have been satisfactorily corrected, and whether the Superintendent will recommend renewal or termination of the employment contract.
6. If the teacher chooses to contest the Superintendent's recommendation, the teacher has 15 days to submit a written request for a hearing in accordance with Florida Statutes.

APPENDICES

APPENDIX A

- Student Growth Assessment Measures

APPENDIX A

MBUs must report, within twenty-one (21) days of receipt of final summative rating, any perceived error concerning the Student Growth Score. Such report will be filed with the Assistant Superintendent of Human Resources for review and consideration of possible remedies. Notwithstanding the above, MBUs shall retain all rights to seek redress through the grievance procedure as found under Article XVII – Grievance Procedure.

In the event that legislation is passed that affects 2014-2015 evaluations and subsequently comes law with the effect of changing the minimum percentage of any MBU's overall evaluation that must be derived from Student Growth Scores, the values in the "Percent of Eval" column in the table below shall be modified accordingly.

Student Growth Assessment Measures (2014-2015)

Percent of Eval	TITLE DESCRIPTION - TEACHER	Measure	Assessment	Rubric
50/40%	TEACHER GRADE 4 (MATH ONLY)	VAM Math	Math statewide, standardized assessments	VAM
50/40%	TEACHER GRADE 4 (READING ONLY)	VAM Reading	ELA statewide, standardized assessments	VAM
50/40%	TEACHER GRADE 4 (READING/MATH)	VAM Combined	ELA and Math statewide, standardized assessments	VAM
50/40%	TEACHER GRADE 5 (MATH ONLY)	VAM Math	Math statewide, standardized assessments	VAM
50/40%	TEACHER GRADE 5 (READING ONLY)	VAM Reading	ELA statewide, standardized assessments	VAM
50/40%	TEACHER GRADE 5 (READING/MATH)	VAM Combined	ELA and Math statewide, standardized assessments	VAM
50/40%	TEACHER LANGUAGE ARTS HIGH GR 9 10	VAM Reading	ELA statewide, standardized assessments	VAM
50/40%	TEACHER LANGUAGE ARTS MIDDLE	VAM Reading	ELA statewide, standardized assessments	VAM
50/40%	TEACHER MATH ALGEBRA 1	VAM Math	Algebra EOC	VAM
50/40%	TEACHER MATH GEOMETRY	VAM Math (If available) Percentage of students scoring at Level 3 and above	Geometry EOC	VAM or Percentile
50/40%	TEACHER MATH MIDDLE	VAM Math	Math statewide, standardized assessments	VAM
50/40%	TEACHER READING HIGH	VAM Reading	ELA statewide, standardized assessments	VAM
50/40%	TEACHER READING MIDDLE	VAM Reading	ELA statewide, standardized assessments	VAM

30/20%	CAREER SPECIALIST	Percentage of school students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
50/40%	TEACHER AGRICULTURE	Percentage of students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
50/40%	TEACHER BUSINESS EDUCATION	Percentage of students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
50/40%	TEACHER CULINARY ARTS	Percentage of students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
50/40%	TEACHER HEALTH OCCUPATIONS	Percentage of students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
50/40%	TEACHER MARKETING EDUCATION	Percentage of students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
50/40%	TEACHER TECHNOLOGY EDUCATION	Percentage of students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
50/40%	TEACHER TV PRODUCTION	Percentage of students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
50/40%	TEACHER BUSINESS EDUCATION MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER TECHNOLOGY EDUCATION MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER VOCATIONAL NON-ICE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER ART ELEMENTARY	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER FOREIGN LANGUAGE ELEMENTARY	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER GRADE 1 (MATH ONLY)	Percent of students proficient in Math (50%) Percent of students increasing their National Percentile or Maintaining 85th Percentile or above in Math (50%)	SAT 10	PERCENTILE
50/40%	TEACHER GRADE 2 (MATH ONLY)	Percent of students proficient in Math (50%) Percent of students increasing their National Percentile or Maintaining 85th Percentile or above in Math (50%)	SAT 10	PERCENTILE
50/40%	TEACHER GRADE 1 (READING ONLY)	Percent of students proficient in reading (50%) Percent of students increasing their National Percentile or Maintaining 85th Percentile or above in Reading (50%)	SAT 10	PERCENTILE
50/40%	TEACHER GRADE 2 (READING ONLY)	Percent of students proficient in reading (50%) Percent of students increasing their National Percentile in or Maintaining 85th Percentile or above Reading (50%)	SAT 10	PERCENTILE
50/40%	TEACHER GRADE 1 (READING/MATH)	Percent of students proficient in reading (25%) Percent of students proficient in math (25%) Percent of students increasing their National Percentile or Maintaining 85th Percentile or above in Reading (25%) Percent of students increasing their National Percentile or Maintaining 85th Percentile or above in Math (25%)	SAT 10	PERCENTILE
50/40%	TEACHER GRADE 2 (READING/MATH)	Percent of students proficient in reading (25%) Percent of students proficient in math (25%) Percent of students increasing their National Percentile or Maintaining 85th Percentile or above in Reading (25%) Percent of students increasing their National Percentile or Maintaining 85th Percentile or above in Math (25%)	SAT 10	PERCENTILE

