

## TABLE OF CONTENTS

	Page
DISTRICT SCHOOL SYSTEM, 1.0	12
Advisory Committees, 1.3	12
School Advisory Committees, 1.3.1	12
Vocational Advisory Committees, 1.3.2	12
Affirmative Action, 1.14	23
General Statement, 1.14.1	23
Implementation, 1.14.2	23
Control, Organization and Administration, 1.2	01
District Unit, 1.1	01
Early Childhood and Basic Skills Development, 1.10	21
Educational Evaluation, 1.9	20
District Report, 1.9A	22
School Report, 1.9B	20
Evaluation of School Personnel, 1.11	21
In-Service Education, 1.8	19
Management Information System, 1.7	19
Materials Selection Committee, District, 1.5	17
Political Activity, Involvement of Students, 1.15	24
Regional Coordinating Council, 1.3.3	13
Reports and Forms Control, 1.13	22
Authorization and List of Forms, 1.13C	22
Definitions, 1.13B	22
New or Revised Forms, 1.13D	22
Purpose, 1.13A	22
School Based Management, 1.6	18

	Page
School Board, 1.2.1	01
Agenda, 1.2.1F	03
Appointment and Reappointment of Personnel, 1.2.1J	07
Collective Bargaining, 1.2.1K	07
Duties of Chairman, 1.2.1C	01
General Powers, 1.2.1D	02
Legal Counsel, 1.2.1I	07
Meetings, 1.2.1E	03
Official Minutes, 1.2.1H	07
Organization, 1.2.1B	01
Personnel Records, 1.2.1L	07
Qualifications, 1.2.1A	01
Retirement, 1.2.1N	08
Rules Procedures, 1.2.1G	04
Salary, 1.2.1M	08
Superintendent, 1.2.2	08
Child Welfare, 1.2.2A	09
Courses of Study, 1.2.2C	09
Finance, 1.2.2D	09
Miscellaneous, 1.2.2H	10
Personnel, 1.2.2E	09
Principals, 1.2.2K	11
Records and Reports, 1.2.2F	09
Salary, 1.2.2I	10
School Plants, 1.2.2G	10
Specific Duties, 1.2.2J	11
Transportation of Students, 1.2.2B	09

	Page
Supplements, 1.12	22
Teacher Education Center Council, 1.4	14
Attendance, 1.4.6	15
Center budget, 1.4.10	16
Center Staff, 1.4.7	15
Center Staffing and Program, 1.4.8	16
Goals and Objectives, 1.4.9	16
Membership, 1.4.1	14
Recommendations for Appointment, 1.4.5	15
Term of Office for Classroom Teachers, 1.4.3	14
Term of Office for Non-Classroom Teachers, 1.4.4	15
Voting Authority of the Center Director, 1.4.2	14

1.0

THE DISTRICT SCHOOL SYSTEM

1.1 DISTRICT UNIT

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

Auth: 230.22, F.S.  
Imple: 230.01, 230.02, F.S.

1.2 CONTROL - ORGANIZATION - ADMINISTRATION

1.2.1 School Board

A. Responsibility - Qualifications

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

B. Organization

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

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

C. Duties of the Chairman

The chairman shall be the presiding officer of the Board, and shall preserve order at the meetings. His<sup>1</sup> signature or his facsimile signature, when authorized for use in the manner prescribed by law, shall appear on all warrants for authorized payments by the Board, and on contracts and others papers pertaining to the business of



the Board, when directed by the Board. The Vice-Chairman shall act for the Chairman in his absence or disability.

D. General Powers and Duties of the Board

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

- (1) Establish the school calendar showing the opening and closing dates. Approve and designate the school holidays and vacation period to be observed during the year as required by Section 230.23(4)(f)(g), F.S.
- (2) Establish and maintain public evening schools as authorized by Section 230.23, subsection (4)(i), Florida Statutes.
- (3) Appoint members of the Teacher Education Center Council, as provided in Section 231.606, subsection (1), Florida Statutes, and perform other duties and responsibilities as described in subsection (2) of that Section and Board Rule 1.4.
- (4) Establish a School Advisory Committee or Committees, as provided in Section 230.22, subsection (1)(b), Florida Statutes, including an evaluation of such Committee or Committees, and provide for their participation in the preparation of the Annual Report of School Progress in accordance with Section 228.165, Florida Statutes.
- (5) Have the continuing authority to establish District Materials Selection Committees to evaluate instructional materials not previously used within the District, in accordance with Section 233.34, subsection (3) and Section 233.43, Florida Statutes. The functions of this committee are further described in Board Rule 1.5.
- (6) Maintain a system of planning and evaluation as required by subsections 229.555 through 229.58, Florida Statutes.
- (7) Annually prepare and submit to the Department of Education a Master Plan for Inservice Training which shall include a section relating to the Beginning Teacher Program as outlined in SBR 6A-5.75 and the Inservice Institute Plan as required by SBR 6A-5.76.
- (8) Shall Develop training programs, in cooperation with the Department of Education, for teacher aides and other personnel who serve in the early childhood and basic skills development program; and shall provide for the periodic evaluation of all appropriate pupils in grades 1

through 3 in order to identify each pupil's instructional needs.

(9) Elect from the membership of the School Board two (2) members to serve on the Osceola County Board of Tax Adjustment as provided in Section 194.015, Florida Statutes.

(10) Implement the "Florida Meritorious Instructional Personnel Program" as required by F.S. 231.0882 and implemented through SBR 6A-4.46.

#### E. Meetings

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

Special meetings may be advertised and held in compliance with Section 230.16 and 230.17, Florida Statutes. In the event of a national disaster, a civil emergency, epidemic, or act of God which might necessitate immediate action by the Board, an emergency meeting may be called by the Superintendent without prior advertisement of notice.

#### F. Agenda

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

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

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

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

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

#### G. Rules Procedure

All references in these rules to statutes and regulations shall be construed to include any amendments or substitutions made by the Legislature or the state-designated administrative agency. If any such amendment or substitution requires or mandates action or procedures inconsistent with any of these rules, then such rule shall be administered in accordance with the current statute or regulation. These rules shall be reviewed annually, or more frequently as directed by the Board, for the purpose of conforming these rules to current statutes and regulations.

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

##### (1) Content of Proposed Change

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

##### (2) Economic Impact Statement

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

(a) A description of the action proposed, the purpose for taking the action, the legal authority for the action, and the plan for implementing such action

(b) A determination of the least-cost method for achieving the stated purpose.

(c) A comparison of the cost-benefit relation of the action to nonaction.

(d) A determination whether the action represents the most efficient allocation of public and private resources.

(e) A determination of the effect of the action on competition.

(f) A conclusion as to the economic impact of the proposed agency action on preserving an open market for employment.

(g) A conclusion as to the economic impact upon all persons directly affected by the action, including an analysis containing a description as to which persons will bear the costs of the action and which persons will benefit directly and indirectly from the action.

(3) Notice of Intent

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

(4) Determination of Validity

Any substantially affected person may seek an administrative determination of the validity of any proposed rule on the grounds that the rule is an invalid exercise of delegated legislative authority, as specified in Section 120.54 subsection (3) Florida Statutes. No rule shall be adopted until 21 days after the notice required by Section 120.54, subsection (1) or until the hearing officer specified in Section 120.54, subsection (3) has rendered his decision. In the event part of a proposed rule is declared invalid, the Board may, in its sole discretion, withdraw the proposed rule in its

entirety. Hearings held under the provisions of Section 120.54, subsection (3) shall be conducted in the same manner as provided in Section 120.57, Florida Statutes, except that the hearing officer's order shall constitute the final legal action of the Board.

(5) Petitions for Declaratory Statements

Any person whose interest may be affected by agency action may seek a declaratory statement from the Board as to the applicability of any statutory provision on any rule or order. The Board may hold a hearing on the request and upon its conclusion shall issue a declaratory statement pursuant to such hearings, as provided in Section 120.565, Florida Statutes. In the event no hearing is deemed necessary, a declaratory statement shall be issued by the Board within sixty (60) days of the date the petition is filed with the Office of the Superintendent. The declaratory statement shall be distributed to the person or persons who made petition of the Board and also to those individuals, groups, and organizations as are described in Rule 1.2.1.I(2) with regard to the Notice of Intent by the Board to adopt, amend or repeal any rule.

(6) Filing of Proposed Rules

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

(7) Emergency Rules

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

(a) The procedure shall provide at least the procedure protection given by other statutes, the Florida Constitution, or the United States Constitution.

(b) The Board shall take only that action necessary to protect the public interest under the emergency procedure.

(c) The Board shall publish in writing at the time of, or prior to, its action the specific facts and reasons for finding an immediate danger to the public health,

safety, or welfare and its reasons for concluding that the procedure used is fair under the circumstances.

#### H. Official Minutes

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

#### I. Legal Counsel

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

#### J. Appointment and Reappointment of Personnel

The Board shall act in compliance with Section 230.23, subsection (5), Florida Statutes, with regard to the appointment of instructional and non-instructional personnel.

In emergency cases, the Superintendent may make temporary appointments to approved positions pending action by the School Board at the next meeting.

The School Board may reject for good cause any supervisor, principal or other employee nominated in accordance with Section 230.23, subsection (5) (b), Florida Statutes. In the event the third nomination by the Superintendent for any position is rejected, the School Board shall then proceed on its own motion to fill such position.

#### K. Collective Bargaining

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

#### L. Personnel Records

Adequate personnel records shall be established and maintained for all employees. The authentication of the service and leave records of instructional personnel for administrative and auditing purposes shall be in accordance with State Board Regulation 6A-1.69.

All filing equipment for personnel records maintained in the district school offices shall have a locking device and shall bear a certified fire protection label so as to

insure preservation of records against heat and smoke damage in case of fire, for at least one (1) hour.

M. Board Salary - Expenses The salary for the Board

Members is established by law. In addition to the salary provided, each member of the Board shall be allowed, from District School Funds reimbursement for travel and per diem expenses at the maximum rate authorized by Section 112.061, Florida Statutes. When lodging or meals are provided at a state institution, the traveler is not eligible for the normal maximum allowances and may be reimbursed only for actual expenses for lodging and meals, not to exceed the normal maximum allowances.

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

N. Retirement

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

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

1.2.2 Superintendent

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

The Superintendent shall have the authority and exercise when necessary the powers granted him in Section 230.32, Florida Statutes, and other applicable laws and regulations. The Superintendent shall perform the duties and responsibilities prescribed in Section 230.33, Florida Statutes, and other applicable laws and regulations, provided that in so doing he shall advise and counsel with the School Board.

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

A. Child Welfare

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

B. Transportation of Pupils

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

C. Courses of Study and Other Instructional Aides

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

D. Finance

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

E. Personnel

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

F. Records and Reports



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

The Superintendent is authorized to develop and implement procedures for the reproduction, and destruction of all documents, records, papers, general correspondence, data and information generated by the District in accordance with the Department of State, Division of archives, History and Records Management.

G. School Plants

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

H. Miscellaneous

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

I. Superintendent's Salary - Expenses

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

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

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

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

#### J. Specific Duties Delegated to the Superintendent

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

- (1) Approve or deny requests for zone changes by students.
- (2) Appoint teachers under emergency replacements, such appointments to be subject to Board approval at the next meeting when they can be placed on the agenda.
- (3) Act on maternity, professional, illness-in-line-of-duty or personal leave requests. Such leave requests shall then be subject to final approval by the School Board.
- (4) Approve or deny requests for the use of school buses in accordance with Board policies.
- (5) Act on vacation leave request.
- (6) Approve or deny requests of teachers to leave school early in order to attend college classes.
- (7) Authorize the removal of property from inventory records.
- (8) Authorize purchase orders for food purchases of unlimited amounts.

#### K. Duties of Principals

The principal shall:

- (1) Assume administrative responsibility and instructional leadership, under the supervision of the Superintendent and in accordance with rules and regulations of the school board, for the planning management, operation, and evaluation of the educational program of the school to which he is assigned.
- (2) Submit recommendations to the Superintendent regarding the appointment, assignment, promotion, transfer, and dismissal of all personnel assigned to the school.
- (3) Assume administrative responsibility for all records and reports required regarding pupils, for the transfer of pupils within the school, and for the promotion of pupils.

(4) Have the authority to administer corporal punishment in accordance with the rules and regulations of the school board and to suspend students from school or from a school bus as provided for in 232.26.

(5) Perform such other duties as may be assigned by the Superintendent pursuant to the rules, and regulations of the school board and the State Board of Education.

Auth: 230.22 and 11.45, F.S.

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

### 1.3 ADVISORY COMMITTEES

#### 1.3.1 School Advisory Committees

The School Board shall establish a School Advisory Committee or Committees. Such committee(s) may be established at the district, area and school level. The Board shall provide a plan for establishing each School Advisory Committee which shall include in its membership parents, teachers, students, and other citizens, and which shall be broadly representative of the community. The functions of the School Advisory Committee(s) shall be prescribed by the Board; however, each school level committee shall participate in the preparation of the Annual Report of School Progress as provided in Section 229.575, Florida Statutes, (and further referred to in Section 1.9 of this Chapter), and shall provide such assistance, if established at the school level, as the principal may request in preparing the school's annual budget and plan as required by subsection (1) of Section 229.555, Florida Statutes.

#### \*1.3.2 Vocational Advisory Committees

Each high school shall have two types of functioning Vocational Advisory Committees for each program area:

A. Program or Craft Committee - A committee of employees, supervisors, or master craftsmen of the occupation involved. All occupational proficiency programs shall have such a committee. Current or past students may service on the committee as ex-officio members.

B. Community Education Advisory Committee - A committee composed of members representative of the various adult education programs. Students, staff, businessmen, industry, community organizations, etc. may service on this committee.

Committee A-C will serve the programs, staff, and administration in an advisory capacity to: assess needs, develop community understanding and support, motivate students, recruitment and retention, assist in student placement, assist in securing quality instructors, identifying resources, etc.

Members will be appointed by the Superintendent for a period of one year. These committees shall meet a minimum of twice per year. Minutes shall be maintained and distributed by the Director of Occupational Education.

D. Career Education Advisory Committee - A committee composed of the Occupational specialist from the high schools, counselors and CRT's from the middle schools and elementary schools, Student Services Director, and representative from Exceptional Education, Adult Education, and Vocational Education.

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

This committee shall meet a minimum of once per year.

Auth: 230.22, F.S.

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

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

- A. The superintendent and the district director of vocational and adult education shall arrange their daily schedules to permit attendance at and participation in each scheduled meeting of the Regional Coordinating Council. The time necessary for the director of vocational and adult education to attend such council meeting including reasonable travel time shall be considered as part of the director's assigned duties.
- B. The superintendent shall cooperate with the council when the council is carrying out its assigned duties and responsibilities which include:
  - (1) The review and evaluation of existing courses and programs.
  - (2) The analysis of current training, counseling, and placement programs in the district.

(3) Other effects of the council in carrying out its assigned responsibilities.

C. The superintendent shall, prior to recommending the approval of new and additional vocational and adult education programs, provide assurance that the approval of such recommendations meet the requirements of the council and thereby qualify for state and federal funding.

D. The superintendent shall keep the school board informed of the findings of the council by submitting periodic reports.

E. Findings and recommendations of the council that are not concurred with by this board shall be appealed to the State Board of Vocational Education for a final decision.

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

#### 1.4 TEACHER EDUCATION CENTER COUNCIL

1.4.1 Membership The Council of the Osceola Teacher Education Center shall consist of members recommended by the Superintendent to the Board for appointment as follows:

- (a) One (1) teacher from each school
- (b) Two (2) non-instructional members
- (c) One (1) district staff member
- (d) One (1) representative of the University of Central Florida
- (e) One (1) lay member
- (f) One (1) at large Exceptional Student Education (ESE) teacher

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

#### 1.4.2 Voting Authority of the Center Director

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

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

#### 1.4.3 Term of Office for Classroom Teachers

The term of office of a Council Member who is a classroom teacher shall be two (2) years. No member may succeed himself. An unexpired term of a member shall be filled by a representative from the same school.

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

1.4.4 Term of Office for Non-Classroom Members

The term of office for Council Members who are not classroom teachers shall be two (2) years, with the exception of the university and district staff representatives, who shall be appointed annually.

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

1.4.5 Recommendations for Appointment

In making recommendations for appointments to the Council, the Superintendent shall consider all nominations received. Non-teaching members of the Council may be nominated by any interested individual or group. Council Members who are classroom teachers may be nominated by an interested individual or group. All appointments to the Council shall be made by the Board.

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

1.4.6 Attendance at OTEC Meetings

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

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

1.4.7 The Center Staff

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

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

1.4.8 Center Staffing and Program

In developing Center staffing and program:

A. A prioritized list of inservice needs, with suggested methods of implementation, shall be established by the Council.

B. The Council shall evaluate the needs in terms of available resources and recommend to the In-Service Director or the Center Director programs for implementation.

C. The Center Director shall collaborate with the university representative for personnel to implement the programs.

D. Priority needs not staffed by university personnel may be contracted by the Center Director if confirmed by the Center Council.

E. All programs shall be evaluated to determine the value to the participant and to aid the Center Council in determining future Center Activities.

Auth: 230.22, F.S.  
Imple: 231.606(1)(b), F.S.

1.4.9 Goals and Objectives

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

A. Augmentation of present college and university teacher education programs.

B. Augmentation of present school district inservice education programs, including the application of prescriptive techniques to meet language arts and computational needs, particularly in the area of reading.

C. Provision of time and opportunity for preservice and inservice teachers to interact with faculty and staff of the colleges and universities, as well as other school districts, in their common search for the most beneficial educational experience for students.

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

1.4.10 The Center Budget

The Center Council shall recommend a budget to the Superintendent on an annual basis to provide for the

requested Teacher Center activities. The budget shall then be approved by the Board and administered by the Center Director.

Auth: 230.22, F.S.

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

1.5 DISTRICT MATERIALS SELECTION COMMITTEE

(Cross reference with 1.2.1D-6)

The Superintendent shall recommend to the Board for its approval members of a District Materials Selection Committee, which shall include:

(a) Two (2) lay persons

(b) Three (3) teachers

(c) One (1) additional person as appointed by the School Board.

The Committee shall meet at the request of the Superintendent. The purpose of the Committee shall be to evaluate any instructional materials which have not been used previously within the District. Such evaluation may include all equipment, books, supplies, audio-visual aids and other instructional tools to ensure maximum use by students and staff, and the results of this evaluation shall then be made available to all persons within the District who are responsible for the requisitioning of instructional materials.

Committee meetings shall be advertised and the public invited to attend by announcement at least one (1) week in advance in local newspapers, on radio and/or TV; and textbooks which are up for consideration shall be made available for viewing at the District Office or other designated location in the week prior to the meeting. The Committee shall not deny any publisher, manufacturer or representative time to present his product equal to that time given any other publisher, manufacturer, or representative.

Evaluations and recommendations of the Committee shall be made to the Board and published in a manner similar to that prescribed by Sections 233.08, 233.09, 233.10 and 233.115, Florida Statutes.

The normal procedure for evaluations by the Committee shall be as follows:

- A. The Committee shall establish the criteria desired for those items which they have been asked to evaluate.
- B. Manufacturers or publishers, or their



representatives, shall be invited to introduce their products in such a way as to provide effective analysis of the item under consideration.

C. The Committee shall determine the strengths and weaknesses of those materials which have been given consideration and may provide a qualitative catalog of comparison between items of a similar nature.

D. The Committee shall also provide guidelines containing its recommendation concerning curricular goals and appropriateness for use within subject matter and age or grade level categories.

The Committee may also serve in an advisory capacity to the District purchasing agent to assist in the drafting of descriptive specifications needed for bidding purposes.

The Committee may make recommendations to the Superintendent with regard to materials already on the state approved Instructional Materials list.

Auth: 230.22, F.S.

Imple: 233.09(3)(c), 233.34(2) and (3), 233.43. F.S.

#### 1.6 School Based Management (SBM)

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

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

A. The school is the principal planning unit in the budget process. The opportunity exists for school level input into the budgeting process and each school develops an annual budget based on its unique needs. Once budgeted, funds can be shifted by following district procedures to other functions and objects.

B. The system of planning is continuous and reflects input from school level administrators and teachers.

C. Planning for program and curriculum changes takes place in individual schools based upon the needs of the individual school, the district and state mandates.

D. Teacher placement decisions are a shared responsibility between the district and local school.

E. Community input is received from school Advisory Committees unique to each school.

Auth: 230.22, F.S.

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

1.7

MANAGEMENT INFORMATION SYSTEM

The School Board shall

A. Establish a District reports and forms control management system by July 1, 1977.

B. With assistance from the Commissioner of Education, develop systems compatibility between the state management information system and unique local systems.

C. Provide, with the assistance of the Department of Education, inservice training dealing with management information system purposes and scope, a method of transmitting input data, and the use of output report information.

D. Establish a plan for continuous review and evaluation of local management information system needs and procedures.

E. Advise the Commissioner of Education of all District management information needs.

F. Transmit required data input elements to the appropriate processing locations in accordance with guidelines established by the Commissioner.

G. Determine required reports, comparisons, and relationships to be provided to district school systems by the system output reports and continuously review these reports for usefulness and meaningfulness, and submit recommended additions, deletions, and change requirements in accordance with the guidelines established by the Commissioner.

H. Be responsible for the accuracy of all data elements transmitted to the Department.

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

1.8

INSERVICE EDUCATION

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

- A. Develop a systematic procedure for identification of personnel improvement and performance needs.
- B. Develop a comprehensive plan with long and short range objectives, consistent with the established needs.
- C. Improve the level of performance of all personnel through programs or activities conducive to obtaining the desired level of performance, and particularly for those who serve in the early childhood and basic skills development program.
- D. Increase competencies, skills and knowledge of personnel for more efficient and effective personnel utilization.
- E. Develop a systematic procedure for evaluating the effectiveness of staff development activities.  
A copy of the Master Plan shall be filed in the library of each school.
- F. Develop and implement a program for beginning teachers that conforms to the Florida Beginning Teacher Program in accordance SBR 6A-5.75 FAC.
- G. Develop a District Management Training Program for school effectiveness which will implement training in managerial competencies determined by the Florida Council on Educational Management per Section 231.087(5), F.S.

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

1.9 EDUCATIONAL EVALUATION

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

A. District Report

An Annual report shall be prepared on the status of education in the Osceola County School District. The

report shall contain information about how well school instructional programs enable students to meet minimum performance standards, results of program evaluations, information about the needs of education in the District, information on District policy decisions, and any other information and analysis which explain or clarify the status of education in the District. The District annual report shall be made available to the general public and the citizens of the District, to each school in the District, and to appropriate local news media.

B. School Report

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

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

The principal, with the assistance of teachers, students and the School Advisory Committee, where existing, shall prepare the report which shall be published by November 1 each school year beginning with the 1977-78 school year. The report shall be reproduced and distributed at the least possible cost and may be issued in a series or as part of existing school publications. The report shall be distributed to the parent or guardian of each student in the school and made available to all other interested citizens upon request.

1.10

EARLY CHILDHOOD AND BASIC SKILLS DEVELOPMENT

The School Board shall establish a program for early childhood and basic skills development. This program shall be developed cooperatively by school administrators, teachers, parents and other groups or individuals having an interest in the program and having expertise in the field of early childhood education or

basic skills development. Such a program shall be based on the guidelines prepared by the Department of Education pursuant to Chapter 7-A-238, Laws of Florida, and further delineated in Chapter 6 of this Rules Manual.

1.11 EVALUATION OF SCHOOL PERSONNEL

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

Auth: 230.22, F.S.  
Imple: 229.57(3), 229.57(5), 230.22(5), 230.23(5),  
230.2311(3), 231.29(2)

1.12 SUPPLEMENTS

Only certified personnel shall be permitted to receive supplements.

1.13 REPORTS AND FORMS CONTROL

A. Purpose

To provide the schools, district, state, and federal agencies with required data in a timely and accurate fashion while reducing duplication.

B. Definitions

(1) Form - Any written communication, whether in memorandum, survey or standard form format, with blank spaces for the filling in of data.

(2) Report - Any form in which the blanks have been completed or any summary of data prepared after aggregation of data on forms.

C. Authorization and List of Forms

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

D. New or Revised Forms

Any new or revised forms must be submitted to the Office of Records Management for review in accordance with the procedures set forth in the Forms Management Handbook. Any form developed by the District which imposes any requirement or solicits any information not required by

statute or by an existing rule must be submitted for approval by the Board, and on approval shall be included in the Forms Index and placed on file in the Office of Records Management.

1.14 AFFIRMATIVE ACTION

1.14.1 GENERAL STATEMENT

The Osceola County School Board is committed to insuring that equal educational opportunities are available to all individuals within the district who are eligible under the laws of the State of Florida to receive a free public education in the district. Educational programs and employment opportunities shall be offered without regard to race, color, religion, sex, national origin, handicap or martial status. Employment opportunities shall also be offered without regard to age. The Board's functions of leadership, technical assistance and evaluation shall be applied to the implementation of this commitment. The commitment of providing equal educational opportunities shall apply in all program areas.

1.14.2 IMPLEMENTATION

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

A. Ascertain that all unnecessary references to sex, race, religion or national origin have been removed from any and all applications for employment or for enrollment in programs.

B. The term "Equal Opportunity Employer" shall be printed on all stationary and applications for employment.

C. Maintain a continuous review of all curriculums and curriculum materials to avoid sex-biased materials.

D. Disseminate information to all employees that a credit union is available to help meet their financial needs.

E. Maintain an exit interview program to ascertain reasons for and solutions to any existing turnover problems among minority and female employees.

F. Provide ample opportunities for employees to discuss individual problems informally outside normal administrative channels to obtain needed advice and counseling with complete confidentiality.

Promulgate an administrative memorandum providing a method for the filing of formal written complaints alleging discrimination and assuring that such complaints will be fully investigated, receive an impartial review, and take appropriate action on the same if warranted.

H. Continue to maintain an active recruitment program in colleges throughout Florida and the southeastern United States having predominately black graduates.

I. Report at least annually to the Board as to the implementation of this Plan and to recommend to the Board change in this policy or additions thereto from time to time as he may deem advisable or appropriate.

1.15 INVOLVEMENT OF STUDENTS IN POLITICAL ACTIVITY

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

NEW 1.16  
Nov. 1985

PERSONNEL RECORDS - DEFINITION OF TERMS

A. EVALUATIONS

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

B. COMPLAINT

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

C. LIMITED FILE

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

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

D. CUSTODIAN RECORDS

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

E. DEROGATORY MATERIAL

Typical examples:

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

F. DESIGNEE

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

G. INSPECTION OF RECORDS

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

H. LAWFUL CRIMINAL INVESTIGATION

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

I. LAW ENFORCEMENT PERSONNEL

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

J. MEDICAL RECORDS

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

K. NO PROBABLE CAUSE

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



L. PAYROLL DEDUCTIONS

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

M. PERSONNEL FILE

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

N. PRELIMINARY INVESTIGATION

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

O. PROBABLE CAUSE

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

P. RIGHT OF INQUIRY

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

PERSONNEL RECORDS

A. DEFINITION OF PERSONNEL FILE

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

B. ACCESS TO PERSONNEL FILES

1. The complete file is open as needed to:
  - a. School Board Members and the School Board Attorney.
  - b. Superintendent, Deputy Superintendents, Director of Finance, Principals, Assistant Principals, or their respective designees.
  - c. Supervisor of the employee.
  - d. Employee.
  - e. Designees of Employees.
  - f. Law Enforcement personnel in a lawful criminal investigation.
  - g. Non-Instructional clerical personnel assigned to personnel files.
2. The limited file is open to anyone who files and signs an appropriate request. After the request is filed an effort shall be made to provide current records within a reasonable time.
3. All material in the personnel file are subject to public review except as noted below for the period of time indicated:

<u>ITEM(s)</u>	<u>TIMELINE</u>
a. A complaint or any material relating to the investigation of a complaint.	Until: completion of preliminary investigation; no probable cause if found; investigation becomes inactive; or within sixty (60) days.
b. Evaluation prepared prior to July 1, 1983.	Permanently exempt for II A above.
c. Evaluation prepared on or after July 1, 1983.	Exempt until the end of the school year following the school year during which the evaluation is made except for II A above.

ITEM(s)

TIMELINE

- |   |  |
|---|--|
| d. Derogatory materials.  | Exempt until 10 days after the employee has been notified.         |
| e. Payroll deductions, medical, psychiatric and psychological information and transcripts or placement information. | Permanently exempt except to a hearing officer, panel or II above. |

C. SPECIAL HANDLING FOR CERTAIN MATERIALS CONTAINED IN PERSONNEL FILES

1. No anonymous letters or materials shall be placed in the file.
2. Materials which are derogatory to an employee may be placed in a personnel file only if they pertain to work performance, or other matters that may be cause for discipline, suspension or dismissal.
  - a. Such material must be reduced to writing within 45 days and signed by a person competent to know the facts or make the judgment. Additional material may be added to clarify or simplify as needed.
  - b. A copy of all such materials to be placed in the personnel file shall be provided to the employee either:
    - by certified mail; return receipt requested to his/her address of record; or
    - by personal delivery to the employee. Employee's signature on a copy of the materials signifies receipt only.
    - statement by a witness certifying personal delivery to the employee.
  - c. The employee has the right to answer in writing any such material in the personnel file.
  - d. Upon a written request by an employee, the superintendent or designee will make an informal inquiry regarding materials in the personnel file which the employee believes to be false. The official making the inquiry

shall attach a written report of findings to the material in the file and send a copy to the employee.

**D. GENERAL INFORMATION**

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

**PRODUCTION PROCEDURES AND FEES**

Every person who has custody of personnel files shall permit the files to be inspected and duplicated by any person desiring to do so, at reasonable times, under reasonable conditions, and under supervision by the custodian of the records or designee.

The records custodian or designee shall review the employee's file for compliance with exemptions under Chapter 231 before opening the file for inspection or duplication.

Reproduction of records is to be done on School Board premises at a cost no greater than five cents (5¢) per page. An individual access record must be added to the employee's file showing the file was inspected and by whom.

When other than an individual employee and when the nature or volume of records is such as to require extensive clerical or supervisory assistance by personnel of the School Board, we may charge, in addition to the actual cost of duplication, a reasonable charge, which shall be based on the actual salary rate of such personnel providing the service. Such cost is fixed at twenty cents (20¢) per page.

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

#### INSTRUCTIONAL

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

#### NON-INSTRUCTIONAL

Applications  
Appointments  
Authorization to Review File  
Employee Process Letter/Substitute Form  
Evaluation Forms  
Inservice Printouts/Related Materials  
Layoff and Recall Letters  
Leaves of Absences/Change Forms

NON-INSTRUCTIONAL (cont)

Letter of Commendation  
Notification to Begin Work Letters  
Reappointment Letters  
Reclassification/Transfers  
Resignations  
Resumes  
Salary Letters  
Social Security Cards  
Transcripts  
Work Permits

Reference forms obtained for the purpose of initial employment are not maintained in the personnel file. (Forms #120-185).

Legal Citation 231.291  
Chapter 119

PUBLIC RECORDS CHAPTER 119

A. INSPECTION AND EXAMINATION OF RECORDS; EXEMPTIONS -  
119.07

1. (a) Every person who has custody of public records shall permit the records to be inspected and examined by any person desiring to do so, at reasonable times, under reasonable conditions, and under supervision by the custodian of the records or his designee. The custodian shall furnish copies of certified copies of the records upon payment of fees as prescribed by law or if fees are not prescribed by law, upon payment of the actual cost of duplication of the copies. Unless otherwise provided by law, the fees to be charged for duplication of public records shall be collected, deposited and accounted for in the manner prescribed for other operating funds of the agency.
  
- (b) In the case of records produced under this act when the nature or volume of records is such as to require extensive clerical or supervisory assistance by personnel of the agency involved, the agency may charge, in addition to the actual cost of duplication, a reasonable charge, which shall be based on the actual salary rate or such personnel providing the service.

2. (a) Any person who has custody of public records and who asserts that an exemption provided is subsection (3) or in general or special law applies to a particular record shall delete or excise from the record only that portion of record for which an exemption is asserted and shall produce for inspection and examination the remainder of such record.

(b) In any action in which an exemption is asserted pursuant to paragraph (e), paragraph (f), or paragraph (g) of subsection (3), the record or records shall be submitted in camera to the court for a de novo inspection. In the case of an exemption asserted pursuant to paragraph (d) of subsection (3), an in-camera inspection shall be discretionary with the court. If the court finds no basis for the assertion of the exemption, it shall order the records to be disclosed.

3. (a) All public records which are presently provided by law to be confidential or which are prohibited from being inspected by the public, whether by general or special law, shall be exempt from the provisions of subsection (1).

B. COMPLAINTS AGAINST TEACHERS AND ADMINISTRATORS  
PROCEDURE - 231.262

4. The complaint and all information obtained pursuant to the investigation by the department shall be confidential until the conclusion of the preliminary investigation of the complaint, or until such time as the preliminary investigation ceases to be active. If the preliminary investigation is concluded with the finding that there is no probable cause to proceed, the complaint and information shall be open thereafter to inspection pursuant to Chapter 119. If the preliminary investigation is concluded with the finding that there is probable cause to proceed and a complaint is filed pursuant to subsection (5), the complaint and information shall be open thereafter to inspection pursuant to Chapter 119. For the purpose of this subsection, a preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future.

Upon request of any employee, such employee's personnel file shall be brought into conformity with s. 231.291 (2), Florida Statutes, as created by this act. All personnel files shall be brought into conformity with s. 231.291 (2), Florida Statutes, no later than one year after the effective date of this act.

Each section which is added to Chapter 231, Florida Statutes, by this act is repealed on October 1, 1992, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

This act shall take effect July 1, 1983.

PERSONNEL FILES CHAPTER 231

A. PERSONNEL FILES - 231.291

Public school system employee personnel files shall be maintained according to the following provisions:

1. (a) Except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension or dismissal under laws of this state, no derogatory materials relating to an employee's conduct, service, character or personality shall be placed in the personnel file of such employee.
- (b) No anonymous letter or anonymous materials shall be placed in the personnel file.
2. (a) Materials relating to work performance, discipline, suspension or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.
  - (b) 1. No such materials may be placed in a personnel file unless they have been reduced to writing within forty-five (45) days, exclusive of the summer vacation period, of the school system administration becoming aware of the facts reflected in the materials.
  2. Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify as needed.



- (c) A copy of such material to be added to an employee's personnel file shall be provided to the employee either:
    - 1. By certified mail, return receipt requested to his address of record, or
    - 2. By personal delivery to the employee. The employee's signature on a copy of the materials to be filed shall be proof that such materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.
  - (d) The employee shall have the right to answer in writing any such materials in a personnel file on the effective date of this act, as well as any such materials filed thereafter, and the answer shall be attached to the file copy. The employee shall have the right to request that the superintendent or his designee make an informal inquiry regarding material in his personnel file which the employee believes to be false. The official making the inquiry shall append a written report of his findings to the material.
  - (e) Upon request the employee, or any person designated in writing by the employee, shall be permitted to examine the personnel file. The employee, shall be permitted conveniently to reproduce any materials in the file at a cost no greater than ten cents (10¢) per page.
  - (f) The custodian of the record shall maintain a record in the file of those persons reviewing the file each time it is reviewed.
3. (a) Public school system employee personnel files are subject to the provisions of Chapter 119, except as follows:
- 1. Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential until the conclusion of the preliminary investigation, or until such time as the preliminary investigation ceases to be active. If the preliminary investigation is concluded with the finding that there are no probable cause

to proceed further and with no disciplinary action taken or charges filed, a statement to that effect signed by the responsible investigating official shall be attached to the complaint and the complaint and all such materials shall be open thereafter to inspection pursuant to Chapter 119. If the preliminary investigation is concluded with the finding that there is probable cause to proceed further or with disciplinary action taken or charges filed, the complaint and all such materials shall be open thereafter to inspection pursuant to Chapter 119. If the preliminary investigation ceases to be active, the complaint and all such materials shall be open thereafter to inspection pursuant to Chapter 119. For the purpose of this subsection, a preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to inactive if no finding relating to probable cause is made within sixty (60) days after the complaint is made.

2. Employee evaluations prepared pursuant to s. 231.17(3), s. 231.29, s. 231.36, or rules adopted by the State Board of Education or local school board under the authority of said sections, shall be confidential until the end of the school year immediately following the school year during which each evaluation is made. No evaluation prepared prior to the effective date of this act shall be made public pursuant to this action.
3. No material derogatory to the employee shall be open to inspection until ten (10) days after the employee has been notified pursuant to paragraph (2) (c).
4. The payroll deduction records of the employee shall be confidential.

5. Employee medical records, including psychiatric and psychological records, shall be confidential; provided however, at any hearing relative to an employee's competency or performance, the hearing officer or panel shall have access to such records.

(b) Notwithstanding other provisions of this subsection, all aspects of each employee's personnel file shall be open to inspection at all times by school board members, the superintendent and the principal, or their respective designees, in the exercise of their respective duties.

(c) Notwithstanding other provisions of this subsection, all aspects of each employee's personnel file shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

(3) Subsection (4) of section 231.262, Florida Statutes, 1982 Supplement, is amended to read:

"231.262 Complaints against teachers and administrators procedure."

TABLE OF CONTENTS

	Page
DISTRICT FINANCIAL ADMINISTRATION, 2.0	25
Budgeting Concepts and Procedures, 2.3	33
Budget Review Board, 2.3.2	34
Business Operations, 2.2	25
Casual Labor, 2.4.5	36
Concept (Budget), 2.3.1	34
Deductions, 2.4.4	36
District Financial Records, 2.2.1	25
District School Budgets, 2.2.2	26
Annual Budgets, 2.2.2A	26
Budget Amendments, 2.2.2B	26
Capital Improvements Fund, 2.2.2D	26
Capital Outlay, 2.2.2G	29
Execution of Budget, 2.2.2E	26
Fidelity Bonds, 2.2.2I	31
Financial Statements, 2.2.2C	26
Internal Accounts, 2.2.2J	31
Petty Cash, 2.2.2H	30
Purchasing, 2.2.2F	27
Workers' Compensation, 2.2.2K	33
Gifts, 2.5	38
Gifts to Employees, 2.5.1	38
Gifts to Schools, 2.5.2	38
Goals, 2.1	25
Payroll Periods, 2.4.2	35
Promotions and Public Relations Funding, 2.6	39

Purchase of Rewards, 2.53	39
Request for Payroll Change, 2.4.7	37
Salary Schedule Rules, 2.4	35
Salary Schedule, 2.4.1	35
School and Department Budgets, 2.3.3	34
Special Retirement Benefits, 2.4.3	36
Accumulated Sick Leave, 2.4.3A	36
Group Insurance, 2.4.3B	36
Travel, 2.4.8	37
Authorization, 2.4.8A	37
Reimbursement, 2.4.8B	38
Twelve Month Personnel - Holidays - Vacation, 2.4.6	37

2.0

DISTRICT FINANCIAL ADMINISTRATION

2.1 GOALS

The Board shall:

A. Provide professionally trained personnel to assist the Superintendent and Board in administering the fiscal aspects of the District and local school program.

B. Utilize a uniform system of financial accounting as prescribed by the Florida Statutes, State Board Regulations, the Auditor General's office and the Board's Rules.

C. Implement a long-range plan of programming, planning and budgeting, including cost analysis at time intervals consistent with statewide schedules of adoption.

D. Develop district-wide administrative services which promote greater operational efficiency and financial economy.

Auth: 230.22, F.S.

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

2.2 BUSINESS OPERATIONS

2.2.1 District Financial Records

The Superintendent shall be responsible for keeping adequate records and accounts of all financial transactions as prescribed by the Commissioner of Education.

The expenditure of all state, local and federal funds shall be so accounted on a school-by-school and District-aggregate basis in accordance with the manual developed by the Department of Education, or as provided by law. The School Board, in cooperation with the Department, shall plan mutually compatible programs for the refinement of cost data and the improvement of the accounting and reporting system.

The School Board shall report on a District-aggregate basis expenditures for inservice training pursuant to subsection (4) of Section 230.081, Florida Statutes, and for categorical programs as provided in subsection (5) of Section 236.081.

The Board shall report on a school-by-school and on a District-aggregate basis expenditures for each program set forth in subsection (1)(c) of Section 236.081, Florida Statutes.

The Superintendent is authorized to develop internal forms, establish subsidiary records, establish cut-off dates and develop any other operational procedure that he deems necessary to insure sufficient control and effectiveness, except that such procedures shall not be contrary to State Board Regulations. These actions must be published and distributed in sufficient time prior to the effective date to ensure an orderly transition.

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

\* 2.2.2 District School Budgets

A. Annual Budget

The annual budget shall be prepared, advertised, presented at a public hearing, adopted by the Board, and submitted to the Commissioner of Education in accordance with State Board Regulation 6A-1.02 and Chapter 237, Florida Statutes. It shall become official when certified as provided in State Board Regulation 6A-1.03.

B. Budget Amendments

Budget amendments shall be proposed and submitted in the manner prescribed in State Board Regulation 6A1.06.

C. Financial Statements

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

D. Capital Improvement Fund

The Board shall establish a depository account entitled Local Capital Improvement Fund, as required by State Board Regulation 6A-1.09.

Separate project accounts or construction accounts shall be kept for all capital outlay projects costing in excess of \$7,500; expenditures on projects costing less than \$7,500 shall be recorded as either separate accounts or in miscellaneous accounts.

E. Execution of Budget

It shall be the duty of the Superintendent and the School Board to take whatever action is necessary during the fiscal year to keep expenditures and obligations within the budgeted income in accordance with State Board Regulation 6A-1.07.

F. Purchasing Policies

The Superintendent is authorized to centralize the purchasing activities of the District within the guidelines and requirements of State Board Regulation 6A-1.12.

The Superintendent is authorized to publish a Purchasing Manual defining guidelines and procedures for conducting the function of purchasing in accordance with the following stated policy:

(1) Purchase Orders

All purchases except petty cash purchases will be based on purchase orders. The Superintendent is authorized to approve purchase orders to a limit of \$3,000, provided he shall certify that such funds to cover the expenditure are authorized by the budget and have not been encumbered.

The Superintendent may authorize a designee to make purchases not to exceed \$3,000.

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

(2) Bids

Quotes shall be requested from three (3) or more sources for all authorized purchases exceeding one thousand (\$1,000), except for items specifically exempted by State Board Regulations. Sealed bids shall be requested for all authorized purchases which exceed three thousand (\$3000) and shall be opened and tabulated at a previously announced time and place prior to the board meeting, so that recommendations can be made to the board at that time.

The Board shall have the authority to reject any or all bids and request new ones. In acceptance of bids, the Board shall act in compliance with State Board Regulation 6A-1.12.

Florida School Chapter 120.53 (5), page 291-An agency which enters into a contract. . . . shall adopt rules specifying procedures for the resolution of protests arising from the contract bidding protest. . .

Dispute Clause

Bid tabulations with recommendations will be posted on the bulletin board in the Purchasing Office. Any



actual or prospective bidder who disputes the reasonableness, necessity or competitiveness of the terms and contract award recommendation shall file such protest in the form of a petition in compliance with section 120.53 (5) Florida Statutes, informally (by phone or in person) within seventy-two (72) hours of the bid posting and submit a formal written protest within ten (10) calendar days for a protest to be considered. Failure to file a protest within the time prescribed in Section 120.53 (5), Florida Statutes shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. After the seventy-two (72) hours or ten (10) calendar days has passes without protest, the Board will not consider any protest as being valid.

The requirements for requesting bids from three (3) or more sources may be waived as provided by law for the purchase of: (a) Tests; (b) Textbooks and printed instructional materials; (c) film, filmstrips, video tapes, disc and tape recordings or similar audio-visual materials; (d) library and reference books, library cards purchased from publishers, the owners of the copyrights, or exclusive agents of a recognized educational institution.

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

(3) Proposals

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

(4) Pool Purchases

Pool purchases with other districts, the State Department of Education, or other governmental agencies are authorized if such purchasing is an advantage to the District. Pool purchases shall require agreements as stated in State Board Regulation 6A-1.13.

(5) Property Records

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

(6) Multi-Year Contracts

Contracts for purchased services such as school pictures, telephone service, class rings, etc. shall be limited to one year, unless the Superintendent is informed of a need for an exception and consents to the need for an extended contract agreement.

G. Capital Outlay

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

(1) School Plant Survey

If at any time there is reason to believe that conditions in the District have changed so that the conditions of the most recent survey have become obsolete and invalid, the Board may arrange for a new survey and prepare a new priority list in accordance with the provisions of Regulations 6A-2.43.

(2) Issuance of Local Bonds Pledging Capital Outlay and Debt Service Forestry Funds for Debt Service

If the Board proposes to issue revenue bonds under the provisions of Section 236.612, Florida Statutes, the Board shall submit to the Commissioner of Education a resolution proposing issuance of bonds showing proposed project or projects and estimating the annual debt service thereon computed not to exceed the maximum interest provided by law. Such proposal shall then be subject to the recommendation of the Commissioner of Education and approval by the State Board of Education as specified in State Board Regulation 6A-1.301. The School Board shall invest State Board of Education bond proceeds as stipulated in State Board Regulation 6A-1.34.

