

THE SCHOOL BOARD

**R U L E S**

OF

OSCEOLA COUNTY



REVISED JULY 7, 1981

***The School Board of Osceola County, Florida***

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1.0

THE DISTRICT SCHOOL SYSTEM

1.1 DISTRICT UNIT

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

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

1.2 CONTROL - ORGANIZATION - ADMINISTRATION

1.2.1 School Board

A. Responsibility - Qualifications

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

B. Organization

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

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

C. Duties of the Chairman

The chairman shall be the presiding officer of the Board, and shall preserve order at the meetings. His<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 other papers pertaining to the business of the Board, when directed by the Board. The Vice-Chairman shall act for the Chairman in his absence or disability.

D. General Powers and Duties of the Board

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

- (1) Establish the school calendar required by Section 230.23, subsection (4) (f), Florida Statutes, not later than March 1 each year.
- (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.
- (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

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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.

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 item 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.

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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.

(1.2.1-G)

- (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,

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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 hearing, 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

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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.

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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.



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. 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 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 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 for which the item can be placed on the agenda.
- (3) Act on maternity, professional, illness-in-line-of-

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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.

Auth: 230.22, 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, F.S.

1.3 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.

Auth: 230.22, F.S.

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

1.4 TEACHER EDUCATION CENTER COUNCIL

1.4.1 Membership

There is hereby created a Council of the Osceola Teacher Education Center which shall consist of fourteen (14) members recommended by the Superintendent to the Board for appointment as follows:

- (a) One (1) teacher from each school
- (b) One (1) non-instructional member
- (c) One (1) district staff member
- (d) One (1) representative of the University of Central Florida
- (e) One (1) lay member

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 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 Center Council shall recommend to the Superintendent 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.

1.4.7 Center Staffing and Program

In developing Center staffing and program:

A. The Master In-Service Plan Committee shall submit to the Council a prioritized list of in-service needs with suggested methods of implementation.

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.

1.4.8 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.

#### 1.4.9 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.

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

#### PLANNING AND BUDGETING

The School Board, on a continuing basis, shall maintain a system of planning and budgeting designed to aid in identifying and meeting with educational needs of students and citizenry of the District. The Board shall utilize its system of planning and budgeting which emphasizes the individual school centers as the principle planning units.

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.

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 (Old 1.7)

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 marital 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 for 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

(1.14.2)

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.

G. 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.

<sup>1</sup>Forms of the word "he" are used in this document based on the second definition in Webster's New Collegiate Dictionary, Copyright 1976.

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2.0 DISTRICT FINANCIAL ADMINISTRATION

2.1 GOALS

The Board shall:

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

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

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

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

Auth: 230.22, F.S.

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

2.2 BUSINESS OPERATIONS

2.2.1 District Financial Records

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 District 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

(2.2.2-F)

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 case purchases will be based on purchase orders. The Superintendent is authorized to approve purchase order to a limit of \$2,000, 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 \$500.

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 on individual items exceeding five hundred (\$500), except for items specifically exempted by State Board Regulations. Sealed bids shall be requested for all authorized purchases which exceed two thousand (\$2000) 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.

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.

(3) Proposals

(2.2.2-F)

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 10.400 of the Rules of the Auditor General. The Superintendent is authorized to publish a Property Records 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) Public Education Capital Outlay and Debt Service Trust Fund

In the event the School Board deems it necessary or desirable to apply to the Office of Educational Facilities for approval to participate in advance funding from the Public Education Capital Outlay and Debt Service Trust Fund, the Board's application shall contain the following information with respect to the facilities for which advance funding is requested:

(a) Proof that the facility or project has been authorized by law.

(b) Certification that the facility or project is intended to be financed from the sale of bonds pursuant to either s.9(a)(a) or s.9(d), Article XII of the State Constitution or currently authorized appropriations.

(c) Certification that sufficient funds have been allocated to finance the proposed facility or project or that sufficient funds shall be combined from various sources, including federal revenue sharing funds, to finance the proposed facility or project.

(d) Certification that there are no other funds currently available to pay for planning or actual construction costs.

(e) A schedule of the cash disbursements necessary and a schedule of the repayment of advances and any interest, where applicable, to the trust fund.

(3) 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.

(4) Special Facilities Construction

In the event special facility construction becomes urgently required and sufficient funds are not located within the current budget, nor sufficient resources anticipated within the next five years, the School Board may recommend such facility or facilities in an up-to-date School Plant Survey and present evidence that the requested facilities are for one local project that is highest in priority for the District.

Upon presentation of this and other evidence required in subsection (2) of Section 235.221, Florida Statutes, the Board shall then adopt an official resolution requesting advance funding from the special facility construction amount in an amount which, when added to the District's current cash resources, will provide sufficient funds with which to construct these needed and highest priority facilities; and shall officially waive any future annual allocations from the Educational Facilities Construction Working Capital Trust Fund until such time that the advancement is repaid or for the next seven (7) fiscal years, whichever is the earlier.

Such resolution and evidence shall be submitted to the Office of Educational Facilities Construction prior to August 1 in any year.

(5) 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

(2.2.2-G)

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.

H. District Petty Cash Fund

The Superintendent is authorized to maintain a petty cash fund not to exceed one hundred (\$100) 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. 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.

J. 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.

K. 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

(2.2.2-K)

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.

School 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 the operation of that school.

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. No District funds may be used at schools for petty cash purposes.

(2) Local Policies

(2.2.2-K)

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 account funds, when not currently needed, and funds earmarked by the raiser or donee of such funds which are not currently needed, may be invested in a legal savings account insured by a federal agency.

Each principal is responsible for the collection, accounting, and expenditure of all internal account funds raised by means other than taxation.

(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.

L. 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: 230.22, F.S.  
Imple: 237.01, 237.02, 237.041, 237.071, 237.081, F.S.; SBE Regulations 6A-1.02, 6A-1.03, 6A-1.06, and 6A-1.08; 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 6A-1.30, A12S9(a) and (d), 229.053 and 229.512, F.S.; 236.612, F.S., and SBE Regulations 6A-1.301 and 6A-1.34; SBE Regulation 6A-1.57; SBE Regulation 6A-1.692, and 237.191, F.S.; 237.34, F.S., and SBE Regulation 6A-1.87 and 6A-1.85; 233.46(1), 215.19 and Chapters 230, 235, 274, and 440, F.S.

## 2.3 BUDGETING CONCEPTS AND PROCEDURES

### 2.3.1 Concept

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

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

A Budget Review Board 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 Board 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 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.

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 shall pay so much of this premium as may from time-to-time be paid for the benefits of 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 non-instructional payroll changes requested by personnel must be made in writing to the Finance Department ten (10) days prior to the payroll date. Any changes received after that date will be corrected 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 in accordance with 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 any employee shall be cause for suspension or dismissal.

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

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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 Supervisor 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 identify 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 safety-inspected, 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, as follows:

- A. \$50,000 per person.
- B. \$5,000 times rated capacity of vehicle, or \$100,000, whichever is greater, per occurrence; and
- C. \$5,000 property damage.

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.

(3.1.4)

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. Bring the bus to a stop at least fifteen (15) feet from the nearest rail or 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



(3.1.4)

shall be closed before proceeding across the tracks of a railroad.

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.

(3.1.4)

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 aid 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.

3.2 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

The School Board may establish, upon the recommendation of the Superintendent, an Instructional Materials Selection Committee 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 Committee shall consist of, but need not be limited to:

- (a) Two (2) lay persons
- (b) Three (3) teachers
- (c) One (1) additional person as appointed by the School Board.

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.

Auth: 230.22, F.S.  
Imple: 233.34(3), 233.43, 233.08-233.11, and 233.115, F.S.

### 3.2.5 Basic Texts

There shall be a basic text or approved materials established for each course offered in the regular school program. Special materials shall be used for groups studying below or above grade level.

### 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 Osceola County Board of Education is legally responsible for all matters relating to the operation of Osceola County Schools.

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

(3.2.6-III)

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 children and youth. 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 titilating materials is 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

(3.2.6-IV)

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?



(3.2.6-IV)

- 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? It is 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

(3.2.6-IV)

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?

(3.2.6-IV)

- 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:

1. Immediately agreeing with the complainant and informing the principal.
2. Immediately disagreeing with the complainant and informing the principal.
3. 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	_____	CASSETTS	_____	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 FROM TO THE SCHOOL PRINCIPAL

O P T I O N A L

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 MATERIAL - 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?  
 Yes  No
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 selction aides.  
\_\_\_\_\_  
\_\_\_\_\_

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 colleges or other institutions of education, public or private, or to any of the branches of the Armed Forces of the United States.

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

### 3.5 PUPIL CONTROL

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

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

### 3.6 DISMISSAL OF SCHOOL

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

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 on the school grounds, in compliance with regulations for the same, except in inclement weather.