50/40%	TEACHER GRADE 3 (MATH ONLY)	Percent of students scoring at Level 3 and above on math statewide, standardized assessments (50%) Percentage of students maintaining or increasing achievement level from 2nd grade math SAT10 to 3rd grade math statewide, standardized assessment. (50%) ***2nd grade SAT10 levels will be determined by correlating 13-14 2nd grade SAT10 to 14-15 statewide, standardized assessment levels.***	Math statewide, standardized assessments	PERCENTILE
50/40%	TEACHER GRADE 3 (READING ONLY)	Percent of students scoring at Level 3 and above on ELA statewide, standardized assessments (50%) Percentage of students maintaining or increasing achievement level from 2nd grade reading SAT10 to 3rd grade ELA statewide, standardized assessment. (50%) ***2nd grade SAT10 levels will be determined by correlating 13-14 2nd grade SAT10 to 14-15 statewide, standardized assessment levels.***	ELA statewide, standardized assessments	PERCENTILE
50/40%	TEACHER GRADE 3 (READING/MATH)	Percent of students scoring at Level 3 and above on ELA statewide, standardized assessments (25%) Percent of students scoring at Level 3 and above on math statewide, standardized assessments (25%) Percentage of students maintaining or increasing achievement level from 2nd grade reading SAT10 to 3rd grade ELA statewide, standardized assessment. (25%) Percentage of students maintaining or increasing achievement level from 2nd grade math SAT10 to 3rd grade math statewide, standardized assessment. (25%) ***2nd grade SAT10 levels will be determined by correlating 13-14 2nd grade SAT10 to 14-15 statewide, standardized assessment levels.***	ELA statewide, standardized assessments, and Math statewide, standardized assessments	PERCENTILE
50/40%	TEACHER KINDERGARTEN (MATH ONLY)	SAT 10 Percent of students proficient in math	SAT 10	PERCENTILE *Percentile rubric will be adjusted by multiplying rubric percentages by the 14-15 School Readiness Rates
50/40%	TEACHER KINDERGARTEN (READING ONLY)	SAT 10 Percent of students proficient in reading	SAT 10	PERCENTILE *Percentile rubric will be adjusted by multiplying rubric percentages by the 14-15 School Readiness Rates

50/40%	TEACHER KINDERGARTEN (READING/MATH)	SAT 10 Percent of students proficient in reading (50%) SAT 10 Percent of students proficient in math (50%)	SAT 10	PERCENTILE *Percentile rubric will be adjusted by multiplying rubric percentages by the 14-15 School Readiness Rates
50/40%	TEACHER MUSIC ELEMENTARY	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER PHYSICAL EDUCATION ELEMENTARY	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER PRE-K	Percent of students assigned making gains VPK Assessment from the pre-test to the post-test (measured by either maintaining Meet or Exceed Expectations OR increasing from Below to either Meet or Exceed Expectations) If students assigned do not have VPK Assessment pre- and post-test results, then making gains on Batelle test will be used	VPK Assessment	PERCENTILE
30/20%	LIBRARIAN/MEDIA SPEC ELEMENTARY	Weighted average of the Reading VAM for the school(s) assigned and the percentage of K-3 students proficient on SAT10 Reading.	ELA statewide, standardized assessments and SAT10	VAM
30/20%	MATH COACH ELEMENTARY	Weighted average of the Math VAM for the school(s) assigned and the percentage of K-3 students proficient on SAT10 Math.	Math statewide, standardized assessments and SAT10	VAM
30/20%	READING COACH ELEMENTARY	Weighted average of the Reading VAM for the school(s) assigned and the percentage of K-3 students proficient on SAT10 Reading.	ELA statewide, standardized assessments and SAT10	VAM
30/20%	TEACHER TITLE 1 RESOURCE	Weighted average of the Reading and/or Math (based on job function) VAM for the school(s) assigned and the percentage of K-3 students proficient on SAT10 Reading and/or Math (based on job function).	ELA and Math statewide, standardized assessments and SAT10	VAM
30/20%	TEACHER WRITING	Percent of students at or above state average for points in the Writing Reporting Category of the ELA statewide standardized assessment.	ELA statewide, standardized assessments	PERCENTILE
50/40%	BAND DIRECTOR MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER ART MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER COMPUTER EDU MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER CRITICAL THINKING MIDDLE SCHOOL	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER FOREIGN LANGUAGE MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER MUSIC MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER PHYSICAL EDUCATION MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER SCIENCE MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER SCIENCE MIDDLE 8TH GRADE	Percentage of students scoring at Level 3 and above	Science statewide, standardized assessments	PERCENTILE
50/40%	TEACHER SOCIAL STUDIES MIDDLE	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER SOCIAL STUDIES MIDDLE CIVICS	Percentage of students scoring at Level 3 and above VAM (if available)	Civics EOC	PERCENTILE