(3) Cooperative Use of Facilities :

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

(a) Adopt and submit to the Commissioner of Education a joint resolution indicating their commitment to the utilization of the requested facility.

(b) Request the Commissioner to have a school facility needs survey conducted to determine the school facility necessary for the proposed use; and

(c) Designate the school district in which the facility is to be located and which is to assume responsibility for the operation, maintenance, and control of the facility.

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

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

(4) Retainage on Construction Contracts

Construction contracts shall specify a retainage of 10% to be held until the Certificate of Final Inspection (CFI) is received from the Department of Education. Release of retainage shall not include sums necessary for punch list items. Retainage on contracts may be reduced only by the direction of the Board. (Authority State Board of Regulation 6A-2.24(1).

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

H. General Operating Petty Cash Accounts

The Superintendent is authorized to maintain a petty cash fund not to exceed one hundred (\$200) for the purpose of making small expenditures for the operation of his office. This petty cash fund shall be kept separate from all other funds. The maximum one time disbursement from petty cash shall be twenty-five (\$25.).

Each high school, middle school, and elementary school principal, and each support service supervisor (food service, maintenance, transportation, media center) is

authorized to maintain a petty cash fund not to exceed seventy-five (\$75) for the purpose of making small expenditures for the operation of his office. This petty cash fund shall be kept separate from all other funds.

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

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

I. Fidelity Bonds

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

J. Internal Accounting

(1) State Requirements

Monies collected and expended within a school by pupils and school personnel shall be used for financing the normal program of student activities not otherwise financed, for providing necessary and proper services and materials for pupils and personnel, and for other purposes consistent with the school program as established and approved by the Board. Control of such funds is the responsibility of the Board, and it shall be the duty of the Board to see that they are properly administered and accounted for. The collection of monies by teachers must be kept to a minimum so the teachers can devote the maximum amount of time to assigned instructional duties.

All monies collected and disbursed by school personnel within a school or in connection with the school program, for the benefit of a school or a school-sponsored activity, and also property and other benefits accruing to the school from other than tax sources and not accounted for in the regular inventory of Board property, shall be received, administered and accounted for as prescribed in Chapters 230, 235 and 274, Florida Statutes, including school funds, funds collected in connection with summer program activities, funds, derived from school athletic events, gifts and contributions made by band or athletic booster clubs, civic organizations, parent-teacher organizations and commercial agencies, and all other similar monies, properties or benefits.

The Board shall provide for an annual audit of all internal accounts by a qualified auditor. The auditor shall submit a separate, signed, written report to the Board, covering internal funds, which shall include any notations of any failure to comply with requirements of Florida Statutes, State Board of Education Regulations, and rules of the board, and commentary as to financial management and irregularities. Such audit shall be presented to the Board while in session and filed as a part of the public record as provided in State Board Regulation 6A-1.87.

Reporting Internal Funds - The Superintendent's annual financial report to the Director of the Division of Public Schools shall contain evidence in such form as may be prescribed by the Commissioner of Education that internal funds in all schools of the District have been administered in compliance with laws, regulations of the State Board of Education and rules of the board.

Internal Account Petty Cash Fund - The principal of each school is authorized to maintain a petty cash fund out of internal accounts, not to exceed fifty dollars (\$50), for the purpose of making small expenditures for internal account activities.

Such petty cash fund shall be separate from all other funds.

Each petty cash fund shall be replenished at the close of business on the last working day of the fiscal year.

(2) Local Policies

In addition to the requirements of state law and State Board Regulation 6A1.85, the following rules shall apply to internal accounts.

Each principal is required to maintain adequate and accurate records of internal accounts as prescribed by law. All persons involved with internal accounting procedures shall be governed by the current and periodic directives issued by the Board through the Office of the Superintendent and by the Internal Accounting Manual.

All internal checking accounts of each school shall be in one bank account.

Internal funds which are temporarily idle shall, as required by law, be invested using any medium of investment legal for public funds, and may not exceed insurance protection or other legal collateral limits provided for such public funds (State Board Rule 6A-1.85(3)).

(3) Collection of Money for Instructional Supplies

No teacher shall collect money for instructional materials, newspapers, books, magazines or other materials or supplies without receiving prior approval from the principal upon written application for permission to make such collections.

It is the responsibility of the principal and staff to see that all monies collected are properly deposited in the bank and that no money is left in classrooms overnight.

K. Workers' Compensation

All employees of the Osceola County School Board are entitled by law to the benefits of Workers' Compensation, as provided in Section 215.19, Florida Statutes.

In the event of accidental injury, an Employer's First Report of Injury, prepared in accordance with directions from the District office, on forms provided by that office, shall be filed promptly by the principal or department head.

There shall be established in the School District a safety and health education program to provide a high degree of safety for the District. Such a program shall comply with the requirement of the State Board Rules, industrial accident prevention rules and regulations concerning safety, health and fire prevention.

Auth: 32230.22, F.S.

Imple: 237.01, 237.02, 237.041, 237.071, 237.081, F.S.: SBE Regulations 6A-1.02, 6A-1.03, 6A-1.06, and 6A1.08; 230.22(5), F.S.; 236.084 and 236.035, F.S., and SBE Regulation 6A-1.09; 236.02, F.S.; 237.101, F.S. and SBE Regulation 6A-1.07; SBE Regulation 6A-1.12, and 230.23(10)(j), F.S.; SBE Regulation 6A-7.42(2)(g)2, and 228.195, F.S.; SBE Regulation 6A-1.13; SBE Regulations 6A-1.15, 6A-1.29 and 6A1.30, A12S9(a) and (d), 229.053 and 229.512, F.S.; 236.612, F.S., and SBE Regulations 6A1.301 and 6A-1.34; SBE Regulation 6A1.57; SBE Regulation 6A-1.692, and 237.191, F.S.; 237.34, F.S. and SBE Regulation 6A1.87 and 6A1.85; 233.46(1), 215.19 and Chapters 230, 235, 274, and 440, F.S.

### 2.3.1 Concept

Sound business management requires careful planning. The preparation and maintenance of the annual budget is a year-around job. To ensure economy and efficiency of the financial operations and to keep expenditures within anticipated receipts, a budget system has been established by Florida Statutes for the control of finances. To be effective and to produce budgetary control that is required and necessary will demand the cooperation of all School Board employees.

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

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

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

### 2.3.2 Budget Review Committee

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

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

### 2.3.3 School and Department Budgets

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

In the event the fund balance of the District operational fund is sufficient to ensure an adequate budget for the succeeding year, the Superintendent may recommend to the Board as an additional allocation to school and

department budgets, any portion of the school or department's unencumbered balance for the prior year's operation, not to exceed ten percent (10%) of their total budget, excluding salaries and benefits in the 5,000 and 6,000 functions.

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

2.4 SALARY SCHEDULE RULES

2.4.1 A. Salary Schedule

The Board shall, prior to the beginning of the new employment period for each school fiscal year, adopt and spread on its minutes a salary schedule for employees of the District in accordance with State Board Regulation 6A-1.52. When the summer school rate is based on an experience factor, then such factor shall be the same as used to compute said employee's pay during the immediately preceding ten (10) month period.

Auth: 230.22, F.S.  
Imple: SBE Regulation 6A-1.52, and 236.02(4), F.S.

B. Salary Corrections

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

Auth: 230.22, F.S.  
Imple: SBE Regulation 6A-1.52, and 236.02(4), F.S.

2.4.2 PAYROLL PERIODS

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

Auth: 230.22, F.S.  
Imple: 236.02(4), F.S. and SBE Regulation 6A-1.52



2.4.3 SPECIAL RETIREMENT BENEFITS

A. Accumulated Sick Leave

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

B. Group Insurance

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

Auth: 230.22, F.S.

Imple: 230.33(7), 230.23(5)(e), 231.02, 236.0711, F.S.;  
SBE Regulations 6A-1.52, 6A-4.02, 6A-4.03,  
6A-4.40, 6A-1.54, 231.351, 231.36(3)(a) and  
(7)(a) and 231.40(1)(c), F.S.

2.4.4 DEDUCTIONS

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

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.52 and 236.02(4), F.S.

2.4.5 CASUAL LABOR

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

Auth: 230.22, F.S.

Imple: SBE Regulations 6A-1.502 and 6A-1.52 and 231.15  
236.02(4), F.S.

2.4.6 TWELVE MONTH PERSONNEL - HOLIDAYS - VACATION

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

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.82; 231.39, 236.02(3), F.S.

\* 2.4.7 REQUEST FOR PAYROLL CHANGE

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

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.52(3) and 236.02(4), F.S.

2.4.8 TRAVEL

A. Authorization for Travel

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

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

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

Travel on an actual expense basis must have prior approval by the Board.

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

## B. Reimbursement

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

Auth: 230.22(2), F.S.

Imple: 112.061, F.S.

### 2.5 GIFTS

#### 2.5.1 Gifts to Employees

Any gifts or property received by an employee of the Board with a value of more than \$2 but less than \$10 shall not be accepted from any person, natural or corporate, doing business or soliciting business with the Board or any public school within the District, unless reported in writing to the Superintendent. Gifts of less than \$2 value need not be reported. Gifts in value of more than \$10 may not be accepted by the individual employee. Gifts or bonuses which are advertised as accompanying a purchase of goods, materials, or equipment of any kind and ordered in the name of the school, District, students or employees of the Board may be accepted, providing such gifts or bonuses become and remain the property of the school or District.

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

Auth: 230.22(1), F.S.

Imple: 230.23(2), F.S.

#### 2.5.2 Gifts to Schools

Gifts or property in excess of \$10, which is donated to the District, the Board, or any school, must be reported to the Superintendent and accepted by the Board. Gifts may be received by the Board or any public school within the District from any source, and such gifts may be tendered to any Board member or employee for acceptance on behalf of the Board. Such gifts shall be acknowledged within three (3) working days of receipt by filing with the Superintendent a statement upon a form approved by the Board, indicating the name and address of the donor, a description of the gift, the value of the gift as agreed to by donor and recipient, the name of the recipient, and the date and place of receipt. The gift shall then be entered upon the inventory list of the District and shall become the property of the Board, or,

if cash, shall be deposited in the appropriate fund. The word "gift: as used herein, includes any bonus, rebate, refund, gratuity or personal property. The Superintendent shall transmit all gift reports received to the Board at the next regular Board meeting.

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

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

\* 2.5.3 PURCHASE OF REWARDS AND GIFTS WITH BUDGETARY FUNDS

The Superintendent may from time to time authorize the expenditure of budgetary funds for the purpose of purchasing rewards or gifts for individual students when the item cost does not exceed \$2.00 and the items are deemed valuable to the educational process.

Otherwise, School Board budgetary funds shall not be used for the purpose of purchasing rewards or gifts for any individual.

Every effort should be made to restrict the use of budgetary funds in this area.

\* 2.6 PROMOTIONS AND PUBLIC RELATIONS FUNDING

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

B. The Superintendent is authorized to expend undesignated gifts to the District for promotions and public relations for the following activities:

Official meetings and receptions  
Visiting Committees  
Orientation and work conferences  
Inservice training sessions

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

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

TABLE OF CONTENTS

	Page
GENERAL OPERATING RULES, 3.0	40
Advertising, 3.8	64
Basic Text, 3.2.5	47
Buildings and Grounds, 3.9	64
Buildings and Grounds, Use of School, 3.12	65
Bus Insurance, 3.1.3	41
Bus Driver Responsibilities, 3.1.4	41
Children of Employees, 3.16	70
Crowd Control at Athletic Events, 3.17	70
Custodial Services, 3.7	64
Dismissal of School, 3.6	63
First Aid - First Aid Equipment, 3.3	63
Grievance Procedure, 3.15	67
Definitions, 3.15A	67
Procedure for Resolving Grievance, 3.15B	70
Instructional Materials, 3.2	45
Instructional Materials, Sale of, 3.2.3	46
Instructional Materials Selection Committee, 3.2.4	46
Instructional Materials, Use of, 3.2.1	45
Laboratory Safety Audit, 3.10	65
Nepotism, 3.14	67
Pupil Control, 3.5	63
Release of Student Names, 3.4	63
Requisition and Purchase of Texts, 3.2.2	46
Rules of Selection of Media Center, 3.2.6	47
School Buses, 3.1.1	40

School Office Hours, 3.11	65
Student Standards for Participation in Extra-Curricular Student Activities, 3.18	71
Transportation, 3.1	40
Transportation Grants, 3.1.5	44
Transportation Hazard Surveys, 3.1.6	44
Transportation of Physically Handicapped Students, 3.1.7	44
Transporting Students from Other Counties, 3.13	66
Vehicles Other Than School Buses, 3.1.2	41

3.0

GENERAL OPERATING RULES

3.1 TRANSPORTATION

3.1.1 School Buses

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

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

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

B. For instructional field trips, for the purpose of pupil participation in an activity directly related to the work of a particular course or program of instruction, which trip shall not end later than 2:00 p.m., except upon prior approval of the Superintendent.

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

Expenses for use of school buses for activity, instructional, and non-school organization field trips shall be paid by the sponsoring organizations. Rates shall be determined by the Transportation Supervisor and the Superintendent. Drivers shall be assigned by the Coordinator of Transportation. The rate of pay shall be fixed by the School Board.

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

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

Auth: 230.22, F.S.

Imple: 234.01, F.S.

3.1.2 Vehicles Other Than School Buses

Principals shall not permit school activity trips in vehicles which are not properly licensed and insured for bodily injury liability and for property damage.

Auth: 230.22, F.S.

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

3.1.3 Bus Insurance

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

Auth: 230.22, F.S.

Imple: 234.03, F.S.

3.1.4 Bus Driver Responsibilities

It shall be the responsibility of each bus driver to:

A. Know and observe local and state traffic laws.

B. Pass an annual physical examination and meet the requirements of the State and District Board.

C. Be neat and clean in personal appearance, refrain from the use of tobacco while on duty, and use no profane or vulgar language in the presence of students.

D. Attend and participate in conferences and training classes for school bus drivers and be prepared at any time to successfully pass a reasonable examination concerning traffic laws, state and local transportation regulations and driving skills.

E. Require pupils to observe all regulations of the State and County, and the District School Board with regard to their transport and safety.

F. Maintain order and discipline on the bus at all times and do not allow students to bring objects on the bus that would be injurious to other students such as, sharp objects, large band instruments, or any object that would block front door or aisles in the bus in case of an emergency.

G. Permit a child to leave the bus only at the regular stop except upon written request of a parent and at the discretion of the principal.



H. Require pupils to move away from the bus immediately upon being discharged, in view of the driver, and require children who leave the bus and cross the highway to cross in front of the bus, under the direction of the driver, only after all approaching traffic has stopped. If an unusual hazard exists, the driver shall conduct the child across the highway.

I. Post the rules governing the conduct of pupils and the daily schedule in the front of the bus. Routes and bus stops shall not be changed without specific authorization of the Superintendent. Such information may be distributed by the Supervisor of Transportation for the Superintendent.

J. Supervise emergency evacuation drills at least twice each school year as directed by the school principal.

K. Use the bus only to transport students to and from school except upon specific direction of the Superintendent, the Supervisor of Transportation or the principal, with the approval of the Superintendent.

L. Prepare immediately after every accident involving the bus or a school bus passenger an accident report on the required form, to be filed with the Superintendent in duplicate.

M. Actuate the amber lights at a point approximately two hundred (200) feet from the student stop or at such greater distance as is necessary due to traffic speed and road conditions, as a warning to traffic that the bus is approaching a student passenger stop. When the bus has stopped, before the door is opened, the amber lights shall be deactivated and stop signal arm, supplemented by flashing red lights, shall be displayed as due warning that students are being loaded or unloaded. The bus door shall not be opened to unload students until approaching traffic in the immediate vicinity of the bus has stopped.

N. Ascertain and ensure that all students are off the bus before filling gasoline tank.

O. Emergency flashers shall be on before bringing the bus to a stop at least fifteen (15) feet from the nearest rail of a railroad grade crossing. The Driver shall not proceed across the tracks until after looking carefully in each direction, opening the door and listening for the sound of an approaching train, and determining that it is safe to proceed. The bus door shall be closed before proceeding across the tracks of a railroad. The Driver shall not change gears until bus has cleared tracks.

P. Drive the bus at a safe speed, bringing the bus to a full stop before entering or crossing an arterial highway or dangerous thoroughfare not safeguarded by a traffic control signal, and proceeding only when safety is assured. Driving conditions shall be the governing factor as to speed, and the bus shall be pulled completely off the highway at the first opportunity in the event of rain or fog conditions which reduce visibility to the danger point. In such instance the bus shall remain parked with the running lights and emergency flashers burning until the hazard has been lifted.

Q. Cooperate with duly authorized school officials, mechanics and other personnel in the mechanical maintenance and repair of the bus in overcoming hazards which threaten the safety or efficiency of service.

R. Make daily pre-trip and post-trip inspection of the bus and report any defect affecting safety or economy of operation immediately to authorized service personnel.

S. Keep the bus clean at all times.

T. Submit prompt and accurate reports, keep all records required, and otherwise assist school officials in mapping bus routes, planning schedules and obtaining information for the effective operation of the school program as it relates to student transportation.

U. Report immediately to the school principal or other designated official:

(1) Misconduct on the part of any pupil while on the bus or under his immediate supervision. The driver shall not attempt to handle student disciplinary problems with parents.

(2) Complaints requiring the attention of school authorities.

(3) Any hazards arising which would offer either an actual or potential threat to the safety of students in his care, including the license number of any vehicle which passes the bus illegally.

(4) Causes for failure to maintain school bus time schedule.

V. Maintain as far as practicable by patient and considerate treatment of parents a feeling of security in the safety of students transported.

W. Permit students to ride only those buses to which they have been assigned, either permanently or temporarily, and allow non-student riders only as

authorized by the Superintendent, the Supervisor of Transportation or the school principal.

X. Be trained in the principles of first aide for use in case of an emergency.

Y. Be knowledgeable of and exercise that authority given to school bus drivers in Board Policy 7.2.5.

Auth: 230.22, F.S.

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

### 3.1.5 Transportation Grants

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

Auth: 230.22, F.S.

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

### 3.1.6 Transportation Hazard Surveys

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

Auth: 230.22, F.S.

Imple: 234.082, F.S.

### 3.1.7 Transportation of Physically Handicapped Students

Parents of physically handicapped students including the trainable mentally handicapped, profoundly handicapped, hearing impaired, visually impaired and physically impaired are required to "provide the necessary assistance and protection for their children while en route to and from the bus stop." SBER 6A-3.121(5)(a).

If parents fail to abide by this rule a warning letter will be sent informing them of the policy. The second time parents fail to abide by this rule, transportation for the student will be discontinued for ten (10) school days. The third time parents fail to abide by this rule, transportation for the student will be discontinued for the remainder of the semester.

Auth: 229.053(1)  
Imple: 234.02

### 3.2 INSTRUCTIONAL MATERIALS

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

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

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

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

#### 3.2.1 Use of Instructional Materials by Students

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

A. Students shall not mark in any textbook or other instructional material designed for use for two or more years.

B. Students shall be given instruction at the beginning of each school year relating to the proper care of instructional materials, and shall be informed of the requirement that books lost, destroyed or unnecessarily damaged shall be paid for by the student or his parent.

C. Textbooks, library books, and reference materials shall be assigned serial numbers. This serial number of each instructional material shall be stamped or printed in indelible ink on the inside front cover, and the name of the student to which is assigned shall be written on the inside front cover in ink.

D. Students shall be encouraged to use instructional materials in a responsible manner, and shall not be discouraged from taking their assigned instructional materials home for use.

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

3.2.2 Requisition and Purchase of Texts

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

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

3.2.3 Sale of Instructional Materials

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

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

\* 3.2.4. Instructional Materials Selection Committee

No school board employee may make copies of any materials protected by the 1976 Copyright Act. Materials included are such items as literature, music, poetry, tests, workbooks, computer software, video tape, audio tape, film etc.

\* 3.2.5 Basic Texts

There shall be a basic text or approved materials established for each course offered in the regular school program. Textbooks will be adopted according to State Board of Education Rules.

3.2.6 Rules of Selection of Media Center Materials

I. PHILOSOPHY OF SELECTION

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

II. RESPONSIBILITY FOR SELECTION OF MATERIALS

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

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

III. CRITERIA FOR SELECTION OF MEDIA CENTER MATERIALS

1. The process of evaluating materials for inclusion in collections is continuous and systematic. It is preferable to examine materials before purchasing them; however, this is often impractical if not impossible. In such cases, selection is based upon bibliographic sources, selected lists, and reviews in reputable professional journals and publications.

2. First consideration is given to the needs of the individual school based on knowledge of the curriculum, of the existing collection, and of the needs of the children. Requests from users of the collection (administrators, teachers, parents, students) are given high priority. Materials are selected so as to provide a wide range of levels of difficulty.

3. Materials for purchase are considered on the basis of overall purpose, timeliness, importance of the subject matter, quality of writing or production, readability and popular appeal, authoritativeness, reputation of the author, artist, publisher, producer, format, and cost.

4. Special consideration is given to treatment of the following elements: religion, ideologies, sex education, sex, profanity, and science.

a. Religion - Factual unbiased material which represents all major religions is included in the collection.

b. Ideologies - Factual information on any ideology or philosophy which exerts a strong force in society is included in the collection.

c. Sex Education - Factual information appropriate for the age group or related to the school curriculum is included in the collection.

d. Sex - Pornographic, sensational, or titillating materials are not included, but the fact of sexual incidents appearing in the materials does not automatically disqualify them.

e. Profanity - The fact that profanity appears in material does not automatically disqualify a selection. Care is taken to exclude materials using profanity in a lewd or detrimental manner.

f. Science - Factual information about medical and scientific knowledge is included in the collection without any biased selection of facts.

#### IV. PROCEDURES FOR SELECTION

1. In selecting materials for purchase, the school library media specialists evaluate the existing collection and consult:

a. Reputable, unbiased, professionally prepared selection aids.

b. Media staff, curriculum consultants, teachers, students, and community representatives.

c. The media committee appointed by the principal to serve in an advisory capacity in the selection of materials.

2. In determining materials to be purchased, library media specialists follow these procedures:

a. Multiple items of outstanding and frequently used materials are purchased as needed.

b. Worn and missing basic items are replaced periodically.

c. Out-of-date or no longer useful materials are withdrawn from the collection and replaced by new and appropriate materials.

d. Sets of materials and subscription materials are examined carefully, and are purchased only to fill a definite need.

3. Unbiased, professionally prepared tools which are used for the selection of materials include, but are not limited to, the following:

a. Booklist and Subscription Books Bulletin of American Library Association

b. Library Journal or School Library Journal

c. The Horn Book Magazine

d. Bulletin of the Center for Children's Books of Library School of University of Chicago

e. Standard Catalogs of H. W. Wilson Co.

f. AAAs Science Booklist for Children

g. The Basic Book Collection lists for elementary, middle, and high schools

h. Various subject matter periodicals such as English Teacher, Natural History, etc.

4. Criteria for choosing books:

a. Is the subject matter or story appropriate for the group or individual who will use it? Is it readable, easily understood?

b. For factual material, is it dependable, accurate, up-to-date?

c. For imaginative material, does it encourage appreciation, attitude, understanding, or insights that are worthwhile?

d. Is the style appropriate for the type of book? Does it encourage appreciation of good literature, skillfully told with beauty and feeling? Does it encourage appreciation for clarity of explanation,



logic, respect for facts and their objective presentation?

e. Does it have a valuable purpose for young readers? As examples, such things as (1) understanding of our country and its development; (2) understanding of peoples in other countries and their problems; (3) understanding the facts and methods of science; (4) appreciation of art, music, or literature; (5) recognition of an individual's abilities, interests and problems; (6) insight into the feelings and problems of others; (7) encouraging creative or other worthwhile activities on the part of the reader.

f. Is the format satisfactory:

1. Is the appearance interesting and appropriate for the type of book and reader?
2. Is the binding durable, attractive?
3. Is the book well designed?
4. Are the illustrations appropriate, useful, an asset to the book?

g. If choosing for purchase, is this the best value possible for the cost, considering the content, the format, and the need?

5. Criteria for choosing films:

- a. Is the film designed to teach effectively the information, attitudes, skills, or understandings pertinent at this point in the teaching-learning situation?
- b. Can it be easily understood by the group to be taught?
- c. Is it of suitable length for use with this age group or for this purpose in teaching.
- d. Are the photographic and sound qualities good?
- e. Is the film convincing in its presentation, clear, interesting, stimulating?
- f. What will this group of children and grown people learn from this film? What might some individuals in this group learn?

g. Is the film based on dependable information, is it a true representation of experience? Is it up-to-date, or if dated, still useful?

h. Is this the best film available for this purpose and this group of learners?

6. Criteria for choosing recordings:

a. Is this recording designed to teach or encourage the desired attitude, understandings, skills or appreciations?

b. Is it appropriate for this group of learners in style, content, length?

c. Is the tone quality clear?

d. If a dramatic presentation combining background music or other sound, narration, dramatization, is there unity of affect, skillfully developed?

e. Is this the best recording available for this purpose?

f. Will it encourage intelligent listening?

g. If choosing for purchase, is it non-breakable, and is it worth the cost?

h. Can the Media Center get permission to duplicate materials?

7. Criteria for choosing maps and globes:

a. For Maps:

1. Is the format good: adequate symbol language, clearly printed and consistently used, pleasing colors, with flexible mounting? (Single copies of maps are most desirable, as they are most useful school wide. Folded maps can be handled and stored easily.)

2. Is the information (physical areas, size of cities or areas, historical date, facts of production or natural resources, geographical items) dependable and up-to-date.

3. For world maps, is the mapping done on an equal projection? (See title for this information.) Are sufficient parallels (10 degrees to 15 degrees intervals) shown, are they straight lines spaced equal distances apart, do the 60th parallels measure

approximately one-half the length of the equator, do the meridians converge at the poles, are there at least two or more standard meridians?

4. Is this the best value for the money?

5. Is it cleanable?

b. For globes:

1. Is it durable? Sturdy, for easy handling, large enough (at least 16 in.) for adequate representation and for ease in visual use?

2. Are the symbols easy to distinguish, used consistently all over the globe?

3. Are the colors pleasing and when used as symbols, used consistently?

4. Is the type good, the legend complete and clearly printed?

5. Is the mounting flexible (a cradle mounting is most flexible)?

6. Is the information dependable, up-to-date, presented clearly and fairly?

7. Is this the type of globe suitable for this teaching situation?

8. Is it a cleanable globe?

8. Criteria for choosing slides and filmstrips:

a. Are they dependable as to information, clear as to purpose?

b. Are they appropriate for this teaching-learning situation?

c. Are they technically good, with good photography or other graphic presentation, no scratches or blemishes?

d. Are they well designed for general effectiveness?

e. Are they worth the cost?

f. Are they packaged so that accompanying materials are not easily lost?

## 9. Gifts

Gifts of materials, or of funds with which to purchase materials, are accepted with the understanding that their use or disposition will be determined by those persons having the responsibility for acquisitions, according to the same selection criteria and procedures as purchased materials.

## V. RECONSIDERATION OF CHALLENGED MATERIALS

Despite the care taken to select appropriate and valuable materials and the qualification of the persons involved in the selection, occasional objections to a selection are made. When such objections occur, principles of freedom of information and the professional responsibility of the staff are defended rather than specific materials.

Persons requesting permission to examine materials may examine such materials in the library media center in a way so as not to disrupt the normal operations of the school.

### RECONSIDERATION OF CHALLENGED MATERIALS

1. The complainant has the option of expressing a verbal and/or written complaint to the principal: however, the initial complaint must be in writing.
2. The principal shall within ten (10) days call a special meeting of the School Advisory Committee, including the Media Specialists. The complainant may make a verbal and/or written complaint to the committee. The principal will notify the Superintendent of the complaint.
3. The School Advisory Committee will evaluate the specific complaint and have the option of:
  - a. Immediately agreeing with the complainant and informing the principal.
  - b. Immediately disagreeing with the complainant and informing the principal.
  - c. Making a more complete study and giving the recommendation to the principal within ten (10) days, using forms as prescribed by the Board.
4. The principal shall receive the recommendation of the School Advisory Committee, make the final decision and notify the complainant and the Superintendent immediately.
5. If the complainant wishes he may immediately contact the Superintendent and request further review of the materials. The Superintendent will have the District Media Review Committee review the complaint of the complainant, the recommendations of the School

Advisory Committee and the decision of the principal. This should be accomplished within ten (10) school days. The complainant will be notified by the Superintendent of the findings of the District Media Review Committee.

6. The Superintendent shall submit the findings of the District Media Review Committee and his recommendation to the School Board at the next School Board Meeting.

7. The complainant may appeal to the Board at the next Board meeting either verbally and/or in writing.

8. The School Board will make the final decision on the material in question.

9. The library materials shall be held off the shelf until the complaint is resolved.

10. Adequate documentation of each step in the reconsideration shall be kept and filed with the Superintendent.

REQUEST FOR RECONSIDERATION OF SCHOOL LIBRARY MATERIALS

SCHOOL: \_\_\_\_\_

PLEASE CHECK TYPE OF MATERIAL:

_____	BOOK	_____	PERIODICAL	_____	PAMPHLET	_____	FILM
_____	FILMSTRIP	_____	CASSETTES	_____	RECORD	_____	KIT
_____	OTHER						

TITLE: \_\_\_\_\_

AUTHOR: \_\_\_\_\_

PUBLISHER OR PRODUCER: \_\_\_\_\_

REQUEST INITIATED BY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

The following questions are to be answered after the complainant has read, viewed, or listened to the school library material in its entirety. If sufficient space is not provided, attach additional sheets. (Please sign your name to each additional attachment.)

1. To what in the material do you object? (Please be specific, cite pages, frames in a filmstrip, film sequence, et cetera.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF COMPLAINT

\_\_\_\_\_  
DATE

PLEASE RETURN COMPLETED FORM TO THE SCHOOL PRINCIPAL

OPTIONAL

REQUEST FOR RECONSIDERATION OF SCHOOL LIBRARY MATERIALS (CONTINUED)

2. What do you believe is the theme or purpose of this material?

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3. What do you feel might be the result of a student using this material?

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4. For what age group would you recommend this material?

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5. Is there anything good in this material? Please comment.

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6. Would you care to recommend other school library materials of the same subject and format?

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CHECKLIST FOR MEDIA ADVISORY COMMITTEE'S RECONSIDERATION  
OF LIBRARY MATERIAL - FICTION AND OTHER LITERARY FORMS

Title \_\_\_\_\_

Author \_\_\_\_\_

A. PURPOSE

1. What is the purpose, theme or message of the material? How well does the author/producer/composer accomplish this purpose?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. If the story is fantasy, is it the type that has imaginative appeal and is suitable for children? \_\_\_Yes \_\_\_No; for young adults? \_\_\_Yes \_\_\_No. If both are marked no, for what age group would you recommend? \_\_\_\_\_

3. Will the reading and/or viewing and/or listening to material result in more compassionate understanding of human beings? \_\_\_Yes \_\_\_No.

4. Does it offer an opportunity to better understand and appreciate the aspirations, achievements, and problems of various minority groups? \_\_\_Yes \_\_\_No

5. Are any questionable elements of the story an integral part of a worthwhile theme or message? \_\_\_Yes \_\_\_No

B. CONTENT

1. Does a story about modern times give a realistic picture of life as it is now? \_\_\_Yes \_\_\_No

2. Does the story avoid an oversimplified view of life, one which leaves the reader with the general feeling that life is sweet and rosy or ugly and meaningless? \_\_\_Yes \_\_\_No

3. When factual information is part of the story, is it presented accurately? \_\_\_Yes \_\_\_No

4. Is prejudicial appeal readily identifiable by the potential reader? \_\_\_Yes \_\_\_No

5. Are concepts presented appropriate to the ability and maturity of the potential readers? \_\_\_Yes \_\_\_No



6. Do characters speak in a language true to the period and section of the country in which they live? \_\_\_Yes \_\_\_No
7. Does the material offend in some special way the sensibilities of women or a minority group by the way it presents either the chief character or any of the minor characters? \_\_\_Yes \_\_\_No
8. Is there preoccupation with sex, violence, cruelty, brutality and aberrant behavior that would make this material inappropriate for children? \_\_\_Yes \_\_\_No; young adults? \_\_\_Yes \_\_\_No
9. If there is use of offensive language, is it appropriate to the purpose of the text for children? \_\_\_Yes \_\_\_No; for young adults? \_\_\_Yes \_\_\_No
10. Is the material free from derisive names and epithets that would offend minority groups? \_\_\_Yes \_\_\_No; children? \_\_\_Yes \_\_\_No; young adults? \_\_\_Yes \_\_\_No
11. Is the material well written or produced? \_\_\_Yes \_\_\_No
12. Does the story give a broader understanding of human behavior without stressing differences of class, race, color, sex, education, religion or philosophy in any adverse way? \_\_\_Yes \_\_\_No
13. Does the material make a significant contribution to the history of literature or ideas? \_\_\_Yes \_\_\_No
14. Are the illustrations appropriate and in good taste? \_\_\_Yes \_\_\_No
15. Are the illustrations realistic in relation to the story? \_\_\_Yes \_\_\_No

ADDITIONAL COMMENTS

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RECOMMENDATION BY SCHOOL MEDIA ADVISORY COMMITTEE FOR TREATMENT OF CHALLENGED MATERIALS

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DATE \_\_\_\_\_

SIGNATURE OF MEDIA ADVISORY REVIEW COMMITTEE

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CHECKLIST FOR MEDIA ADVISORY COMMITTEE'S RECONSIDERATION  
OF LIBRARY MATERIALS - NONFICTION

Title \_\_\_\_\_

Author \_\_\_\_\_

A. PURPOSE

1. What is the overall purpose of the material?

\_\_\_\_\_  
\_\_\_\_\_

2. Is the purpose accomplished? \_\_\_ Yes \_\_\_ No

B. AUTHENTICITY

1. Is the author competent and qualified in the field? \_\_\_ Yes \_\_\_ No

2. What is the reputation and significance of the author and publisher/  
producer in the field?

\_\_\_\_\_  
\_\_\_\_\_

3. Is the material up-to-date? \_\_\_ Yes \_\_\_ No

4. Are information sources well documented? \_\_\_ Yes \_\_\_ No

5. Are translations and retelling faithful to the original? \_\_\_ Yes  
\_\_\_ No

C. APPROPRIATENESS

1. Does the material promote the educational goals and objectives of  
the curriculum of \_\_\_\_\_ County Schools?  
\_\_\_ Yes \_\_\_ No

2. Is it appropriate to the level of instruction intended? \_\_\_ Yes  
\_\_\_ No

3. Are the illustrations appropriate to the subject and age levels?  
\_\_\_ Yes \_\_\_ No

D. CONTENT

1. Is the content of this material well presented by providing adequate scope, range, depth, and continuity? \_\_\_Yes \_\_\_No
2. Does this material present information not otherwise available?
3. Does this material give a new dimension or direction to its subject?  
\_\_\_Yes \_\_\_No

E. REVIEWS

1. Source of review \_\_\_\_\_  
Favorably reviewed \_\_\_\_\_ Unfavorably reviewed \_\_\_\_\_
2. Does this title appear in one or more reputable selection aides?  
\_\_\_Yes \_\_\_No If answer is yes, please list titles of selection aides.

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ADDITIONAL COMMENTS

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RECOMMENDATION BY SCHOOL MEDIA ADVISORY COMMITTEE FOR TREATMENT OF CHALLENGED MATERIALS

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SIGNATURE OF MEDIA ADVISORY REVIEW COMMITTEE

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3.3 FIRST AID -- FIRST AID EQUIPMENT

Each school shall be equipped with a complete first aid cabinet or kit approved by the School Nurse and available for use at all times in the School Clinic.

Separate and complete first aid kits shall be maintained in special areas such as separate buildings used for shops or physical education, and in school lunch kitchens.

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

3.4 RELEASE OF STUDENT NAMES

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

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

3.5 PUPIL CONTROL

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

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

3.6 DISMISSAL OF SCHOOL

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

School parties and picnics outside the school area.

Attendance at athletic events during class hours.

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

3.7 CUSTODIAL SERVICES

The custodian is directly responsible to the principal. The duties of the custodian are contained in the job description to be found in the Personnel Handbook.

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

3.8 ADVERTISING

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

- A. Are of the type teachers need for instructional purposes.
- B. Are provided without cost to the District, school, teacher, or student.
- C. Contain a minimum amount of commercial advertising.
- D. Are not of a sectarian nature.
- E. Fulfill a legitimate purpose of the school curriculum.
- F. Do not prominently display a selfish or private purpose of the sponsor.
- G. Do not have a blatant advertising feature.
- H. Do not violate the attitudes which are recognized as ideals of the school system or of our society.

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

3.9 BUILDINGS AND GROUNDS

The principal of each school shall be responsible for the care, maintenance and use of school buildings and

grounds, and shall supervise the custodial staff of the school in providing an adequate program of proper care and maintenance.

Maintenance or repairs which cannot be handled by the school custodial staff shall be reported to the Superintendent and shall become the responsibility of the District maintenance crew.

The principal shall make recommendations regarding needed repairs to or renovations of school buildings to the Superintendent as such time as they are needed.

It shall be the responsibility of the principal of each school to provide for the display of the United States Flag and the official flag of Florida on the school grounds, in compliance with 228.101 and 256.032 F.S., except in inclement weather. The flags shall also be displayed indoors at all times when functions are being held in the auditorium, cafetorium, lunchroom, multipurpose room, or gymnasium in accordance with 256.11, F.S.

Auth: 230.22, F.S.

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

3.10 Laboratory Safety Audit

Each school shall be responsible for maintaining safe laboratory conditions in an attempt to prevent accidents. Each laboratory teacher will perform a safety audit within ten (10) working days at the beginning of each semester or each new assignment and submit it to the principal. The principal will promptly initiate corrective action on those items reported as unsatisfactory.

3.11 SCHOOL OFFICE HOURS

The hours of the principal and his office staff shall be equal in length to those of the District office, and the school office shall remain open on the same days. On non-school days, the principal's office shall be open at 8:00 a.m. and close at 4:30 p.m., except by special arrangement with the District office.

Auth: 230.22, F.S.

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

Revised 3.12  
Dec. 1985

USE OF SCHOOL BUILDINGS, GROUNDS AND EQUIPMENT

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



A. USE OF BUILDINGS AND GROUNDS

1. Civic, charitable, non-profit organizations, veterans' groups, and governmental agencies shall be permitted to use school facilities.

2. No individual, group, or organization may use school buildings for private profit. However, non-profit and youth organizations shall be permitted to use school buildings for fund-raising purposes, when prior approval is obtained from the Board, upon recommendation of the school principal and the Superintendent.

3. All non-school organizations, groups or individuals desiring to use school buildings and grounds must schedule their use in advance with the school principal, and must provide in advance, proof of insurance coverage in amounts prescribed by the Board, and assume all liability of or damage to property, whether owned by the Board or otherwise, and for personal injury, whether by negligence or intent of any person, occurring on Board property during the use of the building or grounds.

4. All such use shall be under the supervision of the principal. Specific fees for use of school facilities shall be based on actual expenses and cost as determined by the Principal and Superintendent, and shall be payable to the Board. Payment must be made in advance. Fees may be reduced or waived by direction of the Superintendent.

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

6. Alcoholic beverages and gambling are forbidden on school premises.

7. Tobacco products are forbidden in gymnasium, auditoriums, and other areas designated by the Principal.

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

B. USE OF SCHOOL EQUIPMENT (See page 66 a)

Auth: 230.22, F.S.

Imple: 235.02, F.S.

3.13

TRANSPORTING STUDENTS FROM OTHER COUNTIES

Osceola County will cooperate with other districts in transporting students from adjoining districts into the Osceola County School System, but out-of-district

Revised  
Nov. 1985

B. USE OF SCHOOL EQUIPMENT

1. It should be understood by each employee of this district that all school equipment if purchased by tax dollars and intended for use in the educational process of the students attending the Public Schools of Osceola County.
2. Personal use of school equipment is prohibited and employees should refrain from submitting such requests to the principal.
3. Non-Profit Organizations with good cause may be exempt from the above rule provided advanced approval is secured from the principal.

students shall obtain annual permission from both Boards prior to attending Osceola County Schools.

Auth: 230.22, F.S.

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

3.14 NEPOTISM

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

Substitute employees shall be presented to the Board for approval prior to the performance of their work. All instances of nepotism shall be investigated annually by the Superintendent. All persons concerned shall be consulted and steps taken to eliminate such practice when recommended in individual cases. Recommendations made shall be subject to Board approval.

Auth: 230.22, F.S.

Imple: 116.111, F.S.

3.15 GRIEVANCE PROCEDURE

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

A. Definitions:

Grievance - Any problem dealing with treatment of personnel due to alleged violation of existing rules or policies. The term "grievance" as used in this section and for the purposes of the procedures set forth herein, shall not apply to any matters or procedures covered by the terms of any contract entered into pursuant to Chapter 447, Florida Statutes.

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

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

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

School Board - The Osceola County School Board.

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

Days - Actual working days.

Rights - The rights of employees to:

- (1) Call upon any representative to aid and assist in any level of the grievance procedure.
- (2) Request and receive for his representative a copy of all information pertaining to the grievance.
- (3) Have all documents, communications and records dealing with the processing of the grievance kept separate from the assessment file of the participants.
- (4) No reprisals of any kind shall be taken against any participant in the grievance procedures by reason of such participation.
- (5) Sample forms shall be made available to all persons by the Superintendent.
- (6) The number of days of each level shall be considered a maximum except when extended in writing by mutual consent.
- (7) If an individual does not file a grievance within ten (10) days after becoming aware of the act or condition on which the grievance is based, or after a reasonable person under similar circumstances should have become aware of such act or condition, then the grievance shall be considered to have been waived.
- (8) Failure of the grievant to appeal the grievance to the next level within three (3) days shall be deemed to be acceptance of the decisions rendered at that level.
- (9) The grievant and his representative shall have the right to be present at any and all levels.
- (10) No probationary employee may use the grievance procedure in any way to appeal discharge or a decision by the Board not to renew his contract.
- (11) Failure at any step of this procedure to communicate the decision on a grievance within the specified time shall permit the grievant to appeal at the next step of this procedure.

B. Procedure for Resolving Grievances

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

Level 1 - The grievant shall discuss the grievance with the person who caused the grievance for the purpose of resolving the grievance. If satisfactory results are not obtained within five (5) days, then

Level 2 - The grievant may file the grievance IN WRITING on a form (FC-120-183) provided by the School Board with the person who caused the grievance, with a copy to any representative of his choice. It shall include the name of the employee involved, the facts giving rise to the grievance, the identity by appropriate reference of all rules or policies alleged to be violated, the contention of the employee with respect to those provisions, and the specific relief requested. The person who caused the grievance shall respond in writing within five (5) days. Copies shall be sent to any representative designated by the aggrieved.

Level 3 - If the grievant is not satisfied with the disposition of the grievance at level two (2) or if no decision has been rendered in writing within five (5) days the grievant may forward the written grievance form directly to the person in the next highest administrative position, with copies to the person who caused the grievance and any other representative of his choice.

The next highest administrative authority shall within ten (10) days file his reply in writing to the grievant with copies to the person who caused the grievance and the aggrieved's representative.

This level may be repeated with the next higher administrative level. If satisfactory results are not obtained at the highest administrative level, then

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

Auth: 230.22, F.S.

Imple: 230.23(5), F.S.

3.16 CHILDREN OF EMPLOYEES

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

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

3.17 CROWD CONTROL AT ATHLETIC EVENTS

1. Athletic events are a vital part of the total school program. In order that students and the community may enjoy these events they shall be conducted in a manner that will reflect credit to the school and community.
2. A school administrator (principal, assistant principal) or athletic director may be on duty at each athletic event.

The law officer in charge will be given the name of the school official on duty.

3. The Student Code of Conduct will be in force for students at all extra-curricular activities. Items pertaining to alcohol, drugs, fighting, and direct and willful disobedience will be strictly enforced.
4. No child under age 8 will be admitted to an event without accompanying adult.
5. No alcoholic beverages will be permitted on property, including the parking lot.
6. No one under the influence of alcoholic beverages will be admitted to events.
7. Anyone leaving the game and going outside the gates must purchase another ticket to re-enter.
8. The gates will not be opened at any time for free admission.
9. Those persons out of uniform and authorized to be on sidelines at football games (press, photographers, student managers, assistant coaches, etc.) must display a sideline pass to be worn around the neck.

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

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

Auth: 230.22, F.S.

Imple: 230.23 (13)a, 230.23 (14)

\* 3.18

STUDENT STANDARDS FOR PARTICIPATION IN EXTRA CURRICULAR STUDENT ACTIVITIES

Extra curricular activities are a vital part of the total school program. Such activities include any after-school faculty-sponsored group such as athletic teams, music groups, and special-interest organizations.

1. In order for a student to be eligible to compete or represent the school in extra curricular activities, he must maintain a 1.5 grade point average in grades 9 and 10, and 1.75 in grades 11 and 12 on a 4.0 scale for the nine (9) weeks grading period immediately preceding participation. Such student shall also be progressing satisfactorily toward graduation as provided for in the Pupil Progression Plan for Osceola County.
  - (a) Grade 11 and 12 students ruled ineligible because of a grade point average greater than 1.5, but less than 1.75 may have their eligibility reevaluated at 3-week intervals.
  - (b) Grade point average eligibility will be determined on four (4) grading periods during the regular school year. Grades earned in summer school will not affect eligibility for the beginning of the next school year. Credits earned in summer school will be utilized in determining FHSAA eligibility.
  - (c) A student must also meet all requirements of the Florida High School Activities Association (FHSAA), including the earning of five (5) credits the previous school year.

