# St. Johns County School District
# School Board Rules Manual


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# CHAPTER 1.00 - DISTRICT PHILOSOPHY

## MISSION STATEMENT 1.01

The St. Johns County School District will inspire good character and a passion for lifelong learning in all students, creating educated and caring contributors to the world.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.41, F.S.**

**HISTORY:** **ADOPTED: 01/11/05**
**REVISION DATE(S): 03/08/16**

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

| RESPONSIBILITIES AND AUTHORITY OF THE BOARD | 2.01 |
|---|---|

(1) The School Board is the governing body of the District and is responsible for the control, operation, organization, management, and administration of public schools in the county pursuant to the provisions and minimum standards prescribed by Florida Statutes and State Board of Education rules.

(2) The School Board is empowered to determine the policies necessary for the effective operation and the general improvement of the school system.

(3) The School Board is a public corporate entity and may take action only when the Board is meeting in official public session and a quorum is present.

(4) Individual members of the School Board have authority to take official action only when sitting as a member of the School Board in public session except when the School Board specifically authorizes the member to act on its behalf. The School Board shall not be bound in any way by an action on the part of an individual board member or an employee except when such statement or action is in compliance with the public action of the School Board.

(5) The Board shall annually set the salaries of Board Members as required by Florida Statutes.

**STATUTORY AUTHORITY**: **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.31; 1001.363; 1001.372; 1001.395; 1001.41; 1001.43; 1003.02, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 5/13/04**
**FORMERLY: BBA**

## ORGANIZATION, MEMBERSHIP AND OFFICERS OF THE BOARD 2.02

(1) The Board shall be comprised of not less than five members elected pursuant to and otherwise meeting the requirements of law.

(2) A chair and a vice-chair, and such other officers as the Board may determine, shall be elected annually by the School Board at its organizational meeting held on the third Tuesday after the first Monday in November; provided, however, if a vacancy occurs in any officer position, the School Board shall elect a successor at the next regular or special meeting.

(3) The chair shall preside at all School Board meetings and perform such duties as authorized by law or School Board Rule or which are delegated to the chair by the Board. The chair and vice-chair shall be bonded in the manner prescribed by the State Board of Education.

(4) The Superintendent, as provided by law, shall be the secretary and executive officer of the School Board. At any organizational meeting, the Superintendent shall act as chairperson until the organization of the School Board is completed.

(5) The School Board shall create committees and appoint members to such committees when deemed necessary. Committees may be either “special” committees which are created for a particular purpose and shall cease to exist upon the completion of its assigned task, or “standing” committees which shall have continuing existence. The duties of each committee shall be outlined at the time of the creation of the committee and may be modified by the School Board from time to time. Each School Board member shall be notified of all committee meetings, but shall have no vote unless the member is serving as a committee member. All committee meetings shall be open to the public.

(6) The School Board shall not be bound in any way by any action on the part of an individual committee member or a committee as a whole except when such action is in compliance with the public action of the School Board. Further, a committee shall not be bound in any way by any action on the part of an individual committee member except when such action is in compliance with the public action of the committee.

**STATUTORY AUTHORITY**: **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED**: **1001.371; 1001.41; 1001.43; 1001.48; 1001.51 F.S.**

**HISTORY**: **ADOPTED: 08/18/98**
**REVISION DATE(S):05/13/04**
**FORMERLY: BBB;BC**

## SCHOOL IMPROVEMENT TEAMS 2.04

The School Board authorizes the establishment of a School Improvement Team in each District school to serve in an advisory capacity to the principal and to assist in the development of the educational program and in the preparation and evaluation of the school improvement plan required pursuant to Florida Statutes. The term "School Improvement Team" is to be used as the Board's term for "School Advisory Council." School improvement teams shall not assume any of the powers or duties now reserved by law for the School Board or its professional staff. Nothing contained in the district and/or local school accountability process shall be constructed to lessen or otherwise alter the authority of the school principal as provided for in law, rules or regulations.

(1) Composition and Selection of Teams – Team members shall include in the school principal and an appropriately balanced number of teachers, education support employees, students, parents, and business and c9ommunity representatives.

(a) Members shall be representative of the ethnic, racial, and economic community served by the team.

(b) Student representation shall be required for school improvement teams established at vocation-technical centers and high schools and may be included for school improvement teams serving middle and junior high schools. Student representation shall not be required for school improvement teams serving elementary schools.

(c) The term *education support employees* as used herein shall refer to any person who is employed by a school for twenty (20) or more hours during a normal working week and who does not meet the definition of instructional or administrative personnel pursuant to Florida Statutes.

(d) The term *teacher* as used herein shall include classroom teachers, certified student services personnel, and media specialists.

(e) A majority of members must be persons who are not employed at the School.

(f) *Appropriately balanced* as used herein shall mean a proportionate number of team members considering each peer group being represented on the team, excluding the school principal. The size of the school improvement team and the ratio of representatives among the peer groups, excluding the school principal, shall be set forth in the bylaws establishing operations adopted by each school improvement team.

(2) Selection of Team Members - New team members shall be elected by their respective peer group, except for business and community representatives and the school principal.

(a) The following team members shall be elected in a fair and equitable manner as determined by their respective peer group and as set forth in the bylaws of the school improvement team.

i. A teacher(s) shall be elected by teachers;

ii. An education support employee(s) shall be elected by education support employees;

iii. A student(s), when appropriate, shall be elected by students.

(b) The school improvement team shall select business and community member(s) to serve on the school improvement team after reviewing the list of nominees prepared by the school principal.

1. Business and community representatives shall be selected initially through a nomination and selection process facilitated by the school principal of each school improvement team.

a. The school principal shall seek candidates who are interest making a commitment to participate on the school improvement by representing businesses and the community.

b. Letters, newsletters, or other media releases shall be used school principal to seek candidates.

c. The school principal shall prepare a list of individuals seeking nomination to the school improvement team and shall present to the team for selecting the business and community representative.

2. Subsequent to the initial selection as described in Subsection (2) (b) herein, the operational guidelines of the team shall set forth procedures for nominating business and community representatives serve on the team.

(c) The principal shall submit the list of team members to the Superintendent for review of each school to determine compliance with Subsection (1) herein. The membership list shall contain the name of each team member and the peer group which is being represented by each member and a

description of how the team represents the ethnic, racial, and economic community served by the school.

(3) Confirmation of the School Improvement Team – The Superintendent shall submit to the School Board for review and approval the membership list for each team in the District. The School Board shall determine if a team meets criteria specified in Subsection (1) herein; additional members shall be appointed by the School Board when it is required to achieve the proper representation on the team.

(4) Responsibilities of Teams - Each team shall:

(a) Review the results of any needs assessments conducted by the school administration.

(b) Assist in the development of the school improvement plan and provide recommendations on specific components of the plan, such as the goals of the school and student progress, and strategies and evaluation procedures to measure student performance.

(c) Define adequate progress for each school goal; obtain public input when defining adequate progress for school goals; negotiate the definition of adequate progress with the School Board; and notify and request assistance from the School Board when the school fails to make adequate progress in any single goal area.

(d) Monitor students' and the school's progress in attaining goals and evaluate the appropriateness of the indicators of student progress and strategies and evaluation procedures which are selected to measure student performance.

(e) Prepare and distribute information to the public to report the status of implementing the school improvement plan, the performance of students and educational programs, and progress in accomplishing the school goals.