30/20%	GUIDANCE MIDDLE SCHOOL	Combined VAM for students assigned (if available) OR Percentage of students assigned meeting learning expectations	ELA and Math statewide, standardized assessments	VAM OR PERCENTILE
30/20%	LIBRARIAN/MEDIA SPEC MIDDLE	School Reading VAM	ELA statewide, standardized assessments	VAM
50/40%	ASSISTANT BAND DIRECTOR HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	BAND DIRECTOR HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	ORCHESTRA ASSOCIATE DIRECTOR	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	ROTC INSTRUCTOR	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER AP PROGRAM	Mean student AP Score	AP Exam	SCORE RUBRIC
50/40%	TEACHER ART HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER DRAMA	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER DROPOUT PREVENTION	Combined VAM (50%) Percentage of students passing ALS final exams with a 59.5% or better for the courses taken (50%)	ELA and Math statewide, standardized assessments and ALS Final Exams	VAM and PERCENTILE
50/40%	TEACHER FOREIGN LANGUAGE HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER IB DP COURSE	Percentage of students scoring at a level 4 or above (passing) (70%) Percentage of students earning College Ready status defined through school grade system (30%)	IB Exam, SAT, ACT, PERT, CPT	PERCENTILE
50/40%	TEACHER IN-SCHOOL SUSPENSION	School Combined VAM	ELA and Math statewide, standardized assessments	VAM
50/40%	TEACHER LANGUAGE ARTS HIGH GR 11 12	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER MATH HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER ALGEBRA 2	Percentage of students scoring level 3 or above on Algebra 2 EOC	Locally Created EOC	PERCENTILE
50/40%	TEACHER MUSIC HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER PHYSICAL EDUCATION HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER RESOURCE TEEN/PARENT	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER SCIENCE HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER SCIENCE HIGH BIOLOGY	Percentage of students scoring at Level 3 and above VAM (If available)	Biology EOC	PERCENTILE
50/40%	TEACHER SOCIAL STUDIES HIGH	Percentage of students passing the locally created EOC with a 59.5% or above	Locally Created EOC	PERCENTILE
50/40%	TEACHER SOCIAL STUDIES HIGH US HISTORY	Percentage of students scoring at Level 3 and above VAM (If available)	US History EOC	PERCENTILE

30/20%	AP/IB COORDINATOR	Percentage of students earning IB Diploma (IB Coordinator only) (33%) Percentage of students earning AP Scholar Designation (AP Coordinator only) (33%) Percentage of students scoring at a level 4 or above (IB) or 3 or above (AP) (33%) Percentage of AP/IB students schoolwide earning College Ready status defined through school grade system (33%)	IB/AP Exams, SAT, ACT, PERT, CPT	PERCENTILE
30/20%	ATHLETIC DIRECTOR (HIGH SCHOOL)	Percentage of student athletes earning College Ready status defined through school grade system	SAT, ACT, PERT, CPT	PERCENTILE
30/20%	GUIDANCE HIGH	Combined VAM for students assigned (if available) OR Percentage of students assigned earning College Ready status defined through school grade system (50%) Percentage of students meeting learning expectations (50%)	ELA and Math statewide, standardized assessments, Algebra and Geometry EOC, SAT, ACT, PERT, CPT	VAM OR PERCENTILE
30/20%	LIBRARIAN/MEDIA SPEC HIGH	School Reading VAM	ELA statewide, standardized assessments	VAM
30/20%	MIGRANT SECONDARY ADVOCATE	9th/10th Grade: Percent of students assigned who met math and reading learning expectations 11th/12th Grade: Percentage of students increasing CELLA reading scores.	ELA and Math statewide, standardized assessments, CELLA	PERCENTILE
30/20%	ADULT ED OCCUP OUTREACH COORD	Percentage of school students passing an Industry Certification Exam	Industry Certification Exam	PERCENTILE
30/20%	CAREER SPECIALIST-ADULT ED	Percentage of students school-wide attending classes who pass GED Subject Tests (50%) Percentage of students school-wide increasing a Functioning Level Code (50%)	GED, TABE	PERCENTILE
50/40%	TEACHER ADULT EDUCATION	Percentage of students assigned attending classes who pass GED Subject Tests (50%) Percentage of students assigned increasing a Functioning Level Code (50%)	GED, TABE	PERCENTILE
30/20%	BILINGUAL SPECIALIST	ELL Combined VAM (if available) OR Percentage of ELL students increasing CELLA Reading scores	ELA and Math statewide, standardized assessments, and CELLA	VAM OR PERCENTILE
30/20%	ESOL RESOURCE TEACHER	ELL Combined VAM (if available) OR Percentage of ELL students increasing CELLA Reading scores	ELA and Math statewide, standardized assessments, and CELLA	VAM OR PERCENTILE
30/20%	OCCUPATIONAL SPECIALIST	Percentage of school students passing an Industry Certification Exam	ELA and Math statewide, standardized assessments	PERCENTILE
30/20%	RESOURCE SPECIALIST	Percentage of ESE students meeting expectations	ELA and Math statewide, standardized assessments	PERCENTILE
30/20%	SCHOOL SOCIAL WORKER/VISITING	Weighted average of the Combined School VAM scores for the schools assigned.	ELA and Math statewide, standardized assessments	PERCENTILE
30/20%	SLP - SCHOOL BASED	Reading VAM (if available) OR The reading/ELA measures for the students assigned	Dependent on teachers assigned	VAM OR PERCENTILE
30/20%	SLP - VPK/ESE SCHOOL BASED	Percent of students assigned making gains VPK Assessment from the pre-test to the post-test (measured by either maintaining Meet or Exceed Expectations OR increasing from Below to either Meet or Exceed Expectations) If students assigned do not have VPK Assessment pre- and post-test results, then making gains on Batelle test will be used	VPK Assessment	PERCENTILE