2. In order for a student to attend meetings or participate in activities, he must attend school a minimum of 1/2 day the day of participation.
3. Upon the recommendation of a teacher, the principal or his designee may suspend a student from participation in an activity for Level II - Level IV offenses as outlined in the Osceola County School District Code of Student Conduct.
4. Those students unable to meet the criteria because of extenuating circumstances may appeal to the school activities committee, a standing committee whose membership shall include, but not be limited to, representatives from extra curricular sponsors, classroom teachers, the guidance department, administration, exceptional student education, and the school advisory committee.
5. Implementation of these standards shall begin at the end of the first grading period of the 1983-84 school year and shall not apply to co-curricular activities.

Auth: 230.22, F.S.

Imple: 230.23 (14)



TABLE OF CONTENTS

	Page
NON-INSTRUCTIONAL PERSONNEL, 4.0	73
Annual Vacation Leave, 4.2.6	79
Definitions of Non-Instructional Personnel, 4.1.4	75
Dismissal of Employees, 4.3.3	82
Employment Rules, 4.1	73
Employment Procedures, 4.1.2	73
Appointment, 4.1.2A	73
Years Service, 4.1.2B	74
Probationary Period, 4.1.2C	74
Extended Leave, 4.2.2	77
General Rules (for leaves of absence), 4.2.1	75
Illness-In-Line-of-Duty, 4.2.5	79
Jury Duty, 4.2.8	81
Leaves of Absence, 4.2	75
Military Leave, 4.2.3	77
Miscellaneous, 4.3.4	83
Credit Inquiry, 4.3.4D	83
Garnishment, 4.3.4C	83
Pallbearer, 4.3.4A	83
Reimbursement for Damage, 4.3.4E	84
Workers' Compensation, 4.3.4B	83
Personal Leave, 4.2.7	80
Qualifications of Non-Instructional Personnel, 4.1.1	73
Resignation, 4.3.1	81
Retirement Annuities, 4.5	84
Salary Schedules, 4.1.3	74

Deperation of Non-Instructional Personnel, 4.3	81
Sick Leave, 4.2.4	78
Suspension Procedure, 4.3.2	82
Teacher Aides, 4.4	84
Witness Leave, 4.2.9	81

4.0

NON-INSTRUCTIONAL PERSONNEL

4.1 EMPLOYMENT RULES

\*

4.1.1 QUALIFICATIONS OF NON-INSTRUCTIONAL PERSONNEL

To be eligible for appointment to any position in the Osceola County School District, a person shall be of good moral character and, when required by law, hold a certificate or license issued under regulations of the State Board of Education. No individual under the age of eighteen (18) may be employed, except as provided in Board rule 6.12.9 and State Board Regulation 6A-1.97.

All new employees of the School Board and all employees returning from leave shall have a tuberculosis skin test or, at their own expense, a chest X-ray, at the beginning of the school year or within the sixty (60) day probationary period.

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

All new personnel are required to be members of the Florida Retirement System. A copy of the employee's social security card must be on file before starting employment.

All personnel must complete a W-4 Form to authorize proper withholding of monies for income tax purposes.

All non-instructional personnel shall meet the qualifications required by law and perform those duties described in the Non-Instructional Personnel Job Description Handbook.

Auth: 230.22, F.S.

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

4.1.2 EMPLOYMENT PROCEDURE

A. Appointment

The selection of new appointees shall be originated by the administrator of the unit in which the individual is to work, and proceed through the chain of command. Application blanks shall be provided by the District Office and shall be filled out by the applicants to

provide pertinent data for evaluation. At least three (3) references relative to character and performance of duty shall be submitted along with recommendations. Appointments shall be made by the Board, and notice thereof shall be given in writing to each appointee after spreading upon the minutes a record of such appointment. If an appointment is to a position of temporary or substitute employment, the record of appointment in the Board minutes and the written notice of appointment shall so state. Non-instructional personnel shall be required to pass skill proficiency tests as determined by the Superintendent. The criteria for administering and scoring shall be approved by the Board.

B. Year's Service

The minimum time which may be recognized as a year of service shall be at least one (1) day more than half of the number of work days required in the year.

C. Probationary Period

All new non-instructional employees shall be placed on a sixty (60) day probationary period.

\*

4.1.3

SALARY SCHEDULES

Salary schedules for non-instructional personnel shall provide for the various classifications of employees of the Board. Salary differentials shall be based on objective factors which shall be set forth in the salary schedule. The Board shall annually adopt and spread on its minutes a salary schedule for employees. New positions or classifications added during the year for which provisions were not made in the annual salary schedule shall be included in such salary schedule by proper amendments officially adopted by the Board.

All regular employees of the School Board, employed on an hourly, daily, or monthly basis and for which payroll deductions are required, shall receive all compensation for services rendered by School Board Warrants.

Experience pay shall be granted, provided the experience is in the area of work being done at the present time. Outside work experience up to a maximum of five (5) years may be brought into the system and verification on approved forms must be returned to the Personnel Department before the end of the sixty (60) day probationary period.

Effective July 1, 1981, personnel transferring within the same pay grade (example: aide to aide, secretary to key punch) shall maintain their level of experience, provided the person meets the qualifications that the new position requires.

No deductions shall be made from the salaries of the employees of the Board unless such deductions are required by law or approved in writing by the employee to be affected. Such authorization shall continue until terminated in writing, except in the case of organizational dues which shall be renewed annually.

Verified past work experience to be used for pay purposes must be complete, properly filled out and returned to the personnel department during the sixty (60) day probationary period. Verified experience will be paid retroactively from the first day of employment.

Auth: 230.22, F.S.

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

#### 4.1.4 DEFINITIONS OF NON-INSTRUCTIONAL PERSONNEL

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

Full-time employees are entitled to all fringe benefits provided by the School Board. (See 4.2.8) Bus drivers shall be considered full-time employees:

B. Part-time employees are those personnel who work less than one-half ( $\frac{1}{2}$ ) the regular eight hour day or less than one-half ( $\frac{1}{2}$ ) the regular five (5) day week. Any part-time employees hired after adoption of this rule are not entitled to fringe benefits by the School Board, however, those currently employed will continue to receive fringe benefits until their employment is terminated.

C. Temporary employees are those personnel who are paid only for the hours they actually work. They are not entitled to the fringe benefits provided by the school board. Employees shall be informed at the time of employment that such employment is of a temporary basis rather than permanent. This employment shall not be in excess of four (4) calendar months in a school year.

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

#### 4.2 LEAVES OF ABSENCE

##### 4.2.1 GENERAL RULES

Leaves shall be officially granted in advance and shall not be granted retroactively, provided that leave for sickness or other emergencies may be deemed to be granted in advance if a prompt report is made to the designated authority at the termination of leave. Such proper absence from duty shall be in accordance with the subject to the provisions of State Board Regulation 6A-1.77.

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

- A. Illness-in-line-of-duty leave (with pay)
- B. Military Leave (without pay)
- C. Personal Leave (without pay beyond 4 charged to sick leave)
- D. Staff Development Leave (with pay)
- E. Sick Leave (with pay)
- F. Adoptive Leave (without pay)
- G. Jury Duty Leave (with pay)
- H. Witness Leave (with pay)
- I. Vacation Leave (with pay)
- J. Extended Leave (without pay)

Vacation and sick leave will not be earned for months on leave without pay. A suitable vacancy must exist for an employee who wishes to return to work during the school year in which leave without pay is granted.

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

Revised  
Dec. 1985

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

Auth: 230.22, F.S.  
Imple: 231.48, F.S. and SBE Regulation 6A-1.77.

#### 4.2.2 EXTENDED LEAVE

Employees shall be eligible for extended leave without pay after three (3) or more years of continuous service. Extended leave, when granted, shall not exceed one (1) year, except that military leave shall be granted for a longer period as necessary for the completion of active duty.

Extended leave without pay request must be made in writing on the form prescribed by the Board. The request shall specify the time of the leave and the reason for the request. The length of the leave and the reason for the request shall be recorded in the Board minutes. The School Board shall have the right to determine that the leave is used for the purpose set forth in the application, and if not so used, the Board shall have authority to cancel the leave.

The leave must be approved by the employee's immediate supervisor and the Superintendent or his designee before it is presented to the Board for approval.

Extended leave may be reviewed upon request for an additional period not to exceed one (1) year, subject to Board approval. Automatic renewal of an extended leave is not granted. It shall be the responsibility of the person on leave to request renewal. If no request for renewal is made prior to the expiration of the leave, employment shall be terminated.

Personal leave without pay may be requested for, but not limited to:

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

Auth: 230.22, F.S.  
Imple: 231.48, F.S. and SBE Regulation 6A-1.80

#### 4.2.3 MILITARY LEAVE

Military leave shall be granted and compensation paid in accordance with State Board Regulation 6A-1.83 and

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

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

Auth: 230.22, F.S

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

\* 4.2.4

SICK LEAVE

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

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

Sick leave may be taken for maternity disability as provided herein and in Board Rule 4.2.4.

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

Those non-instructional personnel whose jobs cover two (2) types of work with the Osceola County School System shall be allowed one (1) day of sick leave per month in proportion to hours worked. A full time employee whose normal working day is less than eight (8) hours shall earn and use sick leave days in proportion to hours worked. No employee shall earn more than one (1) eight hour day of sick leave per month. (See addendum page 78a)

(2) Revised  
9/3/85



Addendum to Rule 4.2.4 A

NEW  
Dec. 1985

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

B. Terminal Pay for Accumulated Sick Leave.

Non-instructional personnel eligible to retire as proved by law, or his/her beneficiary if service is terminated by death, and retirees returning to active employment allowed by law at time of termination. Payment shall be made at the current daily rate of pay.

Imple: 231.40 F.S

\* 4.2.5 ILLNESS-IN-LINE-OF-DUTY

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

Auth: 230.22, F.S.

Imple: 231.48, F.S.

\* 4.2.6 ANNUAL VACATION LEAVE

A. Effective July 1, 1980, personnel employed for less than 11 months will not accrue vacation leave. Those present 9 and 10 month secretaries hired before July 1, 1980, will continue to accrue vacation leave.

Non-instructional personnel shall accumulate vacation as follows:

One (1) day for each month of employment for those employed by the Board for less than five (5) years continious years. One and one-fourth ( $1\frac{1}{4}$ ) days per month of employment for those employed five (5) continious years or more. One and one-half ( $1\frac{1}{2}$ ) days per month of employment for those employed ten (10) continious years or more.

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

A full-time employee whose normal working day is less than eight hours shall earn and use vacation days in

Added  
Nov. 1985

C. Employees' Voluntary Sick Leave Bank

I. MEMBERSHIP

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

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

II. ESTABLISHMENT AND DURATION

- (a) The Sick Leave Bank will not come into existence until at least 20% of the total number of employees eligible to join the pool elect to do so and will remain in existence unless the participation drops below 20% of the number of employees eligible. The Board shall provide for the establishment of a Sick Leave Bank no later than February 1, 1986.
- (b) In the event the Sick Leave Bank is discontinued, distribution of remaining sick leave days will be in accordance with section IX below.

III. REPLENISHMENT CONTRIBUTIONS

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

#### IV. ADMINISTRATION AND GOVERNANCE

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

#### V. ELIGIBILITY

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

- (a) All accumulated sick leave of the employee must first be expended, followed by a leave, not charged to sick; of five (5) work days per incident.
- (b) Applications must be made to the Personnel Department including a statement from a doctor attesting to the member's extended illness, accident or injury. The statement must certify:
  - 1. The nature of the illness, accident or injury.
  - 2. That in the event of an operation, it is absolutely necessary and could not be reasonably be delayed until a break in the employee's duty schedule.

3. The probable date the member would be able to return to work.
- (c) Application must also provide permission to investigate medical records and other information needed for review or appeal.
- (d) A participating member shall not be eligible to use sick leave from the Bank if the employee is on leave for injury or illness in the line of duty, worker's compensation, or on medical retirement.

## VI. BENEFITS

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

VII. PARTICIPATION ABUSE

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

VIII. WITHDRAWAL FROM PARTICIPATION

Any participating employee who wishes to withdraw from participation in the Sick Leave Bank may do so and withdrawal will be effective immediately upon receipt by the Personnel Department of written notification of the employee's intent to withdraw. Any previously contributed sick leave will become the property of the Sick Leave Bank.

IX. DISCONTINUANCE OF SICK LEAVE BANK

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

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

proportion to hours worked. No non-instructional employee shall earn more than one and one-half (1½) eight hour vacation days per month. A maximum of thirty-six (36) vacation days may be carried over at the end of each fiscal year. At the time of retirement or separation of employment, unused vacation leave shall be paid as terminal pay. A leave application shall be filed with the Superintendent showing the annual leave dates. Non-instructional personnel who are granted leaves of absence may be credited with earned accumulated annual leave upon re-employment.

B. Annual vacation leave time for an individual employee shall be approved by the Superintendent or his designee and scheduled so that there will be a minimum disruption of the operation of the school system.

C. Personnel in positions earning vacation leave who transfer or are assigned to positions which do not earn vacation leave may receive payment for unused leave at the time of transfer or reassignment.

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

#### 4.2.7

#### PERSONAL LEAVE

Revised  
Dec. 1985

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

B. Non-instructional personnel may be granted personal leave without pay by the Superintendent, as follows: Personal leave requests of school-based employees shall have the prior approval of the principal and shall be submitted to the Superintendent at least one (1) week prior to the starting date of leave; otherwise a person absent without leave shall be subject to dismissal. Grants of personal leave shall be reported to the Board by the Superintendent and shall be reflected in the minutes of the Board.

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

C. A person on personal leave, without pay, may not receive holiday pay unless he works the day before and

day after the holiday. Anyone on personal leave without pay for more than ten (10) days shall be placed on extended leave, if eligible, and the position advertised. Non-instructional employees who are not eligible for extended leave will be terminated after ten (10) days of personal leave without pay. The Superintendent may extend this leave in extenuating circumstances.

4.2.8 JURY DUTY

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

4.2.9 WITNESS LEAVE

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

A. That the person has been subpoenaed by the court or agency having subpoena powers as a witness, and is not a principal in the case.

B. That the employee shall submit a copy of the subpoena or letter from either attorney in the case to the Superintendent.

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

Auth: 230.22, F.S.

Imple: 231.39, F.S.

4.3 SEPARATION OF NON-INSTRUCTIONAL PERSONNEL

4.3.1 Resignation

Resignation of employees shall require at least two (2) weeks written notice in advance of the date of termination. Unused vacation days and personal leave charged to sick may be used toward all or part of this requirement.

All leave forms, termination forms, or other required paper work must be on file in the District Personnel



Office before the final pay check can be released. Failure to give proper notice may delay the release of the final check one pay period. Compensation for services rendered shall be made following the established payroll date schedule.

An exit interview shall take place prior to or at the time of receiving the last check. Termination of all benefits shall be effective as of the last official day of employment.

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

#### 4.3.2. Suspension Procedure

The Superintendent has the authority to suspend non-instructional school employees for emergency reasons, and shall notify the Board immediately of such suspension. The suspension shall be reviewed by the Board at its regular or special meeting, at which time the employee shall be restored to duty or the Superintendent shall be authorized to serve notice on the employee of charges against him and the date and place of hearing before the Board, at which all parties shall be heard on all matters relevant to the suspension and the employee's continued employment. Upon conclusion of the hearing, the Board shall restore the employee to duty, dismiss the employee, or otherwise adopt the recommendations of the Superintendent.

For the purpose of this rule the term "emergency" includes, but is not necessarily limited to, any situation arising from the conduct of any Board employee for which the Board may find cause to dismiss the employee, such as immorality, intoxication while on duty, gross insubordination, willful neglect of duty, assaults upon other persons, incompetency unjustified interruption of the orderly conduct of a school or any school activity, conviction of any crime involving moral turpitude or other misconduct.

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

#### 4.3.3 Dismissal of Employees

Dismissal of non-instructional personnel from employment by the Board shall be as follows:

In the event an employee fails to report for duty and is not available to submit a request for resignation, the Superintendent may, after making reasonable efforts to contact the employee, dismiss the employee and file a

request for dismissal with the Board.

In the event an employee is absent without leave, the Superintendent may recommend dismissal of the employee.

Non-instructional employees who are not eligible for extended leave may, after ten (10) days of absence from their position and after sick leave expires, be terminated from employment.

If the quality of the employee's work is unsatisfactory and unacceptable, the Superintendent may recommend dismissal of the employee.

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

#### 4.3.4 MISCELLANEOUS

##### A. Pallbearer

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

##### B. Workers' Compensation

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

##### C. Garnishment

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

##### D. Credit Inquiry

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

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

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

Auth: 230.22, F.S.  
Imple: 231.38, 230.23(5), Chapter 440, and  
230.33(23), F.S.

E. Reimbursement for Damage to Personal Items

The Board shall reimburse non-instructional personnel for damage to clothing, dentures, eyeglasses, prosthetic devices or artificial limbs where such damage occurs as a result of:

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

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

4.4 TEACHER AIDES

It is the intent of the Board that teacher aides be used to the greatest advantage possible, consistent with the provisions of Section 231.141, Florida Statutes, and State Board Regulation 6A-1.70.

Auth: 230.22, F.S.  
Imple: 231.141, F.S. and SBE Regulation 6A-1.70.

\* 4.5 Retirement Annuities Program

The Board will consider annually, upon the recommendation of the Superintendent, requests for retirement annuities for school personnel with 25 years or more years of creditable service (at least 5 of which must have been in this district) who have reached the age 55 and have applied for retirement under the FLA retirement system. All requests must be received between February 1 and February 28 of the calendar year for those requesting retirement during or at the conclusion of that school year or 4 months prior to retirement if planning retirement before February of that school year. A copy of the official determination, by the Division of Retirement, of the projected monthly benefits at the effective date of retirement based on the average monthly compensation and creditable service as of the member's early retirement date and the actual early retirement benefits shall accompany the request. Requests of

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

Between January 1 and February 1 an annual survey and study will be conducted prior to the determination of the Superintendent and Board on the feasibility of the program being offered during that school year with no commitment to offer the program in future years unless the Board options to do so after reviewing the annual survey. The employee may be required to contribute to the annuity in order to qualify.

The Board upon the recommendation of the Superintendent will determine before April 1, whether or not the program will be offered for that year.

If the program is offered the Superintendent shall make recommendations pertaining to either the investment, in a specific amount of current funds, or the purchase of an adequate annuity either of which would provide earned income in an amount sufficient to provide the annual early retirement supplemental benefit for the named employee.

The maximum monthly benefit to any individual shall be in compliance with FLA Statutes.

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

NEW 4.6  
Dec. 1985

#### HEALTH CERTIFICATE

All new employees of the School Board shall have a tuberculin skin test, or at their own expense, a chest X-ray at the beginning of each school year or within thirty (30) days after employment begins.

If the School Board has reasonable cause to believe that a school employee is infected with Acquired Immune Deficiency Syndrome, the School Board may require said individual to submit an appropriate medical evaluation. A determination will be made by a team of Public Health personnel, the employee's physician and appropriate school personnel.

TABLE OF CONTENTS

	Page
INSTRUCTIONAL PERSONNEL, 5.0	86
Adoptive Leave, 5.3.13	105
Advance Granting of Leave, 5.3.2	102
Assignments and Transfers, 5.1.4	92
Authority for Leave, 5.3.1	102
Benefits and Duties, 5.4	106
Certification of Instructional Personnel, 5.1.2	89
Beginning Teacher Program, 5.1.2B	89
Extension of Certificates, 5.1.2C	90
General Information, 5.1.2A	89
Non-Certificated Instructional Personnel, 5.1.2D	90
Contracts, 5.15	92
Annual, 5.1.5A	92
Choosing Between Personnel, 5.1.5C	93
Continuing, 5.1.5B	92
Professional, 5.1.5E	93
Return to Annual, 5.1.5D	92
Employment Conditions, 5.2	98
Employment Practices, 5.1	86
Health Certificate, 5.1.3	91
Illness-In-Line-of-Duty Leave, 5.3.5	103
Inter-School and Intra-School Visitation, 5.2.9	101
Jury Duty, 5.3.14	105
Leaves of Absence, 5.3	101
Legal Duties, 5.4.3	107
Lesson Plans, 5.4.6	109
Maternity Leave, 5.3.6	109

Military Leave, 5.3.7	103
Pallbearer, 5.2.6	100
Personal Leave, 5.3.8	104
Charged to Sick Leave, 5.3.8B	104
Without Pay, 5.3.8A	104
Personnel Files, 5.1.8	97
Professional Duties, 5.4.4	107
Co-Curricular Responsibilities, 5.4.4A	107
Faculty Meetings, 5.4.4B	107
Field Trips, 5.4.4C	108
Professional Leave, 5.3.9	104
Purpose Specified (for leave), 5.3.3	102
Records of Absence, 5.3.4	102
Recruitment, Selection and Appointment, 5.1.1	86
Employment Procedures, 5.1.1C	87
Personnel Philosophy, 5.1.1A	86
Qualifications, 5.1.1B	86
Residence, 5.2.8	101
Resignations and Terminations, 5.1.7	96
Release from Contract 5.1.7B	97
Resignation, 5.1.7A	96
Retirement Annuities Program, 5.4.1	106
Sabbatical Leave, 5.3.12	105
School Registers, 5.4.5	108
Sick Leave, 5.3.10	104
Sick Leave, 5.3.10A	104
Terminal Pay, 5.3.10B	104

Social Security, 5.4.2	107
Substitute Teachers, 5.1.9	98
Suspension and Dismissal, 5.1.6	96
Teacher Salaries and Benefits, 5.4.7	109
Annual Contracts, 5.4.7D	109
Continuing/Professional Services Contracts, 5.4.7E	110
Experience, 5.4.7B	109
General, 5.4.7A	109
Personnel Employed Beyond Ten Months, 5.4.7F	110
Substitute Teachers, 5.4.7C	109
Summer School Salary Schedule, 5.4.7G	110
Year's Service, 5.4.7H	110
Temporary Duty Assignment of Employees, 5.2.3	99
Time Schedule - School Day, Week and Year, 5.2.1	98
Tutoring, 5.2.7	100
Unauthorized Leave, 5.3.11	105
Vacations and Holidays, 5.2.2	99
Wearing Apparel, 5.2.4	100
Witness Leave, 5.3.15	105
Workers' Compensation, 5.3.5	100

5.0 INSTRUCTIONAL PERSONNEL

5.1 Employment Practices

5.1.1 Recruitment, Selection and Appointment

A. Personnel Philosophy

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

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

B. Qualifications of Instructional Personnel

- (1) A person shall be of good moral character and, when required by law, shall hold a certificate or license issued under regulations of the State Board of Education, except as provided in Section 231.02, Florida Statutes.
- (2) No person may be employed who has not reached the age of eighteen (18) years, except as provided in Section 231.03, Florida Statutes.
- (3) All personnel shall be certified in the area in which their major assignment is made unless the Superintendent shall have approved any exceptions and reported such to the Board. Any newly appointed personnel should teach in an area certified. Any person who is holding a temporary certificate or who is teaching out of field, must complete six (6) semester hours before being



re-employed.

(4) All new personnel are required to participate in the Florida Retirement System. Instructional Personnel who are members of the Teachers Retirement System may continue in that system in accordance with Board Rule 5.4.1. All members of the Florida Retirement System shall also contribute to Social Security.

(5) All personnel must complete a W-4 form to authorize proper withholding of monies for income tax purposes.

(6) Florida Statute 876.05 requires all persons who are on the payroll of the School Board to take an oath to support the Constitution of the United States and of the State of Florida. The oath, as amended by the United States Supreme Court, is included in the Appendix to this manual.

### C. Employment Procedures - Instructional

#### (1) Statutory - Record of Personnel

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

#### (2) Application Form

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

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

#### (3) Responsibility of Principal

The principal shall initiate requests for employment, re-employment, promotion, or dismissal of personnel in his school. He shall aid in securing references and investigating professional qualifications of teachers to be employed. He shall not consider any applicant who cannot qualify for a Rank III or higher certificate. A teacher's contract cannot be issued until a valid Florida certificate is received and filed with the Superintendent. The rank of the certificate may, in part,

determine the base salary.

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

(4) Personnel Interviews and Application Reviews

All candidates selected by the principal as those who will be recommended for appointment must be interviewed by the Deputy Superintendent for Instruction or his designee before being placed on the District payroll.

When reviewing applications for employment, the Board shall evaluate all applications with the primary objective of selecting persons best suited to meet the educational needs of the children.

(5) Disposition of Applications

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

(6) EXAMINATION REQUIREMENTS

Beginning with 1980-81 school year, a person applying for a teaching position in Osceola County schools must take or present evidence of having taken one of the following:

- A. The National Teachers Examination - Commons Examination Section
- B. The Graduate Record Examination. (Verbal and Quantitative Sections)
- C. The Wesman Personnel Classification Inventory

Exceptions:

- ...former Osceola County teacher making re-application who have a satisfactory record of past performance in Osceola County may be rehired without presenting evidence of taking a test
- ...instructional personnel applying for positions requiring less than a four (4) year degree

(7) Acceptance of Appointment

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

Auth: 230.22, F.S.  
Imple: 230.23(5), 231.02, 231.03, 231.031, 231.14,  
231.17, 121.051, 876.05, 231.29(2), and  
231.36(2), F.S.

\* 5.1.2. Certification of Instructional Personnel

A. General Information

It shall be the responsibility of each teacher to secure and renew his teaching certificate.

Application forms may be obtained from the Superintendent's Office. All certificate applications may be processed through the District contact for certification in the District office in order to receive priority attention from the Certification Division of the State Department of Education.

When there is a change in name, the name shall be changed on the certificate and the new certificate recorded in the Superintendent's office before any records may be changed. This shall be done by sending the current original certificate and the appropriate form and fee to the Certification Section, State Department of Education, Tallahassee, Florida.

Each member of the instructional staff shall file a copy of his or her certificate with the Superintendent immediately upon receipt thereof.

B. Beginning Teacher Program

A beginning teacher must satisfactorily complete the Osceola Beginning Teacher Program prior to receiving a regular certificate. The Beginning Teacher Program is incorporated and made a part of the Osceola Master Inservice Plan. F.S. 231.17 - 3 (a) amended 1983

### C. Extension of Certificates

The extension of teaching certificates shall be made in accordance with the provisions of Section 231.24, Florida Statutes, and State Board Regulation 6A-4.05, and shall be a responsibility shared between the individual and the State Department of Education. Inservice training may be used to extend a certificate, as outlined in the Master Plan for In-Service Training.

### D. Noncertificated Instructional Personnel

In each community there are persons who possess expert skill in, or knowledge of, a particular subject or talent, but who do not hold a Florida teaching certificate. These persons constitute an invaluable community resource for the education of the pupils in that district. It is hoped that the principals and teachers of the District will utilize the services of such expert persons in the community in an appropriate instructional capacity. Such persons may serve as non-paid volunteers or as paid members of the instructional staff to render instructional service to their individual fields of specialty, but shall not be required to hold a Florida teaching certificate. Qualifications for such noncertificated instructional personnel shall include, but shall not be limited to, the following:

- (1) Health and Age - Health and age requirements shall be the same as those required for certificated instructional personnel.
- (2) Employment Procedures - Employment procedures shall be the same as those followed for certificated instructional personnel, except that noncertificated instructional personnel shall not be entitled to a contract as prescribed by State Board Regulation 6A-1.64(1).
- (3) Personnel Records - The District Personnel records shall contain information considered necessary by the Board to establish the specialty of the individual, and a statement of the instructional duties assigned to and performed by each person.
- (4) Salary - Persons possessing skills in a certain job or teaching area which are considered equivalent to Rank III standard certification shall be paid in accordance with the Board-approved Adult Education salary schedule and equal to a Rank III teacher with zero (0) years' experience. Persons whose qualifications do not warrant Rank III standard certification shall be paid at the Rank IV hourly rate as provided in the Board-approved salary schedule.

- (5) Assignment, Suspension and Dismissal Procedures for non-certificated instructional personnel shall be the same as those for certificated personnel. Such procedures shall be provided in writing to each employee at the time of employment.
- (6) Assessment of performance - Procedures for assessing the performance of duties and responsibilities of all noncertificated instructional personnel shall be developed by the Superintendent to ensure that each person adequately performs the duties assigned.
- (7) Pupil Welfare - Each non-certificated instructional person who at any time is expected to assume responsibility for the health, safety, and welfare of pupils, shall possess, in advance of assuming the responsibility, a clear understanding of State and District rules, policies, and regulations relevant to instructional responsibilities. When assigned duties require knowledge of rules, regulations or policies of a special nature, the person occupying a supervisory position is responsible to ascertain that the instructor possesses, in advance of assuming the duties, the necessary knowledge to perform such duties in a proper and reasonable manner.
- (8) Instructional Practices and Policies - Each non-certificated instructional person who at any time is expected to assume responsibility for promoting pupil learning shall possess, in advance of assuming this responsibility, a clear understanding of all State and District instructional practices and policies relevant to instructional responsibilities.
- (9) Noncertificated personnel shall not be employed to teach for more than 160 clock hours during any fiscal school year.
- (10) A noncertificated person employed pursuant to this section shall be accorded the same protection of the laws as that accorded the certificated teacher.

Auth: 230.22, F.S.  
 Imple: 231.14, F.S., and SBE Regulations 6A-1.501,  
 6A-1.64, 6A-4.05 and 6A-1.502.

### 5.1.3 HEALTH CERTIFICATE

All employees of the School Board shall have a tuberculin skin test or, at their own expense, a chest X-ray at the beginning of each school year or within thirty (30) days after employment begins.

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

5.1.4 ASSIGNMENTS AND TRANSFERS

The School Board shall act on recommendations of the Superintendent regarding transfer and promotion of any employee. Assignments shall be based on the qualifications of personnel and the requirements of positions, and shall be made in accordance with Section 230.23, subsection (5) (e) and Section 230.33, subsection (7)(d), Florida Statutes.

Auth: 230.22, F.S.

Imple: 230.23(5)(e) and 230.33(7)(d), F.S.

5.1.5 CONTRACTS

A. Annual Contracts

The School Board shall issue contracts to all instructional personnel in accordance with Section 230.23, subsection (5)(b), Florida Statutes. Florida law provides that the Board cannot pay salary to a regular instructional employee unless it has a contract with him. Further, the Board cannot enter into a contract with the prospective employee until he has a valid Florida certificate to teach. However, if an application for a certificate has been filed through the District contact for certification, with the necessary attachments, a contract may be issued on the basis of a State Department of Education number assignment on the SDE Official Receipt and Acknowledgement form on the status report sent to the district contact person each month. If, after the second pay period since employment began, a valid certificate is not presented to the District Office, further checks may be withheld.

B. Continuing Contracts

- (1) A continuing contract is a contract for teaching service (as defined below), issued under the provisions of Section 231.36, Florida Statutes, entitling the holder the continuing employment without annual appointment.
- (2) In accordance with the provisions of Section 231.36, Florida Statutes, each member of the instructional staff who is properly certificated, has completed three (3) years of service in Osceola County, has been reappointed in the District for the fourth (4) year, and has been recommended by the Superintendent for a continuing contract based on successful performance of duties and demonstration of professional competence, shall be entitled to and shall be issued a continuing contract; provided, if the Board prescribes that the period of probationary service

shall be extended to four (4) years, and if such extension is agreed to in writing by the employee, such employee shall be entitled to a continuing contract following reappointment in Osceola County for the fifth (5th) successive year.

- (3) With respect to continuous service for purposes of continuing contracts, service for a fractional part of a year shall be recognized as a year continuous with immediately preceding and succeeding years, providing teaching service (as defined below) was actually performed for more than half of the normal contractual period of service for the position held, which period shall be ten (10) months or longer, and provided that absence from duty after the date of beginning service that year was covered by leave duly authorized and granted. No more, or no less, than one (1) year of teaching service may be recognized on the basis of service rendered during a single fiscal year.
- (4) In the event that continuous service is performed in more than one (1) position or capacity, the continuing contract to be granted following reappointment, as above provided, may be in the position or capacity held at the beginning of such three (3) year period.

C. Choosing Between Personnel on Continuing Contract or Professional Service Contracts

Should the Board have to choose from among its personnel who are on continuing contracts or professional service contracts as to which should be retained, such decisions shall be made pursuant to the terms of a collectively bargained agreement.

D. Return to Annual Contract Status

Any member of the instructional staff who is under continuing contract may be dismissed or may be returned to annual contract status only after a due process hearing as prescribed in Board Rule 10.1.

E. Professional Service Contract

- (1) The school board of each district shall provide a professional service contract as prescribed herein. Each member of the instructional staff, excluding supervisors and principals, in each district school system who is employed with an effective date of initial employment subsequent to July 1, 1982, who:

- (a) Holds a regular certificate as prescribed by s. 231.17 and rules of the State Board of Education;
  - (b) Has completed three (3) years of probationary service in the district, one (1) year of which shall be the beginning teacher program where required, during a period not in excess of five (5) successive years, such service being continuous except for leave duty authorized and granted; and
  - (c) Has been recommended by the superintendent for such professional service contract and reappointed by the school board based on successful performance of duties and demonstration of professional competence shall be issued a professional service contract in such form as may be prescribed by rules of the state board.
- (2) The professional service contract shall be effective at the beginning of the school fiscal year following the completion of all requirements therefore.
  - (3) The period of service provided herein may be extended to four (4) years when prescribed by the school board and agreed to in writing by the employee at the time of reappointment.
  - (4) A school board may issue a professional service contract to any employee who has previously held a professional service contract or continuing contract in the same or another district within this state.
  - (5) A professional service contract shall be renewed each year unless the superintendent, after receiving the recommendations required by s. 231.29(5), charges the employee with unsatisfactory performance as determined under the provisions of s. 231.29 and notifies the employee in writing, no later than six (6) weeks prior to the end of the post-school conference period, of performance deficiencies which may result in termination of employment, if not corrected during the subsequent year of employment (which shall be granted for an additional year in accordance with the provisions in F.S. 231.36(1), except as otherwise hereinafter provided, this action shall not be subject to the provisions of chapter 120, but the following procedures shall apply:



- (a) On receiving notice of unsatisfactory performance, the employee, on request, shall be accorded an opportunity to meet with the superintendent or his designee for an informal review of the determination of unsatisfactory performance.
- (b) An employee notified of unsatisfactory performance may request an opportunity to be considered for a transfer to another appropriate position, with a different supervising administrator, for the subsequent year of employment.
- (c) During the subsequent year, the employee shall be provided assistance and inservice training opportunities to help correct the noted performance deficiencies. The employee shall also be evaluated periodically so that he will be kept appraised of progress achieved.
- (d) Not later than six (6) weeks prior to the close of the post-school conference period of the subsequent year, the superintendent, after receiving and reviewing the recommendation required by s. 231.29(5), shall notify the employee, in writing, whether the performance deficiencies have been corrected. If so, a new professional service contract shall be issued to the employee. If the performance deficiencies have not been corrected, the superintendent may notify the school board and the employee, in writing, that the employee shall not be issued a new professional services contract; however, if the recommendation of the superintendent is not to issue a new professional service contract, and if the employee wishes to contest such a recommendation, the employee will have fifteen (15) days from the receipt of the superintendent's recommendation to demand, in writing, a hearing. In such a hearing, the employee may raise as an issue, among other things, the sufficiency of the superintendent's charges of unsatisfactory performance within 45 days of receipt of the written appeal. The hearing shall be conducted in accordance with the provisions of 2.120.57(1)(a) 1. A majority vote of the membership of the school board shall be

required to sustain the superintendent's recommendation. The determination of the school board shall be final as to the sufficiency or insufficiency of the grounds for termination of employment; or

- (e) A hearing conducted by a hearing officer assigned by the Division of Administrative Hearings of the Department of Administration. The hearing shall be conducted within 45 days of receipt of the written appeal in accordance with chapter 120. The recommendation of the hearing officer shall be made to the school board. A majority vote of the membership of the school board shall be required to sustain or change the hearing officer's recommendation. The determination of the school board shall be final as to the sufficiency or insufficiency of the grounds for termination of employment.

- 6. An employee who has continuing contract status prior to July 1, 1984, shall be entitled to retain such contract and all rights arising therefrom in accordance with existing laws, rules of the State Board of Education, or any laws repealed by this act, unless the employee voluntarily relinquishes his continuing contract.

Auth: 230.22, F.S.  
Imple: 230.23(5)(b), 231.36(3) - (5);  
120.53(1) 12s.57 - 129.59, and  
230.22(2), F.S.

#### 5.1.6 SUSPENSION AND DISMISSAL

Suspension and dismissal of instructional personnel shall be conducted in accordance with the procedures contained in Board Rule 10.3 except that the Superintendent may suspend members of the instructional staff in an emergency in accordance with the provisions of Section 230.33, subsection (7)(e), Florida Statutes.

Auth: 230.22, F.S.  
Imple: 230.33(7)(e), 120.53(1), 120.57 - 120.59,  
231.085(2) and 231.36(6), F.S.

#### 5.1.7 RESIGNATIONS AND TERMINATIONS

##### A. Resignation

All instructional personnel requesting to be released from their contract shall submit to the Superintendent the proper resignation form.

Resignation of employees shall require at least two (2) weeks written notice in advance of the date of termination. Unused vacation days and personal leave charged to sick may be used toward all or part of this requirement.

All leave forms, termination forms, or other required paper work must be on file in the District Personnel Office before the final pay check can be released. Failure to give proper notice may delay the release of the final check one pay period. Compensation for services rendered shall be made following the established payroll date schedule.

An exit interview shall take place prior to or at the time of receiving the last check. Termination of all benefits shall be effective as of the last official day of employment.

B. Release from Contract

Any person who shall violate the terms of his contract by leaving his position without first being released from his contract by the Board shall be reported to the Educational Practices Commission. The Board shall take official action on such violation and furnish a copy of the proceedings to the certification section of the State Department of Education in accordance with Section 231.36, subsection (2), Florida Statutes.

5.1.8 Personnel Files

A copy of the employees social security card must be in their personnel file before starting employment.

A complete statement of the academic preparation, professional training and teaching experience of each person to whom a certificate is issued, shall be furnished by the applicant to the Superintendent, on forms furnished by the Department of Education. For the purpose of improving the quality of instructional, administrative, and supervisory services in the public schools of the District, the Superintendent shall establish procedures for assessing the performance of duties and responsibilities of all instructional personnel employed in the District and for the proper recordkeeping of the same.

An annual evaluation of each teacher shall also be prepared as prescribed by the Superintendent, and made available for inspection by the School Board, the Superintendent, the principal, the teacher and such other persons as the teacher or the Superintendent may authorize in writing in accordance with Section 231.29, subsections (2) and (3), Florida Statutes.

Auth: 230.22, F.S.  
Imple: 231.29(2) and (3), F.S.

5.1.9 Substitute Teacher

When certified teachers are not available, emergency non-certificated teachers and teachers holding a substitute teaching certificate may be employed by the Superintendent. The Board is also authorized to contract with properly certified personnel in order to provide teachers in an emergency when the regular teacher is unable to perform assigned duties. The conditions of such contracts shall be the same as those of the contracts issued to regular instructional personnel, except that compensation shall be earned by the holders of such contracts only for the days during which services are actually rendered. The compensation for such employees shall be computed at the same daily rate that would be allowed to full time employees with the same qualifications and status.

The Superintendent shall annually compile a list of persons who may be called upon for substitute teaching. Such list shall be approved by the Board prior to the rendering of teaching services.

In order for a substitute teacher to be considered for such a short-term contract the teacher for whom he is temporarily replacing must be on personal leave at the time. Salary compensation is based upon salary schedules annually adopted by the Board. Retroactive payments are not made during one's applying or receiving initial or additional certification. The stamped in receiving date for the certificate at the County Office is the effective date for salary level purposes.

Auth: 230.22, F.S.  
Imple: 231.47, F.S. and SBE Regulation 6A-1.54.

5.2 EMPLOYMENT CONDITIONS

5.2.1 Time Schedule - School Day, Week and Year

Instructional personnel are required to work each school year not less than 196 days of service excluding Sundays and holidays, which shall include at least 180 actual teaching days, or the equivalent on an hourly basis, as specified by Section 236.02, subsection (3), Florida Statutes, and State Board Regulation 6A-1.451(3).

All members of the faculty are responsible for the supervision of the students during school hours regardless of specific scheduled assignment. Teachers desiring to leave the campus between the time school

starts and the end of the school day for students shall obtain permission from the principal.

Each principal shall have the authority to release members of his staff for less than one-half ( $\frac{1}{2}$ ) day for temporary absence without requesting approval of the Superintendent or Board, provided, however, that these temporary absences are kept to a minimum and that the principal assumes responsibility for such absences. In cases where other staff members are able to conduct the class of the excused teacher and a substitute is not required, it shall not be necessary to charge the excused teacher with personal or sick leave; however, if personal leave is charged, the Superintendent shall be consulted. Each principal shall keep a record of such temporary absences, the time involved, and the reason for each absence.

All schools shall maintain regularly scheduled school hours. In no case shall school be dismissed for a sports event or any other activity at an hour other than the scheduled time for dismissal without prior approval of the Superintendent. Exceptions may be made by the principal in case of emergencies where the safety and welfare of the students are in jeopardy.

The principal of each school shall design a working schedule which will best serve the needs of the community and which shall be approved by the Superintendent and coordinated with the operation of the transportation system.

Auth: 230.22, F.S.

Imple: 236.02(3), 230.33(7)(f), and 231.085(5), F.S.

#### 5.2.2 VACATIONS AND HOLIDAYS

Twelve (12) month instructional personnel shall be given vacation days and holidays as may be recommended by the Superintendent and approved by the Board.

Auth: 230.22, F.S.

Imple: 231.39 and 236.02(3), F.S.; and SBE Regulation 6A-1.82

#### 5.2.3 Temporary Duty Assignment of Employees

When mutually agreed upon, employees may be assigned to be temporarily absent from their regular duties and places of employment for the purpose of performing other educational services, including participation in school surveys, professional meetings, study courses, workshops, etc. Such assignment to temporary duty shall ordinarily be initiated by the District administration, but an

employee may request assignment to temporary duty, subject to approval by the Superintendent. Employees shall receive their regular pay and may be allowed expenses as provided in Board Rule 2.4.8. Such temporary duty shall be considered equal to the regular duties of the individual, and employees performing such assigned temporary duties shall not be considered to be on leave. Employees may not be assigned for temporary duty for the purpose of earning college credits, improving rank or renewing certificates, except when participating in a staff development program approved by the Board.

Auth: 230.22, F.S.

Imple: 231.42, F.S. and SBE Regulation 6A-1.84.

#### 5.2.4 Wearing Apparel

Teachers' dress shall be dignified, non-disruptive and in good taste. The Principal may direct any teacher whose wearing apparel, in the Principal's opinion, violates this policy, to change into suitable clothing. If the teacher refuses to do so, the Superintendent may suspend the teacher until the teacher complies with the Superintendent's request. Such suspensions shall be pursuant to Section 231.36, subsection (6), Florida Statutes.

Auth: 230.22, F.S.

Imple: 231.09(2), 231.36(6), 120.53(1), 120.57-120.59, 230.33(7)(e), and 231.085(2), F.S.

#### 5.2.5 Workers' Compensation

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

#### 5.2.6 Pallbearer

The head of a district department or a principal has the authority to allow any member of the instructional staff to act as pallbearer.

Auth: 230.22, F.S.

Imple: 231.085, F.S.

#### 5.2.7 Tutoring

No member of the instructional staff shall receive compensation for tutoring and pupil enrolled in his or her class. Teachers who receive compensation for tutoring shall not use public school facilities for such purpose.

Auth: 230.22, F.S.  
Imple: 232.02, F.S., and SBE Regulation 6A-1.951.

5.2.8 Residence

Teachers employed by the Board are encouraged but not required to live in Osceola County. Living out of the county does not exempt the teacher in any way from his prescribed duties.

5.2.9 Inter-school and Intra-school Visitation

A member of a school's instructional staff may be recommended by the principal and Director of In-service Education for a maximum of two (2) days of visitation per year for the purpose of improving instruction. The teacher shall make necessary arrangements with the school to be visited. Under no circumstances shall a teacher visit another school unless the visit has been pre-arranged and provided, further, that the teacher, upon arrival to the host school, reports first to the office of the principal. Application should be made according to provisions of the Master In-service Plan, a copy of which shall be available in each school library.

Auth: 230.22, F.S.  
Imple: 231.601(4)(c), F.S.

5.3 LEAVES OF ABSENCE

During the school year, when it is necessary to be absent from duty, any member of the instructional staff may secure leave of absence as prescribed by law, pursuant to rules of the Board. Any such leave shall be classified as one of the following:

- A. Illness-in-line-of-duty leave
- B. Maternity leave
- C. Military leave
- D. Personal leave
- E. Professional leave
- F. Staff Development leave
- G. Sick leave
- H. Sabbatical leave
- I. Adoptive leave

J. Jury Duty Leave

K. Witness Leave

Auth: 230.22, F.S.