(f) Make recommendations on the accumulation and reporting of data that is beneficial to parents.

(g) Serve as a resource for the principal and advise the principal in matters pertaining to the school program.

(h) Provide input on the school's annual budget and the use of school improvement funds.

(i) Make recommendations on the waiver of Florida Statutes or State Board of Education rules which will allow school personnel to establish innovative educational practices and methods.

(j) Inquire about school matters identify problems, propose solutions to problems, suggest changes, and inform the community about the school.

(k) Act as a liaison between the school and the community.

(l) Assist in the preparation of the feedback report to the Florida Commission on Education Reform and Accountability as required by Florida Statutes.

(m) Identify other duties and functions of the team.

(5) Operation of Teams – Operational guidelines shall be established and mutually agreed upon by members of the school improvement team.

(a) The guidelines shall:

1. State the duties and functions of the team.

2. Indicate the procedure for electing team members and the nomination process for selecting business and community representatives.

3. Identify the procedure for electing officers, including a chairperson, vice-chairperson, and recording secretary, and determine the term of office for each position.

4. Establish the membership term for each peer group.

5. Specify the proportionate number of team members for each peer group for the purpose of achieving an appropriately balanced team.

(b) Regular meetings shall be held. The team shall determine the date, time, and place of the meetings.

(c) The agenda shall be advertised to the school community at least seven (7) days in advance of the scheduled meeting.

(d) All meetings shall be open, public, and subject to Chapter 286, Florida Statutes.

(e) The school improvement team shall be subject to maintaining records pursuant to Article 1, Section 24, and Article XII, Section 20, of the Florida Constitution.

(f) School improvement plans which require waivers of the terms or conditions in negotiated agreement(s) shall be subject to the approval of the Board and Local Employee Representative.

**STATUTORY AUTHORITY:** 1001.41, F.S.

**LAWS IMPLEMENTED:** 1008.385, 1001.452, 1001.42, F.S.

**HISTORY:** Adopted: 08/18/98
Formerly: BCF

## HEAD START POLICY COUNCIL 2.041

The Policy Council shall meet periodically and provide recommendations to the Superintendent regarding appropriate policies and procedures for providing Head Start services in the District.

(1) The Policy Council shall consist of the following members:

(a) Parents of students currently enrolled in the Head Start program; and,

(b) Community representatives who are familiar with resources and services for low-income children and families.

(2) At least 51 percent of the members of the Policy Council must be parents of children currently enrolled in Head Start. The total size of the Policy Council shall be determined by the School Board and based on the number of schools, classrooms, and children served by the Head Start program within the County.

(3) Individuals shall serve on the Policy Council for one year terms. Parent Members of the Policy Council must stand for election and re-election annually. A parent member who no longer has a child in the program shall loose their eligibility to serve as a parent member. Community representatives must be selected annually. No individual may serve on the Policy Council for more than a total of three terms. No member or employee of the School Board, or their family, may serve on the Policy Council, except parents who occasionally substitute for regular Head Start staff.

(4) The Policy Council in conjunction with Head Start Staff shall develop, review, and recommend the following policies and procedures to the Superintendent and the School Board.

(a) All funding applications and amendments to funding applications for Early Head Start and Head Start;

(b) Procedures for shared decision-making with the Policy Council;

(c) Procedures for Early Head Start and Head Start program planning;

(d) The Head Start program's philosophy and long and short-range program goals and objectives.

(e) The selection of delegate agencies and their service areas;

(f) The composition of the Policy Council and the procedures by which policy group members are chosen;

(g) Criteria for defining recruitment, selection, and enrollment priorities, in accordance with Federal law.

(h) The annual self assessment of the Policy Council's progress in carrying out the programmatic and fiscal intent of its grant application;

(i) Program personnel policies and subsequent amendments including employees' standard of conduct; and

(j) Personnel decisions including the hiring and termination of the Early Head Start or Head Start director and any person who works primarily with the Head Start Program.

(5) Policy Councils must directly perform the following functions:

(a) Ensuring that families enrolled in the programs understand their rights, responsibilities, and opportunities;

(b) Organizing program activities with parents and ensuring that funds are set aside for the same; and

(c) Establishing and maintaining procedures for resolving community complaints.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **45 CFR 1304.50**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 07/08/04**
**FORMERLY:**

## BOARD MEETINGS 2.05

(1) All School Board meetings shall be open to the public and shall be conducted as public meetings unless specifically exempted by Florida Statutes. No official action may be taken by the School Board at any time other than during a regular, special, or emergency meeting

(2) The School Board shall hold one regular School Board Meeting each month. The dates for regular School Board meetings shall be established at the organizational meeting which is held in November following the general election. The regular meeting date may be changed by School Board action at any prior meeting, provided that each member is notified by letter or by distribution of the minutes showing a record of the change. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.

(3) Special meetings shall be called by the Superintendent, the School Board chair, or a majority of the School Board members as provided by Florida Statute.

(4) Emergency meetings shall be called by the Superintendent or the School Board chair when there is an immediate danger to the public health, safety, or welfare that requires immediate action by the School Board. An emergency meeting may be called as soon as Board Members and the Media can be notified of the date and time for the meeting. When feasible, additional notification shall be posted on the District website and shall be provided to those on the Community Contact List.

(a) The Superintendent shall prepare and distribute to the Board Members and the Media an agenda prior to the emergency meeting. The agenda shall include the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare.

(b) The minutes of the emergency meeting shall be available to the public within twenty-four (24) hours of the meeting.

(c) Emergency meetings shall be conducted in the same manner as prescribed for regular and special meetings.

(5) Workshops may be scheduled by the School Board as deemed appropriate. No formal action may be taken by the School Board during such workshops.

(6) Regular, special, emergency and workshop meetings of the School Board shall be held in the regular Board meeting room, unless changed in the manner prescribed herein. As provided by Florida Statutes, any meeting may be held at any other appropriate public place within the District by giving prior public notice of at least forty-eight (48) hours. When such a meeting is scheduled or re-scheduled at a location other than the regular meeting place, the Superintendent shall take such action to give public notice as required by Florida Statutes.

(7) *Robert's Rules of Order* shall be the final authority on all issues of parliamentary procedure.

(8) The Superintendent shall prepare the agenda for all meetings of the School Board. Copies of the agenda for regular and special meetings shall be provided School Board Members at least seven (7) days prior to the scheduled meeting date and shall be made available to the public or other parties who have expressed a desire for the agenda.

(9) A majority shall constitute a quorum for any School Board meeting. No business shall be transacted unless a quorum is present.

(10) Board Members shall vote by voice vote. The vote shall be unanimous unless one or more School Board Members audibly votes "no" or otherwise indicate a negative vote. When a split vote occurs, the minutes shall show the vote of each member on the question. Any member may request a roll call vote.

Each member who is present shall vote on each decision, ruling, or official act which is taken or adopted by the School Board, unless there is or appears to be a conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases, the member may abstain, but shall file a memorandum pursuant to requirements of Section 112.3143, Florida Statutes.

(11) The official minutes of the School Board shall be kept as prescribed by Florida Statutes. As public records, they are available to the public for inspection or copying subject to the reasonable restrictions imposed by law. The minutes shall be kept in a safe place by the Superintendent and shall be made available by the Superintendent.

(a) Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the name of the person who seconds the motion; and, the vote or action thereon shall be recorded.