30/20%	SLP - PREK ITINERANT	Percentage of students assigned that increase their severity rating (or, if initially rated Mild, maintain Mild rating) as measured by HCAPP from the first administration in school year to final administration in school year.	HCAPP	PERCENTILE
30/20%	SLP - PRESCHOOL DIAGNOSITICIAN	Weighted Average of Student Performance Measure of all district SLP - VPK/ESE School Based and SLP - PreK Itinerant instructional personnel.	Dependent on teachers assigned	VAM or Percentile
50/40%	TEACHER COACH	Weighted average of the student growth measures of teachers assigned	Dependent on teachers assigned	PERCENTILE
50/40%	TEACHER ESOL	ELL Combined VAM (if available) OR Percentage of ELL students meeting expectations	ELA and Math statewide, standardized assessments	VAM or Percentile
50/40%	TEACHER EXCEPTIONAL ED - SLD	<p>The following will be used in order (if 1 is not available, then 2. If 2 is not available, then 3.)</p> <ol style="list-style-type: none"> 1. VAM 2. Weighted average of the regular education measure. 3. Percent of students who increased scale score on FAA (*If documented health issues led to decline on FAA, then they will be removed from the cohort assigned to the teacher for evaluation purposes) 	<p>ELA and Math statewide, standardized assessments, FAA, SAT-10, Course Grades</p>	<p>VAM or PERCENTILE</p>
50/40%	TEACHER EXCEPTIONAL ED - VE			
50/40%	TEACHER EXCEPTIONAL ED AUTISM			
50/40%	TEACHER EXCEPTIONAL ED GIFTED			
50/40%	TEACHER EXCEPTIONAL ED H/H			
50/40%	TEACHER EXCEPTIONAL ED OI			
50/40%	TEACHER EXCEPTIONAL ED PK HDC			
50/40%	TEACHER EXCEPTIONAL ED VI			
50/40%	TEACHER EXCEPTIONAL EDUCATION			
30/20%	TEACHER ON ASSIGNMENT C/I			
30/20%	TEACHER ON ASSIGN STAFF DEV	Weighted average of the Combined VAM scores for teachers within the Professional Development Certification Program (PDCP)	ELA and Math statewide standardized assessments	VAM

Percentile Rubric

Highly Effective =	70-100%
Effective =	40-69.9%
Needs improvement =	20-39.9%
Unsatisfactory =	0-19.9%

Score Rubric

Teachers of AP classes shall use a modified version of the Percentile Rubric. For each AP exam, P shall represent the average pass rate statewide, n shall represent the number of students enrolled district-wide in the AP course. Let $N = (n/10)\%$. The rubric for the AP exam shall be as follows:

Highly Effective =	$P - N + 10\% \leq \text{pass rate} \leq 100\%$
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Effective =	$P - N \leq \text{pass rate} < P - N + 10\%$
Needs improvement =	$\frac{1}{2} (P - N) \leq \text{pass rate} < P - N$
Unsatisfactory =	$0\% \leq \text{pass rate} < \frac{1}{2} (P - N)$

EXAMPLE:

Suppose the statewide average pass rate for a particular exam is 60%. Suppose there are 50 students district-wide enrolled in the associate course. Then $N = 5\%$, and the rubric for this particular exam would be as follows:

Highly Effective =	65-100%
Effective =	55-64.9%
Needs improvement =	27.5% - 54.9%
Unsatisfactory =	0-27.4%

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APPENDIX B

- Pre Conference Form A
- Pre Conference Form B
- Reflection Conference Form

PLANNING CONFERENCE STRUCTURED INTERVIEW

Name of Teacher: _____ Name of Observer: _____

Planning Conference Date: _____ Observation Date: _____

Reflection Conference Date: _____

Instructions: Please attach your lesson plan, assessments, scoring guides, and/or rubrics to this document. Please be prepared to discuss the following questions in preparation for the planning conference

Classroom Demographics

Briefly describe the students in your classroom (e.g. number of students, gender, special needs etc.)