Imple: 231.39 - 231.43, F.S. and SBE Regulation 6A-1.76  
and 6A-1.77

5.3.1 Authority for Leave

The granting of leaves shall be at the discretion of the Board. However, the Superintendent may grant leaves unless otherwise specified by Board rules, with the exception of leave for which expenses are requested, which shall be subject to Board approval. When leave is granted, it shall be with or without pay as provided by law and Board rule, and shall be allowed only when the operation of schools is protected against undue interruption because of the absence of personnel. All leaves shall be reported to the Board by the Superintendent and shall be reflected in the minutes of the Board.

Auth: 230.22, F.S.

Imple: 231.39 - 231.43, F.S., and SBE Regulation 6A-1.76

5.3.2 Advance Granting of Leave

Leaves shall be officially granted in advance and shall not be granted retroactively, provided that leaves for sickness or other emergencies may be deemed to be granted in advance if prompt reporting is made to the proper authority.

Auth: 230.22, F.S.

Imple: 231.39 - 231.43, F.S. and SBE Regulation 6A-1.76.

5.3.3 Purpose Specified

Leave granted on the request of an employee shall be for a particular purpose or cause which shall be sent forth in a written application. The Board reserves the right to determine that the leave issued for the purpose or cause set forth in the application. If not so used, as specified, the leave approval is subject to cancellation by the Board.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.79 and 231.39, F.S.

5.3.4 Records of Absence

The principal of each school shall see that records of leave are kept and submitted to the Superintendent at least one a month on forms prescribed for that purpose in



accordance with Section 231.45, Florida Statutes. The Superintendent shall keep complete records of all instructional personnel with regard to absences, and shall consult with the Board concerning the disposition of any claims for payment of benefits as provided herein.

Auth: 230.22, F.S.

Imple: 231.45 and 231.46, F.S.: SBE Regulation 6A-1.77

5.3.5 Illness-in-line-of-Duty Leave

"Illness-in-line-of-duty" is absence from duties necessary because of personal injury received in the discharge of duty or because of illness from a contagious or infectious disease determined to have been contracted in school work.

Auth: 230.22, F.S.

Imple: 231.41, F.S.

5.3.6 Maternity Leave

Maternity leave shall be granted for absence necessary by reason of pregnancy and child birth. Sick leave may be granted for maternity leave, to the extent of an employee's eligibility for sick leave, at the option of the employee.

Auth: 230.22, F.S.

Imple: 231.39(s) and 231.40, F.S.

5.3.7 Military Leave

Military leave shall be granted without pay, except as provided in Section 115.07, Florida Statutes, to employees who are required to serve in the Armed Forces of the United States or of this State in fulfillment of obligations incurred under Selective Service laws or because of membership in the reserves of the Armed Forces or National Guard. At the termination of this service, employees must make application for reemployment within six (6) months following the date of discharge or release from active duty. The School Board shall have a period not to exceed six (6) months, to reassign the employee to duty in the school system. Military leave shall not be counted as years of service toward a continuing contract.

Auth: 230.22, F.S.

Imple: 231.39(2) and 115.07 F.S.

5.3.8 Personal Leave

A. Without Pay

Instructional personnel may be granted personal leave without pay by the Superintendent. A person on personal leave without pay may not receive holiday pay unless he works the day before and the day after the holiday.

B. Charged to Sick Leave

A member of the instructional staff may be absent with pay for personal reasons. Such absences shall be charged only to accrued sick leave as provided by law and leave for personal reasons shall be noncumulative.

Auth: 230.22, F.S.

Imple: 231.43, F.S., 231.40(2)(a)2

5.3.9 Professional Leave

Professional leave is defined as leave granted to a member of the instructional staff to engage in activities which will result in his professional benefit and advancement, including earning of college credits and degrees, or that will contribute to the profession of teaching.

Auth: 230.22, F.S.

Imple: 231.39(1), F.S.

5.3.10 Sick Leave

A. Sick Leave

Any member of the instructional staff, who is unable to perform because of personal illness, or because of the illness or death of father, mother, brother, sister, husband, wife, child or other close relative or member of his own household and consequently has to be absent from work, shall be granted leave of absence for sickness by the Superintendent. Absence because of illness beyond accumulated sick leave is considered personal leave without pay.

B. Terminal Pay for Accumulated Sick Leave

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

Imple: 231.40, F.S.

5.3.11 Unauthorized Leave

All absence from duty for good reason shall be covered by leave duly authorized. Any employee willfully absent from duty without leave shall forfeit compensation for the time of such absence and shall be subject to discharge and forfeiture of tenure and all other rights and privileges provided by law. If an employee granted leave fails to return to duty at the termination of leave, his employment shall be subject to cancellation by the School Board.

Auth: 230.22, F.S.

Imple: 231.44, F.S. and SBE Regulation 6A-1.77

5.3.12 Sabbatical Leave

Sabbatical leave for study, research, educational travel or such reason as approved by a sabbatical committee shall be granted by the Board to teachers who have three or more years of service in Osceola County. This leave shall be granted for a period not to exceed one (1) year.

5.3.13 Adoptive Leave

A teacher adopting a child of pre-school age or less shall be entitled to adoptive leave without pay not to exceed one (1) year.

5.3.14 Jury Duty

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

Auth: 230.22, F.S.

Imple: 231.39, F.S.

5.3.15 WITNESS LEAVE

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

A. That the person has been subpoenaed by the court or agency having subpoena powers as a witness, and is not a principal in the case.

B. That the employee shall submit a copy of the subpoena or letter from either attorney in the case to the Superintendent.

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

Auth: 230.22, F.S.

Imple: 231.39, F.S.

#### 5.4 BENEFITS AND DUTIES

##### \* 5.4.1 Retirement Annuities Program

All new school employees must participate in the Florida Retirement System (FRS) as a condition of employment.

Instructional personnel on the Teachers Retirement System (TRS) prior to December 1, 1970, may continue in the Teachers Retirement System, provided there has been no break in continuity of service. Teachers in question should check with the Personnel Department or with the Retirement System as to their status. Contributions by members of the TRS shall be outlined in Section 238.11 Florida Statutes.

The Board will consider annually, upon the recommendation of the Superintendent, requests for retirement annuities for school personnel with 25 years or more of creditable service (at least 5 of which must have been in this district) who have reached the age 55 and have applied for retirement under the FLA retirement system. All requests must be received between February 1 and February 28 of the calendar year for those requesting retirement during or at the conclusion of the school year or 4 months prior to retirement if planning retirement before February of that school year. A copy of the official determination, by the Division of Retirement, of the projected monthly benefits at the effective date of retirement based on the average monthly compensation and creditable service as of the member's early retirement date and the actual early retirement benefits shall accompany the request. Requests of applicants between the ages of 50 and 54 may also be considered by the Board if the Board first determines from that year, that is is economically feasible to do so.

Between January 1 and February 1 an annual survey and study will be conducted prior to the feasibility of the program being offered during that school year with no commitment to offer the program in future years unless the Board options to do so after reviewing the annual survey. The employee may be required to contribute to the annuity in order to qualify.

The Board upon the recommendation of the Superintendent will determine before April 1, whether or not the program will be offered for that year.

If the Program is offered the Superintendent shall make recommendations pertaining to either the investment, in a specific amount of current funds, or the purchase of an adequate annuity either of which would provide earned income in an amount sufficient to provide the annual early retirement supplemental benefit for the named employee.

The maximum monthly benefit to any individual shall be in compliance with FLA Statutes.

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

5.4.2 Social Security

Social Security is required of every member of the Florida Retirement System.

Auth: 230.22, F.S.  
Imple: 121.05(3), F.S.

5.4.3 Legal Duties

Instructional personnel shall be subject to the rules and regulations of the State Board, Section 231.09, Florida Statutes, and to those rules of the School Board contained herein in the performance of their duties.

Auth: 230.22, F.S.  
Imple: 231.09, F.S.

5.4.4 Professional Duties

A. Co-Curricular Responsibilities

Each member of the instructional staff, acting under the guidance of the principal, shall carry, regardless of class load assignment, his or her fair share of the total concerns of the school including in-service training, faculty meetings, policy making, noon activity duty, committee assignments and such other duties and responsibilities as are necessary to make the school function as a total unified entity; provided, however, the additional duties and responsibilities as described herein shall be subject to the provisions of any collective bargaining agreement entered into between the Board and members of the instructional staff.

B. Faculty Meetings

Each principal shall hold regular faculty meetings and may hold such special faculty meetings as may be considered necessary.

No teacher shall be absent from a faculty meeting without the principal's prior approval. Faculties shall consider among other items the following matters:

- (1) Administrative problems and procedures
- (2) School policies
- (3) Professional study for improvement
- (4) Involvement in total curriculum
- (5) Youth guidance

C. Field Trips

Teachers planning field trips shall:

- (1) Schedule each trip with school principal, specifying the destination, the method of transportation, and the period of absence from school.
- (2) Complete all necessary arrangements with the organization, firm, or owner of the property to be visited.
- (3) Obtain from parents of all pupils who are to participate in a field trip written permission, on the District form, for their children to be away from school during the time required for the trip and to participate in the planned activity.
- (4) Food Service shall be notified in advance of any trips interrupting normal lunch periods. (Refer to Chapter VIII, Section B, subsection (3)(g) and (h) of County Rule.)

School buses may be used for school activity trips for which approval has been obtained from the Superintendent as provided in Rule 3.1.1.

Auth: 230.22, F.S.

Imple: 231.085 and 231.09, F.S.

5.4.5 School Registers

It shall be the responsibility of the principal to ensure that teachers keep complete accurate and neat records of individual class attendance. These shall be submitted to the County Office at the close of each school year and summer school term.

No names and addresses of students shall be released to any company, corporation, or individual without written approval by the School Board, except as provided in Rule 3.4.

Auth: 230.22, F.S.

Imple: 231.085(3) and 231.09(7), F.S.

5.4.6 Lesson Plans

Each teacher shall follow a regular system of unit and lesson planning. The practice of merely giving text and workbook pages shall be considered inadequate. The principal shall assist teachers in the development of satisfactory unit and lesson plans to ensure an adequate instructional program.

Auth: 230.22, F.S.

Imple: 231.09(1), F.S.

\* 5.4.7 Teacher Salaries and Benefits

A. General

Teachers shall be paid at the appropriate level of experience and degree or its equivalent as shown on the certificate and shall accrue benefits under the provisions of employment set forth in subsections 230.33(7)(b) and 230.23(5)(d), and Sections 231.02 and 236.0711, Florida Statutes, and in accordance with State Board Regulation 6A-1.52. The salary schedule shall be based on a full day schedule of assigned responsibilities during the 196-day or longer school year.

B. Experience

Teaching and vocational experience shall be allowed based on criteria recommended by the Superintendent and approved by the Board. Administrative experience shall count as teaching experience on the salary schedule.

C. Substitute Teachers

The Superintendent is authorized to act on behalf of the Board in appointing emergency teachers in accordance with the provisions of State Board Regulation 6A-1.54 and Board Policy Chapter 5.

D. Annual Contracts

Any certificated, full-time instructional employee who does not meet the requirements for a continuing contract or professional services contract as provided by law and State Board of Education regulations shall be placed on an annual contract status.

E. Continuing or Professional Service Contracts

A continuing contract shall be issued by the School Board to any member of the instructional staff who meets the requirements of Board Rule 5.15(b). Effective July 1, 1984, a professional service contract shall be issued by the School Board to any member of the instructional staff who meets the requirements of Board Rule 5.1.5-E as prescribed by Sections 231.36(s), F.S.

F. Personnel Employed Beyond Ten Months

In order to be eligible for summer programs, instructional personnel shall have been employed by the School Board in the preceding regular ten (10) month term and have been re-employed for the following school year.

G. Summer School Salary Schedule

Instructional personnel employed for summer programs shall be paid in accordance with the salary schedule of the preceding regular ten (10) month term.

H. Year's Service

The minimum time which may be recognized as a year of service shall be 99 days of full-time actual service in any one regular school year. Half-time teaching shall be combined for salary credit, i.e. two (2) one-half ( $\frac{1}{2}$ ) years or two (2) half-time years equal one (1) year of experience.



## TABLE OF CONTENTS

	Page
STUDENT SERVICES, 6.0	
Alternative Education Programs, 6.10	176
Attendance Services, 6.1.3	111
Community/Adult Education, 6.4.7	140
Adult Basic Education, 6.4.7A	140
Adult Supplementary Education, 6.4.7I	142
Adult Vocational Preparatory, 6.4.7J	143
Alternative Program, 6.4.7F	142
Community Instructional Services, 6.4.7G	142
Fee Based Courses, 6.4.7H	142
GED Testing, 6.4.7C	140
High School Completion Program, 6.4.7E	141
Nursing Assistants Testing, 6.4.7.D	140
Pre-GED Testing, 6.4.7B	140
Conduct, 6.6.1	162
Credits Applicable Toward Graduation, 6.4.6	133
Awarding Credits and Grades, 6.4.6J	138
Co-Enrollment, 6.5.6C	135
College Course Credit, 6.4.6E	135
Cooperative Diversified Education, 6.4.6I	137
Dual Enrollment, 6.4.6B	134
Early Admission, 6.4.6A	133
Subject Level Exam, 6.4.6F	135
Summer School, 6.4.6D	135
Vocational Education Course Substitution, 6.4.6G	136
Vocational Education Work Program, 6.4.6H	137

	Page
Diplomas, Types of, 6.4.5	132
Adult High School Diploma, 6.4.5E	133
Certificate of Completion, 6.4.5C	132
Florida High School Diploma, 6.4.5F	133
Regular Diploma, 6.4.5A	132
Special Certificate of Completion, 6.4.5D	133
Special Diploma, 6.4.5B	132
Early Childhood and Basic Skills Development and Prep, 6.3	123
Educational Records of Students, 6.5	151
Access to Student Records - Confidentiality, 6.5C	156
Child Custody and Access to Student Records, 6.5D	157
Confidentiality - Student Records, 6.5A	151
Cost of Reproduction of Student Records, 6.5K	161
Directory Information, 6.5E	157
Public Notification, 6.5F	157
Record of Disclosure, 6.5I	160
Right to Contest the Contents of Student Records - Hearing Procedures, 6.5L	161
Storage of Cummulative Folders and Permanent Record, 6.5B	156
Third Party Restriction, 6.5H	160
Transfer of Records, 6.5J	160
Transfer of Student Cummulative Records, Transcripts of Student Permanent Record Copy, and/or Release of Student Records, 6.5G	157
Elementary Promotion and Placement, 6.4.2	127
Promotion, 6.4.2C	127
Required Program of Study, 6.4.2D	128
Screening Program, 6.4.2A	127

	Page
State Assessment Test, 6.4.2E	128
Summer School, 6.4.2B	127
Employment and Age Certificates, 6.9.8	175
Exceptional Student Education, 6.4.9	144
Elementary and Middle School, 6.4.9A	144
High School, 6.4.9B	146
Florida Academic Scholars Certificate, 6.4.8	143
Guidance and Counseling, 6.1.1	111
Head Lice, 6.12	176
Health Services, 6.1.5	112
High School Grade Classification and Graduation Requirements, 6.4.4	130
Curriculum Frameworks, 6.4.4C	131
Grade Classification, 6.4.4A	130
Requirements for Graduation, 6.4.4B	130
Student Performance Standards, 6.4.4D	132
Internal Accounts, 6.7	163
Leaving School Grounds, 6.9.10	176
Loitering, 6.9.5	170
Middle School Promotion and Placement, 6.4.3	128
Minimum Age Exception, 6.9.9	176
Miscellaneous, 6.9	168
Money-Raising Drives, 6.7.1	164
Personal Safety in Transport, 6.6.2	163
Picnics and Parties, 6.8.1	165
Placement and Follow-Up, 6.1.2	111
Procedures for Promotion, Special Assignments and Administrative Placement (Grades K-Adult), General, 6.4.1	124

	Page
Psychological Services, 6.1.4	112
Public Visitation, 6.9.4	170
Pupil Insurance, 6.9.3	169
Contracts, 6.9.3A	169
Solicitation, 6.9.3B	169
Pupil Progression Plan, 6.4	124
Reporting Student Progress, 6.4.10	150
Notice to Parents, 6.4.10C	151
Report Card Grades, 6.4.10B	150
Report Cards, 6.4.10A	150
Safety on School Grounds, 6.9.1	168
Sale of School Supplies, 6.7.3	164
School Admission, 6.2.2	120
Admission to Kindergarten, 6.2.2A	120
Early Admission, 6.2.2B	120
Requirements for Initial Admission, 6.2.2C	120
Residence, 6.2.2D	123
Student Custody, 6.2.2F	123
Students 18 Years or Older, 6.2.2E	123
School Attendance 6.2.1	112
Absences, 6.2.1E	114
Attendance For Credit, 6.2.1H	115
Attendance For Promotion, 6.2.1G	115
Certification of Exemption, 6.2.1B	113
Foreign Exchange Visitor Program, 6.2.1M	118
FTE Reporting, 6.2.1N	119
General Requirements, 6.2.1A	112

	Page
Grading of Make-Up Work, 6.2.1F	115
Married Students, 6.2.1J	117
Out-Of-County Admission, 6.2.1K,	118
Place of Enrollment, 6.2.1I	116
Reporting Procedures, 6.2.1D	113
Responsibility for Attendance, 6.2.1C	113
School Attendance and Admission, 6.2	112
School Day Pictures/Elementary and Middle School, 6.9.6	170
School Day Pictures/High School, 6.9.7	173
Seniors Open Lunch, 6.9.2	169
Social Functions, 6.8	165
Student Activities, 6.8.2	165
Athletic Events, 6.8.2D	166
F.H.S.A.A. Membership, 6.8.2B	165
Field Trips, 6.8.2A	165
School Bands and Band Instruction, 6.8.2E	167
Student Standards for Participating in Extra- curricular Student Activities, 6.8.2C	166
Student Transportation, 6.6	162
Vending Machine Operation, 6.7.2	164
Working With Community and Governmental Agencies, 6.1.6	112

6.0

STUDENT SERVICES

6.1 Student Services

Student Services is an organized, cooperative team effort of professional and instructional personnel, designed for the purpose of meeting student needs. It shall be the responsibility of the Student Services Team to help students achieve their goals, cope with their concerns, and develop positive and healthy self-concepts.

The Student Services Team shall share the responsibility with the home and community in giving professional aid to students in all areas of development, particularly in providing them with the opportunity to acquire the minimum skills necessary to function effectively and meet the challenges of today's society. The following services shall be among those provided.

Auth: 230.22, F.S.  
Imple: 230.2313, F.S.

6.1.1. Guidance and Counseling

Each elementary, middle, and high school in Osceola County will be provided guidance services. Details of this phase of student services are to be found in the Osceola County Guidance Manual for Guidance and Counseling Services.

Auth: 230.22, F.S.  
Imple: 230.2313(3)(a) and 233.066(2), F.S.

6.1.2. Placement and Follow-up

Follow-up studies shall be conducted which will include all students graduating or leaving the public school system, and/or completing a vocational program.

Auth: 239.67(2), F.S.; 230.22, F.S.  
Imple: 230.2313(3)(d), F.S. and SBE Regulation 6A-6.71 (4)

6.1.3. Attendance Services

Each school principal shall develop procedures based on guidelines set forth by the Superintendent's office for contacting parents regarding school or class absence. These procedures shall be on file in the Superintendent's office.

In cases of five (5) unexcused absences, referrals shall be made to the Court System and treated as "habitual" truancy under Section 232.19, Florida Statutes, and the

attendance clerk shall file with the Circuit Court, a complaint alleging the facts of each case as provided in Florida Statutes, 232.19. Before a referral is made to the court system, a contact shall be made with the parent either in person or by mail, to give the parent opportunity to immediately correct the situation and to notify parent of procedures which will be followed. Truancy is defined as being absent from school without permission.

Auth: 230.2313(3)(c), 232.01, 232.09, 232.17 and 232.19, F.S.

6.1.4. Psychological Services

Psychological services shall be provided by certified psychologists, who shall be assigned to schools by the Director of Student Services.

6.1.5. Health Services

Health services shall be provided at each school. The registered nurse shall have a schedule of regular visits to the schools and shall train and supervise a health aide in each school. A checklist of skills shall be used by the nurse to determine when the aides have developed needed skills. Records relating to health and immunizations shall be kept up-to-date by the health aide. The registered nurse shall also handle referrals to Student Services of suspected health disabilities.

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

6.1.6. Working with Community and Governmental Agencies

Student Services shall work closely and cooperatively with out-of-school community and governmental agencies in an attempt to meet the needs of students in the community. School personnel shall be given a listing of all community and governmental agencies, their contact people and responsibilities. Student Services shall act as liaison between the school system and these agencies. Such agencies shall be given guidelines of requesting information from the school principal and all other circumstances as they relate to students.

Auth: 230.22, F.S.  
Imple: 230.23(12), F.S.

6.2 School Attendance and Admission

\* 6.2.1. School Attendance

A. General Requirements

Addendum to Rule 6.1.5

NEW  
Dec. 1985

Students found to have a contagious or communicable disease shall be excluded from school until the disease no longer exists. Students diagnosed as having Acquired Immune Deficiency Syndrome (AIDS) will not be allowed to attend the schools of Osceola County. An educational alternative will be offered.



All children who have attained the age of six (6) years or who will be six (6) years of age by February 1st of any school year, or who are older than six (6) but have not attained the age of sixteen (16) years, are required to attend school regularly during the entire school year except as provided in Florida Statutes 232.01(1)(c). B.

A child who attains the age of sixteen (16) years during the school year shall not be required to attend school beyond his sixteenth (16) birthday.

B. Certification of Exemption

Children within the compulsory attendance age limits who hold valid certificates of exemption issued by the Superintendent in accordance with Florida Statutes 232.06(3), shall be exempt from attending school. A certificate of exemption shall cease to be valid at the end of the school year in which it is issued.

C. Responsibility for Attendance

Each parent of a child within the compulsory attendance age shall be responsible for such child's school attendance as required by Florida Statutes, 232.09.

Whenever a child of compulsory attendance age is absent without the permission of the person in charge of the school, the parent of the child shall report and explain the cause of such absence to the proper person at each school, as provided in Florida Statutes, 232.10.

The Superintendent may delegate the enforcement of compulsory school attendance and child welfare to attendance personnel as provided in Florida Statutes 232.16.

D. Reporting Procedures

It shall be the responsibility of the principal and the teacher to encourage regularity of attendance and punctuality, and to check student attendance as prescribed below.

The principal shall be responsible for the administration of attendance rules and procedures and for the accurate reporting of attendance in the school under his direction.

All officials, teachers and other employees shall keep records and shall prepare and submit all reports that may be required by law and State Board Regulation 6A-1.44. The enrollment register shall be open for inspection of

the Superintendent or District FTE Coordinator and shall show the absence or attendance of each child enrolled for each school day. Violation of this provision is a misdemeanor as prescribed in Florida Statutes, 232.021.

Attendance checks shall be made as early in the day as practicable. All absences, whether "excused", or "permitted" or "unexcused", shall be entered upon the attendance register as "absent".

#### E. Absences

Non-attendance in a class shall be considered an absence unless the student is participating in a school activity. Absences shall be classified as:

##### Excused Absences

Absences shall be excused for the following reasons:

- (1) Illness or injury of the student.
- (2) Illness, injury or death in the immediate family of the student. If there is a reasonable doubt concerning the illness claimed, the principal shall be authorized to require a statement from an accepted medical authority. Failure to comply with this requirement shall result in the absence being "unexcused".

In cases of excused absences, the student shall be allowed to make up the work and teachers of the students shall give every reasonable assistance.

Make-up work shall be completed during a period of time equal to at least twice the time for which the absence is excused, unless otherwise authorized by the teacher.

##### Permitted Absences

"Permitted" absences may be granted. Such absences shall be the direct responsibility of the principal only, who shall determine each individual case. Arrangements for make-up work shall be made in advance with the instructor of classes to be missed. The student shall assume complete responsibility for the make-up work. The teachers shall cooperate by making assignments, grading materials, and recording grades. Examples of situations warranting "permitted" absences include:

- (1) Attendance of an important public function
- (2) Attendance of church meetings, or observance of religious holidays

- (3) Travel with parents in urgent circumstances
- (4) Attendance of non-school conventions or conferences
- (5) Other situations with parental permission and approval of the principal.

#### Unexcused Absences

All absences other than "excused" or "permitted" shall be deemed "unexcused", and a failing grade shall be recorded for the period of the "unexcused" absence, except that Students who are suspended from school during grade period exams or semester exams shall be allowed to make up these exams.

#### F. Grading of Make-up Work

Students whose absences have been approved as "excused" or "permitted", and who complete the make-up assignments as required by school policy, shall receive grades for the periods of such absences in the same manner as if not absent from school. Each school shall establish procedures to ensure good attendance in each grading period.

Auth: 230.22, F.S.

Imple: 232.02, F.S. and Chapter 75-130, Laws of Florida; 232.06, 232.08, 232.10, 232.26, 230.23(4)(a), 230.232, 230.23(4)(d), 232.23, 231.085, 231.09(7), 232.021, 236.013(3), 232.17, F.S. and SBE Regulation 6A-1.451

#### G. Attendance for Promotion (K-8)

Students who miss more than fifteen (15) days per semester will not receive credit for the course except as follows:

- (1) If medical evidence is presented to the principal from a competent medical authority to excuse absences in excess of fifteen (15) days or fifteen (15) class settings.
- (2) Extenuating circumstances as determined by the principal based on recommendations of teachers, counselors or Student Services workers.
- (3) School activities shall not be counted as absences. Assigned work shall be turned in on the date indicated by the teacher.

#### H. Attendance for Credit (9-12)

- (1) Students who miss more than nine (9) days or nine (9) class settings will not receive credit for the course except as follows:

Revised  
Dec. 1985

- (a) If medical evidence is presented to the principal within fifteen (15) days from a competent medical authority to excuse absences in excess of nine (9) days or nine (9) class settings and the student successfully completes the performance standards; or

(See page 115a for sections (b) and (c))

- (2) A student who wishes to participate in a non-instructional activity must:
  - (a) Meet the academic requirements as set forth by the School Board;
  - (b) Make arrangements, in advance, with the teacher for missing class, and
  - (c) Accept the responsibility for making up time and work

Arrangements for make-up work shall be made in advance with the instructor of classes to be missed. A time line, which shall not exceed twice the number of days of absence, shall be set by the teacher for receiving the student's work for credit.

#### I. Place of Enrollment

Parents shall enroll their child in the appropriate grade level within the attendance area as established by the Board.

It is the policy of this Board that all students attend the school in their attendance zone. Any exceptions to this rule must be for extraordinary circumstances which warrant special and individual considerations, and shall be permitted only under the following conditions:

1. The Superintendent may require a student to attend a school out of his attendance zone when he deems it necessary to meet an individual educational need or for disciplinary reasons.
2. The parent or guardian of a student may request that the student attend a school out of his assigned attendance zone by making such request to the principal of the school to which the student is assigned on a form to be provided.
  - a. If that principal recommends that the transfer not be granted, the request shall be forwarded to the Director of Student Services who shall notify the parent or guardian that the request has been denied.

Revised  
Dec. 1985

- (b) If the student makes up the class time missed within fifteen (15) days verified by a teacher's log: or
- (c) If the teacher verifies that the student has demonstrated mastery of the performance standards required for that course.

- b. If the principal recommends that the transfer be granted, the request shall be forwarded to the principal of the school to which the transfer has been requested who shall make his recommendation and forward the request to the Director of Student Services.
- c. If the second principal recommends that the transfer not be granted, the Director of Student Services shall notify the parent or guardian that the request has been denied.
- d. If the second principal recommends that the transfer be granted, the Superintendent shall determine if such extraordinary circumstances exist to warrant the transfer and shall grant or deny the request. The Director of Student Services shall notify the parent or guardian and, if the transfer has been approved, determine the effective date of the transfer so as to cause the least disruption of the student's educational program. No such transfer shall be effective beyond the school year in which granted.

The Superintendent may revoke any transfer previously allowed if the student's conduct or attendance at the "out-of-zone" school falls below acceptable standards, or for other reasons he may deem sufficient that were not known at the time of the original transfer.

The parent or guardian may appeal the denial of the request or the revocation of any transfer to the School Board at the next meeting of the Board. Both principals involved shall be notified of such appeal and it shall be a separate agenda item.

The parent or guardian requesting such transfer shall be solely responsible for transporting the student to and from the "out-of-zone" school.

The Superintendent shall make a summarized report to the Board of all out-of-zone transfers and requests for transfer at each regular Board Meeting. The report may be included in the consent agenda and shall be approved or disapproved by the Board. (Adopted by School Board 3/2/82)

#### J. Married Students

Students who are married or pregnant, or who have children shall not be prohibited from regular school attendance and instruction, as provided in Florida Statutes, 232.01(1)(c) 2.

K. Out-of-County Admissions

Students who do not live in Osceola County shall be admitted by Board action after annual written agreements are made with the Board of the District in which the student resides, as provided in Florida Statutes 230.23 (4) (d). It shall be the responsibility of the parent to provide the Superintendent or his designee with written approval from the school district in which he resides before the request is presented to the Osceola County School Board.

The School District of the county of residence shall be assessed an administrative fee. The fee shall be a minimum of One Hundred (\$100) Dollars per year, but not less than the similar fee charged by the county of residence. In cases where the student requires any form of special education program, the Superintendent shall recommend to the Board an appropriate fee commensurate with the services provided.

No out of county student shall be admitted after the last day of February of any given school year.

L. Tuition Fees

M. Foreign Exchange Visitor Program

Any student from a foreign country sponsored by a foreign exchange visitor program who fulfills eligibility requirements including the written approval of the Principal is entitled to attend an Osceola County High School:

1. Eligibility Requirements - Students must meet the following eligibility requirements:
  - a. Agree to attend two successive semester
  - b. Be at least 15 but not more than 17 years of age on the date of enrollment
  - c. Have sufficient knowledge of the English language to participate in high school classes
  - d. Have appropriate medical insurance coverage
  - e. Not have received a terminal degree from a high school
  - f. Will not be eligible to receive a diploma upon the the completion of the two semesters.
  - g. Obtain written approval of the principal subject to the following restriction:

The principal may grant approval for entrance of foreign exchange students up to a maximum of one per every 250 students enrolled. No more than two students of the same nationality and speaking the

same native language may be approved for admission to any one school.

## 2. Procedure for Admission

The sponsoring organization must apply for and obtain written approval from the Principal for admission of the student at least 5 weeks prior to the student's enrollment date. The application shall include the student's school transcript, evidence of English competency, pertinent information about the student, the student's health record and an assurance of appropriate medical insurance coverage.

The principal shall not consider the application until it is complete. Written approval or denial will be given to the sponsoring organization by the Principal.

## 3. Notification to the Student

A copy of this School Board rule and a copy of the school rule will be sent to the student and host family after the student has been approved for admission to an Osceola County High School.

## 4. Enrollment

The exchange student, accompanied by a representative of the sponsoring organization and a member of the host family, will meet with the Principal and a counselor to enroll the student. The student will be expected to follow school rules and to participate fully in the educational program provided.

## 5. Employment

Exchange students are not permitted to take regular part-time jobs during their stay in the United States. However, non-competitive small jobs, not to exceed ten hours a week, such as tutoring, grass cutting, and baby, pet, or people sitting will be allowed. Consequently, exchange students will not be enrolled in cooperative programs.

## 6. Grade Classification

Grade classification will be determined at time of enrollment after examination of transcript.

## N. FTE Reporting

Reporting of attendance for the purpose of determining full-time-equivalent students shall be made in accordance with the provisions of Florida Statutes, 236.013, and the State Board Regulation 6A-1.451.



\*

6.2.2 School Admission

A. Admission to Kindergarten

Children attaining the age of five (5) years on or before the date prescribed by state statutes shall be eligible for admission to kindergarten during that school year.

B. Early Admission to First Grade

Any child who will attain the age of six (6) years on or before September 1, shall be admitted at the beginning of that school year or at any time during the first month of the school year to the first grade, provided the child has demonstrated a readiness to enter the first grade in accordance with rules adopted by the State Board of Education.

No student shall be admitted to the first grade who has not satisfactorily completed kindergarten in a public school or in a non-public school from which the district school board accepts transfer of academic credit.

Any student presented for grade 1 enrollment who has successfully completed Kindergarten in a non public school which permitted entry earlier than the state minimum requirement (5 years old on or before September 1 of the school year) shall be enrolled in Kindergarten until such time as the student has demonstrated a readiness to enter the first grade.

Students who have attended private kindergarten shall be admitted to the first grade based on Osceola minimal skills check list.

C. Requirements for Initial Admission to Osceola County Schools

1. Date of Birth

Evidence of date of birth shall be presented to the principal.

Evidence submitted shall be one from the following priority list:

- (a) Birth certificate, or
- (b) Certificate of baptism, with sworn affidavit, or
- (c) Two-year old life insurance policy on child, or
- (d) Bible record, with sworn affidavit, or
- (e) Passport showing age, or
- (f) Four-year-old school transcript stating date of birth, or
- (g) Affidavit of age sworn to by parent and a certificate of age signed by health officer, school physician or licensed physician.

2. Health Certificate

A certificate of a physical examination within the twelve-month period immediately proceeding enrollment shall be presented before a child is allowed to attend classes. The certificate shall be signed by the County health officer, or a licensed practicing physician certifying that the pupil has no contagious or communicable disease which would warrant the pupil's exclusion from the public schools.

Exceptions:

- (a) Pupil has previously been enrolled in a Florida school
- (b) Parental objections in writing on religious grounds.

3. Immunization

Each pupil who is otherwise entitled to admittance to an Osceola County School, shall be required to present a certificate of immunization on a Florida form, showing that the student has received inoculations for those communicable diseases for which immunization is required by the Division of Health, and Florida Statutes 232.032.

Exceptions may be granted as follows:

- (a) Parental objections in writing on religious grounds
- (b) Written certification for exemption for medical reasons by a competent medical authority or the Division of Health

4. Residency Requirements

A resident parent or guardian admitting a pupil to an Osceola County School shall have:

- (a) Established proof of residency by verifying that he has (1) lived in Florida one year or longer, or (2) purchased a home or property in Florida which is occupied by him as his residence, or (3) filed a manifestation of domicile in the district where the child is enrolled.
- (b) Obtained a Florida automobile tag, as prescribed by Florida Statutes, 320.28(1) and
- (c) Secured a Florida driver's license, as required by Florida Statutes 322.031.

5. Non-Residents of Florida

(a) Definition - For the purpose of this section a nonresident is defined as a person who has lived in Florida for less than one (1) year, has not purchased a home which is occupied by him as his residence prior to the enrollment of his child or children in school and has not filed a manifestation of domicile in the county where the child is enrolled.

(b) Tuition - Pupils in kindergarten through the twelfth grade, whose parent, parents or guardians are nonresidents of Florida but are American Citizens, shall be charged a tuition fee of \$50, payable at the time the pupil is enrolled. This tuition shall not be refundable.

The tuition shall be paid at the County School Board Office. Pre-numbered receipts shall be issued upon payment of fee, and each receipt shall show name of pupil, name of parent, date, purpose, name of district, and signature of individuals receiving payment.

Exceptions shall be as follows:

(1) The student was previously enrolled in a public school in Florida during the current school year, or

(2) The student is in a certified exchange program, or

(3) The parent presents a declaration of domicile, or

(4) The parent is a migratory agricultural worker

(c) License Tag - A non resident parent or guardian shall obtain a Florida License tag for his motor vehicle within ten (10) days after the enrollment of the pupil unless he is a migratory agricultural worker.

(d) Driver's license - The parent or guardian shall apply for a Florida Driver's license within thirty (30) days after enrollment of the pupil unless he is a migratory agricultural worker.

D. Students Who Are Not Residing with Their Natural Parents or Legal Guardians

Any student wishing to enroll in school who is not residing with his or her natural parent or legal guardian shall have the responsible adult sign an Affidavit of Responsibility form available through Student Services at the District Office.

The responsible adult shall present proof that he has parental consent or legal right to accept responsibility.

E. Students 18 Years or Older Requesting Enrollment in Osceola County Schools

A student who is 18 years or older and who desires to enroll in the regular school program shall be reviewed by a Review Committee composed of a guidance counselor, the principal, and the Student Services Director, in order to determine the most appropriate educational placement for him.

F. Student Custody

Any person or agency who has been given exclusive care, custody, or control over any student by order of any court having jurisdiction to enter such order, may provide a certified or otherwise authenticated copy of such order, to the principal of the school in which such student is enrolled. The order shall be placed in the student's official records and thereafter such person or agency shall be recognized for all purposes as the sole parent or guardian of the student until such time as subsequent or additional orders changing such status are likewise provided.

Imple: 232.04, 232.01, 232.031, 232.032, 320.38, 322.031; SBE Regulation 6A-1.98; 228.212, 316.003 (62); 228.041 (1) (a), 228.061 (2); F.S.; SBE Regulation 6A-6.311 and 6A.6341 and 230.23 (4) (m), F.S.

6.3

EARLY CHILDHOOD & BASIC SKILLS DEVELOPMENT AND PREP

An Early Childhood and Basic Skills Development Program shall be developed cooperatively by school administrators, teachers, parents and other community groups or individuals having an interest in the program or having expertise in the field of early childhood education or basic skills development. The program shall be based on guidelines prepared by the Department of Education pursuant to Chapter 74-238, Laws of Florida.

A Primary Education Plan (PREP) will be prepared and implemented according to Florida Statutes 230.2312.

6.4

PUPIL PROGRESSION PLAN

The purpose of the instructional program in the schools of Osceola County is to provide appropriate instructional and selected services to enable students to perform at or above their grade level academically. Promotion, however, is based primarily on pupil achievement and is not automatic.

Decisions regarding student promotion, retention and administrative placement are primarily the responsibility of the individual school's professional staff. The final decision in regard to grade placement is the responsibility of the principal.

Auth: 232.245, F.S.

6.4.1

GENERAL PROCEDURES FOR PROMOTION, SPECIAL ASSIGNMENT AND ADMINISTRATIVE PLACEMENT, GRADES K - ADULT

- A. Student promotion in the Osceola County schools is based upon an evaluation of each student's achievement in terms of appropriate instructional goals. The determination should reflect teacher judgment based upon the following: acquisition of county adopted minimal skills, progress tests, classroom assignments, daily observation, standardized tests, state assessment, and other objective data. The primary responsibility for determining each pupil's level of performance and ability to function academically, socially and emotionally at the next grade level is that of the classroom teacher, subject to review and approval of the principal.
- B. The Minimum Student Performance Standards (229.565, F.S) for promotion and placement in the Osceola County schools have been established and are on file in the Administrative Center and are in use in each school. The Student Performance Standards of Excellence in Mathematics, Science, Social Studies, and Writing have also been established within the curriculum and are on file in the Administrative Center and in use at each school.
- C. Students who do not satisfactorily achieve established standards for the grade to which they are assigned will be assigned to the same grade for the next school year or given an assignment to a special program, e.g., a special class within the regular school, summer program, etc. These students are to be provided instruction designed to continue their

progress toward mastery of the required standards. The opportunity for a conference with the teacher or principal must be provided to the parents of any child who may be retained.

- D. When a teacher identifies a student who is not able to achieve at the minimum level expected of the grade, principals are to establish procedures for teachers to notify parents and, in cooperation with the parents, attempt to provide student's level of achievement as it compares with the grade level expectation. Remedial programs indicate that the student is working below the range acceptable for the grade assignment.
- E. Any student who has been retained may be assigned at any time during the next school year to the next higher grade if the principal determines that standards have been met and that the student will be able to benefit from instruction at the higher grade. This assignment will occur at the end of a grading period agreed upon by both the sending and receiving principal.
- F. The principal, upon written authority from the Superintendent, may administratively place a student who has been previously retained and who still has not met minimal standards. The student's cumulative guidance record, report card, and permanent record card shall indicate, "grade assignment by administrative placement", major reason(s) why the placement was made, and the name of the principal who initiated the placement.

Parents should be notified in writing that their child is being administratively placed in the next higher grade. A copy of this notification shall be placed in the cumulative record.

- G. The assignment of a student to a higher grade which results in the student skipping a grade or part of a grade should be made on the basis of exceptionally high achievement and/or evidence that the student will benefit more from the instructional program at the advanced grade level. The assignment should be authorized by the superintendent. The long range academic, social, and emotional effect of the decision shall be considered. The principal has the responsibility for making such an assignment, but a student will not be accelerated without parental consent.

The student's cumulative record, report card, and permanent record card shall indicate, "accelerated grade placement", major reason(s) for the assignment, and the name of the principal who made the placement.

Parents shall be notified in writing that their child is receiving an accelerated grade placement to the next higher grade. A copy of this notification shall be placed in the cumulative record.

- H. Students who are retained must receive counseling and may be recommended for evaluation if the principal and/or teachers feel such a referral would benefit the students. Any student in grades K-8 who has been retained for the second year in the same grade level is to be referred for an evaluation by appropriate specialists, e.g., psychologist, reading specialist and other personnel.
- I. The grade placement of students transferring from other countries, counties, states or private schools will be determined by the principal of the receiving school based on guidelines established by the Student Services Department.
- J. Attendance Policy Grades K-8

Students who miss more than fifteen (15) days per semester will not receive credit for the course except as follows:

- (1) If medical evidence is presented to the principal from a competent medical authority to excuse absences in excess of fifteen (15) days or fifteen (15) class settings.
- (2) Extenuating circumstances as determined by the principal based on recommendations of teachers, counselors or Student Services workers.
- (3) School activities shall not be counted as absences. Assigned work shall be turned in on the date indicated by the teacher.

Attendance for Credit (9-12)

- (1) Students who miss more than nine (9) days or nine (9) class setting will not receive credit credit for the course except as follows:
  - (a) If within fifteen (15) days, the student makes up the class time missed after the student day as verified by a teacher's log; or
  - (b) If the teacher verifies to the principal that the student has demonstrated mastery of the performance standards required for that course.

- (2) A student who wishes to participate in a non-instructional activity must:
  - (a) Meet the academic requirements as set forth by the School Board;
  - (b) Make arrangements, in advance, with the teacher for missing class, and
  - (c) Accept the responsibility for making up time and work.

Arrangements for make-up work shall be made in advance with the instructor of classes to be missed. A time line, which shall not exceed twice the number of days of absence, shall be set by the teacher for receiving the student's work for credit.

\*

#### 6.4.2

#### ELEMENTARY PROMOTION AND PLACEMENT

- A. A screening program for all kindergarten students will be administered yearly. Results of this screening will identify students who will be considered for further screening and psychological testing to determine if special placement is indicated.
  - 1. Parents will be notified, in writing, if test scores indicate the student requires preventive strategies in the PREP program.
  - 2. A parent conference will be scheduled at which time school personnel should be prepared to recommend the means of providing academic and/or developmental assistance to these students.
- B. Summer school shall be available for students in grades K-5, as directed by the principal. Those students who could meet promotional requirements at the end of the summer session should attend. Primary students who were receiving preventative instructional strategies for all of the last 45 days of the 180-day term may attend summer school. Third grade students who need the extra time provided by the summer program to master 100% of the Minimum Student Performance Standards may also be served.
- C. Promotion should be based on standardized test results, daily assignments, teacher observation, mastery county minimal skills list at the appropriate grade level, mastery of the specific objectives, and other objective information. If the achievement level is not being met, the teacher



shall utilize deficiency slips to communicate with the parent during the grading period.

D. Required Program of Study - Grades K-5

1. The following areas of study are required for each student, K-5:

Language Arts  
Mathematics  
Science  
Social Studies (Florida History at 4th grade)

2. Additional courses of studies may include, but shall not be limited to:

Art  
Career Education  
Developmental Physical Education  
Free Enterprise, Consumer and Economic Education  
Health and Nutrition  
Library Science  
Metric Education  
Music  
Safety  
Computer Literacy

3. Students must master 100% of the district Minimal Standards for Promotion and Placement in Elementary Schools.

E. State Student Assessment Test

All students in grades three and five shall be administered the SSAT. Promotion to grades four and six requires satisfactory attainment of the minimum student performance standards required by F.S. 229.565 as well as the Osceola requirements outlined above. Students who do not meet the requirements set forth in this plan may not be promoted.

\* 6.4.3 MIDDLE SCHOOL PROMOTION AND PLACEMENT

A. Required Program of Study - Grades 6, 7, and 8

1. All students must pass six (6) subjects per grade level including language arts, mathematics, science and social studies.
2. Students must master 100% of the Minimal Standards for Promotion and Placement in Middle Schools.