(b) Any School Board member or the Superintendent may request that his/her own statements become a part of the official minutes.

(c) Any other matter may be made part of the official minutes by direction of the chair or by a majority of the School Board.

(d) Lengthy material such as, but not limited to, student assignments may be maintained in record books which are separate from, but supplemental to, the minutes of the Board.

(12) The public has a right to address the School Board at any Regular, Special, or Emergency Meeting prior to the Board taking final action on a matter. The School Board may adopt a procedure for public comment including imposing a reasonable time restriction on the length of an individual's comments to the Board, but in no case may those comments be limited to less than three (3) minutes unless a longer period is allowed by law. The public may also address the School Board at a workshop meeting.

(13) The public shall be informed that it is unlawful to knowingly disrupt or interfere with a School Board meeting and that any such action may result in a misdemeanor offense of the second degree. This includes individuals who advise, counsel, or instruct students or School Board employees on techniques for disrupting a School Board meeting.

**STATUTORY AUTHORITY:** 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED:** CHAPTER 112; 120.525; 120.53; 286.0105; 286.011; 286.0111; 286.012; 447.605; 877.13; 1001.32; 1001.37; 1001.372(1)(2)(3)(4); 1001.41; 1001.42; 1001.43; 1006.145, F.S.

**HISTORY:** ADOPTED:
REVISION DATE(S): 01/11/05
FORMERLY: BD

## SCHOOL BOARD RULES 2.06

The School Board has the authority to adopt rules under the authority of Chapter 120 Florida Statutes. The complied Rules shall be maintained in a Rules Manual, the official copy of which shall be located in the Superintendent's office.

These rules may be amended, repealed, or a new rule adopted as hereinafter prescribed. The term “rule” is defined in Chapter 120, Florida Statutes; it does not include “curricula by an educational unit”, thereby, removing the development or prescription of curriculum by a School Board from the procedural requirements established for rule making.

(1) Unless an emergency exists, any proposal relating to a rule amendment, the repeal of any rule, or the adoption of a new rule shall be presented in writing to the School Board including a written explanation of the proposal.

(a) The Superintendent shall give immediate and proper written notice to the public pursuant to the provisions of Chapter 120, Florida Statutes, when the School Board has determined that it will give due consideration to the proposal for adoption, amendment, or repeal of a rule. The notice of a public hearing shall be advertised 28 days prior to the date of the hearing. The notice shall include a brief and concise explanation of the proposed rule’s purpose and effect. As provided by law, the Notice may also include an estimate of economic impact to all individuals affected by the proposed rule or rule amendment, the specific legal authority for the School Board’s action, and the location where the text of the proposed change may be obtained.

(b) Any person who is substantially affected by a proposed rule, rule amendment, or the repeal of a rule, may within twenty-one (21) days following notice of intent to adopt or repeal such rule, file a written request with the School Board seeking an administrative determination as to the validity of the proposed rule action.

(c) The Superintendent shall file immediately a copy of any new rule, rule amendment, or repeal of rule adopted by the School Board; in the official Rules Manual..

(d) Such rules shall become effective upon adoption by the School Board unless a time certain date is specified therein.

(2) Any person substantially affected by an existing School Board rule may petition the Division of Administrative Hearings, Florida Department of Administration, to conduct a hearing on the rule validity pursuant to Chapter 120, Florida Statutes. The decision of the Administrative Law Judge is subject to judicial review.

(3) The School Board may determine that the public health, safety, or welfare is endangered and that immediate action is required to protect the public interest. When this occurs, the School Board, at any meeting in which a quorum is present, may adopt emergency rules, without complying with the waiting period as provided in subsection (1) herein for public hearings and other similar requirements. The Superintendent shall properly record the effective date for any such emergency rule. Any emergency rule shall not be valid in excess of ninety (90) days from the adoption or effective date.

(4) Any School Board employee, citizen, or agency may obtain information relating to the method for proposing a rule or may submit a rule proposal to the Superintendent's office.

(5) Copies of the School Board rules shall be assigned to various positions within the District as determined by the Superintendent to insure all employees and the public have ready access to the rules. The Superintendent shall also establish a procedure to insure the Rules Manuals are kept current as rules are adopted, revised or repealed. Further, the Superintendent shall insure the Rules are available on the Internet.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **120.52 - .72; 120.81; 1001.43, F.S.**

**HISTORY:**

**ADOPTED: 08/18/98**
**REVISION DATE(S): 07/08/04**
**FORMERLY: BF**

## STAFF REVIEW OF RULES 2.061

1. All administrative, instructional, and non-instructional personnel shall become familiar with the School Board rules and such other procedures, policies, regulations, memoranda, bulletins, and handbooks pertaining to their specific duties in the District.

2. Any person employed by the School Board who willfully violates any School Board rule shall be subject to dismissal or such lesser discipline as the School Board may prescribe.

3. When a circumstance is not clearly addressed by these rules, the Superintendent shall make a decision in the exercise of sound executive judgment and discretion.

4. The Superintendent shall appoint a standing committee to keep the School Board Rules Manual current with changes made by the School Board, the State Board of Education, and Legislature. A complete rules manual review shall be completed every five (5) years.

**STATUTORY AUTHORITY**: **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.51; 1012.22; 1012.28; 1012.53, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 07/08/04; 04/12/16**
**FORMERLY: BFD**

## Public Notice, Legal Advertisements, and Key Communicators List 2.07

1. The School Board shall comply with all state statutes pertaining to public notice of regular, special, emergency, and workshop meetings of the School Board including public hearings.

2. a. The Superintendent, or designee, shall prepare and maintain a Key Communicators List to facilitate contact with members of the community. The list is a voluntary effort by the District, beyond the requirements of state law, to facilitate communication with the public. The list shall be updated on an annual basis and may include:

   i. Members of the Key Communicators group; and

   ii. Interested parties, including those that request to be added to the list.

   b. The list shall provide various means to contact each person or entity to the extent each member chooses to provide the contact information.

3. The District shall use its website to provide public notice of meetings and information to the public.

**STATUTORY AUTHORITY**: **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.372; 286.0105 F.S.**

**HISTORY** **ADOPTED: 08/18/98**
**REVISED: 02/08/05; 04/18/23**

# COLLECTIVE BARGAINING AGREEMENTS 2.08

If any provision of a collective bargaining agreement is in conflict with rule or procedure over which the Superintendent has no amendatory power, the Superintendent shall submit to the School Board a proposed amendment to such rule or procedure. Unless and until such amendment is adopted and becomes effective, the conflicting provision of the collective bargaining agreement shall not become effective.

**STATUTORY AUTHORITY**: **1001.41, F.S.**

**LAWS IMPLEMENTED**: **447.309(3); 1001.51 F.S.**

**HISTORY**: **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04**
**FORMERLY: NEW**

## School Improvement and Education Accountability 2.09

The School Board shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to Florida Statutes and State Board of Education rules. The system shall establish the individual school as the unit for education accountability and shall conform with the provisions of planning and budgeting as required by Sections 1008.385, 1006.21, 1010.01 and 1011.01 Florida Statutes. School as used herein shall include each school-within-a-school, magnet school, self-contained educational alternative center, and satellite center.

1. The system shall include, but not be limited to, the following components:

    a. School improvement plans which are adopted for each District school. Each District school shall develop and present to the Superintendent, by the date set by the Superintendent, an initial individual school improvement plan for consideration by the School Board. The approved plan shall be implemented the next school year.