Answer:

Routine Events

1. What will you do to establish learning goals, track student progress and celebrate success for this lesson?

Answer:

2. What will you do to establish or maintain classroom rules and procedures for this lesson?

Answer:

Content

Please consider the following questions as appropriate for the lesson being observed

3. What will you do to help students effectively interact with new knowledge?

4. What will you do to help students practice new knowledge?

5. What will I do to help students generate and test hypothesis about new knowledge?

Answer:

Enacted on the Spot

6. What will you do to engage students in the lesson?

Answer:

7. What will I do to recognize and acknowledge lack of adherence to classroom rules and procedures?

Answer:

8. What will I do to establish and maintain effective relationships with students during this lesson?

Answer:

9. What will I do to communicate high expectations to students within the lesson?

Answer:

10. How will this lesson be organized as part of a cohesive unit?

Answer:

PLANNING CONFERENCE STRUCTURED INTERVIEW

(Form B)

Name of Teacher: _____ Name of Observer: _____

Planning Conference Date: _____ Observation Date: _____

Reflection Conference Date: _____

Instructions: Please attach your lesson plan, assessments, scoring guides, and/or rubrics to this document. Please be prepared to discuss the following questions in preparation for the planning conference

Classroom Demographics

1. Briefly describe the students in your classroom (e.g., number of students, gender, special needs, etc.)

Answer:

Planning and Preparing for Lessons and Units

2. How will you scaffold the content within the lesson? Please describe:
- the rationale for how the content of the lesson is organized
 - the rationale for the sequence of ~~instruction~~ **instruction**
 - how the content is related to previous lessons, ~~units~~ **units** or other content
 - possible confusions that may impact the lesson

Answer:

3. How does this lesson progress within the unit over time? Please describe:
- how lessons within the unit progress toward deep understanding and transfer of content
 - describe how students will make choices and take initiative
 - how learning will be extended

Answer:

4. How will you align this lesson with established content standards identified by the district and the manner in which that content should be sequenced? Please describe:
- important content (scope) identified by the district
 - sequence of the content to be taught as identified by the district

Answer:

Planning and Preparing for Use of Resources and Technology

5. How will the resources and materials that you select be used to enhance students' understanding of the content? Please describe the resources that will be used:
- traditional resources
 - technology

Answer:

6. How do you plan to address the special needs of your student to include special education students, ELL students and students who come from home environments that offer little support for schooling? Please describe:
- specific accommodations that will be made

Answer:

REFLECTION CONFERENCE STRUCTURED INTERVIEW

Name of Teacher: _____ Name of Observer: _____

Planning Conference Date: _____ Observation Date: _____

Reflection Conference Date: _____

Instructions: Please bring student work, assessments, scoring guides, and /or rubrics to the reflection conference and be prepared to discuss the following questions.

General Reflection		
Overall, how do you think the lesson went and why?		
Answer:		
Routine Events		
1. In what ways did the students meet or not meet the learning goals you established for this lesson? How did your assessments inform your understanding of student learning?		
Answer:		
2. To what extent did the organization of your classroom (room arrangement, materials) and your rules and procefures maximize student learning?		
Answer:		
Content		
3. How did the strategies you used to introduce new content to students support student learning	4. How did the strategies you used to help students deepen and practice their understanding of new knowledge support student learning?	5. How did the strategies you used to help students generate and test hypotheses about new knowledge support student learning?
Answer:	Answer:	Answer:

Enacted on the Spot

6. Which techniques for engaging students were most successful? Which techniques were not successful?

Answer:

7. How did the use of positive and negative consequences impact student adherence or lack of adherence to rules and procedures?

Answer:

8. What specific actions did you take during this lesson to build student relationships with your students? What impact did these actions have on your relationships with students?

Answer:

9. What specific actions did you take to communicate high expectations for students? How did these impact student learning?

Answer:

10. How will this lesson inform changes to your instructional plan?

Answer:

Evaluation Forms

***Forms for Classroom and Instructional Support teachers can be found on the District webpage,**

~~www.indianriverschools.org~~

www.indianriverschools.org,

click on Departments – Human Resources

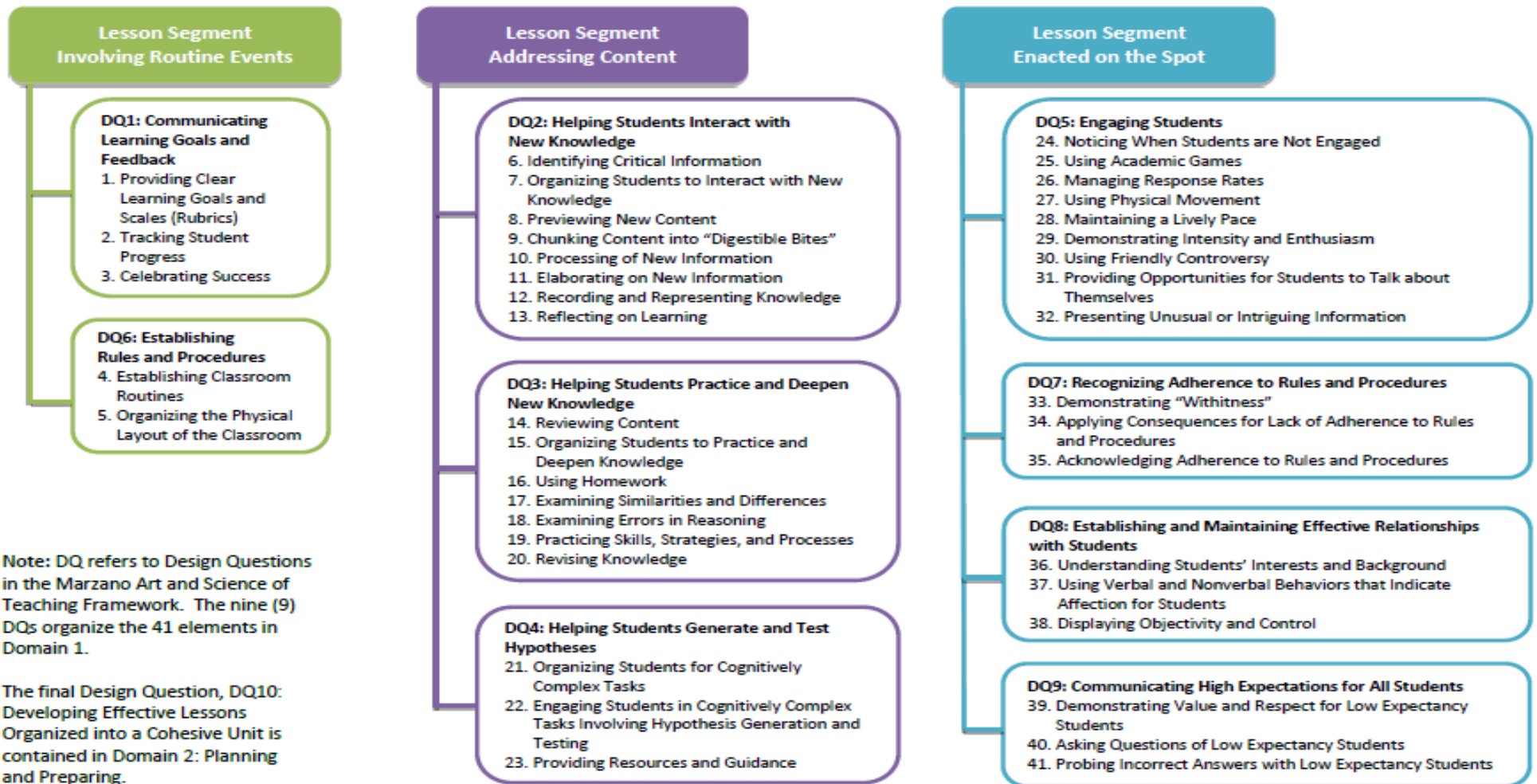
APPENDIX C

Maps:

- **Classroom Teachers**
- **Instructional Support Teachers**

Domain 1: Classroom Strategies and Behaviors

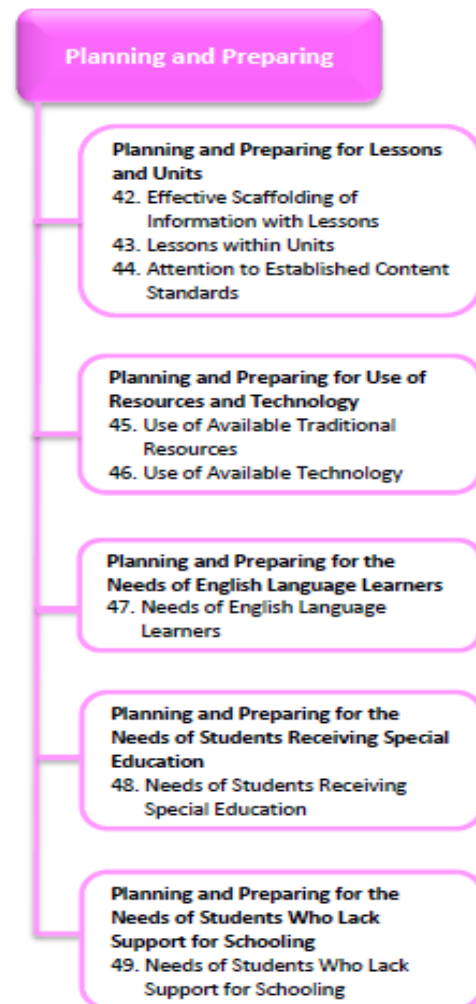
Domain 1 is based on the Art and Science of Teaching Framework and identifies the 41 elements or instructional categories that happen in the classroom. The 41 instructional categories are organized into 9 Design Questions (DQ) and further grouped into 3 Lesson Segments to define the Observation and Feedback Protocol.