Required Courses

6th Grade

Language Arts  
Mathematics  
Science (General)  
Social Studies  
(World History and Cultures)

7th Grade

Language Arts  
Mathematics  
Science (Biological)  
Social Studies (Geography)

8th Grade

Language Arts  
Mathematics  
Science (Physical)  
Social Studies (American History)

ELECTIVES

Electives may include, but shall not be limited to the following courses:

Agriculture	Career Education	Industrial
Arts	Consumer Education	Law
Band	Foreign Language	Music
Computer Literacy	Physical Education	Health, Nutrition
Business	Reading	Writing Skills
Public Service Occupations		

2. Mastery of the district Minimal Standards for  
Promotion and Placement in Middle Schools.

- B. Promotion should be based on standardized test results, daily assignments, acquisition of county adopted minimal skills, teacher observation, mastery of the specific objectives, and other objective information. If the achievement level is not being met, the teacher shall utilize deficiency slips to communicate with the parent during the grading period.
- C. Students who are retained at the 6th, 7th, or 8th grade level but who could meet promotion requirements may attend summer school. Eighth grade students promoted to 9th grade may take courses for acceleration as approved by the high school guidance director.
- D. Special classes for students who have been administratively placed may be established and designated as middle school basic skills classes without a grade level designation. Flexible scheduling may be utilized in these classes.

E. All students in grade eight shall be administered the SSAT. Promotion to grade nine requires satisfactory attainment of the minimum student performance standards required by F.S. 229.565 as well as the Osceola requirements outlined above. Students who do not meet the requirements set forth in this plan may not be promoted.

\* 6.4.4 HIGH SCHOOL GRADE CLASSIFICATION AND GRADUATION REQUIREMENTS

To graduate from high school a student must, in addition to meeting all the requirements of this plan, successfully meet the Minimum Student Performance Standards (229.565, F.S) in reading, writing and mathematics as well as all requirements established by the Florida Department of Education and the Osceola County School Board.

A. Grade Classification

CREDITS NEEDED FOR PROMOTION				
	1985-86	1986-87	1987-88	1988-89
To Grade 10	05	05	05	05
To Grade 11	11	11	11	11
To Grade 12	16	18	18	18

Revised  
Dec. 1985

Petitions for exceptions will be brought to the School Board individually.

Revised  
Dec. 1985

B. Requirements for Graduation\*\* Additional requirements may be added if a seven period schedule is implemented. (See 131A for addendum.)

SCHOOL YEAR	1985-86	1986-87
Credits needed for graduation	22	24++
Language Arts#	Four(4) credits	Four(4) credits
Mathematics#	Three(3) credits	Three(3) credits
Science#	Three(3) credits	Three(3) credits: Physical Science(Lab) Biological Science(Lab) Science Elective

E. All students in grade eight shall be administered the SSAT. Promotion to grade nine requires satisfactory attainment of the minimum student performance standards required by F.S. 229.565 as well as the Osceola requirements outlined above. Students who do not meet the requirements set forth in this plan may not be promoted.

\*

6.4.4

HIGH SCHOOL GRADE CLASSIFICATION AND GRADUATION REQUIREMENTS

To graduate from high school a student must, in addition to meeting all the requirements of this plan, successfully meet the Minimum Student Performance Standards (229.565, F.S) in reading, writing and mathematics as well as all requirements established by the Florida Department of Education and the Osceola County School Board.

A. Grade Classification

CREDITS NEEDED FOR PROMOTION				
	1985-86	1986-87	1987-88	1988-89
To Grade 10	05	05	05	05
To Grade 11	11	11	11	11
To Grade 12	16	18	18	18

B. Requirements for Graduation\*\* Additional requirements may be added if a seven period schedule is implemented.

SCHOOL YEAR	1985-86	1986-87
Credits needed for graduation	22	24++
Language Arts#	Four(4) credits	Four(4) credits
Mathematics#	Three(3) credits	Three(3) credits
Science#	Three(3) credits	Three(3) credits: Physical Science(Lab) Biological Science(Lab) Science Elective

Social Studies	Two(2) credits including the state requirement of 6-9 weeks of Americanism vs. Communism and one (1) credit in American History	Three(3) credits World History* (1) American History (1) American Govt. (½) Economics (½) *Amer. vs. Comm. to be includ.(233.064,F.S.)
Physical Education	Two (2) credits	One & one-half(1½)
Life Mgt. Skills/Health	--	One-half (½) credit
Practical Arts/Voc.	--	One-half (½) credit
Fine Arts	--	One-half (½) credit
Electives	Eight(8) credits	Eight (8) credits

# Economics will be taught in these areas based on the Free Enterprise and Consumer Education Minimum Objectives

\*\* Each student is entitled to "...14 consecutive years of instruction, beginning with kindergarten, ..."

++ Beginning with the class of 1987 a G.P.A. of 1.5 on a 4.0 scale will be required

\* Americanism vs Communism (233.064, F.S.) - "The public high schools shall each teach a complete course of not less than 30 hours..."

Students who are physicaaly unable to take Physical Education or other required courses shall petition the Board to substitute an elective for the required credit.

C. Curriculum Frameworks-Grades 9-12 Basic and Adult Education

A curriculum framework is a broad guideline which directs district personnel by providing specific instructional plans for a given subject or area of study and is consistent with the Course Code Directory. Curriculum frameworks are contained in the publication "Curriculum Frameworks for Grades 9-12, Adult Basic Program". This publication is on file at each high school and the district office.

Addendum to rule 6.4.4B

Revised  
Dec. 1985

Students who earn a C or D in a course may retake the course to improve their skills and grade. The higher grade will be used in figuring grade point average for graduation, but only one credit may be counted toward graduation requirements.

Eighth grade students may be granted credit toward graduation for successful completion of High School courses, provided that the same curriculum is taught as is taught at the High School and provided that the student is declared a high school student for the period of time involved and is reported thusly for FTE.

The above frameworks include the Exceptional Student Education Courses and the Vocational Courses.

D. Student Performance Standards

Student Performance Standards have been developed cooperatively with district personnel for the intended outcomes specified in each curriculum and are also on file at each high school and the district office.

Students must show mastery of the performance standards before credit for the course is awarded. Upon successful completion of the course, with a least seventy per cent (70%) proficiency, students will have demonstrated mastery. Student mastery will be assessed through the use of teacher observation, classroom assignments, and examinations. Students must also meet the attendance requirement as set forth in section 6.2.2 (H) of School Board Rules.

Auth: 230.23 (6) (a) (b)

Imple: 232.246

\*

6.4.5

TYPES OF DIPLOMAS

Students in Osceola County Schools may earn the following types of diplomas:

1. Regular
2. Special
3. Certificate of Completion
4. Special Certificate of Completion
5. Adult High School Diploma
6. Florida High School Diploma (G.E.D.)

- A. A Regular Diploma shall be issued to students who meet the conditions set forth in School Board Rule 6.4.4. This must include the remediation of all standards not achieved on the SSAT Part I.
- B. A Special Diploma shall be awarded to properly classified educable mentally handicapped, trainable mentally handicapped, profoundly, mentally handicapped, deaf, specific learning disabled, physically handicapped whose ability to communicate orally or in writing is seriously impaired, or emotionally handicapped students who meet the requirements outlined in section 6.4.4B.
- C. A Certificate of Completion shall be issued to all students who do not achieve all standards on the SSAT Part I or as required by Florida Statutes.

D. A Special Certificate of Completion shall be issued to eligible exceptional education students who do not meet the requirements outlined in 6.4.4 B.

E. Adult High School Diploma

1. Students who have been awarded a Certificate of Completion by virtue of failure to pass the SSAT Part I and Part II shall be eligible to receive a regular Adult High School Diploma after remediating all standards in Part I and passing Part II through the Community/Adult Education Program. This must be done immediately following receipt of the Certificate of Completion during the Community/Adult Education Summer Term or Term I. Community/Adult Education High School Completion Program requirements will be in effect Term II and thereafter.
2. Adult students completing all established credit requirements may receive a Regular Adult High School Diploma.

F. Florida High School Diploma

Students or residents who are eighteen (18) years old or older may apply to take the GED exam. A student who receives the approved passing grade and meets the application agreement will be awarded a Florida High School Diploma. Successfully passing the GED test qualifies the applicant for the Florida High School Diploma, not a diploma from an Osceola County high school.

\*

6.4.6 CREDITS APPLICABLE TOWARD GRADUATION

A. Early Admission for Advanced Studies

Students who meet the prerequisites of an early admission and advanced studies program may be permitted to enroll as a full-time post secondary student during their senior year in high school. Such programs shall meet the following conditions:

1. Approval of the program by the School Board shall be obtained before the end of the first month of the final year of high school or before the end of the first semester if entry is expected during the second semester of the final year of high school.
2. The student shall be accepted by a state accredited post-secondary school or university after completion of three (3) full senior high school years, and a minimum of eighteen (18) credits is earned.



3. The student shall maintain at least an overall "C" average.
4. Any senior enrolled in college courses full-time may re-enter a high school within the district as a full-time student at the end of the high school semester.
5. Any credit earned at the accredited post secondary level may be substituted for a required high school credit in the same discipline. Successful completion of a 3-hour college course will equal  $\frac{1}{2}$  high school credit.

B. Dual Enrollment

Dual Enrollment VCC

The School Board of Osceola County and Valencial Community College shall cosponsor appropriate college courses in high schools during the normal class hours when requested by the principal. Courses that are selected to be cosponsored may include humanities, communications (English), mathematics, science, social studies, and foreign languages. Students enrolled in cosponsored classes shall earn both high school credit from the Osceola County School Board and college credit from Valencia Community College if they meet at least the minimum requirements for satisfactory completion of such classes.

In order to receive VCC credit in cosponsored classes, high school students will be required to make application to VCC and complete the registration process. No fees shall be assessed for high school students enrolled in these cosponsored courses. Students who enroll in cosponsored classes shall have completed the eleventh grade with a high school point average of 3.0 or above.

Auth: Rule 6A-10.241, FAC

1. A student may enroll in one or more classes at the college level or in an accredited vocational school while still attending high school. Credit may be earned toward graduation as stated in 6.4.6 A (3).
2. The request of a student to participate in this program must be in writing. Signature of the guidance director and the principal shall constitute approval.

Revised  
Dec. 1985

C. Co-Enrollment

A student who has senior status as established by School Board Rule 6.4.4 High School Grade Classification may earn one credit through Community Education Co-Enrollment. A Co-Enrollment application must be completed and submitted by the candidate's school four (4) weeks prior to any established Community Education terms.

Approved courses will include: Math, and English offerings only. Classes will be established according to enrollment standards set by Community Education.

D. Summer School for Grades 9-12

High school students may attend summer school to make up a failed subject or for accelerated credit.

E. College Course Credit

Any passing grades received in courses from a college may be accepted toward requirements for graduation from Osceola County. Three (3) college semester hours shall be considered equivalent to one-half ( $\frac{1}{2}$ ) high school credit.

F. Subject Level Examination Program (6A-6.211)

The District shall grant credit to and accept transfer credit for any student who has achieved a passing score on an approved secondary level subject area examination.

1. Students requesting credit by examination shall complete the application to take a secondary subject level examination. The parent's or guardian's approval shall be required for those students under age 18 and enrolled in regular day school.
2. A fee to offset the costs of the examination, scoring and administration of the test shall be set by the Superintendent.
3. Six (6) times a year the District shall offer approved secondary level subject area examinations.
4. The district shall permit a student who does not achieve a passing score on the secondary level

subject area examination an opportunity to retake the examination at a subsequent testing date upon filing an application and payment of the appropriate fee.

5. Credit may be earned from the following tests:

<u>EXAMS</u>	<u>CREDITS</u>
Algebra	1
American Government	1
American History	1
Biology	1
Chemistry	1
Civics	1
Composition	½
Consumer Education	½
General Math I and II	1
Geometry	1
Health	½
Language	½
Literature	½
Literature & Vocabulary	½
Mathematics	1
Physical Science (or Science II)	1
Problems of Democracy	½
Science	1
World History	1
World Geography	1
Writing & Mechanics	½

6. The student shall receive a pass/fail evaluation. To pass the student must score at or above the 85th percentile.

G. Vocational Education Course Substitutions

A Student in grades 9 through 12 who enrolls in and satisfactorily completes a job preparatory program may substitute credit for a portion of the required four credits in English and three credits in mathematics. The credit substituted for English or math earned through the vocational preparatory program shall be on a curriculum equivalency basis. Vocational course substitutions shall not exceed one (1) credit in each subject area. In addition, a program which has been used to substitute in one subject area may not be used to substitute for any other subject area. Job preparatory programs which have been identified as being equivalent and can be used as the substitute credit are as follows:

<u>SUBJECT AREA</u>	<u>PROGRAM SUBSTITUTIONS</u>
Business English I (#1001440)	Receptionist and Communi- cations (8200811) Clerk Typist (8300812) Stenographic (8200991) Junior Secretary (9200992)
Business Math I (#1205300)	Computer Programming Trainee (8200210) Financial Records Clerk (8200091) Business Computer and Console Operation (8200150) Bookkeeping (8200001)

H. Vocational Education Work Cooperative Program

Only students enrolled in Work Experience or DCT are required to take the co-op method of teaching and therefore must receive credit for the class setting in order to receive credit for on-the-job training.

Revised  
Dec. 1985

1. Half credits may be earned at the completion of 150 hours on the job.
2. A maximum of two (2) credits may be earned in this manner during the school year not to exceed one (1) credit per semester.
3. All hours must be verified and documented by the student's employer. Said hours must occur during the school semester for which credit is earned.
4. To assure credit, documented monthly on-site supervision by the appropriate vocational teacher must be on file.
5. Training plans, work permits, agreements, etc., must be on file by program at the base school.

I. COOPERATIVE DIVERSIFIED EDUCATION AND OTHER APPROVED PROGRAMS

Any student may earn credits toward graduation by participation in a Cooperative Diversified Education Program or other approved programs by meeting the following conditions:

1. The student shall be sixteen (16) years of age or older.
2. The student shall have earned a minimum of sixteen (16) credits above Grade 8, including all required courses.

3. Approval by the principal or his designee of the individual student plan and the occupational goal prior to entry into the program.
4. The student shall sign an agreement with his parents or guardian, the designated teacher-coordinator representing the school, and the employer, stipulating that:
  - (a) The student shall receive one (1) credit toward graduation for each 300 hours of satisfactory work on the job, not to exceed three (3) credits during the regular school semester.
  - (b) The student shall resume his formal education at the semester when the cooperative agreement is cancelled by any of the parties involved.
5. The student shall be awarded a diploma or certificate of completion with his regular class or at a later time convenient to the principal, based on the following:
  - (a) The student shall have completed the credit required for graduation through work on the job, direct job-related education or regular high school courses, or an approved combination. A study in Americanism vs. Communism shall be taken as prescribed by the Florida Statutes. The student shall pass the Statewide Assessment Test - Part II and shall also remediate all Part I deficiencies.
  - (b) The student's permanent records shall clearly reflect the credits earned through work and those earned by regular high school attendance.

Students shall not be employed by members of the immediate family.

Students shall be employed in Osceola County or within a forty (40) mile radius of his/her school.

Other training programs (private or public) cannot substitute for employment in this program.

J. Awarding Credit and Grades

1. A student shall complete a semester's work in order to be promoted or to receive credit for the semester's work. Students who complete the semester's work, except taking the final examinations, may at the discretion of the principal, arrange to take the examination prior to the opening of the next succeeding school year.

Work or credit earned from a non-accredited school or school from outside Osceola County shall be accepted toward graduation upon validation. Validation of credit may be made by the student's successful completion of a standardized test in the subject.

2. Grading and Reporting

School shall follow the following district-wide plan for grading and reporting pupil progress.

<u>Grade</u>	<u>Range</u>	<u>Grade Point</u>	<u>Pacer Points*</u>
A	94-100	4	5
B	85-93	3	4
C	76-84	2	3
D	70-75	1	1
F	Below 70	0	0

Grades will be awarded at the end of each nine (9) weeks.

Final grades may be awarded on a semester basis or yearly basis.

When two nine weeks are used to determine a final grade - each nine weeks shall be 50% of the final grade (that is, the total shall be divided by two). When a semester exam is given, each of the nine weeks grades shall be 40% and the exam grade shall be 20%. The total shall be divided by five (5). If the quotient results in a 1.5 or higher the grade shall be rounded to the next highest letter. Rounding of grades less than one shall be left to the discretion of the instructor.

In determining final semester grades, a zero shall be assigned for no work or dishonest work and shall rank as -1 on the grade point scale.

3. Advanced Academics

The use of Pacer Points is optional and, at the discretion of the principal. Pacer Points should be used only in determining rank in the senior class and shall not be used in determining grade point average.

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6.4.7

COMMUNITY/ADULT EDUCATION

Once enrolled in community education classes a student may not re-enroll in the regular day school program. The Osceola County Community Education Division includes the following programs:

- A. Adult Basic Education - Levels 1-8
- B. Pre-GED Preparation Levels 9-10
- C. GED Preparation/Testing - Preparation in the five areas of testing: Math, English, Reading, Social Studies and Science. State/national fee schedule. Minimum age 18.

All candidates whose official transcripts do not verify reaching the 11th grade level will be pre-tested and placed in the appropriate level of training: ABE, Pre-GED or GED. Upon completion of the final level (GED Preparation) the candidate will be post-tested. If they reach an established score and are recommended by the instructor, they will be tested.

Under the following extraordinary circumstances, one may take the GED examination after reaching the age of 16:

Revised  
Dec. 1985

1. Court ordered cases to pursue the G.E.D. The candidate must successfully complete the preparation class if they have reached the 11th grade level; otherwise the above sequence of pre-testing preparation, and post-testing will be required.
2. Currently enrolled Alternative Day School Students recommended by the instructor and post-tested by the Test coordinator. Test preparation will be provided as a part of the candidate's individual education plan. The candidate must reach an established score on the post-test prior to being allowed to take the GED test.

Revised  
Dec. 1985

3. Extenuating circumstances such as financial hardship - (must meet federal income guidelines), or those circumstances recommended by the review committee and approved by the Superintendent or his designee. Candidates must successfully complete the preparation class if they have reached the 11th grade level; otherwise the above sequence of pre-testing, preparation, and post-testing will be required.

4. Department of Corrections or HRS referrals. The candidate must successfully complete the preparation class if they have reached the 11th grade level; otherwise the above sequence of pre-testing, preparation, and post-testing will be required.

D. Nursing Assistants Testing - The exam covers communication skills, environmental safety and sanitation, patient care services, nutrition, elimination needs of patient, and treatments and procedures. Test available written and oral. Fee schedule. Minimum age 18.

E. High School Completion Program - Levels 9-12. Graduation requirements of 22 credits which must include:

4	English (sequenced composition and literature)
3	Math
1	World History with AVC
1	American History
$\frac{1}{2}$	Geography
$\frac{1}{2}$	Economics
$\frac{1}{2}$	American Government
3	Science (1 Physical with lab, 1 Biological with lab, and 1 elective)
$\frac{1}{2}$	Physical Education
1	Consumer Education
$\frac{1}{2}$	Life Management Skills
$\frac{1}{2}$	Practical Arts
$\frac{1}{2}$	Fine Arts
$\frac{1}{2}$	Computer Literacy

Credits [based on Carnegie units] earned in grades 9-12 in high school will be accepted [Remedial courses not to exceed two (2) credits may be counted in the Elective area.] Credits will be awarded students who have attended at least 80% of the regularly scheduled classes and demonstrated mastery of the minimum and student performance standards.

- (1) Any one entering the Adult Completion Program must successfully complete two (2) credits even though they may transfer in all required credits. Excluded from the two-credit requirement are those students meeting requirements set forth in SBR 6.5 5.A.
- (2) The Course Completion Program is part-time, with a minimum of twelve (12) instructional hours per week.
- (3) SSAT II must be passed in order to receive an Adult High School Diploma. All SSAT I skills must be passed and documented.



F. Alternative Program (Level 9-12)

This program will be scheduled for 2½ hours per evening (6:30-9:15) with a 15 minute break-Monday, Tuesday, Wednesday, and Thursday. Students will be participating in training for a total of 300 hours (3 terms). Two elective credits will be received upon successful completion of the class work (3terms) Three hundred hours of satisfactory employment must be documented per credit. Two on-the-job credits are required in this program. On-the-job training must be completed in total to receive any credits. Upon successful completion of the entire requirement, four (4) elective credits will be awarded to each student.

Entrance Requirement

1. 16-17 Year olds should be out of day school for at least on trimester.
2. Must have official withdrawal from high school.
3. Must enroll in and satisfactorily complete Employability Skills (23300300) before admission to high school completion (Adult Education).

A credit form will be filled out upon entrance. Class size will be limited to 20 students.

4. Will complete all necessary entry forms and secure parent permission.
  5. Acceptance will be determined by individual case, according to need, by the administration of Student Services and Adult Education.
- G. Community Instructional Service (CIS) - A program mainly designed for senior citizens to enhance community living based on needs, but also capable of serving other bonafide areas of concern and need.
- H. Fee-Based Courses - These courses are requested by the community for personal development or enjoyment and require a fee based on instructional costs.
- I. Adult Supplementary Vocational Education - Supplementary vocational education programs will be offered to enable persons who are or have been employed in a specific occupation to upgrade their competencies, to maintain stability, and to advance in or re-enter the specific occupation in which the person was employed or is currently employed. Fee structure will be based on state or course requirements.

- J. Adult Vocational Preparatory Program - Programs providing instruction in competencies that are realistic in terms of actual or anticipated opportunities for employment which are suited to individual needs, interests and abilities to (1) prepare persons for effective entry level performance in skilled and technical level occupations; (2) enable persons who are or have been employed in an occupational field or as a homemaker to upgrade competencies to maintain stability, advance or re-enter employment.
- K. Other Educational Activities Kindergarten through Adult - Other educational activities will be offered at times most appropriate to meet the needs of the community.
- L. The Community/Adult Education Program operates three (3) trimesters per year. Each trimester is ten (10) to fifteen (15) weeks in length. Summer programs are based on need. The course completion program is part-time, with a maximum of twelve (12) instructional hours per week. All participants must be residents of the State of Florida.

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6.4.8

FLORIDA ACADEMIC SCHOLARS CERTIFICATE

The Florida Academic Scholars Certificate is designed to encourage and to recognize outstanding performance and academic achievement by high school students. (232.24 65, F.S.) In order to qualify as a Florida Academic Scholar, a student must:

- A. Complete a program of at least two more credits than the minimum number of credits required for high school graduation of advanced level studies in grades 9 through 12 as prescribed by the State Board of Education, including as a minimum:
  - 1. Four years of progressively advanced instruction in language arts, including courses in English composition, grammar, writing, and literature.
  - 2. Four years of progressively advanced instruction in science, including laboratory courses in biology, chemistry and physics.
  - 3. Four years of progressively advanced instruction in mathematics, including courses in algebra and geometry, and calculus or trigonometry.
  - 4. Two years of sequential foreign language.
  - 5. One year of instruction in art and music or in either art or music.

- 6. Three years of instruction in social studies, including courses in American history and government, and world history; and comparative political and economic systems.
  - 7. One year of instruction in health and physical education to include assessment, improvement, and maintenance of personal fitness.
  - 8. Credits in general electives to complete the graduation requirements.
- B. No grade below "C", a grade point average of 3.0 on a 4.0 scale for all courses taken in grades 9-12 for which credit is granted.
  - C. A score of 1,100 or more on the Scholastic Aptitude Test or an equivalent score on the American College Testing Program. Entrance Examination Board or a composite score of 26 or more on the American Testing Program.
  - D. Demonstrate mastery of the student performance standards and basic skills required by 232.246 (1) (a) and (b), F.S.

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6.4.9

EXCEPTIONAL EDUCATION STUDENTS

A. ELEMENTARY AND MIDDLE SCHOOLS

- 1. Specific Learning Disabled, Educable Mentally Handicapped, Speech/Hearing Therapy, Deaf, Emotionally Handicapped, Gifted, Homebound/Hospitalized, Visually Impaired, Physically Impaired

- a. Promotion

Students enrolled in exceptional student education programs for 12 hours or less per week shall be required to meet all regular Osceola County minimal standards to be eligible for promotion unless otherwise indicated on the individual education plan.

Students enrolled in exceptional student education programs for more than 12 hours per week shall be promoted on the basis of appropriate academic and behavioral evaluations in the individual education plan. Educable mentally handicapped or hearing impaired students who are unable to meet regular promotion standards shall be required to pass, with 80% mastery, the appropriate special state minimal

performance standards as adopted by the State Board of Education at grades 3, 5, and 8 to be promoted at those levels. Mastery of the standards shall be determined by each teacher utilizing the evaluation modes specified in each curriculum.

b. Retention

Students who do not meet promotion requirements may be administratively placed in the next grade level by the principal. The principal may receive recommendations from a committee composed of teachers and counselors.

Retention of exceptional students shall be limited to two years in the elementary school grades and one year in the middle school grades unless additional retention is recommended by a staffing committee.

2. Trainable Mentally Handicapped

a. Promotion

Students in the trainable mentally handicapped program shall be promoted through the grades from kindergarten through the eighth grade according to age and completion of the objectives of the individual education plan.

b. Retention

At grades 3, 5, and 8, special state adopted minimum student performance standards will be assessed. Failure to demonstrate mastery of 80% of the objectives in each skill area may result in retention of the student for one year at the grade level. No student may be retained more than one year at each of the three levels - elementary, middle and secondary.

3. Profoundly Mentally Handicapped

Students enrolled in the profoundly mentally handicapped program shall be promoted according to the specifications of the individual education plan.

B. HIGH SCHOOL GRADUATION REQUIREMENTS

1. Regular Diploma

- a. Complete regular course requirements as outlined in Section 6.4.4 (B).
- b. Students enrolled in varying exceptionalities classes classified as specific learning disabled, emotionally handicapped, physically impaired, hearing impaired, or visually impaired may complete language arts, mathematics, social studies, and science courses applicable to a regular diploma if the course is taught by the exceptional student teacher and if course content, standards and expected student outcomes are equivalent to the courses outlined below:

<u>Regular Language Arts</u>		<u>Exceptional Language Arts</u>	
1001300	1001310	7910010	7910300
1001330	1001340	7910020	7910310
1001360	1001370	7910030	7910320
1001390	1001400	7910040	7910330

<u>Regular Mathematics</u>		<u>Exceptional Mathematics</u>	
1200300	1205340	7912010	7912300
122310	1205350	7912020	7912310
1205320	1205360		

<u>Regular Science</u>		<u>Exceptional Science</u>	
2000300	2002300	7920010	7920300
2000310	2002310	7920020	7920310
2000380	2003300	7920030	7920040
2001300	2003310		
2001310			

<u>Regular Social Studies</u>		<u>Exceptional Social Studies</u>	
2106300	2100310	7921020	7921040
2106310	2109300	7921030	7921060
2102300	2109310		
2100300			

- c. Students who are classified as hearing impaired may complete any basic or vocational course applicable to a regular diploma if the course is taught by the exceptional student teacher and if the course content, standards, student outcomes and other requirements are equivalent to that of the regular course.

d. Meet attendance requirements.

2. Special Diploma

Revised  
Dec. 1985

Any student classified as educable mentally handicapped, trainable mentally handicapped, profoundly mentally handicapped, deaf, specific learning disabled, physically impaired, or emotionally handicapped may be awarded a special diploma if the following requirements are met:

Educable Mentally Handicapped

- a. Complete course requirements as outlined in 6.4.4 B. Each course requirement may be modified according to the curriculum for this exceptionality.
- b. Mastery, at the 80% criterion level, of the special minimum performance standards for educable mentally handicapped students. Mastery of the standards shall be determined by each teacher utilizing the evaluation modes prescribed in the curriculum.
- c. Meet attendance requirements.

Trainable Mentally Handicapped

- a. Complete course requirements as outlined in 6.4.4 B. Each course requirement may be modified according to the curriculum for this exceptionality.
- b. Mastery, at the 80% competency level, of the eleventh grade minimum performance standards for trainable mentally handicapped students. Mastery of the standards shall be determined by each teacher utilizing the evaluation modes prescribed in the curriculum.
- c. Meet attendance requirements.

Profoundly Mentally Handicapped

- a. Complete with 80% accuracy the skills contained in the curriculum for this exceptionality. Mastery of the skills shall be determined by each teacher utilizing the evaluation modes prescribed in the curriculum.

### Emotionally Handicapped

- a. Complete course requirements as outlined in 6.4.4 B. Each course requirement may be modified according to the curriculum for this exceptionality.
- b. Mastery, at the 80% criterion level, of the special minimum performance standards for educable mentally handicapped students. Mastery of the standards shall be determined by each teacher utilizing the evaluation modes prescribed in the curriculum.
- c. Mastery of the eleventh grade minimum performance standards for basic skills, State Student Assessment Test, Part I. Students shall not be required to take the State Student Assessment Test, Part II. Mastery of the standards on the State Student Assessment Test, Part I, shall be determined by each teacher utilizing the evaluation modes prescribed for regular students.
- d. Meet attendance requirements.

### Deaf

- a. Complete course requirements as outlined in 6.4.4 B. Each course requirement may be modified according to the curriculum for this exceptionality.
- b. Mastery of the eleventh grade special minimum performance standards for hearing impaired students. The procedures for determining and certifying mastery of these standards shall be the statewide assessment test. Any student who does not meet mastery of these standards shall be provided the opportunity to demonstrate mastery of deficient standards. Each teacher shall determine mastery of standards utilizing evaluation modes prescribed in the curriculum.
- c. Meet attendance requirements.

### Specific Learning Disabled

- a. Complete course requirements as outlined in 6.4.4 B. Each course requirement may be modified according to the curriculum for this exceptionality.

- b. Mastery of the eleventh grade special minimum performance standards for basic skills, State student Assessment Test, Part I. Students shall not be required to take the State Student Assessment Test, Part II. Mastery of the standards on the State Student Assessment Test, Part I, shall be determined by each teacher utilizing the evaluation modes prescribed for regular students.
- c. Meet attendance requirements.

Physically Impaired

- a. Complete course requirements as outlined in 6.4.4 B. Each course requirement may be modified according to the curriculum for this exceptionality.
- b. The individual education plan must denote that the student is seriously impaired in oral or written communication.
- c. Mastery, at the 80% criterion level, of the special minimum performance standards for educable mentally handicapped students. Mastery of the standards shall be determined by each teacher utilizing the evaluation modes prescribed in the educable mentally handicapped curriculum.
- d. Mastery of the eleventh grade minimum performance standards for basic skills, State Student Assessment Test, Part I. Students shall not be required to take the State Student Assessment Test, Part II. Mastery of the standards on the State Student Assessment Test, Part I, shall be determined by each teacher utilizing the evaluation modes prescribed for regular students.
- e. Meet attendance requirements.

Students completing requirements for special diploma shall be permitted to use basic vocational and exceptional courses, as appropriate, for meeting the minimum number of course credits.

3. Special Certificate of Completion

Any educable mentally handicapped, trainable mentally handicapped, deaf, specific learning disabled, physically impaired whose ability to



communicate orally or in writing is seriously impaired, or emotionally handicapped student who meets all graduation requirements for his exceptionality, but is unable to meet appropriate special minimum standards shall be awarded a special certificate of completion.

A student who is properly classified as profoundly handicapped and who has completed, with 80% mastery, the objectives of the curriculum for that exceptionality shall be awarded a special certificate of completion.

Mastery of the curriculum objectives shall be determined by each teacher utilizing the evaluation modes prescribed in the curriculum.

\* 6.4.10 REPORTING STUDENT PROGRESS

A. Report Cards

1. All schools shall use a standard report card appropriate for the level: elementary, middle or high, as the primary means of reporting student progress.
2. With the approval of the superintendent, schools may develop additional or supplementary reporting instruments which may be used in conjunction with the standard report card.
3. Report cards shall be issued for all students, K-12, at the close of each nine (9) weeks grading period. A report card will also be issued at the close of the summer school program.
4. Adult education students will be issued a Certificate of Attendance or a Certificate of Program Completion.

B. Report Card Grades

1. Report card grades are to provide the student and the student's parents with an objective evaluation of the student's scholastic achievement, effort, and conduct.

Student's academic grades are to reflect their academic achievement. Passing grades on report cards indicate that the student is working within a range acceptable for the grade or subject unless the subject is clearly identified as remedial.

Grades in subjects taken at a remedial level reflect student progress toward remediation.

2. Students and parents are to be advised of the grading criteria employed in the school and in each class prior to the beginning of the grading period.

Students who enroll in school or class late, shall be allowed to make up the class work in order to receive full semester credit.

3. Grades in conduct are to be assigned independently of academic achievement. Standards for grading in these areas are to be explained to the students.

A student shall have been enrolled in school at least  $\frac{1}{2}$  of a grading period to receive a report card. A grade shall be recorded on the report card for each subject taken. If a student withdraws he shall be issued a grade on the withdrawal form.

4. Students are to receive grades in all courses in which they are enrolled.
5. If the principal of a school feels it is necessary to change a pupil's grade in any subject at the end of a grading period, the principal shall consult with the teacher who issued the original grade, give reasons in writing for the necessary change to the teacher, and place a copy of said reasons in the pupil's cumulative guidance folder. Students and their parents shall be notified of all such changes.

#### C. Notices to Parents and Students

1. Parents or adult students are to be notified in writing at any time during a grading period when it is apparent that the student may fail or is performing unsatisfactorily in any course or grade level. The county Deficiency Report will be used for this notification.
2. Parents are to be advised of their child's performance on all standardized tests administered as part of the county-wide testing program.

A. Confidentiality - Student Records

The Osceola County Public Schools shall maintain educational records on each student for the purpose of planning instructional programs, for guidance of students, for preparation of local, State and Federal reports, and for research. Student records are for the educational benefit of the student, and information recorded and maintained shall be in keeping with the best educational interest of the student.

The rules of the School Board of Osceola County shall be consistent with Florida Statutes and State Board of Education Regulation. Rules shall be consistent with the Federal Family Educational Rights and Privacy Act of 1974.

The Principal of each school shall be responsible for the control and supervision of Student Records and for the following State Department of Education Regulations and School Board rules related to student records and interpretation of same to the school staff, students, and the community. The Superintendent of Schools or designee shall be responsible for the privacy and security of all pupil or adult student records that are not under the supervision of a school principal.

The Department of Student Services and Exceptional Education shall be responsible for the interpretation of and for assisting schools in the implementation of this policy.

Student Records

1. Each school will maintain two files of student records, a cumulative record folder file for those students enrolled and a permanent student record copy for students who currently attend and for all former students. The cumulative folder file shall include Category A Permanent Information which is verified information of clear importance to be retained indefinitely and Category B Temporary Information which is verified information of clear educational importance which is subject to change. The permanent student record copy file shall contain Category A Permanent Information. The permanent information record shall be maintained on the form prescribed by the Superintendent.

2. Those determined to have a legitimate educational interest in students or student records shall include but not be limited to: parents, teachers, principal, staff within the school responsible for assigning or directing student programs within the school, and county staff as designated by the Superintendent.
3. Criteria for determining legitimate educational interest shall be consistent with its meaning as used in 6A-1.955 (4) FAC.

#### Definitions

- (a) Education records: The term "education records" shall mean those records, files, documents and other materials as defined in Florida Statutes 228.093(2) which contain information directly related to a pupil or an adult student, which are maintained by an educational institution or by a person acting for such institution, and which are accessible to other professional personnel for purposes listed in Rule 6A-1.955(1), FAC.
- (b) Child: A child shall mean any person who has not reached the age of majority.
- (c) Pupil: A pupil shall mean any child who is enrolled in any instructional program or activity conducted under the authority and direction of a district school board.
- (d) Adult Student: Adult student shall mean any person who has attained 18 years of age and is enrolled in any instructional program or activity conducted under the authority and direction of a district school board.
- (e) Parent: A parent is defined as a natural parent, adoptive parent, legal guardian, or any other person recognized by the Osceola County Public Schools as being responsible for a student.
- (f) Directory Information: Directory information shall mean a student's name, address, listed telephone number, date and place of birth, participation in school sponsored activities and sports, weight and height of members of athletic teams, date of attendance, graduation date and awards received, major field of study, and the most recent previous educational agency or institution attended by the student.

(g) School Officials: School officials are those parties working directly with students in the individual school or those assigned supervisory or administrative responsibility for the program in which students are involved.

2. The cumulative record folder shall be under the control of the principal and shall be kept current.

Category A Permanent Information shall include the following and be retained indefinitely:

- (a) Full legal name of student and any known changes by marriage or adoption, authenticated birthdate, birthplace, race, sex and student identification number. A notation shall be made on the cumulative record folder indicating the source document (birth certificate or other document) from which the legal name and birthdate were obtained, the date recorded, and the name of the person making the notation. (Parents shall not be asked to surrender custody of legal documents to the school.)
- (b) Last known residence and mailing address of student
- (c) Name of student's parents or guardian
- (d) Number of days present and absent; date enrolled; date withdrawn
- (e) Name and location of last school attended
- (f) Courses taken and record of achievement, such as grades, units or certification of competence

Elementary - Teachers' name, subjects taken and grades earned (end of year average).

Secondary - Subjects taken, grades and credits earned.

Vocational/Technical/Adult - Subject taken, grades and credits earned if applicable, and/or hours completed.

The level of the work and an explanation of the grading system shall be noted on the record. If a student withdraws in the middle of a grading period, the withdrawal grades shall be recorded on the cumulative record folder and permanent folder.

- (g) Results of required State Assessment Program
- (h) Date of graduation or date of program completion.

If it is of clear educational importance, the following information may be added to the student's cumulative record folder on a temporary basis:

- (a) Health Information - A copy of the immunization record and any other health information necessary for the educational planning and placement shall be placed in the cumulative record folder
- (b) Family background data
- (c) Standardized testing information
- (d) Educational and vocational plans
- (e) Personal attributes
- (f) Honors and activities
- (g) Work experience, including employer ratings
- (h) Teacher/Counselor comments
- (i) Correspondence from community agencies, private professionals, or parents
- (j) Driver education certificate
- (k) List of schools attended
- (l) Custody Documents
- (m) Telephone numbers and emergency contacts
- (n) Exceptional Educational information:

A folder designated to contain exceptional student education information and reports shall be maintained in the cumulative folder. The following information shall be placed in the folder: Psychological summaries and/or reports, School copy of Staffing Committee Meeting Records, Copy of exceptional education placement letters, School copies of referral forms to exceptional education, Copies of parent authorization for psychological and exceptional education evaluations and placement authorizations, where applicable, Observations and exceptional education specialist reports (if applicable), Social history (if applicable), Other

pertinent information and observational data, such as medical, psychiatric, and agency reports, Individual Education Plans.

Temporary Information shall be reviewed annually.

Duplicate psychological reports and parent authorizations are maintained by the Department of Exceptional Student Education.

3. The permanent record copy file shall be maintained for each student in attendance.

B. Storage of Cumulative Folders and Permanent Record

Cumulative record folders and permanent record copies shall be placed in a locked secure location where they are secure from general scrutiny, but where they are, nevertheless, accessible to teachers and authorized school personnel for use on a regular basis. It is the responsibility of the school principal or designee to keep cumulative folders and permanent records in a location, in so far as is possible, secure from fire and vandalism. The Superintendent or designee shall be responsible for the privacy and security of all student records that are not under the supervision of a school principal.

C. Access to Student Records - Confidentiality

Student records shall be open to inspection only by the Superintendent and his staff, professional staff of the school, and parent or guardian of the pupil, a court of competent jurisdiction, and to such other persons as the parent or guardian may authorize in writing.

A parent who wishes to review his/her child's record should make an appointment with the principal or school counselor. School personnel are available to interpret school record information. All such requests should be honored within thirty (30) days.

Whatever rights are vested in the parent shall pass to the student whenever the student has attained eighteen (18) years of age or is attending an institution of post- secondary education. Parents of a dependent student or dependent former student shall have access to student records. "Dependent" shall be as defined in 26 U.S.C. (Section 152 of the Internal Revenue Code of 1954).

When any other information concerning a student is combined with information on other students, the parents of any student shall be entitled to receive,

or be informed of, the information pertaining to their child.

D. Child Custody and Access to Student Records

The school shall presume that either parent of any student has the right to inspect and review the educations records of the student unless the school has been provided with evidence that there is a court order governing this matter which provides to the contrary.

E. Directory Information

The Osceola County Public Schools reserve the right to release the following "directory information" without prior permission of the parent:

Student's name, address, listed telephone number, date and place of birth, participation in school activities and sports, weight and height of members of athletic teams, dates of attendance, honor roll, graduation date and awards received.

The parent may refuse to permit the designation of any or all of the above categories as directory information with respect to their child by notifying the principal in writing within ten (10) calendar days of the beginning of school.

List of students will not be released except by School Board Action.

F. Public Notification

Each school shall provide to parents and eligible students annual notification of their right of access to student records, a right to a copy of the record, right of waiver of access, right to challenge information contained in the record and to a hearing, and right of privacy. The notification should be distributed at the beginning of the school year and in so far as is practicable must be in the language of parent of the eligible student. This annual notice should also include the policy on Directory Information. The Departments of Student Services and Exceptional Education shall be responsible for updating and providing annually a copy of the Public Notice to each Principal. The Principal shall determine the method and procedure for delivery to parents.

G. Transfer of Student Cumulative Records, Transcripts of Student Permanent Record Copy, and/or Release of Student Records



Requests for the transfer of cumulative record folders or other student records shall be made in writing by the parent except as outlined in this section. A release form shall be provided for use in the schools, and such a form shall designate that parents have the right of access to student records, right to a copy of the records (at a cost of twenty five cents per page), right of waiver of access, right to challenge information contained in the record and to a hearing, and right of privacy.

Under no circumstances shall the student record be released to the student, parent or guardian for transmittal from one school to another(a copy can be provided to them).

Report cards or other evidence of grade placement and progress to date with student identification, a receipt for textbooks returned, a copy of the Student Health Record and a statement of any out-standing financial obligation shall be given to the parent or student at the time of withdrawal.

Prior to the transfer of the cumulative folder, or copy of same, the information shall be reviewed.

The transfer of records shall be made immediately upon written request of an adult student, a parent or guardian of a student or a receiving school. The principal or designee shall transfer a copy of all category A and category B information and shall retain a copy of Category A information.

No student records or information may be transferred or released or disclosed to any individual or institution without prior parental written consent, signed and dated except except to:

- (1) Officials of schools, school systems, area vocational technical centers, community colleges, or institutions of higher learning in which the pupil or student seeks or intends to enroll; and a copy of such records or reports shall be furnished to the parent, guardian, pupil, or student upon request.
- (2) Other school officials, including teachers within the educational institution or agency, who have legitimate educational interests in the information contained in the records.
- (3) The United States Secretary of Education, the Director of the National Institute of Education, the Assistant Secretary for

Education, the Comptroller General of the United States, or state or local educational authorities who are authorized to receive such information subject to the conditions set forth in applicable federal statutes and regulations of the U.S. Department of Education, or in applicable state statutes and rules of the State Board of Education.

- (4) Other school officials, in connection with a pupil's or student's application for, or receipt of, financial aide.
  - (5) Individuals or organizations conducting studies for or on behalf of an institution or a board of education for the purpose of developing, validating, or administering predictive tests, administering pupil or student aid programs, or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of pupils or students and their parents by persons other than representatives of such organizations and if such information will be destroyed when no longer needed for the purpose of conducting such studies.
  - (6) Accrediting organizations, in order to carry out their accrediting functions.
  - (7) For use as evidence in pupil or student expulsion hearings conducted by a district school board pursuant to the provisions of chapter 120.
  - (8) Appropriate parties in connection with an emergency, if knowledge of the information in the pupil's or student's educational records is necessary to protect the health or safety of the pupil, student, or other individuals.
  - (9) The Auditor General in connection with his official functions; however, except when the collection of personally identifiable information is specifically authorized by law, any data collected by the Auditor General shall be protected in such a way as will not permit the personal identification of students and their parents by other than the Auditor General and his staff, and such personally identifiable data shall be destroyed when no longer needed for the Auditor General's official use.
- 228.093 (3) d F.S.

H. Third Party Restriction

Neither a student's educational record nor any personally identifiable information shall be released except on the condition that the information being transferred will not be subsequently released to any other party or used for any purpose other than that for which the disclosure was made without obtaining the consent of the parent or eligible student, signed and dated.

Released copies of educational records and personally identifiable information must be destroyed when no longer required by the person to whom the information was appropriately released.

In order to comply with the two sections noted above, a stamp should be used to mark all copies of the information being released to any other person without the written consent of the parent or eligible student; and that copies of the information be destroyed when no longer needed.

I. Record of Disclosure

The school shall maintain a record of all records or information disclosed, transferred or released from the education records of a student. Such a record shall be kept with the student's education records and indicate the parties who have requested or obtained personally identifiable information from the student's education records, and the record must also specify the legitimate interest that these parties had in requesting or obtaining the information. The record of disclosure may be inspected by the parent or eligible student and school official responsible for the custody of the records. The record of disclosure is not necessary when disclosure is to the parent of a minor student or an eligible student or to school officials who have a legitimate interest.

J. Transfer of Records

The transfer of records shall be made immediately on request of parent or receiving school. The principal or designee shall transfer a copy of all category A and category B information and shall retain a copy of category A information and the original of category B information. Under no conditions shall the transfer of a student's records be delayed for failure to pay a fine or fee assessed by the school; however, all reasonable effort shall be made to collect for damaged or lost library books and textbooks.

K. Cost of Reproduction of Student Records

- (1) Student records transferred to another Osceola County School, private school, or another school system shall be at no cost to the parent or eligible student.
- (2) A charge of 25¢ cents per page will be assessed parents or eligible students requesting reproduction of student records.
- (3) A charge of \$1 for transcripts to a post-secondary institution shall be assessed after the second. Schools may waive transcript fees at their discretion for extenuating circumstances. Each student will be given one free personal copy to accompany his diploma upon graduation.
- (4) Official transcripts will be mailed directly to the institution designated by the student.