The flag shall also be displayed indoors at all times when the auditorium is open, in accordance with Chapter 76-99, Laws of Florida.

Auth: 230.22, F.S.

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

#### 3.9.1 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.

#### 3.10 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.

#### 3.11 USE OF SCHOOL BUILDINGS AND GROUNDS

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

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

B. 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.

C. All organizations, groups or individuals desiring to use school buildings and grounds must schedule their use in advance with the school principal.

D. All such use shall be under the supervision of the principal. Specific fees for use of school facilities shall be based on a schedule to be adopted by the School Board, and shall be payable to the Board. Payment must be made in advance. Fees may be reduced or waived by direction of the Superintendent.

E. 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.

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

G. Tobacco products are forbidden in gymnasium, auditoriums, and other areas designated by the school principal.

H. 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.

Auth: 230.22, F.S.

Imple: 235.02, F.S.

### 3.12 TRANSPORTING STUDENTS FROM OTHER COUNTIES

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

Auth: 230.22, F.S.

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



### 3.13 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.

### 3.14 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 here in in 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 County Public School System.

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

(3.14-B)

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 provided by the School Board with the person who caused the grievance, with a copy to any representative of his choice. The person who caused the grievance shall within five (5) days file his reply in writing to the grievant, with a copy to any representative designated by the aggrieved. If satisfactory results are not obtained, then

Level 3 - The grievant may file the written "Statement of Grievance" 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 "Statement of Grievance" shall be written on the form provided by the School Board. 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 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 within five (5) days refer the grievance in writing 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.

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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 sixteen (16) may be employed, except as provided in Board rule 6.12.9 and State Board Regulation 6A-1.97.

All employees shall have a tuberculosis 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.

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 employees 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.

Food Service workers, transportation and maintenance personnel shall meet the qualifications required by law and shall perform those duties described in the School Food Service Handbook, these rules and the Personnel Handbook.

Auth: 230.22, F.S.

Imple: 230.23(5), 231.02 and 876.05, F.S., and

SBE Regulation 6A-1.97

4.1.2. EMPLOYMENT PROCEDURE

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.

#### 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.

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 no later than thirty (30) calendar days after initial employment. No past work experience verification will be counted retroactively for salary

purposes. The received date will be the effective date for any verified experience.

Amounts paid to employees incorrectly shall be recovered either by deductions from subsequent salary payments or by direct reimbursement at the option of the employee; provided that, if the amount to be recovered and the number of remaining pay periods in the school year require deductions in excess of fifty per cent (50%) of the employee's net salary to be paid, recovery shall be by direct reimbursement and shall be due and payable within thirty (30) days of notice to the employee of the incorrect payment.

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 and this employment shall not be in excess of thirty (30) continuous days in any one school year. They shall be informed at the time of employment that such employment is of a temporary nature, rather than permanent. They are not entitled to the fringe benefits provided by the School Board.

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 and subject to the provisions of State Board Regulation 6A-1.77.

Each principal 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 and that the principal assumes responsibility for such absences.

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 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 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, the employment relationships shall be terminated. All extended leaves shall be without pay.

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 Section 115.07, Florida Statutes.

Auth: 230.22, F.S.  
Imple: 115.07, F.S. and SBE Regulation 6A-1.83

4.2.4 MATERNITY LEAVE

All persons employed by the Board may be granted maternity leave not to exceed one (1) year. Such leave



shall give the employee a preferred right to return without prejudice as an employee of the School Board.

When an employee knows that she is pregnant, she should immediately notify her immediate supervisor and the Superintendent. Normally the employee is expected to take leave at least one (1) month prior to the expected time of delivery, but extenuating circumstances may prevail where recommended by the supervisor and agreed upon by both the Superintendent and the individual concerned.

When such 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 4.2.6, 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 reemployed as a permanent employee upon recommendation of the principal and approval of the Superintendent, 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.

Personnel on maternity leave may retain their insurance up to one year by paying the full amount of the premium themselves. Premium payments must be received in the School Board office prior to the premium due date.

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

#### 4.2.5 ASSIGNMENT OF EMPLOYEES FOR TEMPORARY DUTY

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-1.84 and 231.42, F.S.

#### 4.2.6 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 1, 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.

Effective as of July 1, 1978, sick leave for non-instructional personnel shall amount to one (1) day for each full month of employment to be credited at the end of the month and may be earned at the rate of one day per month. 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.

B. Effective January 1, 1981, non-instructional personnel at the time of retirement, or his/her beneficiary if service is terminated by death, shall be entitled to 50% of accumulated sick leave. The amount shall be based upon the daily rate of pay for the employee.

#### 4.2.7 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, provided that at the time of the illness or occurrence of the accident, the employee shall have been employed for not less than ten (10) months. However, in the case of injury occurring under such circumstances as in the opinion of the School Board warrants its, 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.

#### 4.2.8 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 annual vacation leave days shall be earned at the rate of one (1) day for every calendar month of employment. A full-time employee whose normal working day is less than eight hours shall earn and use vacation days in proportion to hours worked. No non-instructional employee shall earn more than one eight hour vacation day per month. A minimum of fifty per cent (50%) of earned vacation time must be used per 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.

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

#### 4.2.9 PERSONAL LEAVE

A. Any member of the non-instructional staff employed by the Board may be absent no more than three (3) 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 or day after the holiday. Vacation and sick leave will not be earned for months on personal leave. Anyone on personal leave without pay for more than ten (10) days shall be placed on extended leave, if eligible, and their position advertised. A suitable vacancy must exist for an employee who wishes to return to work during the school year in which the personal leave is granted. Non-instructional employees who are not eligible for extended leave will after ten (10) days of personal leave without pay be terminated, however, the Superintendent may extend this leave in extenuating circumstances. Persons on authorized School Board leave shall be eligible to continue on School Board benefits. The employee shall be personally responsible for full payment of the premiums or costs.

#### 4.2.10 JURY DUTY

An employee of the Board may be absent from assigned duties and shall receive his regular salary less court payments. A leave form must be submitted along with a copy of the subpoena to the Finance Department prior to the first day of duty. After completion of the jury duty, the Finance Department must be notified of exact days served along with payment received from court. Travel payments may be kept by the employee. The leave form will be processed at this time. In the event the employee is excused from jury duty or court witness, the employee shall return to his place of assignment as expeditiously as possible and the finance leave form returned to the employee cancelled. If notice of jury assignment is received, the supervisor shall be notified immediately. If the employee desires to be excused, he or she may request such from the presiding judge, and the Superintendent may endorse the request. Each year in June payroll checks will be held back on all personnel with outstanding jury duty compensations due to the School Board, until which time the School Board has been

paid. If serving on jury duty does not coincide with the normal working hours for an employee and the employee reports to work and works a full day, no leave form is required and the School Board is not due any reimbursement.

#### 4.3 SEPARATION OF NON-INSTRUCTIONAL PERSONNEL

##### 4.3.1 Resignation

Termination of employment of non-instructional personnel shall require at least two (2) weeks notice in advance of the date of termination. 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. Compensation for services rendered shall be made at the next scheduled payroll following the exit interview date.

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 it 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, may 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. Court Witness

An employee of the Board shall receive his regular salary less court fees while serving as a witness in any court case under the following conditions:

- (1) That the person has been subpoenaed by the court as a witness and not a principal in the case.
- (2) 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 court fee is greater than the total daily wage, a non-instructional employee may elect to take personal leave without pay in lieu of Court Witness leave and the notice of such leave shall serve as prior notice.

##### C. 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.

D. 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.

E. 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.

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.

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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 twenty (20) 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,

( 5.1.1-B)

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.

Three (3) 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 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) Commons Examination

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 teachers 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. 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.

C. 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 in an appropriate instructional capacity, the services of such expert persons in the community. 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 the assignment, suspension and dismissal of non-certificated instructional personnel shall be the same as those for certificated personnel. Such

( 5.1.2-C)

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

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 10.2.

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.

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.

A minimum of two (2) weeks written notice must be given to the Superintendent.

##### 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 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 State, 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 Teachers

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

All 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 Superintendent may direct any teacher whose wearing apparel, in the Superintendent'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 Jury Duty

An employee of the Board may be absent from assigned duties and shall receive his regular salary less court payments. A leave form must be submitted along with a copy of the subpoena to the Finance Department prior to the first day of duty. After completion of the jury duty, the Finance Department must be notified of exact days served along with payment received from court. Travel payments may be kept by the employee. The leave form will be processed at this time. In the event the employee is excused from jury duty or court witness, the employee shall return to his place of assignment as expeditiously as possible and the finance leave form returned to the employee cancelled. If notice of jury assignment is received, the supervisor shall be notified immediately. If the employee desires to be excused, he or she may request such from the presiding judge, and the Superintendent may endorse the request. Each year in June payroll checks will be held back on all personnel with outstanding jury duty compensations due to the School Board, until which time the School Board has been paid. If serving on jury duty does not coincide with the

normal working hours for an employee and the employee reports to work and works a full day, no leave form is required and the School Board is not due any reimbursement.