        1. The plan shall be designed to achieve the state education goals and student performance standards and shall be based on a needs assessment conducted pursuant to data collection requirements in Section 1008.345, Florida Statutes.

        2. The plan shall address school progress, goals, indicators of student progress, strategies, and evaluation procedures including adequate measures of individual student performance.

        3. The plan for each District school shall be approved annually and shall be implemented as a new, amended, or continued school improvement plan.

        4. The plan shall be developed by School Board employees in each District school in conjunction with the school advisory council.

    b. The District process for initial approval and subsequent annual approvals of school improvement plans. Each school improvement plan shall be reviewed and approved or disapproved by the School

Board. The Superintendent shall refer any disapproved school improvement plans to the Florida Commission on Education Reform and Accountability.

c. A three-year individualized assistance and intervention plan for schools that do not meet or make adequate progress, as defined in Florida Statutes and State Board of Education rules, in satisfying the goals and standards of their approved school improvement plan.

d. The District notification procedures to the Florida Commission on Education Reform and Accountability and the State Board of Education to identify any school that has completed a three-year individualized assistance and intervention plan without making adequate progress in satisfying the goals and standards of its approved school improvement plan.

e. A communication program, to inform the public about student performance and educational programs in District and school reports.

f. Funds for schools to develop and implement school improvement plans.

g. A reporting procedure to provide the Florida Commission on Education Reform and Accountability with annual feedback on the progress of implementing and maintaining a system of school improvement and education accountability. Items specified in Section 230.23(18)(g), Florida Statutes, shall be included in all feedback reports.

2. The Superintendent shall distribute to students' parent(s) or legal guardian, the Commissioner of Education's written report to the public, describing the current status of Florida's education system.

3. The Superintendent, upon the School Board's approval, may request waiver of any law, specified in Section 229.592(6), Florida Statutes, or State Board of Education rule in order to facilitate innovative practices and to allow local selection of educational methods in implementing the system for school improvement and education accountability. The request shall be directed to the Commissioner of Education and shall include a statement regarding performance standards for ensuring maximum accountability.

**Chapter 2.00 — SCHOOL BOARD GOVERNANCE AND ORGANIZATION**

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **24.121(5)(c); 1001.10; 1008.385; 1008.345; 1001.42; 1010.01; 1011.01**

**HISTORY:** **08/18/98**
**Revision Date(s):**
**Formerly: AE**

| FAMILY AND SCHOOL PARTNERSHIP FOR STUDENT ACHIEVEMENT | 2.091 |
|---|---|

(1) The school district and each school principal are encouraged to strengthen family involvement and family empowerment in the school. The district will coordinate and integrate parental involvement strategies with school improvement, Title 1, Title 11, Title IV, Title VI, Community Involvement Programs, Business Partnerships, and other community involvement activities.

(2) The district will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs, based on the National Standards for Parent/Family Involvement Programs, which include:

(a) Communication between home and school is regular, two-way and meaningful.

(b) Responsible parenting is promoted and supported.

(c) Parents play an integral role in assisting student learning.

(d) Parents are welcome in school and their support and assistance are sought.

(e) Parents are full partners in the decisions that affect children and families.

(f) Community resources are utilized to strengthen school programs, family practices and student learning.

(3) The district, in collaboration with parents, school administrators, teachers and community partners, shall develop procedures to strengthen family involvement and empowerment. These procedures shall address:

(a) Parental choices and responsibilities.

(b) Links with community services and resources.

(c) Opportunities for parental involvement in the development. implementation, and evaluation of family involvement programs.

(d) Opportunities for parents to participate on school advisory councils

and in school volunteer programs, and other activities.

(4) The district will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the district professional development plan.

(5) The district Superintendent shall develop and disseminate a parent guide to successful student achievement. The guide shall:

(a) Be understandable to students and parents.

(b) Be distributed to all parents, students, and school personnel at the beginning of each school year.

(c) Be discussed at the beginning of each school year in meetings with students, parents and teachers.

(d) Include information concerning services, opportunities, choices, academic standards, and student assessment.

(6) The district shall develop and distribute a checklist of actions parents can take to improve their child's educational progress. The checklist shall be provided each school year to all parents and shall focus on academics, especially reading, high expectations for students, citizenship, and communication.

(7) The district will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy. The district will use the findings of the evaluations in designing strategies for school improvement and revising, if necessary, the parent involvement policies.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1002.23, 1001.42, 1001.51, 1001.54, 1002.20, 1003.33, 1006.07, 1008.25, 1012.72, 1012.98 F.S.**

**HISTORY:** **ADOPTED:**
**REVISION DATES(S):**
**FORMERLY: NEW**

## PROGRAM OF AWARDS 2.10

The School Board shall establish a program of awards for outstanding and meritorious service. The Board shall adopt procedures to administer this program based upon the recommendation of the Superintendent.

(1) Individuals who are eligible for receiving an award shall include:

(a) Employees with long and meritorious service or distinguished service in the performance of duty.

(b) Students who have excelled in scholarship, athletics, music, subject matter areas, citizenship, attendance, and any other areas recommended by the Superintendent and approved by the School Board.

(c) School volunteers or advisory council members who have contributed outstanding and meritorious service.

(2) Non-monetary awards may be in the form of a certificate, plaque, ribbon, photograph, medal, trophy, or any appropriate award.

(3) Monetary awards shall be awarded to employees who propose an idea that is subsequently implemented that results in cost savings or improved operations to the District. The amount of such awards shall be in accordance with Florida Statutes.

**STATUTORY AUTHORITY**: **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1012.22, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 07/08/04**
**FORMERLY: BFD**

## PARTICIPATION IN ACTIVITIES 2.11

Each member of the Board is encouraged to participate in the activities and programs conducted by state, regional and national associations of the School Board. The Superintendent shall include an amount in each proposed annual budget to cover expenses to support the participation of the Board in activities and programs conducted by the State and other organizations as the Board chooses.

**STATUTORY AUTHORITY**: **230.22(2), F.S.**

**LAWS IMPLEMENTED:** **230.22(1) (2), F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S):**
**FORMERLY: BHBA**

## LEGAL SERVICES 2.12

1. The School Board shall obtain an attorney, from outside its own membership, who shall act as general counsel to the Board and the Superintendent. The General Counsel shall report to the Board. The Board shall provide a written contract for its attorney, which shall specify duties and responsibilities for the duration (of the contract with renewal and termination provisions and compensation to be paid. Special counsel may be retained to assist the General Counsel in any litigation or other matter when specifically approved by the School Board.

2. The Superintendent shall have the authority to obtain, at Board expense, an attorney to represent the Superintendent in any legal matter when the General Counsel to the School Board has a legal conflict of interest in representing both the School Board and the Superintendent.

3. The School Board may provide legal services for any School Board member or employee who is sued for any action arising out of or in the course of employment by the District.

4. By action of the School Board at a public meeting and when in the best interest of the School District.

    a. The School District shall reimburse the reasonable expenses for legal services for Board Members and employees who are charged with a civil or criminal action arising out of and in the course of the performance of assigned duties and responsibilities upon successful defense of those actions. However, in a criminal action, a plea of guilty, or *nolo contendere* or a guilty verdict shall not be considered a "successful defense."

    b. The School Board may reimburse a member or employee for any judgment arising out of or in the course of the performance of assigned duties and responsibilities.