L. Right to Contest the Contents of Student Records - Hearing Procedures

In addition to a parent's right of access for the inspection and review of their child's education record, they shall also have an opportunity for a hearing to contest the contents of said record if they think it to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. The right includes an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data contained therein.

If records are to be corrected, deleted or expunged, then a written agreement between the adult student or parent and the designated school official shall be entered into. The agreement shall only indicate that the record has been corrected, deleted or expunged.

Schools may attempt to resolve such matters through informational meetings and discussions; however, when such informal proceedings are not satisfactory to either the school or the parent, the following procedures are to apply:

- (1) The parent or eligible student shall make a request in writing to the principal naming the record to be reviewed and the information in question.

- (2) The principal shall schedule an appointment for a hearing, designating date and time of the hearing. The hearing shall be scheduled within five (5) school days after request. Parents and school personnel shall have an opportunity to present information and to be heard.
- (3) The principal shall serve as the hearing officer. It shall be the hearing officer's responsibility to review the information in question and to make a decision regarding the request. Such decision shall be in keeping with the rules of the Osceola County, Florida, Public Schools.
- (4) The principal shall prepare a written report on his decision and forward a copy to the Superintendent. The written report must include a summary of the evidence and the reason for the decision.
- (5) An agreement which shall be reduced to writing, signed and dated by the adult student or the parents or guardians of the pupil and designated school officials if records are to be corrected, deleted or expunged. The agreement shall only indicate that the record has been corrected, deleted or expunged.
- (6) The parent or eligible student may appeal the decision of the hearing officer to the Superintendent by written request within ten school days. The Superintendent shall appoint a three-member review committee to review the case and make recommendations to the Superintendent for final disposition.
- (7) If the decision is adverse to parent or eligible student, then the parent or eligible student shall be informed of the right to place in the student's record a statement commenting on the information in said records and/or set forth any reasons for disagreeing with the disposition. Parent or eligible student may do this at any stage in lieu of a hearing or appeal.

6.6 STUDENT TRANSPORTATION

The responsibilities of pupils transported at public expense shall be as follows:

6.6.1 Conduct

To occupy the seat assigned by the driver and to refrain

at all times from moving around while the bus is in motion. To observe classroom conduct(except for ordinary conversation)while getting on and off the bus, and while riding the bus.

To obey the driver and to report to the school principal when instructed to do so by the driver.

To cooperate at all times with school bus patrols and to assist patrols willingly.

To warn the driver of approaching danger if there is reason to believe the driver is not aware of the danger.

To be at the designated place in the morning and after school, ready to board the bus at the prescribed time.

Auth: 230.22, F.S.

Imple: 232.25, F.S.

#### 6.6.2 Personal Safety in Transport

To walk to the bus stop on the left side of the road, facing traffic, and to stay off the roadway at all times while waiting for the bus.

To wait until the bus has come to a full stop before attempting to get on or off.

To enter or leave the bus only at the front door after the bus has come to a full stop, except in case of emergency.

To cross the highway, when necessary, as follows:

- A. Upon alighting from the bus, stand at the side of the road ten feet (10) in front of the bus, within sight and hearing of the driver and wait for his signal to cross the road or proceed to the park strip.
- B. Upon signal from the driver, look both ways and proceed in front of the bus across the road or to the park strip.

To keep head and hands inside the bus at all times, except in case of emergency egress.

Auth: 230.22, F.S.

Imple: 232.25, F.S.

#### 6.7 Internal Accounts

The following matters of finance shall be subject to the requirements of Board Rule 2.2.2.J.

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6.7.1 Money-Raising Drives

Money-raising drives, such as for the March of Dimes, the Red Cross, Tuberculosis, or United Fund, shall not be conducted among students by or in Osceola County Schools.

Elementary and middle school solicitation of advertising from the public shall be limited to the support of one (1) publication per school.

Elementary and middle students shall not be permitted to sell items, or solicit contributions, pledges, or orders door to door for fund raising activities sponsored by the school or by school related organizations.

Senior high school solicitation of advertising from the public shall be limited to the support of five (5) publications, e.g., newspapers, football programs, yearbooks, etc., per school.

The sale of commercial items by students shall be limited to one (1) project per year per school organization, and shall be approved by the Superintendent.

6.7.2 Vending Machine Operation

Vending machines which are not fully controlled by the Public School System shall not be installed or operated on school property where they will be accessible to students, without specific authorization by the Board.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.85(1) and (3); 237.02(4) F.S.

6.7.3 Sale of School Supplies

The sale of school supplies within a school shall be authorized only under the following conditions.

- A. The principal shall determine that the sale of school supplies is advantageous for the convenience of students and contributes to the efficient operation of the school.
- B. The supplies sold shall be limited to common essential supplies required by students in their regular school duties, except that a student-operated store may be conducted as part of a vocational program.
- C. Any profits derived from such sales shall be utilized by the sponsoring group with the approval of the principal and Superintendent.

Auth: 230.22, F.S.

Imple: SBE Regulations 6A-1.85 and 6A-6.70; 237.02(4) and 233.068, F.S.

6.8 Social Functions

6.8.1 Picnics and Parties

All social functions sponsored by a school shall be properly chaperoned by the school faculty. Parents shall be invited to assist with the chaperoning. In the case of swimming parties, a senior lifeguard, qualified by the Red Cross, shall be on duty.

No more than three (3) class parties may be held in the elementary classrooms during a school year. Plans for parties shall be approved by the principal. The loss of class instruction time shall be held to a minimum by limiting such activities to times near the close of a school day and to the school building.

Classes and organizations in secondary schools shall hold picnics and parties outside school hours.

Principals shall make provision for the supervision and safety of all pupils on school outings. Particular attention to safety shall be given to those outings where swimming is involved. School parties and picnics shall not be conducted during the closing days of the school session. The days shall be devoted to testing and evaluation.

Auth: 230.22, F.S.

Imple: 232.25 and 231.085(f), F.S.

\* 6.8.2 Student Activities

A. Field Trips

Instructional field trips must be:

- (1) Approved by the principal,
- (2) Directly related to performance standards of the course and,
- (3) Incorporated into the sponsoring teacher's unit plans.

B. F.H.S.A.A. Membership

Principals of qualifying high schools within the District are authorized to secure and maintain continuous membership in the Florida High School Activities Association, Incorporated, a non-profit corporation for the benefit of their respective high schools, and to abide by those rules and regulations not inconsistent with law or Board rule.



C. Student Standards for Participating in Extra Curricular Student Activities

Extra curricular activities are a vital part of the total school program. Such activities include any after-school faculty-sponsored group such as athletic teams, music groups, and special-interest organizations.

1. In order for a student to be eligible to participate in extra curricular activities, he must maintain a 1.5 grade point average in grades 9 and 10, and 1.75 in grades 11 and 12 on a 4.0 scale for the grading period immediately preceding participation. Such student shall also be progressing satisfactorily toward graduation as provided for in the Pupil Progression Plan for Osceola County, and may not have repeated the previous grade.
2. In order for a student to attend meetings or participate in activities, he must attend school a minimum of  $\frac{1}{2}$  day the day of participation.
3. Upon the recommendation of a teacher, the principal or his designee may suspend a student from participation in an activity for Level II - Level IV offenses as outlined in the Osceola County School District Code of Student Conduct.
4. Those students unable to meet the criteria because of extenuating circumstances may appeal to the school activities committee, a standing committee whose membership shall include, but not be limited to, representatives from extra curricular sponsors, classroom teachers, the guidance department, administration, exceptional student education, and the school advisory committee.
5. Implementation of these standards shall begin at the end of the first grading period of the 1983-84 school year and shall not apply to co-curricular activities.

Auth: 230.22, F.S.

Imple: 230.23 (14)

D. Athletic Events

Varsity football games shall be scheduled for Friday or Saturday nights unless the day following is a holiday. Exceptions may be made for games postponed due to weather or other emergencies.

The principal and coaches shall arrange for group insurance for the protection of school participants in athletic events. Moreover, the principal shall require, and keep on file in his office, the parent's written consent and the doctor's approval for each participant.

E. School Bands and Band Instruction

School bands may participate in civic and non-school functions with the approval of the principal, provided such functions are not partisan nor political.

Participation by students in functions outside the County and not under the sponsorship of the Florida High School Activities Association shall require approval from the Board.

The Superintendent shall clear each school bus trip with the school bus carrier if in doubt as to insurance coverage.

Eligibility for athletic participation and cheerleaders shall be determined by the Florida High School Activities Association and County Bylaws. (Bylaws of each group shall be subject to approval of the Superintendent.) All participants shall have the approval of the principal.

The beginning practice date for football and other sports shall be determined by the Florida High School Activities Association. The procedure for students who wish to begin participating in athletic competition after the first practice session shall be determined by the coach and principal of each school. Students shall be made aware of these dates and procedures.

Whenever a sport seasons ends, a student may participate in another sport without penalty. If two (2) or more sport seasons are in progress simultaneously, and a student desires to drop one sport and go to another, he shall obtain the approval of each coach concerned. If a student is dismissed from a sport for disciplinary reasons, or drops out of a sport without the approval of the coach, the student may not participate in another sport until the end of the season for the sport in which he was participating. The rule may be waived upon the approval of both coaches and the principal.

The school calendar shall be maintained on which all rehearsals, practices, and other activities shall be recorded. All activities shall be scheduled on non-conflicting dates whenever possible. If a

schedule conflict arises, the sponsors of the activities shall meet and attempt to resolve the conflict. In the event of a performance conflict, any student otherwise expected to participate in both shall be free to choose either without penalty.

A student's grade in a schedule class such as band, chorus, drama, etc. cannot be penalized for non-participation after school hours.

Standard school procedures, constitutions, and bylaws pertaining to activities, sponsors, and participants shall be enforced and copies of said bylaws shall be filed in the Superintendent's office. Constitutions and bylaws of each group shall be subject to approval of the Superintendent. It shall be the responsibility of the Principal to update annually the files at the Superintendent's Office.

Auth: 230.22, F.S.

Imple: 232.25 and 231.085(5), F.S.

## 6.9 Miscellaneous

### 6.9.1 Safety on School Grounds

Every member of the staff is responsible for the safety of pupils while on the school grounds. The principal shall eliminate all hazards on school grounds insofar as possible.

Teachers shall be assigned to supervise pupils on the school grounds before and after classroom instruction. Principals shall see that all activities are properly supervised and that all precautions are taken by teachers and pupils.

The parents of a seriously injured student shall be notified immediately, and the student shall be taken to the doctor or the hospital indicated on the emergency procedure card as quickly as possible. Transportation will be based upon the best judgment of the school principal. The Superintendent shall be notified as to the nature of the accident and steps taken to assist the child and the parents. Insofar as is practical, there shall be a teacher or properly instructed aide responsible for supervising pupils as they board and unload from buses at the school site. The person shall be on the alert for any safety hazard, and shall attempt to maintain orderly procedures on the part of the pupils.

Auth: 230.22, F.S.

Imple: 232.25 and 402.32(5), F.S.

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Auth: 230.22, F.S.

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Auth: 230.22, F.S.

Imple: 232.25 and 402.32(5), F.S.

6.9.2 Senior's Open Lunch

Members of the senior class who comply with the following guidelines shall be free to leave the school campus during the lunch period, provided that:

- A. Principal has given permission.
- B. A notarized permission slip on a form approved by the Board has been signed by the parent, relieving the school of responsibility.
- C. Seniors exercising this privilege shall not be party to transporting students who are not eligible to be off the school premises.

The open lunch privilege may be revoked either singularly or for the entire group for abuse of the privilege.

Auth: 230.22, F.S.

Imple: 232.25, F.S.

6.9.3 Pupil Insurance

A. Contracts

The School Board shall arrange to make available to parents some plan of pupil group insurance to protect students enroute to and from the school and during the school day.

Rules affording insurance coverage with respect to injuries sustained by students as a result of accidents are private contracts between the insurance company and the respective parents. The School Board shall have no obligation for placing the insurance, collection and delivery of insurance premiums, or enforcement of the terms of the rule.

B. Solicitation

- 1. Insurance companies which have, prior to the first day of the school year, obtained the permission of the Superintendent, may deliver to the schools for delivery by students to their parents, all materials needed for the sale of policies and the collection of premiums.
- 2. Salesmen must be cleared through the principal's office before contacting any employee.
- 3. Contact Sports Insurance

Before any student is permitted to participate in contact

sports, practice or contests, as a school activity, written proof that accident insurance protection has been provided for each student participating in the sport shall be furnished to the principal.

Auth: 230.22, F.S.

Imple: 232.25, F.S.

6.9.4 Public Visitation

An individual or group desiring to tour a school shall receive permission from the Superintendent or the school principal.

Members of the public wishing to contact pupils during the school day shall receive permission to do so from the principal.

6.9.5 Loitering

Loitering on school premises during school hours by a person not a student in the school or an employee of the Board shall not be tolerated. When it occurs, the police or sheriff's department shall be notified.

\* 6.9.6 School Day Picture Specifications - Elementary & Middle Schools

Any photographer doing business in Osceola County must be willing to enter into a picture contract with any school that requests. Any photographer failing to comply, will be removed from the Osceola County Schools qualified vendors list and any previous contract agreements will be cancelled. No photographer, however, will be expected to handle only those schools where potential sales are considered low. One photographer will contract to do all school pictures for that school year.

I. At the discretion of the Principal, three packages may be offered for elementary and middle schools.

Package A - all color package 140 square inches at \$4.00

Package B - all color package 220 square inches at \$6.00

Package C - all color package 300 square inches at \$8.00

II. Specifications

A. The price of the package, the mark up to be retained by the school as listed below, the amount of the sales tax,

and the total price shall be plainly indicated on each package of pictures. The maximum price for each package shall be set by the Board annually.

The mark up for elementary and middle schools shall be a maximum of 20%.

Any other remuneration, assumed or applied, in the form of monies, goods, or services, other than specified is prohibited.

- B. The tax collected from the students will be forwarded to the vendor. The vendor shall be responsible for all tax reports and remittance to the State of Florida.
- C. The school principal shall have the opportunity to select the number and size of pictures contained in the package. The square inches of pictures provided in their package shall be equal in all cases to the minimum required specifications for the package.
- D. The color process and type of paper used for color printing shall be Eastman Kodak.
- E. Each school shall receive the following services without charge:
  - 1. A gummed-back picture not less than 1" x 1½" for school records shall be furnished on all students photographed.
  - 2. For Annualette or yearbook purposes, each school shall be provided with one 1 3/4" x 2½" Black and White glossy print picture of each student and teacher and twenty 5" x 7" Black & White Activity pictures. (Club groups, etc.) These pictures shall be taken on the same dates as the regular school day pictures or at a time mutually agreed upon by the Photographer and Principal. This service may be omitted if permission to omit is obtained by the school principal.
- F. Date for taking pictures will be set through agreement by the individual school principal and the agent of the company, all bookings with the individual schools for the school year shall be completed by September 8, Yearbook and annual gloss prints shall be taken and returned postpaid, prior to November 1. All pictures will be taken and returned postpaid prior to November 15 unless there is mutual agreement between vendor and principal for later delivery. A penalty of \$10 per day - weekends and

holidays included - will be deducted by the school for each day the pictures or yearbook prints are late. "Retakes" shall be made as requested by the individual schools. The photographer shall be required to make "retakes" on all students not photographed the first visit or for all students whose pictures were not satisfactory on the first shooting as determined by the principal of the school or his representative, but no later than November 15.

The assignment of school personnel to facilitate the picture taking process shall be limited to the supervision of students.

- G. Forms to report picture sales and payment of tax collected shall be provided by the company for each room.
- H. Notices to be sent home by the students to inform parents when pictures will be taken shall be furnished by the bidder and shall be received by the school five days before pictures are to be taken.
- I. The school principal shall include with the notice a general statement as to the use of funds derived from school picture sales.
- J. Each bidder must include samples of all items which he has submitted a bid. The samples shall be of sufficient number and size to show the quality of his product. The delivered packages shall be of a quality equal to the samples submitted.
- K. Each bidder must furnish proof that he has sufficient equipment and professional personnel to serve the Osceola County Schools.
- L. Each bidder must have a local Florida representative who is licensed to do business in Osceola County and is sufficiently close to Osceola County to assure satisfactory service. Each bidder must provide the school with an address and telephone number where contact can be made with the photographer. This information shall be provided each school in writing.
- M. Bids will be received for an annual contract on school picture business for all schools wishing to sell school pictures.
- N. A satisfactory procedure for easy identification of annual prints and picture packages shall be made with each principal prior to the time students are photographed.



- O. The picture contract will be awarded on the basis of the best quality of product, and the best service, as determined by the School Principal and his staff.

OPTION pictures may be handled on pre-pay, proof or standard procedure by mutual agreement between principal and photographer.

\*

6.9.7 School Day Pictures - High Schools

At the discretion of the Principal, three packages may be offered for high school through grade 11.

Package A - all color package 140 square inches at \$ 6.00

Package B - all color package 220 square inches at \$ 8.00

Package C - all color package 300 square inches at \$ 10.00

Specifications

- A. The price of the package, the commission to be received by the school (not to exceed 20% of the sale price), the amount of the sales tax, and the total price shall be plainly indicated on each package of pictures. The maximum price for each package shall be set by the Board annually. Any other remuneration, assumed or applied, in the form of monies, goods, or services, other than specified is prohibited.
- B. The tax collected from the students will be forwarded to the vendor. The vendor shall be responsible for all tax reports and remittance to the State of Florida.
- C. The school principal shall have the opportunity to select the number and size of pictures contained in the package. The square inches of pictures provided in their package shall be equal in all cases to the minimum required specifications for the package.
- D. The color process and type of paper used for color printing shall be Eastman Kodak.
- E. Each school shall receive the following services without charge:
  1. A gummed-back picture not less than 1" x 1½" for school records shall be furnished on all students photographed.

2. For Annualette of yearbook purposes, each school shall be provided with one 1 3/4" x 2 1/2" black and white glossy print picture of each student and teacher and twenty 5" x 7" black and white activity pictures. (Club groups etc.) These pictures shall be taken on the same dates as the regular school day pictures or at a time mutually agreed upon by the Photographer and Principal. This service may be omitted if permission to omit is obtained by the principal.

3. Laminated, color portrait student I.D. cards, billfold size.

F. Date for taking pictures will be set through agreement by the individual school principal and the agent of the company, all bookings with the individual schools for the school year shall be completed by September 8, Yearbook and annual gloss prints shall be taken and returned postpaid, prior to November 1. All pictures will be taken and returned postpaid within 5 weeks unless there is mutual agreement between vendor and principal for later delivery. A penalty of \$10.00 per day-weekends and holidays included - will be deducted by the school for each day the pictures or yearbook prints are late. "Retakes" shall be made as requested by the individual schools. The photographer shall be required to make "retakes" on all students not photographed the first visit or for all students whose pictures were not satisfactory on the first shooting as determined by the principal of the school or his representative.

The assignment of school personnel to facilitate the picture taking process shall be limited to the supervision of students.

G. Forms to report picture sales and payment of tax collected shall be provided by the company for each room.

H. Notices to be sent home by the students to inform parents when pictures will be taken shall be furnished by the bidder and shall be received by the school at least five days before pictures are to be taken. The notice shall include a statement that the commission received by the school is to defray publication costs for having the students picture in the yearbook.

I. Each bidder must include samples of all items which he has submitted a bid. The samples shall be of sufficient number and size to show the quality of

his product. The delivered packages shall be of a quality equal to the samples submitted.

- J. Each bidder must furnish proof that he has sufficient equipment and professional personnel to serve the Osceola County Schools.
- K. Each bidder must have a local Florida representative who is licensed to do business in Osceola County and is sufficiently close to Osceola County to assure satisfactory service. Each bidder must provide the school with an address and telephone number where contact can be made with the photographer. This information shall be provided to each school in writing.
- L. A satisfactory procedure for easy identification of annual prints and picture packages shall be made with each principal, or his designee, prior to the time students are photographed.
- M. The picture contract will be awarded on the basis of the best quality of product, and the best service, as determined by the School Principal and his staff.

OPTION pictures may be handled on pre-pay, proof or standard procedure by mutual agreement between principal and photographer.

Any photographer wishing to do business with an Osceola County High School must be willing to enter in an exclusive contract, which complies with the specifications stated above for the school day pictures; and include the following, but are not limited to:

Senior Pictures	Cap and Gown
Memory Mates	Nook Pictures
Double Image	Prom
Graduation Hand-Shake	

6.9.8 Employment and Age Certificates

The principal of each school shall have the delegated authority to issue employment and age certificates in accordance with State Board Regulation 6A-1.97. A letter of approval must be on file with each food service and lodging establishment. Work Certificates shall not be issued until letter is on file.

Each cooperative teacher must have a work permit number for each student on all appropriate student records and teacher reports. Work permits for students issued judicial exemptions must be issued by the Superintendent.

Auth: 230.22, F.S.

Imple: SBE Regulation 6A-1.97, 232.07 and 232.08, F.S.

6.9.9 Minimum Age Exception

The minimum age of eighteen (18) years for School Board employees shall be waived in the case of a work study or similar program.

Auth: 230.22, F.S.

Imple: SBE Regulations 6A-2.97 and 6A-6.70, 232.07 and 233.068, F.S.

6.9.10 Leaving School Grounds

A principal shall not permit a pupil to leave in the custody of a person other than the child's parents or legal guardian unless that person has verified authorization of one of the parents or legal guardian.

The pupils shall be required to remain on the school grounds from the morning bell until dismissal in the afternoon unless prior approval of the school principal has been given.

Auth: 230.22, F.S.

Imple: 232.25, F.S.

6.11 Alternative Education Programs

The Board may adopt policies regarding placement of students in Alternative Education Programs designed to meet the needs of students who are disruptive, disinterested, or unsuccessful in the school environment.

Examples of such programs may include:

- A. Preventive programs such as the ALPHA Program whose purpose it is to prevent the development of severe maladaptive behavior problems.
- B. In-School Suspension Programs.
- C. Other programs as recommended by the Superintendent to the Board.

Criteria for Eligibility - Students will be eligible for alternative education programs according to the guidelines set forth in State Board Rules 6A-1.994(2).

The Superintendent shall delineate procedures for eligibility, maintenance of records, and evaluation of Alternative Programs.

\* 6.12

Head Lice

A student who is found to have head lice shall be excluded from school until cleared by the School Health Nurse or any approved School Board Personnel.

TABLE OF CONTENTS

	Page
DISCIPLINE, OFFICIAL SCHOOL BOARD POSITION ON, 7.0	177
Arson, 7.3.14	
Authority of Classroom Teachers, 7.2.4	179
Authority of School Bus Drivers, 7.2.5	179
Authority of Principal, 7.2.6	180
Blackmail and Extortion, 7.3.11	184
Board Rule on Offenses, 7.3	181
Bomb Threats, 7.3.16	185
Cheating, 7.3.1	181
Classroom Management, 7.2.2	178
Continued Incurrigibility, 7.13.17	185
Corporal Punishment, 7.4	186
Dangerous or Disruptive Items, 7.3.3	181
Designated Responsibilities, 7.2.1	178
Disturbing Teachers, Board Members, Employees of the Board, or their Homes, and Insulting in Public, 7.3.15	185
Expulsion, 7.5.2	188
General Points of Emphasis, 7.2	177
Intoxicants and Hallucinogenic Drugs, 7.3.7	182
Legal, 7.3.18	186
Misbehavior, 7.3.2	181
Philosophy, 7.1	177
Profanity, 7.3.12	184
Public Affection, 7.3.6	182
Record, 7.2.3	
Short Term Suspension, 7.5.1	187

	Page
Skipping and Excessive Absence (Truancy), 7.3.9	183
Suspension and Expulsion, 7.5	187
Theft and Pilfering, 7.3.10	184
Use of Tobacco, 7.3.8	183
Vandalism and Burglary, 7.3.13	184
Wearing Apparel and Accessories, 7.3.5	182
Willful Disobedience, 7.3.4	181

7.0 OFFICIAL SCHOOL BOARD POSITION ON DISCIPLINE

7.1 Philosophy

The Board finds and declares that:

- A. The development of self-discipline and self-direction is an educational goal toward which disciplinary procedure can contribute its forces. Discipline provides experiences and establishes procedures which make the students responsible for keeping themselves in order. Disciplinary action is the corrective measure used when a breach of discipline has occurred.
- B. The key to both student and teacher morale lies in how successfully the rules on discipline are applied and how this is reflected in classroom order. Educators, students, and parents must feel that, whatever rules are followed, they are not only uniform for all, but are just and fair. Disciplinary action, where imposed, should be as rational, non-arbitrary, and judicious as possible. It should encourage free discussion and setting of standards through participation of students. The dignity and worth of the individual should always be respected and, because of this, disciplinary action should be free from harsh, abusive, and vindictive forms of punishment. Also, the student should never be subjected to sarcasm, public ridicule, or intimidation. Disciplinary action cannot be effective if its purpose is merely to demonstrate the superior authority of the teacher or administrator. The best results will be derived from cordial and realistic teacher-pupil relationships which are reinforced by firm and just policies of the administration at all levels.
- C. These policies are not made with the intention of creating coercive or punitive powers, but simply to help maintain discipline in the classroom.
- D. The teacher is the essential element in proper discipline within the schools. There are certain aspects of classroom management which must be left to the discretion and good judgement of the individual teacher, especially the instances regarding talking, movement of students in the room, and other activities which might be perfectly acceptable in one classroom situation and inappropriate in another.

Auth: 230.22, F.S.

Imple: 230.23 (6) (c) and 232.27, F.S.

7.2 GENERAL POINTS OF EMPHASIS

- 7.2.1. Designated Responsibility Employees of the Osceola County School Board shall make a concerted effort to prevent or correct common discipline problems found in the District schools. All people involved with the handling of discipline shall take a firm stand and insist that students behave in such a manner that the school is conducive to good education for all individuals.

Teachers are expected to assist in correcting discipline problems as they might occur on the school grounds.

Each year the School Board shall distribute a copy of the Code of Student Conduct to students and teachers. The code, which is based upon the School Board's rules governing student conduct and discipline shall also be available to parents at the beginning of the year.

A committee composed of teachers, principals, and community representatives will make a periodic review of the Code of Conduct.

Auth: 230.22, F.S.

Imple: 232.25, F.S.

- 7.2.2 CLASSROOM MANAGEMENT

Minor offenses, insofar as is possible, shall be handled at the teacher level. Those things which are against classroom regulations shall be made clear at the beginning of the school year, reiterated from time to time, and enforced continuously. Only in case of chronic disobedience to these rules shall the individual be referred to an administrator. Before any referral is made, the teacher shall first use whatever corrective measures are available, including the contact of parents or guardians. The teacher shall immediately inform the administrator of any contact with parents which might require his involvement in the situation.

Auth: 230.22, F.S.

Imple: 232.27, F.S.

- 7.2.3 RECORDS

Disciplinary records shall be maintained separately from a student's permanent records in a place designated by the principal. Records shall be made available for parental inspection upon the request in the same manner as permanent records.

Letters of expulsion shall be filed in the student's cumulative folder. All items relative to discipline shall require the approval of the principal before they are filed in the permanent records.



Auth: 230.22, F.S.  
Imple: 230.23 (11), 232.23 and 231.085 (3), F.S.

#### 7.2.4 AUTHORITY OF CLASSROOM TEACHERS

Each teacher may offer directive guidance to a pupil through informal counseling sessions, may invite the pupil's parent or guardian to participate in informal counseling sessions or otherwise to confer with the teacher, and may detain a pupil before or after school hours up to one (1) hour per day, provided that the parent or guardian shall have advance notification of such detention. It shall be the students responsibility to notify the parents of the detention and the parent responsibility to arrange for adequate transportation to and from home. The classroom teacher may administer corporal punishment in accordance with Board Rule 7.4.

When discipline problem disrupts the entire class and makes the learning process ineffectual, the student or students involved shall be removed from the class, upon approval of the principal, or his designee, so that order may be restored and teaching resumed. Parents shall be notified that the student is temporarily removed from the class or all classes for a period not to exceed ten (10) days or until the school has the assurance of the student and his parents that his behavior will improve. This class period shall be spent in a well-supervised study room within the school building or in an In-School Suspension setting. Teachers shall not refuse to serve a student scheduled to their class nor have the authority to bar a student from their class.

Auth: 230.22, F.S.  
Imple: 232.27, 232.25, and 231.09 (3), F.S.

#### 7.2.5 AUTHORITY OF SCHOOL BUS DRIVERS

The principal shall delegate to the school bus driver such authority as may be necessary for the control of pupils being transported to and from school, or school functions, at public expense.

Any pupil who persists in disorderly conduct on a school bus shall be reported to the principal by the driver of the bus, and may be suspended by the principal of the school he attends from being transported to and from school and school functions at public expense.

The school bus driver shall preserve order and good behavior on the part of all pupils being transported, but he shall not suspend the transportation of or give physical punishment to any pupil, or put any pupil off the bus at other than the regular stop for that pupil, except by order of the parent or the principal in charge

of the school the pupil attends; provided, that should an emergency develop due to the conduct of pupils on the bus, the bus driver may take such steps as are reasonably necessary to protect the pupils on his bus.

Auth: 230.22, F.S.

Imple: 232.28, F.S., and SBE Regulation 6A-3.17(1)(d) 2

#### 7.2.6 Authority of School Principal

The principal shall be responsible for the provision of pupil guidance and counseling, including parent conferences, and also for the supervision of detention procedures when such are deemed necessary by instructional personnel.

The principal shall have the authority to administer corporal punishment in accordance with Board Rule 7.4. and shall have the authority to suspend a student from any or all classes and assign the student to a well-supervised study room within the school. "In-school suspension" shall be limited to ten (10) days for any one (1) infraction or instance of misbehavior. The principal also has the authority to require students as a disciplinary measure to perform maintenance or custodial services on buildings or grounds. Such activity is specifically exempt from the provisions of the Child Labor Laws in Chapter 450, Florida Statutes.

If suspension of a student becomes necessary, an initial effort shall be made to contact the parents and inform them of the problem before the student is suspended. The procedure for suspension of students is set forth in Board Rule 7.5.1.

The Principal or his designated representative may recommend to the Superintendent the expulsion of any student who has committed a serious breach of conduct, including, but not limited to, willful disobedience, open defiance of authority of a member of his staff, violence against persons or property, or any other act which substantially disrupts the orderly conduct of school. Any recommendation of expulsion shall include a detailed report by the principal or his designated representative on the alternative measures taken prior to the recommendation of expulsion. The procedure of expulsion of students is set forth in Board Rules 7.5.3.

The Principal or his designated representative shall include an analysis of suspensions and expulsions in the annual report of school progress.

Auth: 230.22, F.S.

Imple: 231.085 and 232.26, F.S.

7.3 BOARD RULE ON OFFENSES

7.3.1 Cheating

Cheating is an offense which shall be handled by the teacher in accordance with the guidelines of Board Rule 7.1. In such cases, the parents, guidance counselor and principals shall be informed of the offense and circumstances.

Auth: 230.22, F.S.

Imple: 231.09(2), 230.2313(2)(c), 230.23(11)(c), 231.085, 232.26-232.28, F.S.

7.3.2 Misbehavior

Overt actions by students which show disrespect for any school personnel, intimidation, fighting, violent antagonism toward classmates, or general misconduct which disrupts the learning situation, shall not be tolerated. If a situation cannot be handled by the teacher, it shall be referred to an administrator. Behavior described in this rule shall be responded to swiftly, with appropriate disciplinary action.

Auth: 230.22, F.S.

Imple: 231.09(2), 230.2313(1)(c), 230.23(11)(c), 231.085, 232.16-232.28, F.S.

7.3.3 Dangerous or Disruptive Items

Any item used by a student which disrupts class order, detracts from attention to instruction, defaces school property, or in any way endangers the safety of any student, may be taken by the teacher and turned over to the principal, or held until such time as the teacher can talk to the student about the situation. Students who refuse to cooperate shall be turned over to the appropriate administrator for punishment for willful disobedience. Students shall not carry any object that is usually considered to be a weapon, such as a knife or other dangerous and harmful object. If the principal believes that the intent of a student is to harm another person, the punishment may be suspension for a period not to exceed ten (10) days until such time as the Board can rule on a request for an extended suspension or expulsion of the student.

Auth: 230.23, F.S.

Imple: 231.09(2), 230.2313(1)(c), 230.23(11)(c), 231.085, 232.16-232.28, 120.53, 230.23(6), 230.22(8)(c) and 120.57(1), F.S.

7.3.4 Willful Disobedience

Students shall at all time show proper respect for faculty members. Appropriate disciplinary action shall

be taken if any student willfully disobeys a faculty member, and shall depend upon the degree and intent of disobedience.

Auth: 230.22, F.S.

Imple: 231.09(2), 230.2313(1)(c), 230.23(11)(c), 231.085, 232.26-232.28, F.S.

7.3.5

Wearing Apparel and Accessories

Deliberate defiance of the wearing apparel and accessories dress policy established by the Board shall be treated the same as willful disobedience. The school, as a center of learning, shall provide for the development of habits and attitudes conducive to acceptable practices of the school community, including good manners, appropriate wearing apparel, and good grooming. Wearing apparel shall not be of the type which would detract from the primary purpose of the school, which is academic instruction, nor shall accessories carried by children to school be disruptive to the conduct of the school or hazardous to student welfare. Cleanliness of the physical persons consistent with the maintenance of good health and to avoid offensiveness to others is mandatory. Wearing apparel and accessories shall be in accordance with community standards developed with the assistance of the parent advisory committee.

Auth: 230.22, F.S.

Imple: 231.09(2), 230.2313(1)(c), 230.23(11)(c), 231.085, 232.26-232.28, F.S.

7.3.6

Public Affection

Students shall conduct themselves at all times in a responsible manner.

Auth: 230.22, F.S.

Imple: 231.09(2) and 232.25, F.S.

7.3.7

Intoxicants and Hallucinogenic Drugs

A. Students found to be under the influence of intoxicating beverages or drugs or combinations of drugs having hallucinatory effects, at any school function or on school property shall be suspended. Students found to be in possession of drug paraphernalia while on school property or at any school function are liable for suspension. Students found to be in violation of the preceding for the second time shall be recommended to the Superintendent for expulsion. (Board approved 1/5/82)

B. The Principal shall recommend for expulsion any

student found to be selling or offering for sale a non- controlled substance as a controlled substance.

C. Students having possession of, or found to be selling, offering for sale, or giving away any intoxicant, drug, or controlled substance while on school property or in attendance at a school function shall be recommended to the Superintendent for expulsion. In lieu of expulsion for a first offense, the principal, with concurrence of the Superintendent, may offer the student a behavioral contract for the remainder of the school year which shall cover, but not be limited to, the following:

1. Grades
2. Class attendance
3. Attitude toward school personnel
4. No smoking privileges
5. Students shall attend a minimum of three counseling sessions on drug abuse

Students found in violation of the behavioral contract shall be recommended for expulsion. (Board approved 1/5/82)

Auth: 230.22, F.S.

Imple: 230.26(2) and (3), 120.57, and Chapters 404 and 893, F.S.; SBE Regulation 6A-1.956

#### 7.3.8 Use of Tobacco

Students shall not be permitted to use or possess tobacco in Osceola County school buildings or on school grounds except in areas designated by the Principal.

Auth: 230.22, F.S.

Imple: 231.085 and 232.25, F.S.

#### 7.3.9 Skipping and Excessive Absence (Truancy)

Any student who fails to attend class and has no acceptable excuse for his absence shall be considered truant and referred to the appropriate administrator for punishment. Every effort should be made for the student to make up the time and work missed in after-school detention. Parents shall be notified of unexcused absences and of after-school detention resulting there from, in accordance with Board Rule 7.2.4. No student who is required by law to attend school shall be suspended for unexcused absence or truancy. Students sixteen (16) years of age or older may be suspended for unexcused absence or truancy.

Auth: 230.22, F.S.

Imple: 230.2313(3)(c), 232.08, 232.10, and 232.27, F.S.

7.3.10            Theft and Pilfering

Any student involved in the act of stealing or in possession of stolen property may be suspended from school. In such cases, parents or guardians shall be requested to come for a conference with school officials. Thefts shall be reported to the proper authorities. Efforts shall be made to secure reimbursement or replacement of the money or items taken.

Auth:    230.22, F.S.  
Imple:   232.26, F.S.

7.3.11            Blackmail and Extortion

Any student who blackmails or otherwise threatens any person for payment of money or any other consideration, may be suspended from school, and parents or guardians shall be called for a conference with school officials. In such cases, efforts shall be made to secure reimbursement or otherwise recover damages. The appropriate law enforcement agency will be notified.

Auth:    230.22, F.S.  
Imple:   232.26, 120.53(1), 230.23(6), and  
          230.33(8) (c), F.S.

7.3.12            Profanity

Profanity shall mean any profane, vulgar, or unnecessarily crude utterance or gesture, whether directed toward a teacher or classmate, or merely done overtly. Such instances shall be handled by the teacher, if possible, and referred to the appropriate administrator if further action becomes necessary.

Auth:    230.22, F.S.  
Imple:   232.26 and 232.27, F.S.

7.3.13            Vandalism and Burglary

Destruction of or damage to school property due to burglary or vandalism shall be reported immediately to the police or sheriff's department and to the Superintendent. The immediate area of the loss or damage shall be kept clear of personnel, and nothing shall be moved or touched, until the proper law enforcement agency has made an investigation.

A full and complete report of loss or damage shall be made to the Superintendent as soon as possible following the investigation.

Appropriate action against any student known to have com-

mitted vandalism shall include having the parents or guardians come to the school for a conference with school officials and an arrangement for restitution for damage. A student eighteen (18) years of age, or the parents of a minor student found guilty of damaging, defacing, taking or destroying school property, either during school hours or at any other time, shall be required to repay the cost of repairing the damage, and the student may be subject to a penalty of suspension from school for a period up to ten (10) days, and/or face expulsion from school.

Auth: 230.22, F.S.  
Imple: 741.24, 232.26, 120.53(1), 230.23(6),  
230.33(8) (c) and 120.57.(1), F.S.

7.3.14 Arson

Any student who deliberately sets fire or attempts to set fire to school property shall be suspended until parents or guardians can be contacted for a conference with school officials and arrangements made for restitution. The penalties for arson may include expulsion from school. Incidents of arson shall be reported to the appropriate fire department and police officials.

Auth: 230.22, F.S.  
Imple: 741.24, 232.26, 120.53(1), 230.23(6)  
230.33(8) (c), and Chapter 806, F.S.

7.3.15 Disturbing Teachers, Board Members, Employees of the Board or their Homes, or their Personal Property, and Insulting in Public

The principal shall have the authority to suspend, or to recommend for expulsion, any student for disturbing a teacher, Board Member, or any employee of the Board; or disturbing or inflicting damage upon a home or personal property of any of them; or insulting any of the aforementioned persons in a public place.

Auth: 230.22, F.S.  
Imple: 232.26, F.S.

7.3.16 Bomb Threats

The principal shall recommend to the Superintendent the expulsion of any student conspiring to or making a report concerning the placing or planting of any bomb, dynamite, or other explosive.

7.3.17 Continued Incurrigibility

In cases where students are suspended out of school in excess of fifteen (15) days per year, it shall be the responsibility of the parents or guardian to present just

cause to the school principal showing why the student should not be recommended for expulsion for the remainder of the school year.

7.3.18 Legal

None of the foregoing shall be construed in such a manner as to violate any federal, state or community law. Breaches of such law may be reported to appropriate non-school authorities for separate prosecution.

Auth: 230.22, F.S.  
Imple: 230.23(12), F.S.

7.4 CORPORAL PUNISHMENT

Corporal punishment shall be defined as the moderate use of physical force or physical contact by a teacher or principal as may be necessary to maintain discipline or to enforce school rules. Therefore, subject to law, each teacher or other member of the school staff shall have such authority for the control and discipline of students as may be assigned to him by the principal or his designated representative and shall keep good order in the classroom and in other places which he is assigned to be in charge of students.

Any student shall be exempt from corporal punishment upon request in writing from the parents or guardians to the principal, prior to the time a problem arises. The request shall be renewed yearly. If a parent requests exemption from corporal punishment, the parent shall also agree to the child's suspension or expulsion from school until the problem is solved. Parents who request exemption from corporal punishment may change this decision after a conference with the principal, by a statement in writing.

Any student exempted from corporal punishment due to parental request, and suspended, may also be subject to expulsion.

- A. The use of corporal punishment shall be approved in principle by the principal before it is used, but approval is not necessary for each specific instance in which it is used.
- B. A teacher or principal may administer corporal punishment only in the presence of another adult who is informed beforehand, and in the student's presence, of the reason for the punishment. Corporal punishment shall be limited to the use of the open hand, ruler, or paddle as approved by the principal directed only to the student's buttocks or back of the thigh.



- C. The teacher or principal who has administered punishment shall make a record of such punishment so that the student's parent or guardian can be provided with a written explanation of the reason for the punishment and the name of the other adult who was present. This record shall be filed in the principal's office at the end of each school day. The Superintendent shall prescribe the appropriate forms for keeping these records.

Nothing herein shall be construed in such a manner as to authorize the violation of federal or state law, or State Board of Education regulations.

## 7.5 SUSPENSION AND EXPULSION

### 7.5.1 Short Term Suspension

It is the policy of this Board that maintaining good discipline in all schools is essential to the proper and orderly preservation of the educational and extra-curricular programs to all students. It is recognized that suspension is both a form of punishment for misconduct and a method to ensure the orderly conduct of the school programs for all students. Suspensions shall be made with due regard for all these factors.

A principal or his designated assistant may suspend a pupil from school for a period not to exceed ten (10) days, for willful disobedience, open defiance of authority of a member of the staff, use of profane or obscene language, other serious misconduct, or repeated misconduct of a less serious nature; any act or conduct which disrupts or tends to disrupt the orderly conduct of the school, or any other conduct for which suspension or expulsion is either required or permitted by the Code of Student Conduct, any other Rule of the Board, Rule of the State Board of Education or Statute. No student who is required by law to attend school may be suspended for unexcused absences or truancy. Semester and grade period tests missed during any period of suspension may be made up.

Prior to suspension, a good faith effort shall be made by the principal or his designated representative to employ parental assistance or other measures alternative to suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct. A serious breach of conduct is hereby defined as any Level IV offense as set forth in the Code of Student Conduct, and any other act or conduct for which suspension, or expulsion is required by any other Rule of this Board, Rule of the State Board of Education, or Statute.

Prior to suspending a pupil for any length of time, the principal shall give to the pupil an oral or written charge against him and, if the pupil denies the charge, an explanation of the evidence supporting the charge and an opportunity for the pupil to present his side of the story. There shall not necessarily be any period of delay between the time notice is given to the pupil and the informal hearing required by this paragraph, nor shall the pupil necessarily be given the opportunity to secure legal counsel, confront or cross-examine witnesses to verify his version of the incident. However, the principal may exercise his discretion in the interest of fairness and justice by summoning the accuser, permitting informal cross-examination and allowing the pupil to present his own witnesses in cases where there are serious disputes of material facts and arguments about cause and effect. The student shall be given an opportunity to respond to the charges and the evidence, explain his actions, and bring to the attention of the principal any additional information. The principal shall specifically inform the student of these rights.

Following an informal conference, the principal, at the request of the student's parents, may convene an additional hearing and offer the student an opportunity to confront and cross-examine witnesses, and present testimony and further evidence.

A principal is not required to hold a conference prior to suspending a student for ten (10) days or less if the student's presence poses a continuing danger to persons or property, or if the student represents an ongoing threat of disrupting the educational process. In such cases, the notice and informal hearing shall be provided as soon thereafter as is practicable.

Following suspension, the principal shall immediately notify the Superintendent and the suspended student's parents or guardians by telephone or in writing within 24 hours of the action taken and the reasons for the suspension.

Auth: 230.22, F.S.  
Imple: 120.53(1), 230.23(6), 230.33(8)(c), and  
232.26, F.S.

#### 7.5.2 Expulsion

Expulsion from school shall be authorized only by the School Board. If a principal requests expulsion of a student from school, a written request shall be sent to the Superintendent. The principal may recommend to the Superintendent that a student's suspension be extended by the Superintendent until the next school board meeting. The Superintendent in turn shall notify the parents or guardians in writing of the charge against the pupil,

including the rule violated and pupil's alleged conduct, and the date, time and place of the Board meeting when the expulsion shall be considered. At least fourteen (14) days' notice shall be given the parents, unless waived by all parties concerned. The Board shall conduct an open hearing prior to ordering the expulsion of any pupil, as provided in the Administrative Procedures Act, 120.57(2), Florida Statutes. At the hearing the pupil may be represented by his parents or guardians or by counsel, and all parties may introduce and examine evidence, call and examine or cross-examine witnesses, and submit rebuttal evidence. The rules of evidence observed by courts shall not be applicable. Any party may, at his own expense, have the right to record and have transcribed the proceedings of the entire hearing. The decision of the Board shall be based solely upon evidence presented at the hearing, and a copy of the findings and decision of the Board shall be furnished to the pupil in writing.