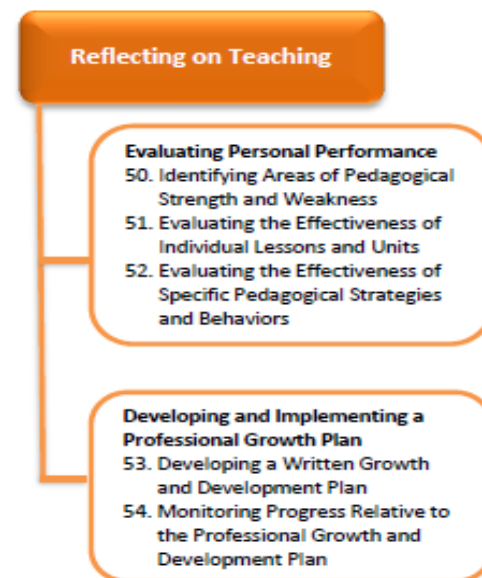
Note: DQ refers to Design Questions in the Marzano Art and Science of Teaching Framework. The nine (9) DQs organize the 41 elements in Domain 1.

The final Design Question, DQ10: Developing Effective Lessons Organized into a Cohesive Unit is contained in Domain 2: Planning and Preparing.

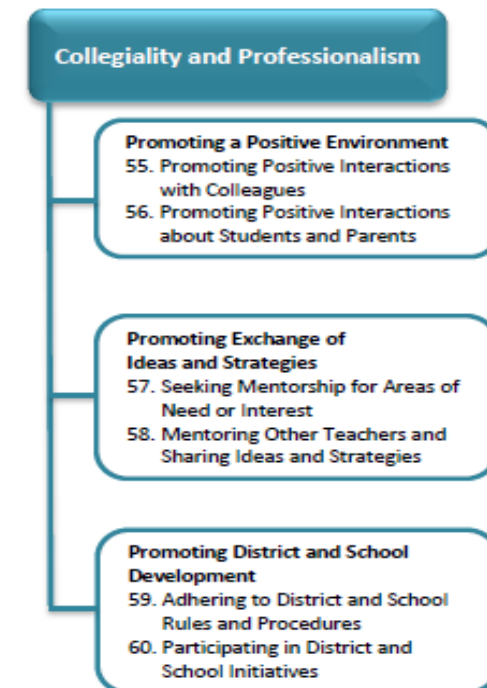
Domain 2: Planning and Preparing



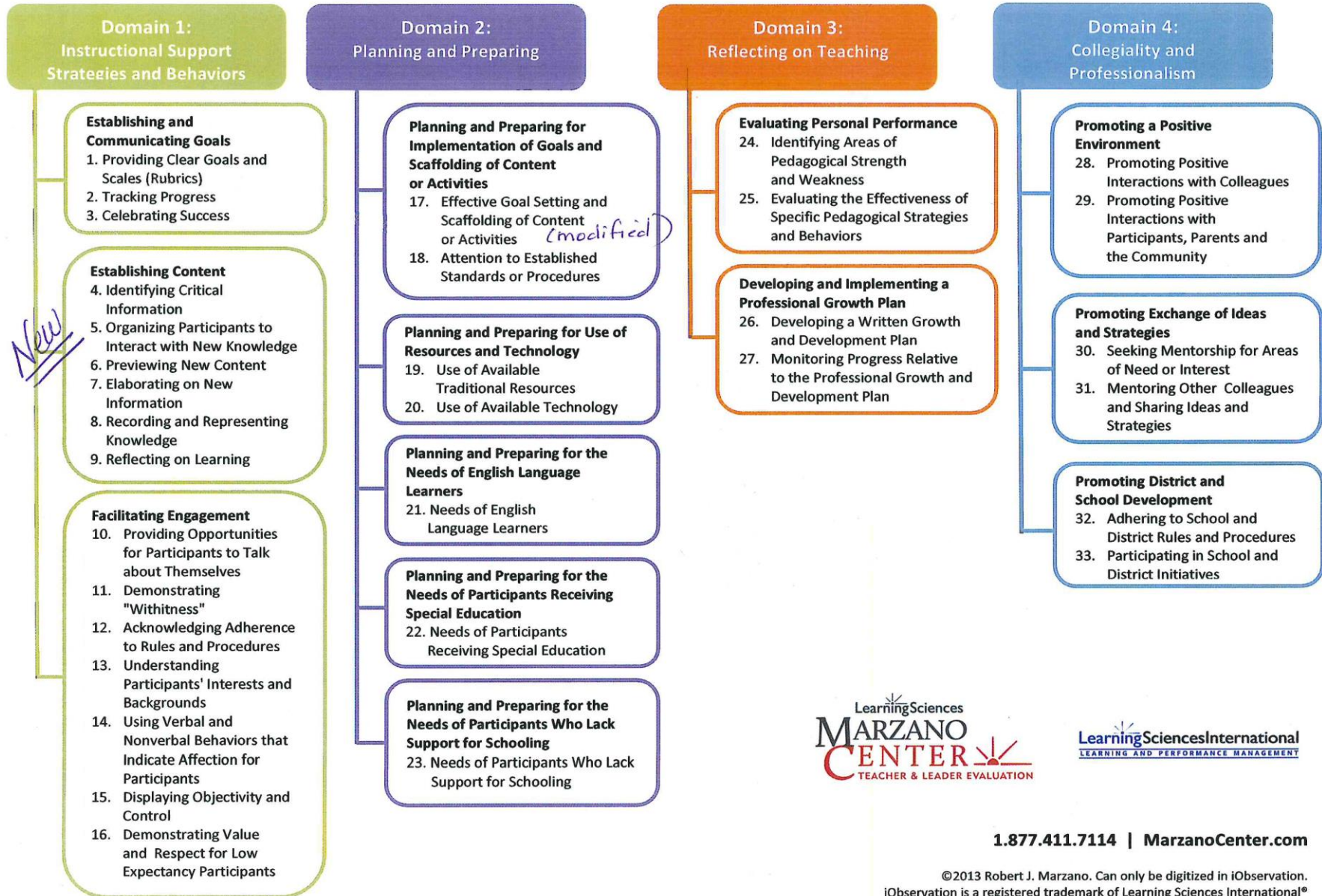
Domain 3: Reflecting on Teaching



Domain 4: Collegiality and Professionalism



Marzano Center Non-Classroom Instructional Support Personnel Evaluation Model
Learning Map



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APPENDIX D

PLAN FOR IMPROVEMENT (Template)

Performance Improvement Plan

Name of Employee: _____ Administrator: _____ Date: _____

Evaluation Criterion	What was Observed	What Observer Expects to See	Resources (May be listed on an attached page)	Timeline

This Plan of Improvement identifies several major areas that require to improve performance deficiencies. Progress and performance related to each of these identified areas will be monitored and evaluated. Continued deficient performance is unacceptable and cannot continue.

This summary memorandum, its expectations including the Plan of Improvement and timelines were presented to _____, on _____, 20____, by _____.

IV. 7 Outcome of Final Evaluation

- A. Any annual contract MBU who receives a Highly Effective or Effective **IPS** score on the ~~TEP (Teacher Evaluation Program)~~ will be renewed for the subsequent year; except in the case of budgetary constraints.
- B. A summative evaluation rating of “Needs Improvement” or “Unsatisfactory” in 2013-2014 shall not be used to establish just cause for suspension or termination.
- C. For the 2014-2015 school year, MBUs with an Unsatisfactory or Needs Improvement summative evaluation and an IPS score of Effective or Highly Effective, shall not have their summative evaluation used as just cause for suspension or termination.

Please find below the Facilities Update Report:

Citrus Elementary School Cafeteria Expansion

The interior systems such as ductwork are continuing, metal framing, insulation, and drywall are being installed, and the stucco has begun. The new chiller yard is currently operational and is making ice to help reduce energy costs of the school.



Administration Building