**STATUTORY AUTHORITY**: **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.41; 1001.43; 1012.26, F.S.**

**HISTORY:**

**ADOPTED: 08/18/98**
**REVISION DATE(S): 07/08/04**
**FORMERLY: 2.13; 2.14**

## ADMINISTRATION AND SCHOOL BOARD PLANS 2.15

The School Board has plans, manuals, handbooks and codes which outline procedures to be followed relative to state topics. The plans, manuals, handbooks and codes listed below and **preceded by asterisk** are herein adopted by reference as part of these rules.

These include, but are not limited to

* Approved List of Fees for use of facilities, equipment, district services, and materials
* Code of Student Conduct
* Collective Bargaining Agreements
* Employee Job Descriptions
* Head Start Council Manual
* Media Handbook
* Pupil Progression Plan
* School Choice Plan
* Personnel School Attendance Zone Guidelines

AIDS / HIV Bloodborne Pathogens

Dropout Prevention Program

Exceptional Student Education

Facilities Handbook

Professional Orientation Program

Program of Awards

Qualifications for Employment of Non-Degreed Full-time and Part-time Vocational and Part-time Adult Instructional

Manual

School Board Transportation Employee Drug and Alcohol Testing Manual

School Food Services Handbook

School Improvement Plans

Testing Handbook

Transportation Handbook

# CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

***STATUTORY AUTHORITY:*** 230.22(2), F.S.

***LAWS IMPLEMENTED:*** 230.22(1) (2), F.S.

**History:** Adopted: 8/18/90
Revision Dates(s):
Formerly: IJ; JFC

## Policy Against Discrimination and Harassment 2.16

1. Policy Against Discrimination. The School Board of St. Johns County, Florida prohibits all forms of unlawful discrimination against students, employees and other persons in all aspects of the District's programs, activities and operations. The term "unlawful discrimination" encompasses any unlawful policy, practice, conduct, or other unlawful denial of rights, benefits, or privileges that is based on any legally protected status or classification under applicable federal, state, or local law including, but not limited to, race (including anti-Semitism), color, religion, sex, age, marital status, disability, political or religious beliefs, national or ethnic origin, or genetic information.

    a. The School Board shall comply with all state and federal laws that prohibit discrimination and are designed to protect the civil rights of employment applicants, employees, students, and other persons protected by law.

    b. The School Board shall admit students to District schools, programs, and classes without regard to race, color, religion, sex, age, national or ethnic origin, marital status, or disability.

    c. In accordance with the Boys Scouts of America Equal Access Act 20 U.S.C. § 7905, the School Board shall not deny equal access to District facilities or discriminate against the Boy Scouts of America or any youth group listed in Title 36A as a patriotic society.

2. Policy Against Sexual Harassment and Other Forms of Unlawful Harassment. The School Board strives to maintain an academic and work environment in which all employees, volunteers, and students are treated with respect and dignity. A vital element of this environment is the Board's commitment to equal opportunities and the prohibition of discriminatory practices. The Board's prohibition against discriminatory practices includes prohibitions against sexual harassment, or any other form of harassment based upon a person's membership in a protected class and prohibited by applicable state or federal law, by District employees, agents, students, volunteers and vendors. This policy prohibits sexual harassment, or any other form of illegal harassment, of any employee, student, volunteer or visitor.

3. Equal Opportunity Officer. The District's Equal Opportunity Officer ("EEO") is Cynthia Preston, 40 Orange Street, St. Augustine, Florida 32084, cynthia.preston@stjohns.k12.fl.us.

4. Definitions. For purposes of this rule, "sexual harassment" and related terms are defined as follows:

    a. Sexual Harassment. Prohibited Sexual Harassment includes, but is not limited to, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, including instances of:

i. Conditioning the provision of a District benefit, or service on an individual's participation in unwelcome sexual conduct;

ii. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or

iii. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

b. Examples of Sexual Harassment. Types of conduct which may constitute Sexual Harassment are listed in paragraph 2.b. of Rule 2.161.

c. Other Forms of Prohibited Harassment. Illegal harassment on the basis of characteristics protected by state or federal law is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, sex, national origin, age, disability, marital status, citizenship or any other characteristic protected by law and that:

i. Has the purpose or effect of creating an intimidating, hostile or offensive work or academic environment;

ii. Has the purpose or effect of interfering with an individual's work or academic performance; or

iii. Otherwise adversely affects an individual's employment or academic performance.

d. Examples of Other Prohibited Harassment. Actions which may constitute other forms of harassment include, but are not limited to, the following:

i. Epithets, slurs or negative stereotyping;

ii. Threatening, intimidating or hostile acts, such as stalking; and

iii. Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on school or District office premises or circulated in the workplace or academic environment.

e. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute discrimination or harassment prohibited by this rule.

f. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute discrimination or harassment prohibited by this rule.

5. Prohibited Retaliation. Acts of retaliation against an individual who files or participates in the investigation of a complaint alleging a violation of this anti-discrimination policy or Grievance Process for Complaints of Sexual Harassment under Rule 2.161 are prohibited. Retaliation may include, but is not limited to, any form of intimidation, reprisal or harassment based upon the filing of a complaint, or participation in the investigation of a complaint of discrimination.

6. Procedure for Filing a Complaint of Sexual Harassment. A person who believes he or she has been sexually harassed by an employee, volunteer, student or vendor of the District should file a complaint with the District Title IX Coordinator under the School Board Rule 2.161Grievance Process for Complaints of Sexual Harassment. The Complaint should be filed within sixty (60) days of the alleged incident.

7. Procedures for Filing Complaint of Discrimination Other Than Sexual Harassment. Any person who believes that he or she has been discriminated against, harassed, or subjected to a hostile environment, based on grounds other than Sexual Harassment by an employee, volunteer, agent or student of the School District should immediately file a written complaint within sixty (60) days of the alleged incident. The complaint should set forth a description of the alleged discriminatory actions, the time frame in which the alleged discrimination occurred, the person or persons involved in the alleged discriminatory actions, and any witnesses or other evidence relevant to the allegations in the complaint.

   a. The complaint should be filed with the EEO Officer, school principal or site administrator. Complaints filed with the principal or site administrator must be forwarded to the District's EEO Officer within five (5) days of the filing of the complaint. If the complaint is against the principal or site administrator, the complaint should be filed directly with the EEO Officer.

   b. If the complaint is against the District's EEO Officer, the Superintendent, or a member of the School Board, the complaint should be filed with the School Board Attorney.