Revised  
Dec. 1985

A student returning to school after an expulsion shall be placed on a Behavioral Contract for a period of time (not to exceed one school year) as designated by the principal of the school in which said student enrolls.

Auth: 230.22, F.S.  
Imple: 230.23(6)(c), 232.26, 230.33(8)(c), and  
120.57(1), F.S.

## TABLE OF CONTENTS

	Page
SCHOOL FOOD SERVICE, 8.0	190
Applications and Appointments, 8.7.1	192
Assistant School Food Service Manager, 8.5	191
Commodities, 8.8.2	195
Coordinator of School Food Service, 8.2	190
Custodial Duties Relating to School Food Service, 8.9	198
Equipment, 8.8.1	194
Extracurricular Use of the School Food Service Department, 8.11	198
Finance, 8.12	199
Lunch Prices, 8.8.3	195
Adult Lunches, 8.8.3E	196
Economically Needy, 8.8.3B	195
Left-Over Foods, 8.8.3C	196
Sale of Additional Foods, 8.8.3D	196
Sale Prices, 8.8.3A	195
Operating Rules, 8.8	194
Operating Procedures, 8.8.4	197
Discipline, 8.8.4A	197
Keys, 8.8.4B	197
Noon Hour, 8.8.4D	197
Unauthorized Personnel in Food Preparation Area, 8.8.4C	197
Personal Health and Hygiene Requirements, 8.7.4	194
Personnel Practices, 8.7	192
Procedures for School Food Service Employees, 8.7.3	193
Principals, 8.3	191
Qualifications for Employment, 8.7.2	192

Managers and Assistant Managers, 8.7.2A	192
School Food Service Employees, 8.7.2B	192
Student Assistants, 8.7.2C	192
Responsibilities of the Board, 8.1	190
Sanitation and Safety, 8.10	198
School Food Service Manager, 8.4	191
School Food Service Personnel, 8.6	192
Work Habits and Work Schedules, 8.7.5	194

8.0 SCHOOL FOOD SERVICE

8.1 Responsibilities of the Board

In providing a healthy and nutritious School Food Service for the students and staff of Osceola County Schools, it shall be the responsibility of the Board to:

- A. Provide facilities and materials in all departments.
- B. Secure and make bid awards for all items specified by State Board Regulations.
- C. Assure that all foods purchased will conform to the Federal Food, Drug and Cosmetic Act, the Meat Inspection Act, and any regulations of the State of Florida relating to the specific item being purchased.
- D. Provide an adequate supervisory staff at the District level for the administration of the program, and adequate clerical and secretarial help for the centralized system.
- F. Submit to the State Department of Education all required reports, requested information, agreements, and applications for federal reimbursement and commodities.
- G. Provide for audits of all records at the schools and the central office, as required by law and State Board regulations.
- H. Assure a nutritionally adequate and nonprofit School Food Service Program by providing sufficient funds.
- I. Prohibit the operation of any public lunch program under a fee, concession, or contract agreement with a food service management company, or under a similar agreement.
- J. Make facilities and materials available during disaster or emergencies in schools designated as disaster centers.

Auth: 230.22, F.S.

Imple: 228.195(3), 237.01, 237.02, and 230.23(15), F.S.;  
and SBE Regulations 6A-7.40, 6a-7.41, 6a-7.42(2),  
6A-7.45, and 6A-7.46

8.2 COORDINATOR OF SCHOOL FOOD SERVICE

The Coordinator of School Food Service shall work under the authority delegated by the Superintendent, and shall administer school food programs which shall meet the

obligations assumed by the Osceola County School Board and the Superintendent. These responsibilities and duties shall include:

- A. Organization, promotion and program development
- B. Food supply, preparation and service
- C. Personnel direction
- D. Use of plant space, facilities and equipment
- E. Educational opportunities

Auth: 230.22, F.S.

Imple: 230.33(6)(j) and 228.195(3), F.S.; and SBE Regulations 6A-7.42(2)(e), 6A-7.45, and 6A-7.46

### 8.3 PRINCIPALS

The principal shall cooperate with the Coordinator of School Food Services in administering and operating an adequate School Food Service Program in compliance with federal and state laws, State Board Regulations, and the School Board of Osceola County Rules. These responsibilities are listed under "Principals" in the Administrative Personnel Handbook.

Auth: 230.22, F.S.

Imple: 228.195(3), F.S. and SBE Regulation 6A-7.42(3).

### 8.4 SCHOOL FOOD SERVICE MANAGER

The School Food Service Manager shall be under the administrative supervision of the principal and the technical supervision of the Coordinator of School Food Services. The Manager shall be responsible for the efficient and satisfactory operation of the department, following procedures and regulations of the District Food Service Program. Specific duties of the Manager shall be listed in the School Food Service Handbook.

Auth: 230.22, F.S.

Imple: 228.195(3), F.S., and SBE Regulation 6A-7.40, 6A-7.41, 6A-742(2), and 6A-7.46(3)

### 8.5 ASSISTANT SCHOOL FOOD SERVICE MANAGER

The Assistant School Food Service Manager shall work under the direct supervision of the Manager, and shall be assigned duties to allow experience in all areas of management. Those duties shall be listed in the School Food Service Handbook.

Auth: 230.22, F.S.

Imple: 228.195(3), F.S. and SBE Regulation 6A-7.42(2)

8.6 SCHOOL FOOD SERVICE PERSONNEL

All other School Food Service Personnel are directly responsible to the Manager for the performance of their assigned duties. Major responsibilities shall be listed in the School Food Service Handbook.

Auth: 230.22, F.S.  
Imple: 228.195(3), F.S.

8.7 PERSONNEL PRACTICES

8.7.1 Applications and Appointments

Persons desiring employment with School Food Service shall file applications with the District Personnel Office. All new employees shall be appointed on a trial basis for a sixty (60) day period.

The Coordinator of School Food Services shall present a list of qualified applicants for any vacant managerial position to the principal for his consideration, and in turn the principal in conjunction with the Coordinator of Food Service shall submit their choice to to Superintendent and the School Board.

Auth: 230.22, F.S.  
Imple: 228.195, 230.23(5) and 230.33(7), F.S.

8.7.2 Qualifications for Employment

A. Managers and Assistant Managers

Managers of School Food Service Departments shall be a high school graduate or equivalent. All managers shall have three (3) years' experience in food service and at least three (3) County-approved training courses prior to initial appointment. Managers shall demonstrate leadership ability.

Assistant Managers shall be high school graduates or the equivalent. They shall have two (2) years' experience in food service and at least two (2) County-approved training courses prior to initial appointment. Assistant Managers shall demonstrate leadership ability.

B. School Food Service Employees

School Food Service employees shall have:

- (1) At least an eighth (8th) grade education.
- (2) The ability to take instructions and follow through efficiently.

C. Student Assistants



Student labor in the elementary schools may be used in the School Food Service Department when such employment is with the consent of parents, teachers, principal and Manager. All regulations of child labor laws shall be strictly followed. Students shall not be around or operate power equipment such as dishwashers, or near stoves or hot food. Students shall not be required to work as a condition to receive free or reduced meals. Students may perform light duties such as to wipe tables, hand out milk, and assist with spills. All personal health and hygiene standards required of adult workers shall be observed by student helpers. As compensation for their services, students employed may be given a lunch.

Students engaged in Culinary Arts Training may as a part of their instructional program be assigned to different areas of the Food Service Program for on site training. All regulations of child labor laws shall be strictly followed.

Auth: 230.22, F.S.  
Imple: 228.195, 230.23(5), 230.33(7), 232.07 and 232.08, F.S.; and SBE Regulations 6A-1.97 and 6A-7.46(3).

### 8.7.3 PROCEDURES FOR SCHOOL FOOD SERVICE EMPLOYEES

School Food Service Managers shall be employed for the number of days established by the District salary schedule. All other full-time and regular part-time employees shall be employed for 180 days, plus additional time to open and close the department, at the discretion of the Coordinator of School Food Service.

School Food Service personnel generally shall be employed for a maximum of seven (7) hours daily. The particular number of hours worked by employees shall be established by the Manager based on the current staffing formula. Assistant Managers may work seven and a half (7½) hours daily. Managers shall work eight (8) hours per day. No employee shall work more than eight (8) hours per day. All full-time employees shall be on the job seven and a half (7½) hours with thirty (30) minutes for lunch. Doctors' appointments shall be scheduled for after working hours whenever possible.

All School Food Service salaries shall be paid according to the current salary schedule.

Managers and other Food Service employees shall be given notice of reappointment from the Board.

Auth: 230.22, F.S.

Imple: 228.195, 230.23 (5) and 230.33(7), F.S; and SBE Regulation 6A-7.46(3)

8.7.4 PERSONAL HEALTH AND HYGIENE REQUIREMENTS

All personnel shall comply with the provisions of the Florida Sanitary Code and the guidelines of the School Food Service Handbook. All employees of the school board and all employees returning from leave shall have a tuberculin skin test or, at their own expense, a chest X-ray, at the beginning of the school year or within the sixty (60) day probationary period.

Auth: 230.22, F.S.

Imple: 228.195(3) and 230.23 (5), F.S.

8.7.5 WORK HABITS AND WORK SCHEDULES

Employees shall maintain good working habits and follow work schedules as established by the manager and described in the School Food Service Handbook.

Auth: 230.22, F.S.

Imple: 228.195 (3) and 230.23 (5), F.S.

8.8 OPERATING RULES

8.8.1 EQUIPMENT

The Board shall furnish and equip new departments, provide additional equipment for expansion, and pay all utility costs for installation and operation as in the Food Service Budget.

Expendable equipment shall be replaced during the school year by the School Food Service Department at each school from regular operating funds when available. A list of supply items needed in the following year shall be turned in annually on the date set by the Coordinator. These items shall be combined for purchasing from District funds, if available.

Nonexpendable equipment items shall be replaced by the Board, and shall be purchased according to specifications developed by the Coordinator of the School Food Service. The Board shall provide funds for maintenance of equipment. Managers shall follow County procedures regarding necessary repairs.

Equipment maintenance record cards shall be kept on all major pieces of equipment and shall be kept up to date at all times by the School Food Service Manager.

Annual equipment inventories shall be taken. At the end of each school year, inventories of expendable and nonexpendable equipment shall be brought up to date. No

School Food Service equipment shall be taken from the premises, except that borrowing for school-related use such as barbecues or PTA affairs is permitted. The group must first contact the manager for permission, who will initiate the signout form listing the equipment to be used for the principal's signature and approval. If borrowed equipment is damaged or not returned, it shall be repaired or replaced by the borrower. Non-profit organizations may be permitted to borrow under the same regulation.

Auth: 230.22, F.S.

Imple: 228.195(3) and SBE REgulation 6A-7.42(2)

#### 8.8.2 Commodities

Commodities shall not be sold, traded, taken home or otherwise utilized except in plate-lunch programs. They shall not be used for PTA refreshments, special meals, school benefits dinners, or similar affairs. Accurate records shall be maintained on commodities in school storerooms.

Some commodities may be used by home economics teachers for laboratory instruction. The home economics teacher shall requisition commodities from the School Food Service Manager at least ten (10) days in advance. A copy of the requisition should be sent to the Coordinator of School Food Service. (Refer to the current Florida School Food Service Program Requirements for the latest requirements of the USDA Commodity Program.)

Auth: 230.22, F.S.

Imple: 228.195, F.S., and SBE Regulations 6A-7.41 and 6A-7.42(2)

#### 8.8.3 Lunch Prices

##### A. Sale Prices

Sale prices for school lunches and special milk through the School Food Service Program shall be established by the Board, subject to change due to food price fluctuations and commodities available. The Food Service Departments in the District shall participate in the National School Lunch Program and service Type A lunches priced as a unit, and special milk. High schools may have a la carte offering with per-unit pricing.

##### B. Economically Needy Lunches

Economically needy lunches are defined as those granted to children who meet the criteria for support under the guidelines of Federal Regulations Title VII, Part 245. These pupils shall be supplied a lunch without cost or at

a reduced price. The principal of the school shall place eligible students on the economically needy lunch program.

The current income eligibility scale or recommendations of a key person such as the pupil's teacher, counselor, School Food Service Manager or personnel of the Welfare Department shall assist the principal in determination of need. A file of all economically needy lunch applications shall be maintained in the principal's office and shall be reviewed periodically to determine if the need is still present. All applications shall be kept on file on three (3) years and until the appropriate audit is performed, then authorization for disposal may be requested.

C. Left-over Foods

Left-over foods, including both purchased foods and commodities, shall not be taken from the School Food Service Department, but shall be stored for future use. Left-over food having no keeping quality shall be served as "seconds" to children, or scrapped. Careful planning shall be practiced at all times to minimize overproduction.

D. Sale of Additional Foods

In elementary and middle schools only those additional foods and drinks which meet the nutritional needs of the pupils shall be sold during the lunch period.

Sale of any food or beverage items in elementary schools other than during the lunch period by the food service program is prohibited. The sale of food and beverage items in competition with the district food service program may be permitted in secondary schools only, with the approval of the school board, one hour following the close of the last lunch period provided they comply with existing federal and state regulations.

E. Adult Lunches

No adult meals shall be given free, except for School Food Service personnel. Adults in a school on official business at lunch time may, upon payment of the established price, eat in the School Food Service Department. Relatives of School Food Service personnel shall not be regular customers in the cafeteria. Every guest or his host shall pay for meals eaten in the lunchroom. Parents may make occasional visits to the School Food Service Program. This privilege may be exercised by having parents visit on special days, or as individuals, to become acquainted with the program. The principal shall see that this privilege is not abused, as the

School Food Service Program is not in competition with commercial establishments.

Adults may buy a la carte items at the current adopted prices.

Auth: 230.22, F.S.  
Imple: 228.195(3), 230.2313, 231.085(5); and SBE  
Regulations 6A-7.40, 6A-7.41, and 6A-7.42(2)

#### 8.8.4 Operating Procedures

##### A. Discipline

Discipline in the dining room or cafeteria shall be the responsibility of the adult placed in charge, and the principal. School Food Service employees shall not be responsible for discipline.

##### B. Keys

School personnel authorized to hold keys to the department shall be the principal and the School Food Service Manager. The key may be checked out in writing to a members of the school staff by the principal.

Keys to any part or facility of the food storage areas shall not be given to any person other than the Manager or principal, except that delivery men may be temporarily given a key only when authorized by the principal.

##### C. Unauthorized Personnel in the Food Preparation Area

The principal shall prevent the entry of unauthorized people in food preparation areas. An unauthorized person shall be anyone other than the School Food Service staff, the principal, and school personnel on official business.

Teachers shall be served from the serving line, and may not enter the kitchen for special service.

Relatives of School Food Service employees shall not be authorized to enter the food preparation area, or otherwise granted privileges denied other children and adults.

##### D. Noon Hour

The principal shall schedule a lunch period as part of the regular school day, so that the period fits smoothly into the school day pattern, the length is adequate for service and eating (a minimum of 25 minutes), and the number of persons scheduled for any one period can be comfortably accommodated in the dining area.

Auth: 230.22, F.S.  
Imple: 228.195(3), 232.25, 231.085(5), F.S.; and SBE

8.9 Custodial Duties Relating To School Food Service

The principal shall assign regular cleaning duties for the School Food Service Department at the beginning of each school year to the custodian. He shall inform the School Food Service Manager and the custodian of schedules.

Auth: 230.22, F.S.  
Imple: 228.195(3) and 231.085, F.S.

8.10 Sanitation and Safety

School Food Service Programs shall meet the same state and local sanitary standards required of any food-handling establishment. The Osceola County Health Department may make a routine inspection of each department. EACH MANAGER MUST THEREFORE READ AND APPLY THE CURRENT REVISED BULLETIN 33-F, ENTITLED "SANITATION AND SAFETY FOR CHILD FEEDING PROGRAMS".

Auth: 230.22, F.S.  
Imple: 228.195(3), F.S., and SBE Regulation 6A-7.42(2)

8.11 Extracurricular Use Of The School Food Service Department

Any organization desiring the use of the School Food Service Department shall make arrangements through the principal and Manager well in advance of the function. The use of facilities shall be subject to Board Rule 3.11.

The School Food Service Manager, or someone appointed from the staff, shall be present at any time the kitchen facilities are used by an organization.

The Manager or worker shall be paid by the organization using the department at the hourly rate of one and one-half (1½) times the regular hourly rate.

The School Food Service Department shall be left in the condition in which it was found. The sponsor or teacher in charge shall be responsible for all damages and any replacements which have to be made. School Food Service Managers shall cooperate with Red Cross and Civil Defense officials in case of emergencies. When School Food Service kitchens are used for such emergencies, they shall be left in the same condition as they were found, and all damages repaired or items replaced.

Auth: 230.22, F.S.  
Imple: 228.195(3) and 230.23(12), F.S.

8.12

Finance

The approved money-collection system is cashiering through the line. Checks SHALL NOT be accepted by cashiers. Managers shall be responsible for daily deposits. No monies shall be left in the department overnight.

Any loss or theft of records, cash, or good shall be reported immediately to the principal and Superintendent.

Auth: 230.22, F.S.

Imple: 228.195(3) and 237.01, F.S.

TABLE OF CONTENTS

	Page
ADMINISTRATIVE PERSONNEL, 9.0	200
Adoptive Leave, 9.3.6	210
Advance Granting of Leave, 9.3.2	209
Assault Upon An Administrator, 9.4.6	218
Assessment File, 9.2.5	207
Assignments and Transfer, 9.1.5	203
Authority for Leave, 9.3.1	208
Benefits and Duties, 9.4	217
Certification, 9.1.3	202
Extension of Certificate, 9.1.3B	202
General Information, 9.1.3A	202
Contracts, 9.1.6	203
Administrative Contracts, 9.1.6C	204
Choosing Between Personnel, 9.1.6B	204
Return To Annual, 9.1.6A	204
Credit Union Deductions, 9.4.3	218
Death Benefits, 9.4.12	220
Accumulative Sick Leave, 9.4.12B	220
Accumulative Vacation, 9.4.12A	220
Definition of Administrative Personnel, 9.1.1	200
Duties of Administrative Personnel, 9.4.4	218
Educational Expenses, 9.3.11	214
Employment Conditions, 9.2	205
Social Security, 9.2C	205
Working Day, 9.2A	205
Years Service, 9.2B	205



Employment Practices	200
Extended Leave, 9.3.16	216
Evaluations, 9.2.4	207
General Liability Insurance, 9.4.10	219
Health Certificate, 9.1.4	203
Hospitalization Insurance, 9.4.8	219
Illness-In-Line-Of-Duty Leave, 9.3.4	209
Insurance Benefits While On Leave, 9.4.13	220
Jury Duty, 9.3.14	215
Leaves of Absence, 9.3	208
Life Insurance, 9.4.7	219
Long Term Disability, Insurance, 9.4.9	219
Maternity Leave, 9.3.5	209
Military Leave, 9.3.5	211
Pallbearer, 9.2.8	207
Payroll Deductions, 9.4.5	208
Personal Leave, 9.3.8	211
Professional Leave, 9.3.9	211
Professional Organizations, 9.2.6	207
Purpose Specified, 9.3.3	209
Recruitment, Selection and Appointment, 9.1.2	200
Employment Procedures, 9.1.2C	201
Personnel Philosophy, 9.2A	200
Qualifications, 9.2B	200
Reimbursement for Damage to Personal Items, 9.4.11	219
Residence, 9.2.9	208

Resignations and Terminations, 9.1.8	204
Release from Appointment, 9.1.8C	205
Release from Contract, 9.1.8B	204
Resignations, 9.1.8A	204
Retirement, 9.4.1	217
Sabbatical Leave, 9.3.10	212
Sick Leave, 9.3.12	214
Social Security, 9.4.2	218
Suspension and Dismissal, 9.1.7	204
Temporary Duty Assignment of Employees, 9.2.3	206
Unauthorized Leave, 9.3.13	215
Vacations, 9.2.2	205
Witness Leave, 9.3.15	215
Workers' Compensation, 9/2/7	207

9.0

ADMINISTRATIVE PERSONNEL

9.1 Employment Practices

9.1.1 Definition of Administrative Personnel

Administrative personnel comprise the Superintendent, supervisors, principals and those persons who may be employed as professional administrative assistants to the Superintendent or to the principal, but do not include secretarial, clerical or other office assistants.

Auth: 230.22, F.S.

Imple: 230.23(5), F.S.

9.1.2 Recruitment, Selection and Appointment

A. Personnel Philosophy

In order to secure quality educational leadership for the children of Osceola County, the School Board shall strive to acquire administrative personnel who possess the following attributes:

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

B. Qualifications of Administrative Personnel

- (1) A person shall be of good moral character and shall when required by law, hold a certificate or license issued under regulations of the State Board of Education, Section 231.02, Florida Statutes.

- (2) No person shall be employed as administrator or as supervisor who has not had two (2) or more years of experience in an instructional position or his area of specialization, and has not attained the age of twenty-three (23) years. This requirement may be waived by the Board upon the recommendation of the Superintendent, except in the case of the Board's appointment of principals, or for the office of Superintendent.
- (3) All personnel requiring certification shall be certified in the area in which their major assignment is made. The superintendent shall approve any exceptions and report such to the Board.
- (4) Florida Statutes 876.05 requires all persons who are on the payroll of the School Board to take an oath to support the Constitution of the United States and of the State of Florida. The oath, as amended by the United States Supreme Court, is included in the Appendix to this Manual.
- (5) All personnel not under the Teacher Retirement System are required to become members of the Florida Retirement System. All personnel belong to the Florida Retirement System must contribute to Social Security.
- (6) All personnel must complete a W-4 form to authorize proper withholding of monies for income tax purposes.

C. Employment Procedures - Administrative

(1) Statutory - Record of Personnel

For the purpose of improving the quality of administrative services, the Superintendent shall establish procedures for the performance of duties and responsibilities of administrative personnel as provided in subsection (2) of Section 231.29, Florida Statutes, and shall open the assessment file only to those individuals designated in subsection (3) of Section 231.29, Florida Statutes.

(2) Application Forms

Application forms for administrative positions may be obtained from the Superintendent's Office. The completed application shall be given to the Superintendent or his designee.

(3) Personnel Interviews and Application Procedures  
All candidates for administrative positions shall be interviewed by the Superintendent.

The application shall be reviewed by the Superintendent or his designee, and approved, before presenting the candidate to the Board for approval.

The Superintendent shall be expected to recommend only the best qualified candidates from as large a list as possible of eligible persons. When reviewing applications for employment, the Superintendent shall evaluate all applications with the primary objective of selecting the persons best suited to meet the educational needs of the children.

(4) Disposition of Application

An applicant who has been appointed by the Board shall be notified in writing of the appointment and shall be given a period not to exceed fifteen (15) days to accept or reject the appointment.

Auth: 230.22, F.S.  
Imple: 231.02, 230.23(5), 231.03, 231.031,  
231.15-231.17, 121.051, 876.05, 230.33(7),  
231.29(2) and (3), F.S.

9.1.3 Certification

A. General Information

It is the responsibility of the employee to secure a valid certificate, where required. Application forms may be secured from the Superintendent's office. All certificate applications should be processed through the District contact for certification in order to receive priority attention from the Certification Section of the State Department of Education.

Where there is a change in name, the name shall be changed on the certificate and the certificate recorded in the Superintendent's office before any records may be changed.

This shall be done by sending the old certificate and the appropriate form and fee to the Certification Section, State Department of Education, Tallahassee, Florida. Each member of the administrative staff holding a certificate shall file it with the Superintendent immediately upon receipt thereof.

B. Extension of Certificate

The extension of teaching certificates shall be made in accordance with the provisions of Section 231.24, Florida Statutes, and State Board Regulation 6A-4.04 and shall be a responsibility shared between the individual and the State Department of Education.

Inservice training may be used to extend a certificate. A total of one hundred twenty (120) points is required, with not less than twenty (20) points in each of the three categories. If college credits or educational travel is to be used as part of inservice training, such must be translated into points as outlined in the Master Plan for In-Service Training.

Auth: 230.22, F.S.  
Imple: 231.02 and 231.24, F.S.; and SBE Regulations  
6A-4.02, 6A-1.69, and 6A-4.05

9.1.4 Health Certificates

All employees of the Board shall have a tuberculin skin test or, at their own expense, a chest X-Ray on the initial date of employment or within thirty (30) days after employment begins. Additional tuberculin tests may be required at the Superintendent's discretion.

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

9.1.5 Assignments and Transfers

The School Board shall act on recommendations of the Superintendent regarding transfer and promotion of any employee. Assignments shall be based on the qualifications of the employee and the requirements of the position to which he would be transferred.

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

9.1.6 Contracts

The School Board shall provide written contracts for all administrative personnel. The contract shall be in accordance with the salary schedule adopted by the School Board and shall be in writing for definite amounts for definite terms of service, and shall specify the number of monthly payments to be made. All such contracts shall be executed in duplicate and true signature copy retained by the Board in the office of the Superintendent. The School Board is prohibited from paying any salary to any member of the administrative staff, except when this provision has been observed. The Board cannot enter into a contract with the prospective employee until the employee has a valid Florida certificate, where required. However, if an application for a certificate has been filed through the District contact for certification, with the necessary attachments, a contract may be issued on the basis of a State Department of Education number assignment on the SDE Office Receipt and Acknowledgement form on the status report sent to the District contact

person each month. If, after the second pay period since employment began, a valid certificate is not presented to the District office, further checks may be withheld.

A. Return to Annual Contract Status

Any administrative personnel member under continuing contract may be dismissed or returned to annual contract status after due process, as provided in Board Rule 10.2.

B. The Necessity to Choose Between Personnel on Continuing Contract

Should the Board have to reduce personnel due to consolidation, the criteria for determining which personnel on continuing contract shall remain shall be based on the conditions set forth in Section 231.36, subsection (5), Florida Statutes, and the Board shall follow those procedures set forth in Board Rule 10.1.

C. Administrative Contracts

Each administrator shall be issued an administrative contract in accordance with F.S.

Auth: 230.22, F.S.

Imple: 231.36, 120.53(1) and 120.57-120.59, F.S.

9.1.7 Suspension and Dismissal

Suspension or dismissal of administrative personnel shall follow those procedures contained in Board Rule 10.3, except that the Superintendent may suspend members of the administrative staff in an emergency in accordance with provisions of Section 230.33, subsection (7)(e), Florida Statutes.

Auth: 230.22, F.S.

Imple: 230.33(7)(e), 120.57-120.59, 231.085(2), and 231.36(6), F.S.

9.1.8 Resignations and Terminations

A. Resignation

All administrative personnel requesting to be released from their contract shall submit a letter in writing, giving reason and effective date, to their immediate superior, who shall forward the letter with a recommendation to the Superintendent for Board consideration.

B. Release from Contract

Any person who shall violate the terms of his contract by

leaving his position without first being released from his contract by the Board shall be reported to the Educational Practices Commission. The Board shall take official action on such violation and furnish a copy of the proceedings to the Certification Section of the State Department of Education in accordance with Section 231.36, subsection (2), Florida Statutes.

C. Release from Appointment

The Board shall not feel obligated to release an employee from contractual obligations unless sufficient notice is given for appointment of a replacement. Moreover, such release shall not be made if it would be to the detriment of the school and the educational welfare of the children.

Auth: 230.22, F.S.  
Imple: 231.36 (2), F.S.

9.2 EMPLOYMENT CONDITIONS

9.2.1 A. Working Day

The minimum administrative personnel working day, and the conditions involving the particular responsibilities assigned, shall be determined by the Superintendent.

With the approval of the Superintendent, the administrative department heads and principals shall designate working schedules for personnel under their supervision which will best meet the needs of the school district.

B. Year's Service

The minimum time which may be recognized as a year of service shall be at least one (1) day more than half of the number of work days required in the year.

C. A copy of the employees social security card must be in their personnel file before starting employment.

Auth: 230.22, F.S.  
Imple: 230.33 (7), F.S.

\* 9.2.2 VACATIONS

Administrative personnel shall accumulate vacation as follows:

A. One (1) day for each month of employment for those employed by the Board for less than five (5) continuous years.



- B. One and one-half (1½) days per month of employment per year for those employed five (5) continuous years or more by the Board.
- C. Earned vacation leave shall be credited at the end of the month. An employee earning pay for at least seventy-five percent (75%) of the workdays in the month shall be treated as earning benefits for a month of employment.
- D. At the time of retirement or separation of employment unused vacation leave shall be paid as terminal leave pay. Personnel in positions earning vacation leave who transfer or are assigned to positions which do not earn vacation leave may receive payment for unused vacation at time of transfer or reassignment.
- E. Vacation shall not be taken until it is earned; however 50% of the annually earned vacation must be used annually.
- F. The Christmas vacation period, other than legal holidays during this period, shall be a part of the vacation period, unless the employee is actually on duty.
- G. Vacation time shall be scheduled with the approval of the Superintendent so that there will be a minimum of disruption in the operation of the school system.

Auth: 230.22, F.S.

Imple: 230.23(5), F.S.

### 9.2.3

#### TEMPORARY DUTY ASSIGNMENT OF EMPLOYEES

When mutually agreed upon, employees may be assigned to be temporarily absent from their regular duties and places of employment for the purpose of performing other education services, including participation in school surveys, professional meetings, study courses, workshops, etc. Such assignment to temporary duty shall ordinarily be initiated by the District administration, but an employee may request assignment to temporary duty, subject to the approval of the Superintendent. Employees shall receive their regular pay and may be allowed expenses as provided by Board Rule 2.4.8. Such temporary duty shall be considered equal to the regular duties of the individual, and employees performing such assigned duties shall not be considered to be on leave. Employees may not be assigned for temporary duty for the purpose of earning college credits, improving rank or renewing certificates, except when participation in a staff development program approved by the Board.

Auth: 230.22, F.S.  
Imple: SBE Regulation 6A-1.84 and 231.42, F.S.

9.2.4 EVALUATIONS

For the purpose of improving the quality of instructional, administrative and supervisory services in the public schools of the state, the Superintendent shall establish procedures for assessing the performance of duties and responsibilities of administrative and supervisory personnel employed in the District and for the proper recordkeeping of the same, in accordance with Section 231.29, subsection (2) of the Florida Statutes.

Auth: 230.22, F.S.  
Imple: 231.29(2), F.S.

9.2.5 ASSESSMENT FILE

The assessment file of each individual shall be open to inspection only by the School Board, the Superintendent, the principal, the employee, and such other persons as the employee or the Superintendent may authorize in writing, in accordance with Section 231.29, subsection (3), Florida Statutes.

Auth: 230.22, F.S.  
Imple: 231.29(3), F.S.

9.2.6 Professional Organizations

Administrative personnel are encouraged to participate in the activities and meetings of professional organizations related to their assignments and in which they hold membership. These organizations may be local, state or national in scope. Payroll deductions for membership dues shall be authorized by the employee, upon approval of the Superintendent.

Auth: 230.22, F.S.  
Imple: 231.42, F.S.

9.2.7 Workers' Compensation

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

Auth: 230.22, F.S.  
Imple: 231.39, F.S.

9.2.8 Pallbearer

The Superintendent, head of a department, or a principal shall have the authority to allow anyone to act as a pallbearer.

Auth: 231.22, F.S.  
Imple: 230.33(7) and 231.085, F.S.

9.2.9 Residence

Administrative personnel employed by the Board are encouraged, but not required, to live in Osceola County. Living out of the County does not exempt the administrator in any way from his duties.

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

9.3 LEAVES OF ABSENCE

During the school year, when it is necessary to be absent from duty, any member of the administrative staff may secure level of absence as prescribed by law, pursuant to rules of the Board. Any such leave shall be classified as one of the following:

- A. Illness-in-line-of-duty leave (without pay)
- B. Maternity leave (without pay)
- C. Military leave (with pay)
- D. Personal leave (without pay beyond 4 charged to sick leave)
- E. Professional leave (with pay)
- F. Extended professional leave ((without pay)
- G. Sabbatical leave (with pay)
- H. Sick leave (with pay)
- I. Vacation (with pay)
- J. Adoptive leave (without pay)
- K. Jury Duty leave (with pay)
- L. Witness leave (with pay)

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

9.3.1 Authority for Leave

The granting of leave shall be at the discretion of the

Board, except as provided by law. The Superintendent may grant leaves according to Board Rule with the exception of leave for which expenses are requested, and extended professional level, which shall be subject to Board approval.

When leave is granted, it shall be with or without pay as provided by law and Board rule, and shall be permitted only when the operation of schools may be protected against undue interruption because of the absence of personnel.

Auth: 230.22, F.S.  
Imple: 231.39, F.S.

9.3.2 Advance Granting of Leave

Leave shall be officially granted in advance and shall not be granted retroactively, provided that leave for sickness or other emergencies may be deemed to be granted in advance if prompt report is made to the proper authority.

Auth: 230.22, F.S.  
Imple: 231.39, F.S.

9.3.3 Purpose Specified

Leave granted on the request of an employee shall be for a particular purpose or cause which shall be set forth in a written application. The Board reserves the right to determine that the leave is used for the purpose or cause set forth in the application. If not so used as specified, the leave may be subject to cancellation by the Board.

Auth: 230.22, F.S.  
Imple: 231.39, F.S.

9.3.4 Illness-in-Line-of-Duty Leave

Any member of the administrative staff shall be entitled to a maximum of ten (10) days per school year of illness-in-line-of-duty leave when absence from his duties is necessary because of personal injury received in the discharge of duty or because of illness from a contagious or infectious disease contacted in school work. Requirements for such leave are found in Section 231.41, Florida Statutes.

Auth: 230.22, F.S.  
Imple: 231.41, F.S.

9.3.5 Maternity Leave

Addendum to rule 9.3.1

Revised  
Dec. 1985

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

- A. Administrative personnel may be granted maternity leave without pay, not to exceed one (1) year. Such leave shall give the employee the right to return without prejudice as an employee of the Board. When an employee knows she is pregnant, she should immediately notify the Superintendent. Normally, the employee is expected to take leave at least one (1) month prior to the expected time of delivery; however, such leave may commence on a date determined by the employee in consultation with her doctor, following notification of the Superintendent in writing.
- B. Sick leave may be granted for maternity disability in lieu of maternity leave, to the extent of the employee's eligibility for sick leave, at the option of the employee. Such sick leave for maternity disability shall be defined as the inability of an employee to perform her daily duties. When disability results in the employee's inability to perform her daily duties, sick leave for maternity purposes shall be determined in accordance with Board Rule 9.3.10, as certified by her physician's statement as to the beginning of her disability and the anticipated date of delivery. An employee who has taken maternity leave may be re-employed as a permanent employee, but may not return to work until a doctor's certificate is presented stating that the employee is physically capable of performing her duties again. A suitable vacancy must exist for an employee who wishes to return to work during the school year in which the maternity leave is granted.

Administrative personnel to whom maternity leave is granted may be reassigned to the position held at the time of withdrawal (if available), or to a similar position, upon recommendation to a specific vacancy by the Superintendent.

C. Adoptive Leave

Any administrative personnel adopting a child of pre-school age or less shall be entitled to adoptive leave without pay not to exceed one (1) year.

Auth: 230.22, F.S.  
Imple: 231.39 and 115.07, F.S.

9.3.6 Adoptive Leave

Any administrative personnel adopting a child of pre-school age or less shall be entitled to adoptive leave without pay not to exceed one (1) year.

Auth: 230.22, F.S.  
Imple: 231.39 and 115.07, F.S.

9.3.7 Military Leave

Military leave shall be granted without pay, except as provided by Section 115.07, Florida Statutes, to employees who are required to serve in the Armed Forces of the United States or of this state, in fulfillment of obligations incurred under Selective Service laws or because of membership in reserves of the Armed Forces or National Guard. At the termination of this service, employees must make application for re-employment within six (6) months following the date of discharge or release from active duty. The School Board shall have a period not to exceed six (6) months, to reassign the employee to duty in the school system. Military leave shall not be counted as years of service toward a continuing contract.

Auth: 230.22, F.S.  
Imple: 231.39 and 115.07, F.S.

9.3.8 Personal Leave

A. Administrative personnel may be granted personal leave without pay by the Superintendent as follows:

All personal leave shall have prior approval of the Superintendent; otherwise, the person is subject to dismissal. Such requests shall be submitted to the Superintendent at least one (1) week prior to the starting date of leave, except in case of emergency. Grants of personal leave shall be reported to the Board by the Superintendent and shall be reflected in the minutes of the Board.

Revised  
Dec. 1985

B. A member of the administrative staff may be absent for six (6) days each school year with pay for personal reasons. Such absences shall be charged only to accrued sick leave, and leave for personal reasons shall be noncumulative. Applications for such leave shall be approved in the same manner as for sick leave except that no reason need be given by the employee for personal leave with pay other than "personal reason".

C. A person on personal leave without pay may not receive holiday pay unless he works the day before and the day after the holiday.

Auth: 230.22, F.S.  
Imple: 231.43, F.S.

9.3.9 Professional Leave

Professional leave is defined as leave granted to a member of the administrative staff to engage in activities which will result in his professional benefit

or advancement, including earning of college credits and degrees, or that will contribute to the profession of teaching. Professional leave will ordinarily be initiated by the employee and will be primarily for his benefit, or that of the teaching profession, and only incidentally for the benefit of the School Board.

The School Board may grant any member of the administrative staff three (3) consecutive weeks' professional leave during any fiscal year with compensation when school is not in session. Professional leave shall be cumulative for not more than two (2) years and shall receive the prior approval of the Superintendent.

Auth: 230.22, F.S.

Imple: 231.3(1), F.S. and SBE Regulation 6A-1.81

#### 9.3.10 Sabbatical Leave

Sabbatical leave for study or research may be granted to administrative personnel by the Board upon recommendations of the Superintendent. Such leave shall be granted under the following conditions:

- A. Sabbatical leave shall be in recognition of significant service to the District for the purpose of encouraging scholarly achievement which contributed to the professional effectiveness of the members of the staff and the value of their subsequent service to the School District.
- B. A sabbatical leave may be granted for one (1) full year.
- C. An administrator on sabbatical leave shall be given compensation of half pay for such leave, as provided by the Board in accordance with Section 231.29, subsection (1), Florida Statutes.
- D. The penalty for breaking the sabbatical leave contract shall involve either:
  - (1) The Administrator's refunding any salary received during his sabbatical leave or,
  - (2) The Administrator's paying the Board's incurred cost for collecting said monies.

Sabbatical leave for study or research may be granted to administrative personnel by the Board upon recommendation of the Superintendent and approval of the Board. Such leave shall be considered in recognition of significant service to the district for the purpose of encouraging scholarly achievement, which will contribute to the professional effectiveness of the members of the admini-



trative staff and the value of their subsequent service to the school district.

#### Term of Leave

Sabbatical leave may be granted for 1 full year at  $\frac{1}{2}$  pay.

#### Applicable Period

Applications for sabbatical leave, including a plan of study must be submitted to the Superintendent during the period of February 1 through March 31, preceding the year for which the leave is granted. Applicants will be notified no later than April 20 as to the disposition of their applications.

#### Review of Sabbatical Leave Requests

A sabbatical committee consisting of 3 administrators appointed by the Superintendent shall serve as a screening committee. This committee shall submit a list in priority order to the Superintendent of their recommendations. The committee shall consider the following criteria in making their recommendations to the Superintendent; is the sabbatical leave for the purpose of developing skills for a new position, his or her existing position or for a transfer into another existing position?

#### Eligibility

In order to be eligible for sabbatical leave an administrator must have completed 4 years of service as an administrator in Osceola County.

#### Returning From Sabbatical

Upon termination of the sabbatical leave, the returnee shall return to an administrative position in the district for which he is qualified and expected to be available for two (2) years service as recommended by the Superintendent.

#### Penalties

- A. The penalty for failure to return to employment after sabbatical leave shall be:
  - (1) The administrator's refunding all salaries received during his sabbatical leave, and
  - (2) The administrator's paying all costs and fees incurred by the Board for collecting such monies.

- B. The penalty for failure to be available for employment the second year after returning from sabbatical leave shall be:
  - (1) The administrator's refunding one-half ( $\frac{1}{2}$ ) of all salaries received during such leave, and
  - (2) The administrator's paying all costs and fees incurred by the Board for collecting such monies.
- C. These penalties shall be imposed by the Superintendent unless waived by the Board for specific, clearly documented hardship cases.

9.3.11 Educational Expenses

In lieu of sabbatical leave, the School Board may approve school expenses for an administrator in an approved degree program, for an amount not to exceed that which the administrator would have earned during regular sabbatical leave.

Auth: 230.22, F.S  
 Imple: 231.39, F.S, SBE Regulation 6A-1.81

\* 9.3.12 SICK LEAVE

Any member of the administrative staff of the District who is unable to perform his duty because of personal illness, or because of the illness or death of a father, mother, brother, sister, husband, wife, child, or other close relative or member of his own family (as defined by the Internal Revenue Service publication, Your Federal Income Tax), and consequently has to be absent from work, shall be granted leave of absence by the Superintendent or by someone designed in writing by him to do so. The following provisions shall govern sick leave:

- A. Each member of the administrative staff employed on a full-time basis shall be entitled to one (1) day of sick leave for each month of employment to be credited at the end of the month. An employee earning pay for at least seventy-five percent (75%) of the workdays in the month shall be treated as earning benefits for a month of employment.
- B. Terminal Pay for Accumulated Sick Leave

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

NEW  
Dec. 1985

- C. Any member of the administrative staff shall, before claiming and receiving compensation for the time absent from his or her duties while on sick leave, make and file by the end of the school month following his return, a written certificate to the Superintendent, which shall set forth the day or days of absence, indicating that such leave was necessary and that he is or is not entitled to receive pay in accordance with the sick leave policy.
- D. Absence because of illness beyond accumulated sick leave is considered personal leave.
- E. Sick leave may be taken for maternity disability as provided herein and in the Board Rule 9.3.5.
- F. The total unused portion of the annual sick leave shall be permitted to accumulate indefinitely.
- G. Personnel formerly employed in Osceola County shall have any accumulated sick leave reinstated upon re-employment. The reinstated leave shall be reduced only to the extent that the number of days used in another district exceeds the number earned in that district. (See page 215 a)

Auth: 230.22, F.S.

Imple: 231.29 and 231.40, F.S.

#### 9.3.13 Unauthorized Leave

All absence of Board employees from duty for good reason shall be covered by leave duly authorized. An employee willfully absent from duty without leave shall forfeit compensation for the time of such absence and be subject to discharge for forfeiture of tenure and all other rights and privileges as provided by law. If an employee granted leave fails to return to duty at the termination of the leave, his employment shall be subject to cancellation by the School Board.

Auth: 230.33, F.S.

Imple: SBE Regulation 6A-1.77, and 231.39, 231.44, and 231.48, F.S.

#### 9.3.14 Jury Duty Leave

An employee shall be authorized to be absent from assigned duties, and shall receive his regular salary plus court fees while serving as a juror in any court case. If notice of jury duty is received, the principal or Superintendent should be immediately notified in writing.

#### 9.3.15 Witness Leave

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

NEW  
Dec. 1985

H. Employees' Voluntary Sick Leave Bank

I. MEMBERSHIP

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

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

II. ESTABLISHMENT AND DURATION

- (a) The Sick Leave Bank will not come into existence until at least 20% of the total number of employees eligible to join the pool elect to do so and will remain in existence unless the participation drops below 20% of the number of employees eligible. The Board shall provide for the establishment of a Sick Leave Bank no later than February 1, 1986.
- (b) In the event the Sick Leave Bank is discontinued, distribution of remaining sick leave days will be in accordance with section IX below.

III. REPLENISHMENT CONTRIBUTIONS

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

#### IV. ADMINISTRATION AND GOVERNANCE

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

#### V. ELIGIBILITY

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

- (a) All accumulated sick leave of the employee must first be expended, followed by a leave, not charged to sick; of five (5) work days per incident.
- (b) Applications must be made to the Personnel Department including a statement from a doctor attesting to the member's extended illness, accident or injury. The statement must certify:
  - 1. The nature of the illness, accident or injury.
  - 2. That in the event of an operation, it is absolutely necessary and could not be reasonably be delayed until a break in the employee's duty schedule.

3. The probable date the member would be able to return to work.
- (c) Application must also provide permission to investigate medical records and other information needed for review or appeal.
- (d) A participating member shall not be eligible to use sick leave from the Bank if the employee is on leave for injury or illness in the line of duty, worker's compensation, or on medical retirement.

#### VI. BENEFITS

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

VII. PARTICIPATION ABUSE

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

VIII. WITHDRAWAL FROM PARTICIPATION

Any participating employee who wishes to withdraw from participation in the Sick Leave Bank may do so and withdrawal will be effective immediately upon receipt by the Personnel Department of written notification of the employee's intent to withdraw. Any previously contributed sick leave will become the property of the Sick Leave Bank.

IX. DISCONTINUANCE OF SICK LEAVE BANK

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

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

- A. That the person has been subpoenaed by the court or agency having subpoena powers as a witness, and is not a principal in the case.
- B. That the employee shall submit a copy of the subpoena or letter from either attorney in the case to the Superintendent.

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

Auth: 230.22, F.S.

Imple: 231.39, F.S.

#### 9.3.15 Extended Leave

Employees shall be eligible for extended leave without pay after three (3) or more years of continuous service. The leave, when granted, shall not exceed one (1) year, except that military leave shall be granted for a longer period as necessary for the completion of active duty.