Auth: 230.22, F.S.

Imple: 231.39, F.S.

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 any 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 to live in Osceola County. Living out of the county does not exempt the members in any way from his prescribed duties.

Auth: 230.22, F.S.

Imple: 231.09, F.S.

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 condition shall a teacher visit another school unless the visit has been prearranged and provided, further, that the teacher, upon arrival to the host school, reports first to the office of the principal. Application should be made according to provisions of the Master In-service Plan, a copy of which shall be available in each school library.

Auth: 230.22, F.S.

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

5.2.10 Children of Employees

Employees shall make arrangements for their children away from the employee's place of employment at times other than the student school day.

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

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 rule, 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.

##### 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 Staff Development and 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 professional of teaching.

Auth: 230.22, F.S.  
Imple: 231.39(1), F.S.

5.3.10 Sick Leave

Any member of the instructional staff, who is unable to perform his duty 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.

Auth: 230.22, F.S.  
Imple: 231.39 and 231.40(1), 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.

5.3.13 Adoptive Leave

A teacher adopting a child six (6) years of age or less shall be entitled to adoptive leave without pay not to exceed one (1) year.

5.3.14 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.

5.4 BENEFITS AND DUTIES

5.4.1 Retirement

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.

Auth: 230.22, F.S.

Imple: 238.05(1)(b), 121.051, and 238.11, 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, policymaking, 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. 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.

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

#### 5.4.7

as provided by law and State Board of Education regulations shall be placed on an annual contract status.

##### E. Continuing 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) as prescribed by Section 231.36 subsections 3(a) and 7(a), Florida Statutes.

##### 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.

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## 6.0 STUDENT SERVICES

### 6.1 Student Services

Student Services is an organized, cooperative team effort of professional and instructional personnel, designed for the purpose of meeting student needs. It shall be the responsibility of the Student Services Team to help students achieve their goals, cope with their concerns, and develop positive and healthy self-concepts.

The Student Services Team shall share the responsibility with the home and community in giving professional aid to students in all areas of development, particularly in providing them with the opportunity to acquire the minimum skills necessary to function effectively and meet the challenges of today's society. The following services shall be among those provided.

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 numerous proven truancies, referrals shall be made to the Division of Family Services 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.

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 Executive Director of Exceptional Student Education.

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.

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

All children who have attained the age of seven (7) years or who will be seven (7) years of age by February 1st of any school year, or who are older than seven (7) 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. Early Completion

A child who attains the age of sixteen (16) years during the school year shall not be required to attend school beyond his sixteen (16) birthday.

Upon request, any student who is enrolled in the regular day school program and who is above the age of sixteen, may, with parental consent, take the General Education Development Test. Each candidate who successfully passes the examination shall be awarded a State of Florida High School Diploma by the Department of Education.

C. 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.

D. 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.

E. Place of Enrollment

Parents shall enroll their child in the appropriate grade level within the attendance area as established by the Board. Parents who wish to enroll their child in a school outside of their attendance area may request such assignment in writing to Superintendent's designee, giving reasons for the request. This permission shall be granted on an annual basis. The principal may recommend to the Superintendent immediate termination of this special permission if conduct or attendance falls below acceptable standards.

F. 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.

G. Out-of-County Admissions

Out-of-county students enrolled in Osceola County Schools on September 7, 1971, shall be permitted to continue their education in Osceola County without paying tuition. Students who do not live in Osceola County shall be admitted only by Board action by which written agreements are made annually 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.

Beginning July 1, 1981, all out-of-county students shall be assessed a tuition fee. The fee shall be a minimum of Fifth Dollars (\$50.00) per year but not less than that fee charged by the county of their residence.

Students whose legal residence is outside the United States but whose government has a travel agreement with the United States may be enrolled in Osceola County schools for less than six months of a school year. Tuition will be assessed at \$50.00 per month payable upon enrollment. Tuition shall not be refunded.

H. Awarding Credit

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.

Students who enroll in school or class late, but prior to the end of the first school month (20 days), may be allowed to make up the class work in order to receive full semester credit. If a student enrolls after the end of the first school month, he shall present evidence of grades earned in another school during the time of attendance in the first school month.

Students who transfer from another district to an Osceola County school shall enroll within twenty (20) days from the date of withdrawal and comply with provisions of the above paragraph in order to earn full credit for the semester's work. However, in cases of illness or other

( 6.2.1 )

instances of extreme circumstances rendering the student's attendance impossible, the school may make exception to the 20-day enrollment limitation with the approval of the principal.

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 and does not qualify for a report card under this provision, he shall be issued a statement of Academic Achievement.

I. 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".

J. 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.

K. 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.

( 6.2.1)

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.

L. 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

M. 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.

N. 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

( 6.2.1 )

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.

0. Attendance for Credit

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.

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. Children may be admitted before their fifth birthday if they demonstrate a readiness to enter kindergarten in accordance with requirements adopted by the School Board of Osceola County.

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.

However, beginning July 1, 1982, 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.

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 nine-month period immediately preceeding 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 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

( 6.2.2-C )

- (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. Community Education

The Osceola County Community Education Division includes the following programs:

- (1) Adult Basic Education - Levels 1-8
- (2) GED Preparation/Testing - Preparation in the five areas of testing: Math, English, Literature, Social Studies and Science. State National Fee Schedule. Minimum age 18.
- (3) High School Completion Program - Levels 9-12. Graduation requirements are 16 credits which must include:

- 3 English
- 2 Math
- 1 History (including AVC)
- ½ Geography
- ½ Government or Civics
- 1 Science
- 1 Consumer Education

Credits earned for 9-12 in high school will be accepted, excluding Physical Education.

Upon successful completion of course requirements, credits will be awarded students who have attended at least 80% of the regularly scheduled classes. Credit by examination will be under the same criteria as set forth in 6.6.A.

The State Assessment Test must be passed in order to receive an Adult High School Diploma.

- (4) Alternative Program - This is a prerequisite to regular Adult Education if the student is under 18.

( 6.2.2-D )

To be eligible for this program, a student must have successfully completed the eighth grade and must be at least 16 years old.

Students will participate in 180 hours of classroom training (3 trimesters) equal to two elective credits.

Each 288 hours, up to a maximum of 576, of on-the-job training successfully completed shall merit 1 credit.

Parent approval is required for admission.

Acceptance will be determined by individual case according to need by the administration of Student Service and Adult Education.

A fee will be charged per trimester to cover books and hand-outs.

5. Community Instruction Service (CIS)

A program mainly for senior citizens to enhance community living based on needs, but also capable of serving other bonafide areas of concern and need shall be conducted.

6. Fee based

These courses are requested by the community for personal development or enjoyment and require a fee based on instructional cost.

7. 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.

8. Other Educational Activities-Kindergarten through Adult.

Other educational activities will be offered at times most appropriate to meet the needs of the community.

The Community Education Programs operated three (3) trimesters per year. Each Trimester is ten (10) weeks in length. Summer programs are based on need. The course completion program is part time, with a maximum of twelve (12) hours per instructional week.

All participants must be residents of the State of Florida.

Once enrolled in community education classes, a student may not re-enroll in the regular day school program.

E. Students Who Are Not Residing with Their Natural Parents or Legal Guardians

Any student wishing to enroll in school who is not residing with his or her natural parent or legal guardian shall have the responsible adult sign an Affidavit of Responsibility form available through Student Services at the District Office.

The responsible adult shall present proof that he has a legitimate reason and legal right to accept responsibility.

F. Students 18 Years or Older Requesting Enrollment in Osceola County Schools

A student who is 18 years or older and who desires to enroll in the regular school program shall 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.

G. Student Custody

Any person or agency who has been given exclusive care, custody, or control over any student by order of any court having jurisdiction to enter such order, may provide a certified or otherwise authenticated copy of such order, 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.

H. Exceptional Student Program

( 6.2.2 )

Enrollment of students in Exceptional Student Program shall be prescribed by the Board in accordance with State Board Regulations 6A-6.331 and 6A-6.341.

No student shall be given special instruction or services until the student is identified as an exceptional student as defined in the District Procedures for Special Programs for Exceptional Students and written notice is given to the parent or guardian of the proposed assignment or placement including:

1. Reasons for which action is proposed or on which the decision is based, and
2. Procedures to be followed by the parent or guardian in requesting a review conference. A review of the individual case shall be held if requested, at which time the parent or guardian may present any factual information related to the assignment, placement, or denial of assignment or placement, and may question school personnel regarding the reasons for their action or proposed action.

A decision in writing shall be provided to the parent or guardian within a reasonable period of time following the review conference.

Auth: 230.22, F.S.