Surveyors have laid out the building footprint and the footings are being dug with reinforcing steel being laid out to begin pouring concrete. Underground utilities continue to be installed, and the project is on schedule to be substantially complete this fall.



Schools of Innovation – Indian River Academy

Permanent walkway covers were installed in place of the old and heavily weathered temporary canvas canopies. New walkway covers were then installed from the kindergarten wing to the existing covers. Also complete is the new marquee sign in front of the school that shows the school's new name and scrolls messages to the community.



Treasure Coast Elementary Parking

Survey crews were onsite this week and will be providing the topographical information the engineer needs to perform his design and permitting. Plans will be complete in time to advertise, bid, and build this project before school begins for the fall of 2015.

Sebastian River High School Bus Compound

Survey crews will be onsite next week and will be providing the topographical information the engineer needs to perform his design and permitting. Plans will be complete in time to advertise, bid, and build this project before school begins for the fall of 2015. All of the buses serving the north county will be kept at this new impound.

Vero Beach High School Freshman Learning Center Chiller Replacement

A new transformer for a higher voltage has been requested by the City of Vero Beach who will be scheduling the work and installing the new transformer in the coming weeks. This will allow us to take advantage of a little bit less energy consumption because of the higher voltage. Other materials have been ordered and when they arrive we will begin construction.

Districtwide Roofing Projects

Plans are being finalized and prepared so that roofs on several schools can be replaced over the course of the 2015 summer. School roofing projects that will be designed and bid include Dodgertown Elementary, Citrus Elementary, Fellsmere Elementary, and Gifford Middle School.

Districtwide Security Projects

Perimeter fencing projects have been completed at all of the elementary schools except for Treasure Coast, which is currently designed and out to bid. Perimeter fencing is also complete at Gifford Middle School and is out to bid at Sebastian River Middle School. Single point of entry has been constructed at Sebastian River High School and is designed and ready for bid at Gifford Middle School. Cameras have also been installed at Vero Beach High School and are being evaluated at all of the other schools.