8. Procedure for Processing Complaints. A complaint shall be processed as follows:

   a. Promptly after receiving a complaint, the EEO Officer shall determine whether the allegations may constitute Sexual Harassment prohibited by Title IX. If so, the Title IX Grievance Process under Rule 2.161 shall be followed. Otherwise, the investigation shall proceed in accordance with subparagraphs b. – l.

   b. Promptly upon receipt of the written complaint, the EEO Officer shall appoint an investigator ("Investigator") to conduct an investigation of the allegations

in the complaint. The Investigator shall interview the Complainant and the Respondent; interview any witnesses identified by the Complainant, Respondent, or by other sources; take statements from all witnesses; and review any relevant documents or other evidence. Promptly following appointment, the Investigator should also determine whether interim measures should be taken pending the completion of the investigation. Upon completing a review of the relevant evidence, the Investigator shall prepare a written summary of the investigation, and make a recommendation to the District EEO Officer as to whether there is reasonable cause to believe a violation of the District's anti-discrimination policy has occurred.

c. Within thirty (30) days after appointment, the Investigator shall provide the investigation summary, relevant documents, witnesses' statements and recommendation to the EEO Officer. The EEO Officer shall review the investigation summary, evidence and recommendation, and determine within ten (10) days whether there is reasonable cause to believe a discriminatory practice occurred.

d. If the EEO Officer determines there is reasonable cause to believe a violation of the nondiscriminatory policy occurred, he or she shall provide within ten (10) days' notice of the reasonable cause finding to the Complainant and the Respondent. The EEO Officer or School Board Attorney shall then forward the investigatory file, reasonable cause determination, and all related documents and evidence, to the Superintendent.

e. If the EEO Officer determines, after a review of the investigation, summary, recommendation and other evidence, that there is no reasonable cause to believe a discriminatory practice occurred, he or she shall provide notice within ten (10) days of the finding of no reasonable cause to the Complainant and Respondent.

f. Within ten (10) days after receipt of this no reasonable cause notice, the Complainant may request a no reasonable cause finding by the EEO Officer be reviewed by the Superintendent. The Complainant shall provide a written statement in support of his or her disagreement with the determination. The Complainant will also be given an opportunity to meet with the Superintendent and EEO Officer to present his or her position. Within ten (10) days after receipt of the Complainant's request, the Superintendent shall then make a final determination as to whether there is reasonable cause to believe a discriminatory practice occurred.

g. If review by the Superintendent is not timely requested, the EEO Officer's determination of no reasonable cause shall be final.

h. The Respondent may request, within ten (10) days of receipt of a notice of a finding of reasonable cause, that the determination be reviewed by the Superintendent. The request must include a written statement expressing the Respondent's position on the complaint and findings, and address any facts, statements or evidence which he or she submits are inaccurate. The Respondent will be given an opportunity to meet with the Superintendent and the EEO Officer to present his or her position.

i. After providing the opportunity for an informal hearing as referenced in subparagraphs f. and h. above, the Superintendent shall evaluate all the evidence, the investigation summary, recommendations and findings, along with any input by the Respondent and Complainant, and make a final determination as to whether there is reasonable cause to support the Complainant's allegations. He or she shall then determine any necessary disciplinary, remedial, or other action. Notice of the final disposition of the complaint and any disciplinary and/or remedial action shall be forwarded to the Respondent and the Complainant within ten (10) days after the informal hearing, and a copy of the final disposition will be filed with and maintained in the office of the District EEO Officer and the Human Resources Director.

j. All employees shall cooperate with any investigation of alleged harassment conducted under this policy or by an appropriate state or federal agency.

k. Employees may choose to pursue their complaints through the relevant employee collective bargaining grievance procedure instead of the complaint procedure in this policy.

l. If the complaint is against the EEO Officer, the School Board Attorney shall perform the duties of the EEO Officer in the complaint and investigation process.

m. Notwithstanding anything to the contrary in this rule, a complaint may be dismissed if it fails to allege actionable discrimination on the basis of a legally protected status or characteristic.

9. <u>Complaints against School Board Members or the Superintendent</u>. Complaints against School Board members or the Superintendent shall be filed with the School Board Attorney. Within ten (10) days after receipt of the complaint, the School Board Attorney will appoint an outside, independent investigator ("Investigator") to conduct an investigation and make a recommendation as to whether a discriminatory practice has occurred. It is recommended, but not mandatory, that the Investigator be an attorney familiar with federal and state law prohibiting discrimination on the basis of a protected status.

a. The Complainant and Respondent shall be interviewed by the outside Investigator. Both shall provide written lists of witnesses to be interviewed, and documents or other evidence to be reviewed as relevant to the

complaint. The Investigator shall interview all witnesses identified by the Complainant or Respondent, in addition to witnesses with relevant knowledge which the Investigator may discover from other sources. The Investigator shall also review relevant documents and other evidence. Within twenty (20) days after receipt of the complaint, the Investigator shall then prepare a written summary of his or her investigation, and a recommendation to the School Board Attorney as to whether there is reasonable cause to believe that a discriminatory practice may have occurred.

b. If reasonable cause is recommended by the Investigator against a School Board Member, the recommendation shall be forwarded to the Governor's office within twenty (20) days of receipt of the recommendation to determine if there is evidence that a misfeasance or malfeasance of office occurred. The Governor's Office will be responsible for taking any necessary action in accordance with applicable law with reference to an elected official. The School Board shall receive and make the final determination on the Superintendent.

c. A finding of no reasonable cause by the outside Investigator, which is reviewed and confirmed by the School Board Attorney shall be final. In compliance with Florida Statute, the investigation file shall become public record and the School Board Member shall answer to their constituency.

10. Sanctions for Confirmed Discrimination or Harassment. In cases of confirmed discrimination or harassment, the following sanctions are available:

a. A substantiated allegation of discrimination or harassment against a student shall subject that student to disciplinary action consistent with the Code of Student Conduct.

b. A substantiated allegation of discrimination or harassment against an employee may result in disciplinary action including termination and referral to appropriate law enforcement authorities. A volunteer shall be removed from service and a referral may be made to appropriate law enforcement authorities.

11. Public Records Disclosure and Exemptions. The public disclosure of information related to an investigation of a complaint of discrimination against District employees shall be governed by applicable statutory requirements. To the extent possible, complaints by or against students will be treated as confidential in accordance with Florida Statutes and the Family Educational Rights and Privacy Act ("FERPA"). Limited disclosure may be necessary to complete a thorough investigation as described above, and to afford the Respondent procedural due process. The District's obligation to investigate and take corrective action may supersede an individual's right to privacy.

12. Parental Notification. The parents of a person under the age of 18 who has filed a complaint of discrimination or harassment or has been accused in a complaint of discrimination or harassment shall be notified within three (3) days of receipt of a complaint.

13. Guidelines and Procedures. The Superintendent is authorized to adopt guidelines and procedures to implement, interpret and augment this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42; 1012.23, F.S.**

**LAWS IMPLEMENTED:** **1000.05, F.S.**

**42 USC 2000; 29 USC 621; 42 USC 12101;**
**20 USC 1681; 42 USC 1983;**
**34 CFR PARTS 100 AND 104;**
**28 CFR PART 35; 29 CFR 1635**

**STATE BOARD OF EDUCATION RULE:** **CHAPTER 6A-19, F.A.C.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISED:12/18/03; 07/01/08; 10/08/13; 8/12/25**

**FORMERLY: 5.21, 6.43**

## Grievance Process for Complaints of Sexual Harassment 2.161

1. Introduction. Rule 2.16 codifies the District's policy against Sexual Harassment, discrimination on the basis of sex and other forms of unlawful discrimination. This rule establishes the grievance process to be followed in addressing formal Complaints of Sexual Harassment.