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 REQUIREMENTS FOR GRADUATION

6.4.1. MINIMUM REQUIREMENTS

A. (1) A minimum of twenty-one (21) credits shall be earned in grades 9-12 effective with the class of 1982.

(2) A minimum of twenty-two (22) credits shall be earned in grades 9-12 effective with the class of 1983.

The number of credits required for graduation is not regulated by the high school entrance year but rather upon the year a student graduates.

B. Every student shall earn, in grades 9-12, the minimum indicated credits in the following subject areas:

Language Arts	3 credits
Effective with the class of 1983	4 credits

Mathematics	2 credits
Effective with the class of 1983	3 credits

Science	2 credits
No Science related accepted	

Social Studies	2 credits
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Physical Education	2 credits
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One (1) credit in American History shall be required. The thirty (30) hour program in Americanism versus Communism may be taught as a course or as a unit in American History.

Every student shall have participated in a Free Enterprise and Consumer Education program as required by Florida Statutes 233.0641.

Kindergarten through adult students will receive instruction in the use of metric measurements and measurement language in accordance with the adopted state plan "A Plan for Metric Education 1979".

FS 229.841      SBR-6A-7.98.

All students will have the opportunity of selecting the appropriate math or language arts course that suits their particular need as coordinated with the student and guidance counselor. This would include remedial courses if needed.

Any student who obtains prior Board approval and files with his principal a signed statement from a licensed

practicing physician, certifying that participation in physical education will be physically harmful to him shall be permitted to substitute an equivalent credit in any other subject, earned in grades 9-12 toward graduation. This request must be filed with the Superintendent before the end of the first month of the senior year - or by January 1 of the senior year if only  $\frac{1}{2}$  credit is involved.

C. Transfer of credits earned at another public school or state or regionally accredited school shall be accepted at face value upon receipt of an official transcript by the proper school authority. Under no circumstances shall the basic requirements of paragraph B above, be waived for the purpose of reviewing credits for transfer. Definition of a credit shall be based on Osceola County Standards. Work or credit earned from a non-accredited school shall be accepted toward graduation upon validation. Validation of credit shall be made by the student's successful completion of an Osceola County teacher-made test of the subject to be validated, or by his successful completion of a standardized test in the subject.

D. No student shall be permitted to participate in graduation exercises until all graduation requirements have been met in full.

#### 6.4.2

#### EARLY ADMISSION FOR ADVANCED STUDIES

Students who meet the conditions 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 program shall meet the following conditions:

A. 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.

B. 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 seventeen (17) credits earned in 1981-82 and thereafter.

C. The student shall be awarded a diploma of graduation with his regular class or at a time convenient to the principal based on the following:

- (1) The student shall maintain at least a "C" average or the equivalent.

(6.4.2 )

(2) The student's cumulative folder shall show adequate notations covering the work accomplished while in post-secondary school.

(3) A study in Americanism vs. Communism shall have been taken as prescribed by Florida Statutes, 233.064.

D. Re-enrollment from College

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.

E. Dual Enrollment

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 C above.

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.

F. School Day for Seniors

The school day for any group of students is that portion of the day in which school is actually in session. High school seniors who lack three (3) or fewer credits in order to graduate shall be allowed to attend as a school day that portion of the day necessary to earn the needed credits. Seniors desirous of participating in this provision must adhere to the following guidelines:

1. Only seniors who, at the beginning of the school year, lack three (3) or less credits to graduate may petition to have a shortened day;
2. Seniors must declare their intent to engage in the shortened day to their Director of Guidance no later than ten (10) days after the beginning of the school year's first semester;
3. Seniors wishing to participate in the shortened day by taking the exact credits needed to graduate must meet, along with their parent (s) or guardian (s), with the Principal and Director of Guidance in order to explain why this request is necessary and to sign the necessary papers and release forms;
4. No requests will be honored that do not adhere to the stipulations and time frame so established.



6.4.3 STATE ASSESSMENT TEST REQUIREMENTS

Standards for graduation shall include, but not be limited to, mastery of the basic skills and satisfactory performance in application of basic skills as determined by the State Board of Education, and the completion of the minimum number of credits required by the School Board. Procedures shall be developed by the District for the remediation of those students who are unable to meet such standards. Based on these standards, the District shall provide for the awarding of certificates of attendance and by providing for differentiated diplomas to correspond with the varying achievement levels or competencies of its secondary students.

Justification: Creation of Section 232.245, subsection (3). (Chapter 76-223, page 15)

6.5 TYPES OF DIPLOMAS

Students in Osceola County Schools may earn the following types of diplomas:

1. Regular
2. Special
3. Certificate of Completion
4. Adult High School Diploma
5. G.E.D.

1. A Regular Diploma shall be issued to students who meet the conditions set forth in School Board Rule 6.4 and in the Osceola County Pupil Progression Plan. This must include the remediation of all standards not achieved on the SSAT Part I.

2. A Special Diploma shall be awarded to properly classified educable mentally retarded, trainable mentally retarded, deaf, specific learning disabled, physically handicapped whose ability to communicate orally or in writing is seriously impaired, or emotionally handicapped students who meet the graduation requirements outlined in Osceola County District Procedures for special programs for exceptional students.

3. 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.

4. 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 remediation of all standards in Part I and Part II thru the Adult Education Program.

5. Students who are sixteen (16) years of age and older and who are enrolled in the regular day program may apply with parent and school permission to take the GED Exam. Students who are eighteen (18) years old and older and who are out of school 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.

6.6

CREDITS APPLICABLE TOWARD GRADUATION

Students may earn credit toward graduation by:

A. Subject Level Examination Program

Students requesting credit by examination shall complete the application to take a secondary level subject area examination. The parent's or guardian's approval shall be required for those students under age 18 and enrolled in regular day school.

(1) A fee to offset the costs of the examination, scoring and administration of the test shall be set by the Superintendent.

(2) 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.

(3) Six 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 appropriate fee.

Imple: SBE Regulation 6A-6.211

B. Junior Achievement Credit

Students in grades 9-12 may obtain credit toward graduation by participating in Junior Achievement, subject to the following conditions:

(1) The student must successfully complete the planned program which entitles him to a Certificate of Achievement. A minimum of sixty (60) hours must be

invested in the program by the student, forty eight (48) of which must be spent in regular company meetings.

(2) The student shall receive a Pass/Fail evaluation by his instructor.

(3) At the close of the Junior Achievement term, the completed Achiever Record Card, indicating the hours of participation required in (1) above, shall be sent by the project director to the principal of each participant's school.

(4) One-half ( $\frac{1}{2}$ ) credit toward graduation shall be granted to the student who meets the conditions outlined above.

(5) The maximum credit which may be accrued toward graduation by any student shall be one-half ( $\frac{1}{2}$ ) credit.

Auth: 230.22, F.S.            Imple: 241.479, F.S.

C. Vocational Education Work Cooperative Program

Only students enrolled in Work Experience or DCT are required 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.

(1) Half credits may be earned at the completion of 144 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.

D. DCT II, Exceptional, and other Approved Programs

Any student may earn credits toward graduation by participation in a DCT II, Exceptional and other approved program by meeting the following conditions:

(6.6-D)

- (1) Approval by the Principal or his designee of the individual student plan and the occupational goal prior to entry into the program.
- (2) The student shall be sixteen (16) years of age or older.
- (3) The student shall have earned a minimum of fifteen (15) credits above grade 8, (16 credits beginning with class of 1983) and including all required courses.
- (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 288 hours of satisfactory work on the job, not to exceed three 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 certification 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 Florida Statutes. The student shall also pass the Statewide Assessment Test - Part II when applicable and shall also remediate all Part I skills tested that year.
  - (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 cannot substitute for employment in this program.

Auth: 230.22, F.S.  
Imple: SBE Regulations 6A-1.95 and 6A-6.70; 241.479  
233.064, and 233.068, F.S.

E. College Course Credits

Any passing grades received in courses from a college may be accepted toward requirements for graduation from Osceola County.

Three semester college hours shall be considered as equivalent to one high school credit.

6.7 Pupil Progression

Promotion Placement and Graduations

The professional staff of the school system has the responsibility to develop administrative procedures to insure the placement of each student in the subjects, in the grade level or in the special program best suited to meet the student's academic needs, with consideration given to the student's social, emotional and physical development.

Decisions regarding student promotion, retention and special placement are primarily the responsibilities of the individual school's professional staff; however, the final decision in regard to grade placement is the responsibility of the principal. County-wide standards, in accordance with which placement decisions must be made, have been developed by the Superintendent and his administrative staff in the form of Pupil Progression Plan for the Osceola County Schools. These standards, and the procedures for their implementation reflect clearly that promotion in the Osceola County Schools is based primarily on pupil achievement and is not an automatic process.