Extended leave without pay requests must be made in writing on the form prescribed by the Board. The request shall specify the time of the leave and the reason for the request. The length of the leave and the reason for the request shall be recorded in the Board minutes. The School Board shall have the right to determine that the leave is used for the purposes set forth in the application, and if not so used, the Board shall have authority to cancel the leave.

The leave must be approved by the employee's immediate supervisor and the Superintendent or his designee before it is presented to the Board for approval.

Extended leave without pay may be reviewed upon request for an additional period not to exceed one (1) year, subject to Board approval and will not exceed two (2) consecutive years. Automatic renewal of an extended leave is not granted. It shall be the responsibility of the person on leave to request renewal. If no request for renewal is made prior to the expiration of the leave, employment shall be terminated.

#### Personal Leave Without Pay May Be Requested For, But Not Limited To:

- (1) Leave to serve in the armed services.
- (2) Leave for academic study.
- (3) Leave for serving in the Peace Corps.
- (4) Leave for child-rearing (for natural or adoptive child)



- (5) Leave for child-bearing.
- (6) Leave to run for or serve in an elected office.
- (7) Leave to participate in exchange programs in other states or countries.

9.4 BENEFITS AND DUTIES

\*

9.4.1 Retirement

- A. All new school employees shall participate in the Florida Retirement System (FRS) as a condition of employment.
- B. Administrative personnel on Teacher Retirement System (TRS) prior to December 1, 1970, may continue in the Teacher Retirement System, provided there has been no break in continuity of service.

C. Retirement Annuities Program

The Board will consider annually, upon the recommendation of the Superintendent, requests for retirement annuities for school personnel with 25 years or more years of creditable service (at least 5 of which must have been in this district) who have reached the age 55 and have applied for retirement under the FLA retirement system. All requests must be received between February 1 and February 28 of the calendar year for those requesting retirement during or at the conclusion of that school year or 4 months prior to retirement if planning retirement before February of that school year. A copy of the official determination, by the Division of Retirement, of the projected monthly benefits at the effective date of retirement based on the average monthly compensation and creditable service as of the member's early retirement date and the actual early retirement benefits shall accompany the request. Requests of applicants between the ages of 50 and 54 may also be considered by the Board if the Board first determines, for that year, that it is economically feasible to do so.

Between January 1 and February 1 an annual survey and study will be conducted prior to the determination of the Superintendent and Board on the feasibility of the program being offered during that school year with no commitment to offer the program in future years unless the Board options to do so after reviewing the annual survey. The employee may be required to contribute to the annuity in order to qualify.

The Board upon the recommendation of the Superintendent will determine before April 1,

whether or not the program will be offered for that year.

If the program is offered the Superintendent shall make recommendations pertaining to either the investment, in a specific amount of current funds, or the purchase of an adequate annuity either of which would provide earned income in an amount sufficient to provide the annual early retirement supplemental benefit for the named employee.

The maximum monthly benefit to any individual shall be in compliance with FLA Statutes.

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

9.4.2 Social Security

Social Security is required of every member of the Florida Retirement System.

Auth: 230.22, F.S.  
Imple: 650.01 and 650.04, F.S.

9.4.3 Credit Union Deductions

Credit Union deductions from administrators' salaries are authorized as requested by individual administrators.

Auth: 230.22, F.S.  
Imple: 230.02, F.S., and SBE Regulation 6A-1.52(3)

9.4.4 Duties of Administrative Personnel

The duties of administrative personnel, as described in the Administrative Handbook, are made a part of this manual.

Auth: 230.22, F.S.  
Imple: 230.33(7), F.S.

9.4.5 Payroll Deductions

Upon appropriate written authorization from the administrator, the Board shall deduct authorized sums from the salary of any administrator and make proper remittance for any payroll deduction program approved by the Board.

9.4.6 Assault/Battery upon an Administrator

Any case of assault/battery upon an administrator shall be promptly reported to the Superintendent or his designated representative. In any case where an administrator is charged with a civil or criminal action arising

out of or in the course of assigned duties and responsibilities, the case where the administrator pleads guilty or nolo contendere or is found guilty of any such action, the administrator shall reimburse the Board for any legal services which the Board may have supplied pursuant to this section. If the Board declines to provide legal services in response to the administrator's request, and the administrator is subsequently found not guilty or not civilly liable, the administrator may renew his request and a recommendation shall be made to the Board for payment of the reasonable cost of legal services, and the Board shall consider such request previously declined. The selection of the attorney shall be mutually agreed upon by the administrator and the Board.

9.4.7 Life Insurance

The Board shall provide for administrators a fully paid life insurance plan which shall pay the administrators designated beneficiary an amount equal to the administrator's annual salary rounded up to the next higher thousand in the event of death, and in the event of accidental death or dismemberment, a sum not less than two (2) times that amount. There shall be a provision for the purchase of additional insurance coverage to be paid by the administrator.

9.4.8 Hospitalization Insurance

The Board will provide fully paid individual hospital-medical-surgical coverage, including major medical benefits at the present benefit levels. Family coverage shall be made available of the same family are employed by the School District, the amount paid for the shall be credited toward the cost of family coverage.

9.4.9 Long Term Disability Insurance

The Board will continue to make available to administrators long term disability benefits through payroll deduction at administrators expense.

9.4.10 General Liability Insurance

The Board shall continue its General Liability Insurance coverage which covers the Board for the acts of their employees, including administrators, as such coverages existed on January 1, 1978; and that administrators shall be afforded all direct and indirect benefits injuring to them from such coverage.

9.4.11 Reimbursement for Damage to Personal Items

The Board shall reimburse administrators for damage to clothing, dentures, eyeglasses, prosthetic devices or

artificial limbs where such damage occurs as a result of:

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

9.4.12 Death Benefit

A. Accumulated Vacation

If at the time of death an administrator has unused accumulated vacation the Board shall pay to the beneficiary of the administrator a sum equal to the administrator's daily rate of pay at his present job classification times the number of vacation days accumulated.

B. Accumulated Sick Leave

Administrative personnel eligible for retirement benefits, or his beneficiary if termination is by death, shall be entitled to payment for the maximum accumulated sick leave allowed by law. Payment shall be made at the current daily rate of pay.

9.4.13 Continuing Insurance Benefits While on Leave

Persons on authorized School Board leave without pay shall be eligible to continue on School Board Benefits. The employee shall be personally responsible for full payment of the premiums or costs.

TABLE OF CONTENTS

	Page
HEARING PROCEDURES, 10.0	221
Discontinuation of an Employee's Continuing Contract Status, 10.1	221
Reduction in Personnel, 10.2	224
Suspension and Dismissal of Employees During School Year, 10.3	225

HEARING PROCEDURES10.1 Discontinuation of an Employee's Continuing Contract Status

A. The School Board may for good and sufficient reason terminate the employment of an employee, or may return to annual contract status for a period not to exceed three (3) years, any member of the District instructional staff.

"Good and sufficient reason for dismissal or return to annual contract status" means, without limitation:

- (1) Neglect of duties and responsibilities that impairs teaching or other normal and expected services to the school;
- (2) Failure without justifiable cause to perform the terms of employment, or willful violation of the rules of the Board.
- (3) Physical, mental, or professional incompetence or failure or inability to discharge assigned duties effectively;
- (4) Professional or personal conduct involving moral turpitude;
- (5) Violation of the code of ethics of the education profession
- (6) Actions which impair, interfere with, or obstruct or aid, abet, or incite the impairment, interference or obstruction of orderly conduct, processes and functions of a school; or
- (7) Failure to maintain satisfactory relationships with students and parents to a degree that the education program is impaired.

B. Dismissal or return to annual contract status shall be made only upon written recommendation filed with the School Board on or before April 1 of any school year by the Superintendent, a majority of the School Board, or the principal if his contract is not under consideration.

C. At least five (5) days prior to filing the recommendation with the Board, the party making the recommendation shall, by registered or certified mail or by personal delivery, notify in writing the employee against whom the recommendation is directed.

The notice shall include:

- (1) The name and address of the School Board
- (2) The name and address of the party making the recommendation;
- (3) The name and address of the employee;
- (4) A copy of the charges and the recommendation;
- (5) The expiration date of the current contract.

D. The recommendation to the Board shall be signed by the party making the recommendation and shall contain:

- (1) The name and address of the School Board;
- (2) The name and address of the party making the recommendation;
- (3) The name and address of the employee against whom the recommendation is made;
- (4) A statement that notice was given the respondent as provided in paragraph C of this section;
- (5) A concise statement of the facts alleged and the rules, regulations and constitutional provisions, the violation of which is deemed good and sufficient reason for the recommendation.

E. Upon timely receipt of a recommendation, the School Board shall promptly determine if it will consider the charges and shall officially notify the employee and the party making the recommendation of its decision. Such notice shall be personally delivered or sent by registered or certified mail.

F. The employee may request a public hearing on the recommendation by filing a written request with the School Board within ten (10) days of receipt of the official notice from the Board. The request for hearing shall contain:

- (1) The name and address of the School Board;
- (2) The name and address of the employee;
- (3) The name and address of the person making the recommendation;

- (4) A request for hearing;
  - (5) Such other information as the employee deems material.
- G. Within twenty (20) days of receipt of a request for hearing, the School Board shall determine whether the Board or a Board member will preside at the hearing, or whether a hearing officer will be requested from the Division of Administrative Hearings.
- H. Following timely receipt of a request for hearing, and a decision as to who will preside at the hearing, the School Board within ten (10) days shall provide all parties with written notice of the hearing. Such notice shall be provided immediately upon notification from the Division of Administrative Hearings if a hearing officer is requested. The notice shall contain:
- (1) The time and place of the hearing;
  - (2) The nature of the hearing;
  - (3) The legal authority and jurisdiction under which the hearing is to be held;
  - (4) The contested issue or issues to be decided;
  - (5) Citation of the particular statute and rules involved.

A hearing shall not be held earlier than fourteen (14) days after notice of the hearing, unless all parties agree in writing to an earlier date.

- I. Hearings on the recommendation shall be governed by Section 120.57, subsection (1), and Sections 120.58 and 120.59, Florida Statutes, and rules adopted pursuant thereto.
- J. If the employee does not request a hearing, the School Board shall proceed to take appropriate action on the recommendation.
- K. A decision adverse to the employee shall be made only by a majority vote of the full membership of the School Board.
- L. A decision adverse to the employee may be appealed to the Department of Education within thirty (30) days following the decision, pursuant to the rules adopted by the Department.



Auth: 230.22(2) and 120.53(1), F.S.  
Imple: 120.53(1), and 120.57, 120.58, 120.59 and  
231.36(4), F.S.

10.2

Reduction In Personnel

- A. If a reduction in personnel requires a Board to choose from among its personnel under continuing contract, the Board shall retain those employees best qualified. In determining qualifications, the Board shall consider, without limitation:
- (1) Educational qualifications
  - (2) Efficiency
  - (3) Compatibility
  - (4) Character
  - (5) Capacity to meet the educational needs of the community.
- B. After initially determining which employees shall be retained, the Board shall give written notice of the proposed action to all affected employees, together with a summary of the factual, legal and rule grounds therefore, including a list of criteria utilized.
- C. Any continuing contract employee affected by the initial determination may request a hearing within ten (10) days following notice pursuant to paragraph B of this section. This request shall contain:
- (1) The name and address of the School Board;
  - (2) The name and address of the employee;
  - (3) A concise statement of the ultimate facts alleged and the statutes, rules and regulations relied upon;
  - (4) A request for the relief to which the petitioner deems himself entitled;
  - (5) Advice as to whether the employee wishes to present written or oral evidence;
  - (6) Other information which the petitioner believes is appropriate.
- D. Upon receipt of a request for a hearing by an affected employee, the School Board, within twenty (20) days, shall determine whether the Board, a member of the Board, or a designee of the Board shall

preside at the hearing and shall provide all parties with written notice of the hearing. This notice shall contain:

- (1) The time and place of the hearing;
- (2) The nature of the hearing;
- (3) The legal authority and jurisdiction under which the hearing is to be held;
- (4) The contested issue or policy to be decided;
- (5) Citation of the particular statutes, rules and regulations involved.

A hearing shall not be held earlier than fourteen (14) days following notice, unless all parties agree in writing to an earlier date.

E. Proceedings under this rule shall comply with the requirements of Section 120.57, subsection (2) and Sections 120.58 and 120.59, Florida Statutes, as well as rules adopted pursuant thereto.

F. The decisions of the School Board shall not be controlled by any previous contractual relationship.

Auth: 230.22(2) and 120.53(1), F.S.

Imple: 120.53(1), 120.57, 120.58, 120.59, 230.22(2) and 231.36(5), F.S.

### 10.3

#### Suspension and Dismissal of Employees During School Year

A. The School Board at any time during the school year may suspend or dismiss any member of the instructional staff, including the principal, based on the following grounds:

- (1) Immorality
- (2) Misconduct in office
- (3) Incompetency
- (4) Gross insubordination
- (5) Willful neglect of duty
- (6) Drunkenness
- (7) Conviction of any crime involving moral turpitude.

B. Upon determining that grounds exist for suspension or dismissal of an employee, the Superintendent or a

member of the School Board may file signed, written charges with the School Board. A principal may recommend to the Superintendent that an employee be dismissed or suspended.

The charges shall contain:

- (1) The name and address of the School Board;
  - (2) The name and address of the person filing the charges;
  - (3) The name and address of the employee;
  - (4) A concise statement of the facts constituting grounds for suspension or dismissal.
- C. Upon receipt of properly filed charges, the School Board shall promptly determine if it will consider the charges and shall officially notify the complainant and the employee in writing of its decision. Such notice shall be personally delivered or sent by registered or certified mail.
- D. Upon the filing of charges, the School Board may suspend the employee with or without pay, pending a timely hearing. Employees may be suspended under this section only upon a determination by the School Board that, based upon the facts recited in the filed charges there is reasonable cause for suspension or dismissal.
- E. The Superintendent may suspend members of the instructional staff and other school employees during emergencies. The maximum period for such suspension shall not exceed the day of the next regular or special meeting of the School Board; however, the Board may extend such a period pending a request for a hearing by an employee. The Superintendent shall notify the Board immediately in writing of an emergency suspension. Such notice shall contain the same information as required by paragraph B of this rule.,
- F. The employee may request a public hearing on the charges by filing a written request with the School Board within ten (10) days of receipt of the official notice from the Board. The request for hearing shall contain:
- (1) The name and address of the School Board;
  - (2) The name and address of the person filing the charges;

- (3) The name and address of the employee;
  - (4) A request for hearing;
  - (5) Such other information as the employee deems appropriate.
- G. Within twenty (20) days of receipt of a request for hearing, the School Board shall determine whether the Board or a Board member will preside at the hearing, or whether a hearing officer will be requested from the Division of Administrative Hearings.
- H. Following timely receipt of a request for hearing and a decision as to who will preside at the hearing, the School Board within ten (10) days shall provide all parties with written notice of the hearing. Such notice shall be provided immediately upon notification from the Division of Administrative Hearings if a hearing officer is requested. Notice shall contain:
- (1) The time and place of the hearing, which shall afford reasonable opportunity for preparation;
  - (2) The nature of the hearing
  - (3) The legal authority and jurisdiction under which the hearing is to be held;
  - (4) The contested issue or issues to be decided;
  - (5) The citation of the particular statute and rules involved.
- A hearing shall not be held earlier than fourteen (14) days after notice of the hearing, unless all parties agree in writing to an earlier date.
- I. Hearings on the recommendation shall be governed by Section 120.57, subsection (1), Sections 120.58 and 120.59, Florida Statutes, and rules adopted pursuant thereto.
- J. If the employee does not request a hearing, the School Board shall proceed to take appropriate action on the recommendation.
- K. If the School Board sustains any or all of the charges by a majority vote of the full membership, it may discharge, suspend, continue suspension or fix the terms for reinstatement of the employee. If the employee is dismissed, his contract shall be cancelled.

- L. A decision adverse to the employee shall be made only by a majority vote of the full membership of the School Board.
- M. A decision adverse to the employee may be appealed to the Department of Education within thirty (30) days following the decision, pursuant to rules adopted by the Department.

Auth: 230.22(2) and 120.53(1), F.S.

Imple: 120.53(1), 120.57, 120.58, 210.59, 230.33(7)(h),  
231.085(2) and 231.36(6), F.S.

THE SCHOOL BOARD OF OSCEOLA COUNTY, FLORIDA

401 CHURCH STREET

KISSIMMEE, FLORIDA 32741

BYLAWS OF THE BOARD

MARCH 1979

Bylaws adopted  
by the Board: 6/5/79  
Revised:

BYLAWS OF THE BOARD

Page

Officers

- Chairman . . . . .
- Vice-Chairman . . . . .
- Secretary . . . . .
- Attorney . . . . .

Committees

- Committee of the Whole . . . . .
- School Advisory Committee(s) . . . . .

Members . . . . .

- Orientation . . . . .
- Development in Service . . . . .
- Remuneration and Reimbursement . . . . .
- School Board Member Protection . . . . .
- Retirement . . . . .

Methods of Operation . . . . .

- Formulation, Adoption, Amendment of Bylaws . . . . .

Meetings . . . . .

- Time, Place, Notification for Meetings . . . . .
- Public and Executive Sessions . . . . .
- Construction of Agenda/Advance Delivery of  
Meeting Materials . . . . .
- Meeting Conduct . . . . .
  - Order of Business . . . . .
  - Parliamentary Procedure . . . . .
- Minutes . . . . .
- Access to School Board Records . . . . .
- Membership in Associations . . . . .

Monitoring Products and Processes . . . . .

Administrative Positions . . . . .

Bylaws of the Board

Chairman

The Chairman of the School Board shall preside at all meetings of the school Board and shall vote on motions placed before the School Board for action unless he has a conflict of interest. He shall represent the School Board in deliberations with other school boards, districts, or agencies unless another member of the School Board is so designated. The Chairman of the School Board shall sign all official documents, minutes of School Board meetings, and any other School Board documents as shall be necessary by law or School Board direction.

He may appoint committees unless otherwise specified by the School Board or may request the Superintendent to call a special meeting, or shall call a special meeting in the event that the Superintendent fails to do so when requested, shall accept service of process in all suits against the School Board, if he can be found, and shall perform all other duties as prescribed by law.



Bylaws of the Board

Vice-Chairman

The Vice-Chairman of the School Board shall perform all duties of the Chairman in his absence.

## Bylaws of the Board

### Secretary

The Superintendent shall serve as Secretary of the School Board. He shall keep, or cause to be kept, an accurate record of all School Board business in the School Board minutes. He shall sign all papers that require signatures of the School Board unless otherwise specified by law, shall accept service of process in all suits against the School Board in the event the Chairman is not available, shall act as the School Board's representative in financial and legal matters, and shall perform such other duties as may be required by law or action of the School Board.

Bylaws of the Board

Attorney

The School Board shall select, employ and determine the duties and fee of an attorney(s), who shall be responsible directly to the School Board.

1. The Attorney for the School Board shall have the following duties and responsibilities to be rendered in consideration of the hourly or yearly compensation set by the School Board:
  - a. He shall attend all meetings of the School Board and other meetings when requested. At these meetings he shall act as a Counselor to the School Board.
  - b. He shall render a written opinion on any legal question when requested by the School Board in session, with a copy furnished to all School Board members and the Superintendent, and one copy to be maintained by the School Board secretary in a Master Opinion File, in the Office of the School Board. He shall render written opinions on any legal question only when requested. Any School Board member may request an opinion, however, if the opinion will require a considerable length of time, then it is incumbent upon the Attorney to seek School Board approval.
  - c. He shall prepare or supervise the preparation of all legal papers and documents which shall be executed by the officers of the school Board or he shall approve the same before execution thereof by said officers.
  - d. He shall provide such opinions or other legal information to the Superintendent or his delegated representative which may be necessary for the immediate or long-range conduct of the affairs of the School District.
  - e. He shall represent the School District in all litigation to which the School District may be a part or in which it is interested.
  - f. Upon the purchase of any real estate by the School Board, he shall examine the abstract or preliminary report of title, as the case may be, and render a written opinion concerning the same, and shall represent the School Board in the purchase or sale of any real estate.
  - g. Such other duties as directed by the Board.

Bylaws of the Board

Committee of the Whole

There shall be no standing committees except the committee of the whole, but special temporary committees shall be allowed to be appointed by the Chairman or chosen by vote of the School Board for fact-finding, deliberative and advisory function only, but never to have legislative nor administrative power.

Bylaws of the Board

School Advisory Committee(s)

The School Board shall annually establish School Advisory Committees which shall be broadly representative of the community and which shall include both parents and students. At the beginning of each school year, an invitation shall be extended to parents inviting them to participate on the School Advisory Committee. Unless otherwise directed by the School Board, the rules and regulations for operation of the committee(s) shall be developed and maintained by the Superintendent subject to the action of the School Board. Such School Advisory Committees shall not have any of the powers and duties invested by law in the School Board, and shall act in an advisory capacity only.

School Board members shall be considered ex-officio members of such committees. One School Board member will normally be designated as the School Board representative to each such School Advisory Committee established by the School Board.

Among any other duties assigned to a School Advisory Committee at the time of its establishment by the School Board, such a committee shall have the responsibility of participating in developing an annual school program report.

Annually following its organizational meeting the School Board must, as required by law, evaluate the effectiveness of each School Advisory Committee and submit a copy of the evaluative report to the State Board of Education.

The Board shall receive a copy of the minutes from the School Advisory Committee meetings, and a copy of Annual Report from each school.

## Bylaws of the Board

### Members

It is understood that the members of the School Board have authority when acting as a School Board legally in session. The School Board shall not be bound in any way by any action or statement on the part of any individual member except when such statement or action is in pursuance of specific instructions from the School Board.

No member, by virtue of his office, shall exercise any administrative responsibility with respect to the schools or as an individual command the services of any school employee.

Each School Board member shall serve as a representative of the entire School District, rather than merely as representative of a School Board member area.

Any School Board member must accept service of process in all suits against the School Board whenever the Chairman of the School Board and the Superintendent are unavailable.

## Bylaws of the Board

### Orientation

Under the guidance of experienced School Board members and the Superintendent, orientation will be provided to new School Board members through activities such as these:

1. Workshops for new School Board members conducted by state and area School Board Associations
2. Discussions and visits with the Superintendent and other members of the school staff
3. Provisions of printed and audio-visual materials on School Board policies and administrative rules and procedures

Education shall be considered as an on-going process for all School Board members, and may include such activities as those indicated above and the addition of items such as these:

1. Attendance at School Board and administrative conferences and conventions on a local, area, state and national basis
2. Exchange of ideas through joint meetings with neighboring school boards

Bylaws of the Board

Development in Service

Attendance at meetings directly or indirectly related to education or school matters shall be encouraged for the values they have to the school system and the professional growth of School Board members.

The Superintendent shall notify School Board members of all relevant scheduled meetings; however, School Board members are encouraged to attend all meetings they believe would be helpful to them in their official capacity.



Bylaws of the Board

Remuneration and Reimbursement

All remuneration and reimbursement to the Board will be as prescribed by the Statutes.

Bylaws of the Board

School Board Member Protection

The School Board shall provide individual School Board members with liability insurance coverage upon such terms as the School Board may from time to time approve.

## Bylaws of the Board

### Retirement

Outgoing members of the School Board should be appropriately recognized and thanked for their service to the schools and community.

Continuing privileges as may be legally provided as a courtesy, may be extended upon request.

## Bylaws of the Board

### Methods of Operation

The School Board, acting as a School Board, exercises authority over the schools in accordance with applicable laws. It determines policy, delegates executive, supervisory and instructional authority to its employees, and appraises the results achieved in light of the goals of the school system.

The School Board shall concern itself primarily with broad questions of policy and with the appraisal of results, rather than with an administrative task to be performed by the Superintendent and his staff, who shall be held responsible for the effective administration and supervision of the entire school system.

## Bylaws of the Board

### Formulation, Adoption and Amendment of Bylaws

The School Board's bylaws are rules designated to organize and control its internal operations. Some bylaws are set by statute. Others may be formulated and adopted at its option by the School Board itself as long as they are in harmony with the intent and specifics of the Statutes.

In its deliberation leading to the establishment or amendment of its bylaws, the School Board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

### Adoption and Amendment of Bylaws

Bylaw proposals and suggested amendments to or revisions of existing bylaws shall be submitted to all members of the School Board and to the Superintendent in writing prior to a regularly scheduled School Board meeting in which such proposed bylaws, amendments, or revisions shall be read and discussed. Any such proposed bylaws, amendments or revisions shall be adopted in accordance with the requirements of Chapter 120, Florida Statutes for adoption of Rules.

The formal adoption of bylaws shall be recorded in the minutes of the School Board. Only those written statements so adopted and recorded shall be regarded as official School Board bylaws.

Bylaws of the Board

Meetings

All actions of the School Board shall be taken only in official School Board meetings called, scheduled and conducted according to these bylaws and the Statutes of the State of Florida.

Bylaws of the Board

Time, Place, Notification for Meeting

The time, place and notification of meetings procedures shall be established in the standing rules of the School Board, which shall be adopted at the annual organizational meeting.

Bylaws of the Board

Public and Executive Sessions

Public Sessions

The School Board shall conduct regular meetings, special meetings and all conferences as public meetings with news media notified of such meetings. Time, date and place of such meeting will be included in news media notification.

Executive Sessions Concerning Labor Negotiations

Executive sessions may be held for the purpose of discussing the status of negotiations between labor organizations and the Superintendent and his designee to instruct the Superintendent as to the School Board's desires in such negotiations.



Bylaws of the Board

Construction of Agenda/Advance Delivery  
of Meeting Materials

The Superintendent shall at least seven (7) days before a regular meeting prepare a proposed agenda, in cooperation with the Board, for each such meeting and make it available for distribution on request of any interested person. The agenda shall be delivered with supporting information, to each School Board member so that he will have this material at least 48 hours prior to each meeting, whenever practicable. Special called meetings may be exempt from this time frame.

In connection with preparation of the agenda for each regular meeting of the School Board, the Superintendent shall prepare, in cooperation with the Board, a proposed consent agenda, which shall consist of those agenda items which normally are considered to be matters not requiring discussion. The Superintendent shall cause such consent agenda to be delivered to each School Board member along with the regular and full agenda.

Prior to a vote by the School Board on the consent agenda, any item included thereon shall be removed therefrom upon the request of any School Board member. School Board members, where possible, are encouraged to convey to the Superintendent any such request by 12:00 o'clock noon of the day of the meeting.

Above requirements do not apply to exclusion hearings or when meeting as a quasi-judicial body.

## Bylaws of the Board

### Meeting Conduct

#### Start of Meeting

The Chairman, or in his absence, the Vice-Chairman, shall start all meetings promptly at the appointed hour.

#### Procedure for Discussion

All debate on an issue shall be germane to the question, not redundant, and in proper decorum.

No member of the School Board who is present at any meeting of the School Board, at which an official decision, ruling or other official act is to be taken or adopted, may abstain from voting in regard to any decision, ruling, or act, and a vote shall be recorded or counted for each such member present, except when, with respect to any such member, there is or appears to be a possible conflict of interest as provided by law. Upon request of any School Board member, the vote on any matter shall be by roll-call vote. The Chairman shall vote last.

The minutes of the meeting shall show the vote of each School Board member present on all matters on which the School Board takes action. It shall be the duty of each member to see to it that both the matter and his vote thereon are properly recorded in the minutes.

Formal action by the School Board may be taken on any item included in the agenda by whatever majority vote is required by the Statutes.

All actions of the School Board shall be taken only in official School Board meetings call, scheduled, and conducted according to these bylaws and the Statutes of the State.

Meeting Conduct (continued)

Citizen Participation

The School Board shall listen to the advice and counsel of citizens in planning and operating the public schools. If, at any part of the official School Board meeting, a citizen has a valid interest or communication pertaining to the immediate business being discussed, he may be recognized at the discretion of the Chairman, or a majority of the School Board.

If any citizens desires to bring a matter before the School Board, at its next regular meeting, for official or other action, and such citizen notifies the Superintendent thereof, in writing at least twenty-four hours prior to preparation of the agenda for that meeting, such matter shall be included on a special order agenda for discussion and action where necessary. Such notification shall be confirmed in writing and shall specify the nature of the subject matter.

In the event citizens desire to address the School Board, the Chairman may, unless over-ruled by a majority of the School Board members present, reasonably limit debate and discussions by citizens both as to time and number.

General citizen participation shall not be permitted when the Board is sitting as the "Legislative Body" pursuant to Chapter 447, Florida Statutes, to resolve impasse in any collective bargaining process; nor when the Board is considering or hearing any charges or recommendation, suspension or discipline of any employee, or otherwise acting as a quasi-judicial body.

Bylaws of the Board

Order of Business

The school Board's business will be transacted in the order outlined below. The Order of Business may be altered by a majority vote of those present.

- I. Meeting Openings
  - A. Call to order
  - B. Invocation
  - C. Pledge of allegiance
- II. Public Comment - At Regular Board Meeting
- III. Special Order
- IV. Action Items
  - A. Routine matters
    - 1. Approval of minutes
    - 2. Finance
    - 3. Staff Items
    - 4. Other Routine Matters
    - 5. Consent Agenda
  - B. Unfinished business (list)
  - C. New business
    - 1. New items introduced by the Superintendent
    - 2. New items introduced by School Board members
- V. Comments by Board Members, Superintendent and Attorney
- VI. Information and Announcements
- VII. Advance Planning
  - A. Future meeting dates
  - B. . . . .
- VIII. Adjournment

Bylaws of the Board

Parliamentary Procedure

Robert's Rules of Order

The school Board of Osceola County adopts Robert's Rules of Order, Revised as the operating procedure for the School Board. Whenever Robert's Rules of Order, Revised conflicts with these bylaws, the bylaws of the School Board or the Florida Statutes shall control.

## Bylaws of the Board

### Minutes

The minutes of the meetings of the School Board shall include the following:

1. Classification (regular, adjourned or special), date and place of meeting
2. Call to order stating time, person presiding and his office
3. Record Board members present and absent
4. Notation of the presence or absence of the Superintendent
5. Record of any corrections to the minutes of the previous meetings and the action approving them
6. All main motions (except withdrawn motions), points of order and appeals, whether sustained or lost
7. All other motions that were not withdrawn
8. Record of all petitions of citizens
9. Record of all matters on which the School Board takes action and the vote of each School Board member thereon
10. Notation of the times of recesses
11. Hour of adjournment
12. Signature of the Secretary and Chairman

### Recording of Votes

Each member's vote shall be recorded, and with the approval of the other members he may also append at that time a statement indicating the reason for his vote.

### Recording of Statements

An individual statement by a School Board member which exceeds fifty (50) words may be included as an attachment to the minutes at the School Board member's request, provided however, that a written copy of the statement is submitted.

## Bylaws of the Board

### Access to School Board Records

#### Fees for Document Copies

Copies of items requested by the general public, due to the cost involved, shall be priced at the cost of production. Each person making the request shall remunerate the School Board for the actual cost in each case.

#### Distribution of Board Meeting Agendas by Mail

When the agenda for each School Board meeting has been completed by the Superintendent and is ready for distribution, additional copies will be reproduced and made available to interested citizens who may receive them at the District School Offices, 401 Church Street, Kissimmee, Florida, until the supply is exhausted.

Any citizen who desires a copy of the School Board meeting agenda mailed to him may arrange this service by contacting the office of the Superintendent. Mailing fees will be charged.

Nothing contained in the foregoing shall operate to deprive a citizen of his right to inspect and examine public records as provided in Florida's Public Records Act.

#### Public Access to Minutes

The approved minutes of the School Board shall be shown to the public upon request in the presence of the Superintendent or his delegate, provided, however, that records shall not be removed from the Administration Building of the school system, except by vote of the School Board.

## Bylaws of the Board

### Membership in Associations

Recognizing the value of the Florida School Boards Association as both political and legal representatives of school boards, and realizing that in times of changing laws, curriculums, and methods of operation that school boards must be kept abreast, the School Board wishes to maintain its membership in the Florida School Boards Association. In addition, the School Board may hold membership in such other school board associations as may exist, and shall look upon such membership as an opportunity for growth in School Board service.



Bylaws of the Board

Monitoring Products and Processes

The School Board directs the Superintendent, in cooperation with the school staff, student body, parents, and any other interested persons or groups, to establish and maintain a comprehensive accountability plan and set of procedures for the school system.

The plan shall provide for regular, scheduled reports to the School Board on students, school level professionals, and staff development in academic vocational and general behavioral pursuits in relation to professional and School Board adopted instructional goals.

The School Board accepts the responsibility for and will provide for monitoring for its own operations.

Bylaws of the Board

Administrative Positions

The Board will not take action on new administrative positions or administrative nominations for at least one (1) week, seven (7) calendar days after being announced by the Superintendent. This can be waived by a four-fifths vote of the Board. Board members and news media will be notified in writing.

John - This was Bel approved

May 1/84 . Apparently

DEFINITION OF TERMS

It was never included  
in the Book Please add  
clipped area with changes in

1. Evaluations

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

Blue

2. Complaint

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

Thanks

3. Limited File

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

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

WHL

4. Custodian Records

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

5. Derogatory Material

Typical examples:

a. Complaints, allegations, negative assessments, evaluations and charges related to work performance. (Can be placed in file.)

b. Employee's conduct, service, character or personality not related to work performance. (Cannot be placed in file.)

6. Designee

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

7. Inspection of Records

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

RR 29

## PERSONNEL RECORDS

### I. Definition of Personnel File

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

### II. Access to Personnel Files

- A. The complete file is open as needed to:
1. School Board Members and the School Board Attorney
  2. Superintendent, Deputy Superintendent ~~for Instruction~~, ~~Director of Administrative Services~~, Executive Director of Finance, Principals, Assistant Principals, or their respective designees
  3. Supervisor of the employee
  4. Employee
  5. Designees of Employees
  6. Law Enforcement personnel involved in a lawful criminal investigation
  7. Non-Instructional clerical personnel assigned to personnel files
- B. The limited file is open to anyone who files and signs an appropriate request. After the request is filed an effort shall be made to provide current records within a reasonable time.
- C. All material in the personnel file are subject to public review except as noted below for the period of time indicated:

<u>Item(s)</u>	<u>TIMELINE</u>
1. A complaint or any material relating to the investigation of a complaint.	Until: completion of preliminary investigation; no probable cause is found; investigation becomes inactive; or within 60 days.
2. Evaluations prepared prior to July 1, 1983.	Permanently exempt except for II A above.
3. Evaluations prepared on or after July 1, 1983.	Exempt until the end of the school year following the school year during which the evaluation is made except for II A above.

<u>Item(s)</u>	<u>Timeline</u>
4. Derogatory materials.	Exempt until 10 days after the employee has been notified.
5. Payroll deductions, medical, psychiatric and psychological information and transcripts or placement information.	Permanently exempt except to a hearing officer, panel or II A above.

III. Special Handling for Certain Materials Contained in Personnel Files

- A. No anonymous letters or materials shall be placed in the file.
- B. Materials which are derogatory to an employee may be placed in a personnel file only if they pertain to work performance, or other matters that may be cause for discipline, suspension or dismissal.
  - 1. Such material must be reduced to writing within 45 days and signed by a person competent to know the facts or make the judgment. Additional material may be added to clarify or simplify as needed.
  - 2. A copy of all such materials to be placed in the personnel file shall be provided to the employee either:
    - a. by certified mail; return receipt requested to his/her address of record; or
    - b. by personal delivery to the employee. Employee's signature on a copy of the material signifies receipt only.
    - c. statement by a witness certifying personal delivery to the employee.
  - 3. The employee has the right to answer in writing any such material in the personnel file.
  - 4. Upon a written request by an employee, the superintendent or designee will make an informal inquiry regarding materials in the personnel file which the employee believes to be false. The official making the inquiry shall attach a written report of findings to the material in the file and send a copy to the employee.

IV. General Information

- A. Any employee may conveniently reproduce any material in the file at the cost specified by law.
- B. The custodian of the personnel files will maintain a record in each file of persons reviewing the limited file each time it is reviewed except those having access to the complete file as on a needed basis.
- C. Forms and materials necessary for normal business transactions will be a part of the personnel file.
- D. A preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future.

E. A preliminary investigation of a complaint must terminate in any of the following ways:

1. With a finding that there is no probable cause to proceed further. A statement to that effect signed by a responsible investigating official shall be attached to the complaint.
2. With a finding that there is probable cause to proceed further or with disciplinary action taken or charges filed.
3. With the investigation ceasing to be active. An investigation shall be presumed to be inactive if no finding relating to probable cause is made within 60 days after the complaint is made.

F. All requests for information must be in writing, subject to approval by the Deputy Superintendent for ~~Instruction, Executive~~ Director of Finance, ~~Director of Administrative Services~~.

PRODUCTION PROCEDURES AND FEES

Every person who has custody of personnel files shall permit the files to be inspected and duplicated by any person desiring to do so, at reasonable times, under reasonable conditions, and under supervision by the custodian of the records or designee.

The records custodian or designee shall review the employee's file for compliance with exemptions under Chapter 231 before opening the file for inspection or duplication.

Reproduction of records is to be done on School Board premises at a cost no greater than five cents (5¢) per page. An individual access record must be added to the employee's file showing the file was inspected and by whom.

When other than an individual employee and when the nature or volume of records is such as to require extensive clerical or supervisory assistance by personnel of the School Board, we may charge, in addition to the actual cost of duplication, a reasonable charge, which shall be based on the actual salary rate of such personnel providing the service. Such cost is fixed at twenty cents (20¢) per page.

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

INSTRUCTIONAL

- Applications
- Appointments (form only)
- Authorization to Review File
- Certificates and all related forms
- Contracts and all related forms
- Code of Ethics form
- Deficiency forms (certification)
- Social Security Card
- Employee Process Letter/Substitute form
- Evaluation/Observation Conference Reports
- Wage Verifications from Mortgage Companies
- Inservice Printouts/related materials
- Leaves of Absences/Change forms
- Letter of Commendation
- Notification to Begin Work letters
- Resumes
- Reclassification/Transfers
- Resignation
- Transcripts and University Placement Data

NON-INSTRUCTIONAL

- Applications
- Appointments
- Authorization to Review File
- Layoff and Recall letters
- Evaluation forms
- Employee Process Letter/Substitute form
- Inservice Printouts/related materials
- Leaves of Absences/Change forms
- Letter of Commendation
- Notification to Begin Work letters
- Resumes
- Reclassification/Transfers
- Resignations
- Reappointment Letters
- Social Security Cards
- Salary Letters
- Work Permits
- Transcripts

Reference forms obtained for the purpose of initial employment are not maintained in the personnel file. (Forms # 120-185).

Legal Citation 231.291  
Chapter 119



PUBLIC RECORDS

Chapter 119

Inspection and Examination of Records; Exemptions - 119.07

1. (a) Every person who has custody of public records shall permit the records to be inspected and examined by any person desiring to do so, at reasonable times, under reasonable conditions, and under supervision by the custodian of the records or his designee. The custodian shall furnish copies of certified copies of the records upon payment of fees as prescribed by law or if fees are not prescribed by law, upon payment of the actual cost of duplication of the copies. Unless otherwise provided by law, the fees to be charged for duplication of public records shall be collected, deposited and accounted for in the manner prescribed for other operating funds of the agency.
- (b) In the case of records produced under this act when the nature or volume of records is such as to require extensive clerical or supervisory assistance by personnel of the agency involved, the agency may charge, in addition to the actual cost of duplication, a reasonable charge, which shall be based on the actual salary rate or such personnel providing the service.
2. (a) Any person who has custody of public records and who asserts that an exemption provided in subsection (3) or in general or special law applies to a particular record shall delete or excise from the record only that portion of the record for which an exemption is asserted and shall produce for inspection and examination the remainder of such record.
- (b) In any action in which an exemption is asserted pursuant to paragraph (e), paragraph (f), or paragraph (g) of subsection (3), the record or records shall be submitted in camera to the court for a de novo inspection. In the case of an exemption asserted pursuant to paragraph (d) of subsection (3), an in-camera inspection shall be discretionary with the court. If the court finds no basis for the assertion of the exemption, it shall order the records to be disclosed.
3. (a) All public records which are presently provided by law to be confidential or which are prohibited from being inspected by the public, whether by general or special law, shall be exempt from the provisions of subsection (1).

COMPLAINTS AGAINST TEACHERS AND ADMINISTRATORS PROCEDURE - 231.262

4. The complaint and all information obtained pursuant to the investigation by the department shall be confidential until the conclusion of the preliminary investigation of the complaint, or until such time as the preliminary investigation ceases to be active. If the preliminary investigation is concluded with the finding that there is no probable cause to proceed, the complaint and information shall be open thereafter to inspection pursuant to Chapter 119. If the preliminary investigation is concluded with the finding that there is probable cause to proceed and a complaint is filed pursuant to subsection (5), the complaint and information shall be open thereafter to inspection pursuant to Chapter 119. If the preliminary investigation ceases to be active, the complaint and all such materials shall be open thereafter to inspection pursuant to Chapter 119. For the purpose of this subsection, a preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future.

(4) Upon request of any employee, such employee's personnel file shall be brought into conformity with s. 231.291 (2), Florida Statutes, as created by this act. All personnel files shall be brought into conformity with s. 231.291 (2), Florida Statutes, no later than one year after the effective date of this act.

(5) Each section which is added to Chapter 231, Florida Statutes, by this act is repealed on October 1, 1992, and shall be reviewed by the Legislature pursuant to s. 11.61, Florida Statutes.

(6) This act shall take effect July 1, 1983.

PERSONNEL FILES

Chapter 231

Personnel Files - 231.291

Public school system employee personnel files shall be maintained according to the following provisions:

1. (a) Except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension or dismissal under laws of this state, no derogatory materials relating to an employee's conduct, service, character or personality shall be placed in the personnel file of such employee.
- (b) No anonymous letter or anonymous materials shall be placed in the personnel file.
2. (a) Materials relating to work performance, discipline, suspension or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.
- (b)
  1. No such materials may be placed in a personnel file unless they have been reduced to writing within 45 days, exclusive of the summer vacation period, of the school system administration becoming aware of the facts reflected in the materials.
  2. Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify as needed.
- (c) A copy of such material to be added to an employee's personnel file shall be provided to the employee either:
  1. By certified mail, return receipt requested to his address of record, or
  2. By personal delivery to the employee. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

- (d) The employee shall have the right to answer in writing any such materials in a personnel file on the effective date of this act, as well as any such materials filed thereafter, and the answer shall be attached to the file copy. The employee shall have the right to request that the superintendent or his designee make an informal inquiry regarding material in his personnel file which the employee believes to be false. The official making the inquiry shall append a written report of his findings to the material.
- (e) Upon request the employee, or any person designated in writing by the employee, shall be permitted to examine the personnel file. The employee shall be permitted conveniently to reproduce any materials in the file at a cost no greater than ~~five cents (5¢)~~ per page. *10¢ per L.R.*
- (f) The custodian of the record shall maintain a record in the file of those persons reviewing the file each time it is reviewed.
3. (a) Public school system employee personnel files are subject to the provisions of Chapter 119, except as follows:
1. Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential until the conclusion of the preliminary investigation, or until such time as the preliminary investigation ceases to be active. If the preliminary investigation is concluded with the finding that there are no probable cause to proceed further and with no disciplinary action taken or charges filed, a statement to that effect signed by the responsible investigating official shall be attached to the complaint and the complaint and all such materials shall be open thereafter to inspection pursuant to Chapter 119. If the preliminary investigation is concluded with the finding that there is probable cause to proceed further or with disciplinary action taken or charges filed, the complaint and all such materials shall be open thereafter to inspection pursuant to Chapter 119. If the preliminary investigation ceases to be active, the complaint and all such materials shall be open thereafter to inspection pursuant to Chapter 119. For the purpose of this subsection, a preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding relating to probable cause is made within 60 days after the complaint is made.

2. Employee evaluations prepared pursuant to s. 231.17(3), s. 231.29, s. 231.36, or rules adopted by the State Board of Education or a local school board under the authority of said sections, shall be confidential until the end of the school year immediately following the school year during which each evaluation is made. No evaluations prepared prior to the effective date of this act shall be made public pursuant to this section.
  3. No material derogatory to the employee shall be open to inspection until 10 days after the employee has been notified pursuant to paragraph (2)(c).
  4. The payroll deduction records of the employee shall be confidential.
  5. Employee medical records, including psychiatric and psychological records, shall be confidential; provided however, at any hearing relative to an employee's competency or performance, the hearing officer or panel shall have access to such records.
    - (b) Notwithstanding other provisions of this subsection, all aspects of each employee's personnel file shall be open to inspection at all times by school board members, the superintendent and the principal, or their respective designees, in the exercise of their respective duties.
    - (c) Notwithstanding other provisions of this subsection, all aspects of each employee's personnel file shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.
4. The term "personnel file" as used in this section shall mean all records, information, data or materials maintained by a public school system, in any form or retrieval system whatsoever, with respect to any of its employees, which is uniquely applicable to that employee, whether maintained in one or more locations.
- (3) Subsection (4) of section 231.262, Florida Statutes, 1982 Supplement, is amended to read:
- "231.262 Complaints against teachers and administrators; procedure."