2. Definitions. For purpose of this rule, the following definitions apply:

   a. "Sexual Harassment." Sexual Harassment includes, but is not limited to, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, including instances of:

      i. An employee of the District conditions the provision of a District aid, benefit, or service on an individual's participation in unwelcome sexual conduct;

      ii. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a District education Program or Activity; or

      iii. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

   b. Conduct which may constitute Sexual Harassment includes, but it not limited to:

      i. Graphic verbal comments about an individual's body or appearance;

      v. Sexual jokes, notes, stories, drawings, pictures or gestures;

      vi. Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions;

      vii. Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates;

      viii. Spreading sexual rumors;

      ix. Touching an individual's body or clothes (including one's own) in a sexual way, including, but not limited to, grabbing, brushing against, patting, pinching, bumping, rubbing, kissing, and fondling;

x. Cornering or blocking normal movements; and

xi. Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.

c. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment prohibited by Title IX.

d. "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment prohibited by Title IX against a Respondent and requesting that the allegation be investigated. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. When the Title IX coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party.

e. "Program" or "Activity" includes locations, events or circumstances over which the School Board exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

f. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment prohibited by Title IX.

g. "Supportive Measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the School Board's education Program or Activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter Sexual Harassment. Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security or monitoring of parts of campus, and other similar measures. Any Supportive Measures provided to the Complainant or Respondent are maintained as confidential, to the extent that maintaining such confidentiality does not impair the ability to provide Supportive Measures. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

3. Title IX Coordinator. The District's Title IX Coordinator is Cynthia Preston, 40 Orange Street, St. Augustine, Florida 32084, cynthia.preston@stjohns.k12.fl.us.

4. Title IX Grievance Process. Paragraphs 5 - 17 of this rule delineate the process for reporting, investigating and resolving Formal Complaints of Sexual Harassment:

5 Reporting Sexual Harassment. Any person may report Sexual Harassment (whether or not the person reporting is the person alleged to be the victim), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

6. Investigation Mandatory. A Formal Complaint of Sexual Harassment must be investigated in accordance with the grievance process under this rule.

7. Initial Contact; Supportive Measures. Upon receiving a report of Sexual Harassment, the Title IX Coordinator should promptly contact the Complainant to discuss the need for and availability of Supportive Measures with or without the filing of a Formal Complaint. The Title IX Coordinator should consider the Complainant's wishes with respect to Supportive Measures, and when a Formal Complaint has not been filed, explain the process for filing one.

8. Emergency Removal. While the grievance process is pending, a Respondent may be removed from a school's education Program or Activity on an emergency basis, provided that an individualized safety and risk assessment determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal, and that the Respondent is provided with notice and an opportunity to challenge the decision immediately following the removal.

9. Administrative Leave. Where circumstances warrant, a non-student employee Respondent may be placed on administrative leave during the pendency of the grievance process.

10. Basic Requirements of the Grievance Process. The District's Sexual Harassment grievance process meets the basic requirements prescribed by 34 CFR §106.45.

    a. The process treats Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent, and by following a grievance process that complies with §106.45 before the imposition of any disciplinary sanctions or other actions against a Respondent other than Supportive Measures as defined in §106.30. Remedies are designed to restore or preserve equal access to the District's education Program or Activity. Such remedies may include the same individualized services described in §106.30 as "Supportive Measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

    b. All relevant evidence is to be evaluated objectively, including both inculpatory and exculpatory evidence. Credibility determinations are not based on a person's status as a Complainant, Respondent, or witness.

    c. Any Title IX Coordinator, Investigator, Decision-Maker, or any person who

facilitates an informal resolution process may not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

d. The Title IX Coordinator, Investigators, Decision-Makers, and any person who facilitates an informal resolution process must receive training on the definition of Sexual Harassment prohibited by Title IX, the scope of the District's education Program, how to conduct an investigation and grievance process including appeals, and informal resolution processes, and how to serve impartially, including by avoiding pre-judgment of the facts at issue, conflicts of interest, and bias. Investigators and Decision-Makers receive training as to relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

e. The Respondent is presumed not to be responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

f. Reasonably prompt time frames are provided for the steps in the grievance process and its conclusion.

g. A finding of responsibility may result in disciplinary action up to and including expulsion for students or dismissal of employees.

h. The standard of evidence used to determine responsibility is preponderance of the evidence.

i. The process does not allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

11. Notice of Allegations. Within two (2) days after receipt of a Formal Complaint, the Title IX Coordinator shall give the following written notice to the parties who are known:

a. Notice of the grievance process, including any informal resolution process, and

b. Notice of the allegations potentially constituting Sexual Harassment prohibited by Title IX, including:

i. The identities of parties involved;

ii. The conduct allegedly constituting Sexual Harassment;

iii. The date and location of the alleged incident;

iv. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

v. Notice the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence;

vi. Notice that the School Board's Rules and Student Code of Conduct prohibit knowingly making false statements or knowingly submitting false information during the grievance process; and

vii. Notice that if, in the course of an investigation, the Investigator decides to investigate allegations about the Complainant or Respondent that are not included in the notice previously provided, notice of the additional allegations will be provided to the parties whose identities are known.

12. Investigation of Formal Complaint. Investigation of a Formal Complaint shall proceed as follows:

a. Promptly upon receipt of a Formal Complaint, the District EEO Officer shall appoint an Investigator to conduct an investigation of the allegations of Sexual Harassment. The Investigator shall interview the Complainant and the Respondent; interview any witnesses identified by the Complainant, Respondent, or by other sources; take statements from all witnesses; and review any relevant documents or other evidence. Upon completing a review of all relevant evidence, the Investigator shall prepare an investigative report that fairly summarizes the relevant evidence in accordance with the procedure and within the time specified in paragraph 12.h.

b. During the grievance process, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School Board and not on the parties.

c. A party's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party shall not be accessed, considered, disclosed or otherwise used in the investigation without the voluntary, written consent of the party's parent, or the party if the party is an eligible student.

d. During the investigation, the parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

e. The ability of the parties to discuss the allegations under investigation or to gather and present relevant evidence should not be restricted.

f. During the investigation, the parties have the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The choice or presence of advisor for either the Complainant or Respondent is not limited in any meeting or grievance proceeding.

g. Any party whose participation is invited or expected shall be provided written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings with that party, with sufficient time for the party to prepare to participate.

h. The Investigator shall provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence which will not be relied upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

i. Prior to the completion of the investigative report, and no more than thirty (30) days after appointment, the Investigator must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the Investigator will consider prior to completion of the investigative report.

j. The Investigator shall prepare an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the time a determination regarding responsibility is made, send to the Title IX Coordinator, each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

13. Determination Regarding Responsibility. The Title IX Coordinator shall appoint a Decision-Maker, who cannot be the same person as the Title IX Coordinator or the Investigator, to issue a written determination regarding responsibility, after taking the following steps:

a. After the Investigator has sent the investigative report to the parties and before reaching a determination regarding responsibility, the Decision-Maker must afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the Complainant's sexual

predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the question any decision to exclude a question as not relevant.

b. Within sixty (60) days after the filing of the Formal Complaint, the Decision-Maker shall issue a written determination regarding responsibility. The Decision-Maker's written determination must include:

i. A summary of the allegations potentially constituting Sexual Harassment;

ii. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence; findings of fact supporting the determination;

iii. Conclusions regarding the application of the relevant law, including the Student Code of Conduct;

iv. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School Board imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the School Board's education Program or Activity will be provided to the Complainant; and the procedures and permissible bases for the Complainant and Respondent to appeal.

c. The Decision-Maker must provide the written determination regarding responsibility to the parties simultaneously.

d. The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, or, if an appeal is not filed, the date on which an appeal would no longer be considered timely.

e. The Title IX Coordinator is responsible for effective implementation of any remedies.