The purpose of the instructional program in the district's schools is to provide appropriate instruction and selected services to enable students to perform academically at their grade level or higher. However, in recognition of the wide range of student's abilities, motivation, interests and development, the Superintendent will establish minimum standards in the basic skills of reading, writing and mathematics, which all students must meet, as one condition for promotion within the school district. These standards should be such that they assure minimally that all students promoted within the school district can benefit from the next grade level of instruction and that those who earn a diploma from the senior high school have sufficient basic skills to function effectively in the community.

6.8 Records and Reporting

6.8.1. Grading and Reporting

There shall be a uniform District-wide plan for grading and reporting pupil progress in the elementary schools, middle schools and high schools of Osceola County.

Auth: 230.22, F.S.

Imple: 230.23(8)(a) and 232.23, F.S.

Grades will be awarded at the end of each nine (9) weeks.

<u>Grade</u>	<u>Range</u>	<u>Grade Points</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

Semester exams are optional. The final authority for this decision rests entirely with the principal.

#### FINAL GRADES

1. Final grades may be awarded on a semester basis or yearly basis. The final decision rests with the principal.
2. 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). Rounding of grades shall be left to the discretion of the instructor. When a semester exam is given, each of the nine weeks grade shall be 40% and the exam grade shall be 20%. The total shall be divided by five.
3. 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.

#### 6.8.2. Educational Records of Students

##### A. Confidentiality - Student Records

The Osceola County Public Schools shall maintain educational records on each student for the purpose of planning instructional programs, for guidance of students, for preparation of local, State and Federal reports, and for research. Student records are for the educational benefit of the student, and information recorded and maintained shall be in keeping with the best educational interest of the student.

\* - Advanced Academics - Pacer Points are awarded only at the end of a semester.

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.

#### 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.

( 6.8.2-A )

(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, telephone number, date and place of birth, participation in school sponsored activities and sports, weight and height of members of athletic teams, dates of attendance, graduation date and awards received.

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.



(6.8.2-A)

Vocational/Technical/Adult - Subjects 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 color coded 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 colored folder: Psychological summaries

(6.8.2-A)

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.

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

In cases where a parent does not have custody of the student, the records are open to inspection by that parent. The school shall presume that the adult student or either parent of the student has the right to inspect and review the education records of the student or the adult student unless the school has been provided with evidence that there is a legally binding instrument or court order governing such matters as divorce, separation or custody 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, 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.

Lists 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 the parent of the eligible student. This annual notice should also include the policy on Directory Information. The Departments of

( 6.8.2 )

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, and a statement of any outstanding 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 as follows:

- (1) When a student is seeking to enroll in another school or school system, that student's educational records may be transferred to such other school or school system without prior written consent.
- (2) When disclosure is to the parent of a minor student or to the student himself or herself.

(6.8.2-G)

- (3) When released to the authorized representative of (a) the Comptroller General of the U.S.; (b) the Secretary of Health, Education, and Welfare; (c) the U.S. Commissioner of Education; the Director of the National Institute of Education, or the Assistant Secretary for Education; or (d) State educational authorities.
- (4) When released in connection with an application by the student for financial aid provided it is necessary to determine the eligibility of the student for financial aid, that it is necessary to determine the amount of financial aid, and it is necessary to determine the conditions to be imposed regarding the financial aid and enforcement.
- (5) When disclosure is to an organization conducting a study which would benefit the school system provided it is conducted in a manner that would not allow the personal identification of the student or the parents by unauthorized persons and the personally identifiable information is destroyed when no longer needed for the study. (Such studies must be approved in advance by the Superintendent.)
- (6) When released to accrediting organizations in order to carry out their accrediting function.
- (7) When released to comply with a judicial order to lawfully issued subpoena as long as the school makes reasonable effort to notify the parent or eligible student in advance of complying with that order or subpoena.
- (8) When disclosure is made as required by a state statute adopted prior to November 19, 1974, as long as the statute requires disclosure. (for example: child abuse law, compulsory attendance law)
- (9) When information is disclosed in an emergency situation that is necessary to protect the health or safety of the student or other individuals. In making a determination the school shall consider the seriousness of the threat to health or safety of any person, the need for the information to meet this emergency, the ability of the parties to whom the information is to be disclosed to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency.
- (10) When released by the Principal or his designee as "directory information," for example, football programs, graduation programs, etc. A parent may refuse to permit the designation of any or all

categories of directory information with respect to his child by notifying the Principal in writing within ten (10) calendar days of the beginning of the school.

- (11) When disclosed to other school officials within the school system who have been determined to have a legitimate educational interest in such information.
- (12) In the preparation of cases for prosecution under the Compulsory School Attendance: Child welfare Law, the Department of Student Services and the Department of Exceptional Education are authorized to release pertinent school data in interpretative form to the State's Attorney's Office, to Health and Rehabilitation Services, and to the Circuit Court Juvenile Division without parent consent.
- (13) In cases of child abuse, school officials are authorized and mandated by Florida Statute to report same to Health and Rehabilitation Services and to provide them with the necessary information to pursue such complaints.

#### H. Third Party Restriction

A student's educational record and all personally identifiable information shall not 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 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. This record of disclosure shall include all parties who have access to the records, but did not receive a copy.

J. Payment of Fees, Fines, Lost Textbooks

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. 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. Psychological Reports

The psychological report is part of the cumulative record folder and is subject to the same accessibility as student records under Florida Statute and School Board Rules. The psychological report is subject to the same rules for review and transfer as other Category B information. When a psychological report is determined to be no longer of clear educational importance or is recommended for destruction, the psychological report

shall be forwarded to the Director of Exceptional Student Education for appropriate action. It is recommended that the school psychologist be consulted for interpretation of psychological reports.

M. 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 information 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



( 6.8.2 )

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.

6.8.3 DUE PROCESS PROCEDURES

A. Written Notice to Parents

The Executive Director of Exceptional Education shall provide a written notice to the parents, consistent with the requirement of Rule 6A-6.331 (7), FAC, of any proposal or refusal to initiate or change the identification, evaluation or educational placement of the child or the provision of a free appropriate public education to the child. This written notice shall include:

(a) A full explanation of all procedural safeguards available to the parents (Rule 7A-1.955, 6A-6.331 (6), FAC.)

(b) A description of the action proposed or refused, an explanation of why the action is proposed or refused, and a description of any options considered and the reasons why those options were rejected.

(c) A description of each evaluation procedure, test, record, or report used as a basis for the action proposed or refused; and

(d) A description of any other factors which are relevant to the action being proposed or refused.

2. The notice will be written in language understandable to the general public and

(6.8.3)

(a) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.

(b) If the native language or other mode of communication of the parent is not a written language, steps will be taken as necessary to ensure:

(1) That the notice is translated orally or by other means to the parent in his or her native language or other mode of communication.

(2) That the parent understands the content of the notice, and

(3) That there is written evidence that the requirement stated in b(1) and b(2) above is met.

B. Initiation of a Due Process Hearing

1. A Due Process Hearing may be initiated by the parents or the Osceola County School Board on any proposal to initiate or change the identification, evaluation or educational placement of the child or the provisions of a free appropriate public education to the child or the refusal to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education to the child. A decision made in a hearing conducted under this policy is final, unless a party to the hearing appeals the decision within ten days (to the Commissioner of Education), under Rule 6A-6.332, FAC.

2. Upon parental notification requesting a hearing, the Executive Director of Exceptional Education or his designee will schedule an informal conference with the parents or guardians. This conference shall be concerned with the problems, or objections the parents may have with the proposed decision. An attempt will be made to resolve the decision in question amicably and in terms mutually agreeable to both parties. This informal conference will in no way be construed as preventing the parents from continuing their request for a formal due process hearing.

3. Whenever parental involvement in the form of written consent for evaluation or placement cannot be obtained, the Executive Director of Exceptional Education may request a due process hearing as provided in 6A-6.331 (6), FAC, and this rule.

C. Procedures to Arrange A Due Process Hearing

(6.8.3)

1. The Superintendent or designee shall inform the parent of any free or low cost legal and other relevant services available if the parent requests such information, or if the parent or the Osceola County School Board initiates a hearing.

2. The Superintendent or designee shall be responsible for requesting an impartial hearing officer from and provided by the Division of Administrative hearing. The hearing shall be conducted by a hearing officer who shall not be an officer or employee of the Osceola County School Board involved in the education or care of the child, nor has a personal or professional interest which would conflict with the objectivity of the hearing.

(a) A person conducting a hearing shall not be considered an employee of the district solely because he is paid by the district to serve as a hearing officer.

(b) The Superintendent or designee shall keep a list of the persons who serve as hearing officers, including a statement of the qualifications of each of those persons.

(c) In addition to not being an employee of the school district, minimum criteria for the selection of an impartial hearing officer shall be one who:

(1) Has successfully completed a training program conducted or approved by the division of public schools; and

(2) Is sufficiently free of other obligations to complete the duties and responsibilities of a hearing officer; and

(3) Is over the age of majority; and

(4) Has not been involved in any previous decisions regarding the child's identification, evaluation, placement or review; and

(5) Has not worked as a consultant for the school district for special programs for exceptional students.

D. Duties and Responsibilities of Hearing Officers Shall Be:

1. To conduct the hearing in a fair and impartial manner.

2. To summarize the facts and findings of the case and to arrive at an impartial decision based solely on information presented during the hearing.

3. To mail copies to all parties of the facts, findings, and decision regarding the hearings.

(6.8.3)

4. To be accountable for all deadlines and procedures in the statutes and rules for such hearings.
5. To maintain confidentiality of all information.
6. To rule on requests for specific extensions of time beyond the periods set forth in this rule at the request of either party.

E. Rights of Any Party to a Hearing

Any party to a hearing has the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of handicapped children.
2. Present evidence and confront, cross-examine, and compel the attendance of witnesses.
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed to either party at least five days before the hearing.
4. Obtain a written or electronic verbatim record of the hearing.
5. Obtain written findings of facts and decisions.

F. Rights of Parents Involved in a Hearing

1. Parents shall have the right to have the child who is the subject of the hearing present.
2. Parents shall have the right to open the hearing to the public.

G. Arrangements for Conducting the Hearing

The Superintendent or designee shall make provisions for:

1. Notifying hearing officer.
2. Determining the need for an interpreter for the parents and, if needed, make appropriate arrangements.
3. Establishing time and place which is reasonably convenient to the parents and child involved and notifying all parties.
4. Arranging for clerical assistance, cost of hearing, and availability of facilities, and verbatim transcript of hearing.

(6.8.3)

5. Notifying all parties regarding information, rights, and responsibilities before, during and after the hearing.
6. Determining parents' wishes concerning the attendance of the child at the hearing and whether they wish the hearing to be open or closed; if either is requested, making such arrangements by notifying all parties.
7. Assuring that the hearing meets the required timelines as required in Rule 6A-6.331 (6)(c) 6., FAC, and this rule.
8. Transmitting the finds and decisions, of any such hearings to the Commissioner of Education for transmittal to the State Advisory Committee for the Education of Exceptional Students.
9. Arranging for the subpoena of witnesses if necessary.
10. Other responsibilities specified by the School Board.

H. Timelines

The district shall insure that not later than 45 days after the receipt of a request for a hearing, a final decision is reached in the hearing and a copy of the decision is mailed to each of the parties. The district is not responsible for any delays caused by the Division of Administrative Hearings.

I. Child's Status During Proceedings

1. During the time that an administrative or judicial proceeding regarding a complaint is pending, unless the district and the parents of the child agree otherwise, the child involved in the complaint must remain in his or her present educational placement.
2. If the complaint involves an application for an initial admission to the public school, the child, with the consent of the parents, must be placed in the public school program until the completion of all the proceedings.

J. Impartial Review by the Commissioner of Education

1. Any party not satisfied with a decision rendered at a hearing conducted under Rule 6A-6.331(6) and this rule may appeal in writing to the Commissioner of Education as provided for in Rule 6A-6.332.
2. The Superintendent or designee shall make any necessary appeals on behalf of Osceola County Schools to

the Commissioner of Education. This appeal will be made in writing within ten (10) days of the decision of the hearing officer.

3. Rule 6A-6.332, Impartial Review by the Commissioner of a Local Hearing, is reproduced here verbatim to provide ready access for any party in a hearing desiring to initiate an appeal.

6A-6.332 Impartial review by the Commissioner of a local hearing.

(a) Any party aggrieved by the findings and decision in a hearing conducted under Rule 6A-6.331(6), FAC, may appeal in writing, within ten (10) days to the Commissioner.

(b) If there is an appeal, the Commissioner or designee shall conduct an impartial review of the hearing.

The review shall:

1. Examine the entire hearing record.
2. Ensure that the procedures at the hearing were consistent with the requirements of due process.
3. Seek additional evidence if necessary. If a hearing is held to receive additional evidence, the rights in Rule 6A-6.331(6)(c) 4., FAC, apply and the hearing shall be conducted under Section 120.57(1), Florida Statutes.
4. Afford the parties an opportunity for oral or written argument, or both, at the discretion of the reviewing official.
5. Make an independent decision on completion of the review.
6. Give a copy of written findings and the decisions to the parties.
7. The decision made by the reviewing official is final, unless a party brings a civil action under Section 230.23(4)(m) 4., Florida Statutes.

C. The Commissioner shall have a maximum of thirty (30) days after the receipt of a request for a review to conduct said review, make a final decision and mail a copy of the decision to each of the parties.

D. The Commissioner may grant specific extensions of time beyond the time set in Rule 6A-6.332 (3), FAC, at the request of either party.

Legal References: Florida Statutes 230.23(4)(m) 4  
State Board of Education  
Administrative Rules,  
6A-6.331, 6A-6.332

## 6.9 STUDENT TRANSPORTATION

The responsibilities of pupils transported at public expense shall be as follows:

### 6.9.1 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.

### 6.9.2 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 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.

#### 6.10 Internal Accounts

The following matters of finance shall be subject to the requirements of Board Rule 2.2.2.J.

##### 6.10.1 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.

Senior high school solicitation of advertising from the public shall be limited to the support of three (3) 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. Any deviation from this rule shall have prior approval of the Superintendent and the School Board.

##### 6.10.2 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.

##### 6.10.3 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.

6.11 Social Functions

6.11.1 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.

6.11.2 Student Activities

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.

A. 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.

B. 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 season ends, a student may participate in another sport without penalty. If two (2) or more sport seasons are in progress simultaneously, a student desires to drop one sport and go to another, he shall obtain the approval of each coach concerned.

(6.11.2)

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. This 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 scheduled class such as band or 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. 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.

6.12 Miscellaneous

6.12.1 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 care 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.

#### 6.12.2 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. A notarized permission slip on a form approved by the Board has been signed by the parent, relieving the school of responsibility.

B. 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.

#### 6.12.3 Pupil Insurance

##### A. Contracts

The School Board shall arrange to make available to parents some plan of pupil group insurance to protect students en route 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.

6.12.4 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.

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

6.12.5 Loitering

Loitering on school premises during school hours by any 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.

Auth: 230.22, F.S.  
Imple: 856.021, F.S.

6.12.6 School Day Picture Specifications

Each school will negotiate its own picture contract for grades K-11 within the specifications as approved by the School Board. All photographers selling in the area, will be notified and those who agree to meet specifications will be free to begin calling on the schools for contract negotiations.

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 any any previous contract agreements will be expected to handle only those schools where potential sales are considered low.

I. One package only for all schools Elementary Junior High and High Schools through Grade 11.

Package A - All-Color Package. It shall not contain less than 140 square inches of pictures.

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.

Mark Up for Schools

Elementary	10%
Middle	15%
High thru grade 11	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.

(6.12.6)

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.

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.

(6.12.6)

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.

6.12.7 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.

6.12.8 Minimum Age Exception

The minimum age of sixteen (16) years for School Board employees shall be waived in the case of a work study or similar program.

Auth: 230.22, F.S.

Imple: SBE Regulations 6A-1.97 and 6A-6.70, 232.07 and 233.068, F.S.

6.12.9 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.



6.13 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. Preventative 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-1.9912.

The Superintendent shall delineate procedures for eligibility, maintenance of records, and evaluation of Alternative Programs.

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## 7.0 OFFICIAL SCHOOL BOARD POSITION ON DISCIPLINE

### 7.1 Philosophy

The Board finds and declares that:

A. The development of self-discipline and self-direction is an educational goal toward which disciplinary procedure can contribute its forces. Discipline provides experiences and establishes procedures which make the students responsible for keeping themselves in order. Disciplinary action is the corrective measure used when a breach of discipline has occurred.

B. The key to both student and teacher morale lies in how successfully the rules on discipline are applied and how this is reflected in classroom order. Educators, students, and parents must feel that, whatever rules are followed, they are not only uniform for all, but are just and fair. Disciplinary action, where imposed, should be as rational, nonarbitrary, 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. Disciplinary records maintained separately from permanent 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 a 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 principal or his designated representative shall include an analysis of suspension and expulsions in the annual report of school progress.

Recommendation for expulsion shall be resorted to only in extreme cases when all other efforts toward correction have been exhausted, and when the student is chronically unruly, a menace to the safety of the pupils and teachers, or intentionally or maliciously destructive of school property. The procedure for expulsion of students is set forth in Board Rule 7.5.3.

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(1)(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), 230.33(8)(c) and 120.57(1), F.S.

### 7.3.4 Willful Disobedience

Students shall at all times show proper respect for faculty members. Appropriate disciplinary action shall be taken if any student willfully disobeys a faculty



member, and shall depend upon the degree and intent of disobedience.

Auth: 230.22, F.S.  
Imple: 231.09(2), 230.2313(1)(c), 230.23(11)(c), 231.085,  
232.26-232.28, F.S.

#### 7.3.5 Wearing Apparel and Accessories

Deliberate defiance of the wearing apparel and accessories dress policy established by the Board in Rule 6.6 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

Students having possession of or who are under the influence of intoxicating beverages or hallucinogenic drugs or combinations of drugs having hallucinatory effects, marijuana, glue or other drugs or combinations of drugs or materials expressly prohibited or controlled by federal, state, or local laws at any school function or on school property, shall be liable for suspension.

Students found to be in violation of the above paragraph for the second time, shall be recommended for expulsion.

Selling, Offering for Sale or Giving Away any Intoxicant, Hallucinogenic Drug or Marijuana

The principal shall recommend for expulsion any student found to be selling, offering for sale, or giving away any intoxicant, hallucinogenic drug or marijuana.

Parents shall be notified before any final action is taken. If there is a violation of the law involved, legal authorities shall be informed.

If at any time a student is formally charged with a felony by a proper prosecuting attorney for the unlawful possession or sale of any substance controlled under Chapter 893, Florida Statutes, or any narcotic drug, central nervous system stimulant, hallucinogenic drug or barbiturate, as identified or defined in either Chapter 893 or Chapter 404, Florida Statutes, the principal of the school in which the student is enrolled shall immediately follow the procedures and criteria set forth in State Board Regulation 6A-1.956, Florida Statutes, as may be applicable.

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 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 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), 232.09, 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 committed vandalism shall include having the parents or guardians come to the school for a conference with school officials and an arrangement for restitution for damage. A student eighteen (18) years of age, or the parents of a

minor student found guilty of damaging, defacing, taking or destroying school property, either during school hours or at any other time, shall be required to repay the cost of repairing the damage, and the student may be subject to a penalty of suspension from school for a period up to ten (10) days, 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 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.

When corporal punishment is administered, the following procedures shall be followed:

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 and 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

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; provided that, in any case of suspension, notice, with the student's given reasons for the action, shall be provided by telephone if possible, and confirmed immediately in writing, to the pupil's parents and the Superintendent. Semester and grade period tests missed during any period of suspension may be made up.

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. Extended Suspension

The principal may recommend to the Superintendent that a student's suspension be extended by the Superintendent until the next School Board meeting, at which time the Superintendent may recommend for School Board approval an additional suspension up to a maximum of thirty (30) days.

Prior to any recommendation or approval of extended suspension, the Superintendent and the School Board shall have reviewed the principal's prior actions and all documentation in support thereof and shall be satisfied that all procedural requirements of Paragraph 7.5.1 hereof have been strictly adhered to.

Auth: 230.22, F.S.  
Imple: 230.23(6)(c), 230.33(8)(c) and 232.26, F.S.

7.5.3. 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, who 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.

Auth: 230.22, F.S.

Imple: 230.23(6)(c), 232.26, 230.33(8)(c), and  
120.57(1), F.S.



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## 8.0 SCHOOL FOOD SERVICE

### 8.1 Responsibilities of the Board

In providing a healthy and nutritious School Food Service for the students and staff of Osceola County Schools, it shall be the responsibility of the Board to:

- A. Provide facilities and materials in all departments.
- B. Secure and make bid awards for all items specified by State Board Regulations.
- C. Assure that all foods purchased will conform to the Federal Food, Drug and Cosmetic Act, the Meat Inspection Act, and any regulations of the State of Florida relating to the specific item being purchased.
- D. Provide an adequate supervisory staff at the District level for the administration of the program, and adequate clerical and secretarial help for the centralized system.
- 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-7.42(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 thirty (30) 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 approval, and in turn the principal shall submit his choice to the 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 the 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, or pass an equivalency test.

(2) The ability to take instructions and follow through efficiently.

C. Student Employees

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 duty 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 free lunch.

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. 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 and a fifteen (15) minute coffee break. 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 a written 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 shall have a tuberculin test or chest X-ray each year.

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 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 if approval is obtained in writing from the principal before the equipment is to be used. An inventory of borrowed equipment shall be made by the Manager and signed by the borrower. If borrowed equipment is not returned, it shall be replaced by the borrower.

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.

Section 32 and Section 46 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 serve 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 for three (3) years.

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 or drinks which meet the nutritional needs of the pupils shall be sold during the regular school day. Permissible items include the following: whole milk, full-strength fruit and vegetable juices, fresh fruits and full-strength citrus juice freezes. Ice cream and milk shakes are permissible in grades six (6) through twelve (12). These items may be sold during such hours that do not interfere with the School Lunch Program.

Extra milk may be sold to students and adults.

High schools may, upon permission of the Board, sell other foods, provided they are offered for sale one (1) hour before, and until one (1) hour after the meal period.

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. Adult lunches shall include one (1) beverage.



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 Regulations 6A-7.42(2) and 6A-7.41.

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, and the duties as listed in the Job Description.

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 goods shall be reported immediately to the principal and Superintendent.

Auth: 230.22, F.S.

Imple: 228.195(3) and 237.01, F.S.

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9.0

ADMINISTRATIVE

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 administrative 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 belonging 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

(9.1.2-C)

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-4.05 and shall be a responsibility shared between the individual and the State Department of Education.

Inservice training may be used to extend a certificate. 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 Certificate

All employees of the 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: 230.23(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

Employees issued administrative contracts are to be included in the administrative section of the Rules handbook.

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. 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.

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 service for those employed by the Board for less than five (5) years.

B. One and one-half (1½) days per month of service per year for those employed five (5) years or more by the Board.

C. At the time of retirement or separation of employment unused vacation leave shall be paid as terminal leave pay.

D. Vacation shall not be taken until it is earned; however 50% of the annually earned vacation must be used annually.

E. 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.

F. 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 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 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 participating in a staff development program approved by the Board.

Auth: 230.22, F.S.

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

9.2.4. EVALUATIONS

For the purpose of improving the quality of instructional, administrative and supervisory services in the public schools of the state, the Superintendent shall establish procedures for assessing the performance of duties and responsibilities of administrative and

supervisory 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 may 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. Jury Duty

An employee of the Board may be absent from assigned duties and shall receive his regular salary less court payments. A leave form must be submitted along with a copy of the subpoena to the Finance Department prior to the first day of duty. After completion of the jury duty, the Finance Department must be notified of exact days served along with payments received by court. Travel payments may be kept by the employee. The leave form will be processed at this time. In the event the employee is excused from jury duty or court witness, the employee shall return to his place of assignment as expeditiously as possible and the finance leave from returned to the employee cancelled. If notice of jury assignment is received, the supervisor shall be notified immediately. If the employee desires to be excused, he or she may request such from the presiding judge, and the Superintendent may endorse the request. Each year in June payroll checks will be held back on all personnel with outstanding jury duty compensations due to the School Board, until which time the School Board has been

paid. If serving on jury duty does not coincide with the normal working hours for an employee and the employee reports to work and works a full day, no leave form is required and the School Board is not due any reimbursement.

Auth: 230.22, F.S.  
Imple: 231.39, F.S.

#### COURT WITNESS

An employee of the Board may be absent from assigned duties and shall receive his regular salary, less court fees, while serving as witness in any court case under the following conditions:

A. That the person has been subpoenaed by the court as a witness and 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 Court Witness, the employee shall return to his place of assignment as expeditiously as possible. Leave forms will show cancellation.

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
- B. Maternity leave
- C. Military leave
- D. Personal leave
- E. Professional leave
- F. Extended professional leave
- G. Sabbatical leave
- H. Sick leave
- I. Vacation

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 contracted in school work. Requirements for such leave are found in Section 231.41, Florida Statutes.

Auth: 230.22, F.S.  
Imple: 231.41, F.S.

9.3.5. Maternity Leave

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.

Auth: 230.22, F.S.  
Imple: 231.39 and 231.40, F.S.

9.3.6. 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.

Leave may be granted at the discretion of the Board without pay to an employee volunteering for military duty.

Auth: 230.22, F.S.  
Imple: 231.39 and 115.07, F.S.

9.3.7. 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.

B. A member of the administrative staff may be absent for five (5) 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."

Auth: 230.22, F.S.  
Imple: 231.43, F.S.

9.3.8. Professional Leave/Extended 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. Extended professional leave is such leave extending for more than thirty (30) consecutive days. Professional leave or extended 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.

9.3.9. Sabbatical Leave

Sabbatical leave for study or research may be granted to administrative personnel by the Board. Such leave shall be granted under the following conditions, upon approval of the Superintendent.

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 231.39, subsection (1), Florida Statutes.

D. The penalty for breaking the sabbatical leave contract shall involve either:

- (1) The administrator's refunding any salaries received during his sabbatical leave, or
- (2) The administrator's paying the Board's incurred cost for collecting said monies.

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

9.3.10. 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 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, or major portion thereof, contained in his contract, provided that he shall draw in advance only those sick days to be earned in the current school fiscal year. However, the member shall be entitled to earn no more than one day of sick leave times the number of months worked during the current fiscal year.

B., Administrative personnel eligible for retirement benefits, or his or her beneficiary if termination is by death, as prescribed in the laws of the State of Florida, shall be entitled to fifty per cent (50%) of accumulated sick leave. The amount per day shall be based upon the daily rate of pay for the administrator.

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.

Auth: 230.22, F.S.

Imple: 231.39 and 231.40, F.S.

9.3.11. 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.

9.3.12. WORKER'S COMPENSATION

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

9.4. BENEFITS AND DUTIES

9.4.1. Retirement

All new school employees shall participate in the Florida Retirement System (FRS) as a condition of employment.

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.

Auth: 230.22, F.S.  
Imple: 238.05(1)(b) and 238.11, 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)

9.4.5. 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.

9.4.6. 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.

9.4.7. 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 and 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 reconsider such request previously declined.

The selection of the attorney shall be mutually agreed upon by the administrator and the Board.

9.4.8. 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.

9.4.9. 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 if the same family are employed by the School District, the amount paid for the two shall be credited towards the cost of family coverage.

9.4.10. Long Term Disability Insurance

The Board will continue to make available to administrators long term disability benefits through payroll deduction at administrators expense.

9.4.11. 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 inuring to them from such coverage.

9.4.12. 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 on him suffered in the course of the legal performance of his assigned duties.

Such reimbursement shall not exceed the replacement cost nor be paid when the above loss is reimbursable from other sources.

9.4.13. Death Benefit

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.

9.4.14. 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.

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10.0 HEARINGS PROCEDURES

10.1 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 will 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:

(10.3-B)

- (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 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.



A P P E N D I X

APPENDIX - A

The oath to be taken by employees of the School Board, as revised by the Supreme Court, is as follows:

"I, \_\_\_\_\_, a citizens of the State of Florida and of the United States of America, and being employed by or an officer of the School Board of Osceola County, Florida, and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida."

(Connell v. Higginbotham)  
91 S. Ct. 1772, 403 U.S. 207 (1971)

APPENDIX - B

OSCEOLA COUNTY SCHOOL DISTRICT CODE OF STUDENT CONDUCT

LEVELS	EXAMPLES	PROCEDURES	1ST OFFENSE	REPEATED OFFENSES
I. Minor misbehavior on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school.	<p>Infractions of school or classroom rules</p> <p>Hall violation</p> <p>Class disturbances</p> <p>Dishonest, i.e., cheating, stealing, lying</p> <p>Failure to turn in work</p> <p>Lack of supplies</p> <p>Abusive language</p> <p>Failure to carry out directions (non-defiant)</p> <p>Dress Code violation</p> <p>Throwing objects</p> <p>Public Display of affection</p> <p>Leaving school grounds without permission.</p>	<p>Immediate intervention by staff member.</p> <p>Repeated misbehavior requires a parent/teacher conference; conference with the counselor and/or administrator, and/or teacher.</p> <p>A proper and accurate record of offenses and disciplinary action is maintained by the staff member.</p>	<p>Verbal reprimand</p> <p>Written educational assignments</p> <p>Given opportunity to secure supplies</p> <p>Counseling</p> <p>Detention after school</p> <p>Correct inappropriate dress</p> <p>Loss credit for work (in cases of unexcused absences, dishonesty, failure to turn in work, etc.)</p>	<p>Additional detention</p> <p>Withhold privileges</p> <p>Parent notification and/or conference</p> <p>In-School suspension</p> <p>Corporal punishment</p>
II. Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school. These infractions, which usually result from the continuation of Level I misbehaviors, require the intervention of personnel on the administrative level because the execution of Level I disciplinary options has failed to correct the situation. Also included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of administrative personnel.	<p>Continuation of uncorrected LEVEL I misbehavior.</p> <p>Truancy or skipping class</p> <p>Use of tobacco (Become familiar with school policy)</p> <p>Disruptive classroom behavior</p> <p>Forging notes or excuses</p> <p>Insolent attitude</p> <p>Direct disobedience</p>	<p>The student is referred to the administrator for appropriate disciplinary action through an approved referral form.</p> <p>The teacher is informed of the administrator's action.</p> <p>A proper and accurate record of the offense and the disciplinary action is maintained by the administrator.</p>	<p>Detention after school</p> <p>Administrative reprimand</p> <p>Corporal punishment</p> <p>Loss credit for work (in cases of unexcused absences, dishonesty, failure to turn in work, etc.)</p> <p>Counseling</p> <p>In-school suspension</p>	<p>Additional corporal punishment</p> <p>In-school suspension</p> <p>Work detail</p> <p>Short term out-of-school suspension 1-5 days (except for truancy)</p> <p>Refer to Student Services</p> <p>Refer to Division of Family Services</p> <p>Behavioral contract</p>
III. Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the school. These acts might be considered criminal but most frequently can be handled by the disciplinary mechanism in the school. Corrective measures which the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interests of all students.	<p>Continuation of uncorrected LEVEL II behavior</p> <p>Fighting</p> <p>Threats to other schools</p> <p>Possession of dangerous items</p> <p>Sex related offenses</p> <p>Minor vandalism</p> <p>Verbal assault or Rude gestures toward staff</p> <p>Gambling</p>	<p>The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences. The administrator meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary action.</p>	<p>Financial restitution</p> <p>Work detail</p> <p>Corporal punishment</p> <p>Suspension, out-of-school</p> <p>Psychological counseling</p> <p>In-school suspension</p>	<p>Long term suspension</p> <p>Expulsion</p>
IV. Acts which result in violence to another person or property or which pose a direct threat to the safety of others in the school. These acts are clearly criminal and are so serious that they always require administrative actions which result in the immediate removal of the student from school, the intervention of law enforcement authorities and referral to Student Services for possible School Board action.	<p>Continuation of Uncorrected LEVEL III behavior</p> <p>Vandalism &amp; Burglary;</p> <p>Extortion; Malicious destruction of school or personal property; Arson; Threatening bodily harm to school personnel; Assault or battery of student; Disorderly conduct.</p> <p>Drug or alcohol possession or use.</p> <p>Selling, offering for sale or giving away any intoxicant, hallucinogenic drug or marijuana</p> <p>Bomb threat</p>	<p>The administrator verifies the offense, confers with the staff involved and meets with student. The student is immediately removed from the school environment. Parents are notified. School officials contact law enforcement agency and assist in prosecuting offender.</p> <p>A complete and accurate report is submitted to student services for Board Action.</p> <p>.....</p> <p>Follow procedures listed above and make recommendation for expulsion.</p>	<p>Arrange alternative school program</p> <p>Financial restitution if applicable</p> <p>Suspension (out-of-school)</p> <p>Corporal Punishment</p> <p>Expulsion</p>	<p>Long term suspension</p> <p>Expulsion</p>

--NOTE--

In order that justice may be tempered with mercy and understanding, the discretion of interpretation is in all instances left to the individual teacher, assistant principal or principal to modify corrective measures suggested whenever extenuating circumstances seem to be present.

**CORPORAL PUNISHMENT PROCEDURES**

The 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 punishment.

Upon request the parent has a right to a written explanation of the reason for corporal punishment and the name of the other adult who witnessed the act.

Any student shall be exempt from corporal punishment upon request in writing from the parent or guardians to the principal prior to the time a problem arises. This 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 or a statement in writing.

Any student exempted from corporal punishment due to parental request, and suspended, may also be subject to expulsion.

**SCHOOL BUS SUSPENSION**

Continued school bus misconduct may result in the suspension by the principal or his designee of the student from riding the bus for an indefinite period of time.

**OUT-OF-SCHOOL SUSPENSION**

Students are granted the right to due process procedures when disciplinary sanctions reach the level of out of school suspension.

The student shall have the right to be:

- ... advised when he/she is being suspended
- ... provided an opportunity to refute the charges
- ... provided an opportunity to present witnesses on his/her behalf

It is the student's responsibility for the immediate delivery of the suspension notice to his/her parents.

NOTE: Parents will be notified in accordance with District policy.

**ATTENDANCE FOR CREDIT**

Students who miss more than fifteen (15) days per semester will not receive credit for the course except as follows:

- a. If medical evidence is presented to the building administrator from a competent medical authority to excuse absences in excess of fifteen (15) days or fifteen (15) class settings/meetings.
- b. Extenuating circumstances as determined by the principal based on recommendations of teachers, counselors, or Student Services workers.
- c. School activities shall not be counted as absences.
  1. Assigned work shall be turned in on the date indicated by the teacher.