12. Appeals. The parties shall have the right to appeal, as follows:

a. Either party may appeal from a determination regarding responsibility or from a dismissal of a Formal Complaint or any allegations therein, for the

following reasons:

i. Procedural irregularity that affected the outcome of the matter;

ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

iii. The Title IX Coordinator, Investigator, or decision- maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

b. Notice of appeal must be given in writing to the Title IX Coordinator.

c. As to all appeals, the Title IX Coordinator shall:

i. Notify the other party in writing when an appeal is filed and implements appeal procedures equally for both parties;

ii. Ensure that the Decision-Maker for the appeal is not the same person as the Decision-Maker that reached the determination regarding responsibility or dismissal, the Investigator, or the Title IX Coordinator; and ensures that the Decision-Maker for the appeal complies with the standards set forth in Title IX and this policy.

d. The appeal Decision-Maker shall:

i. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

ii. Review the evidence gathered by the Investigator, the Investigator's report, and the Decision-Maker's written decision; and

iii. Issue a written decision describing the result of the appeal and the rationale for the result; and provides the written decision simultaneously to both parties and the Title IX Coordinator.

14. Timelines. The following timelines apply:

a. The investigative report will be provided to the parties within thirty-five (35) days from the date the Formal Complaint is filed.

b. A decision regarding responsibility will be issued within sixty (60) calendar days from the date of the filing of the Formal Complaint.

c. Either party may appeal within five (5) working days from the date the written determination regarding responsibility is given to the parties.

d. Any appeal will be resolved with fifteen (15) calendar days from the filing of the appeal.

e. If the parties agree to an informal resolution process, these deadlines are tolled from the time one party requests an informal resolution process until either the time the other party responds, if that party does not agree to the informal resolution process, or until either party withdraws from the informal resolution process.

f. Temporary delays of the grievance process or the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action are permitted. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; disciplinary processes required by law or School Board policy; or the need for language assistance or accommodation of disabilities.

15. Dismissal of Formal Complaints. A Formal Complaint is subject to dismissal when:

a. Conduct alleged in the complaint would not constitute Sexual Harassment even if proved did not occur in the School's education Program or Activity; or did not occur against a person in the United States. However, such a dismissal does not preclude action under another provision of the School Board's Code of Conduct or applicable law.

b. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; the Respondent is no longer enrolled or employed by the School Board; or specific circumstances prevent the School Board from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

16. Informal Resolution Process. The grievance process shall be subject to informal resolution under the following circumstances:

a. At any time during the formal complaint process and prior to reaching a determination regarding responsibility, the parties may participate in an informal resolution process, such as mediation, that does not involve a full investigation and determination of responsibility. When one party requests an informal resolution process, the other party must respond to the request within 3 days. The informal resolution process must be completed within 10 days of the agreement to participate in the process.

b. The informal resolution process may be facilitated by a trained educational professional, consultant, or other individual selected by the Title IX Coordinator under the following conditions:

i. The parties are provided a written notice disclosing the allegations,

the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process, resume the grievance process with respect to the formal complaint, and be informed of any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

ii. The parties, voluntarily and in writing, consent to the informal resolution process; and

iii. The informal resolution process cannot be used to resolve allegations that an employee sexually harassed a student.

c. If the matter is resolved to the satisfaction of the parties, the facilitator shall document the nature of the complaint and the resolution, have both parties sign the document and receive a copy, and forward it to the title IX Coordinator. If the matter is not resolved, the formal complaint process is resumed.

d. Parties cannot be required to participate in an informal resolution process.

e. An informal resolution process is not offered unless a formal complaint is filed.

17. Recordkeeping. Records of any grievance proceeding under this rule must be maintained for seven (7) years.

18. Guidelines and Procedures. The Superintendent is authorized to adopt guidelines and procedures to implement, interpret and augment this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42; 1012.23, F.S.**

**LAWS IMPLEMENTED:** **1000.05, F.S.**
**20 USC 1681**
**34 CFR PART 106**

**STATE BOARD OF EDUCATION RULE:** **CHAPTER 6A-19, F.A.C.**

**HISTORY:** **ADOPTED: 8/12/25**

## REPORTING CHILD ABUSE 2.17

A. Definitions of Child Abuse, Abandonment or Neglect

(1) "Abuse" means any willful or threatened act that results in any physical, mental or sexual injury or harm that causes, or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.

(2) "Abandonment" means a situation in which the parent or legal custodian of a child, or in absence of the parent or legal custodian, the caregiver responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations.

(3) "Neglect" occurs when a child is deprived of or is allowed to be deprived of, necessary food, clothing, shelter or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability, unless actual services for relief have been offered and rejected. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal custodian.

B. Prohibition Against Child Abuse, Abandonment or Neglect

The School Board strongly prohibits any action or omission constituting child abuse, neglect, or abandonment by any of its employees, agents, volunteers, or by other persons affiliated in any way with the School District. Further, all employees, agents, and volunteers of the School District must comply with Florida law requiring reporting of child abuse, neglect, or abandonment.

C. Requirements for Reporting Child Abuse, Abandonment or Neglect

(1) Florida Statute requires that any person, including, but not limited to, any:

(a) Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission,

examination, care or treatment of persons;

(b) Health or mental health professional other than one listed in (a):

(c) Practitioner who relies solely on spiritual means for healing;

(d) School teacher or other school official or personnel;

(e) Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker; or

(f) Law enforcement officer or judge

who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Department of Children and Family Services.

(2) Each report of known or suspected child abuse, abandonment, or neglect shall be made immediately to the Department of Children and Family Service's abuse hotline, on the single statewide toll-free telephone number. The teacher or staff member may also contact the principal, a school designee, district office or support person to let them know the case has been reported, and for their own documentation and protection file a District County Schools Child Abuse Incident Referral Report.

(3) Reporters in the categories specified in (1) above, will be required to provide their names to hotline staff. The extent of confidentiality of the reporter's name, with respect to the Department's records, is governed by Florida Statute.

(4) In accordance with state law, the Department of Children and Family Services, in conjunction with applicable law enforcement agencies, are responsible for investigating allegations of child abuse, abandonment, or neglect.

(5) Complaint Against School District Employee, Volunteer or Agent: If a complaint is made against a School District employee, volunteer, agent or other person affiliated with the School District which, if true, would constitute child abuse, neglect or abandonment by that person, that complaint shall be immediately forwarded to the Superintendent. The Superintendent shall forward the complaint to the Department of Children and Family Services for investigation as provided by statute. The person accused of child abuse, abandonment or neglect shall be suspended from duties involving interaction with children pending investigation of the

allegations. If the allegations are substantiated by the Department of Children and Family Services, the Superintendent shall take appropriate disciplinary action. School District staff shall in good faith cooperate with, and participate only as directed by, the Department of Children and Family Services and law enforcement during the investigation, and with respect to any subsequent criminal proceedings.

(6) When a report of child abuse, neglect or abandonment has been made to the Department of Children and Family Services or law enforcement agencies, a teacher, staff member, volunteer or agent should not take it upon themselves to interview the child, talk with the suspected abuser, discuss the allegations with other potential witnesses or otherwise investigate the case. Nor should a teacher, staff member, volunteer or agent divulge information relating to the complaint to persons other than school officials, the Child Protection Team, the Department of Children and Family Services, law enforcement, the State Attorney or other court designee. If a parent, caregiver, or legal guardian desires information related to a complaint of child abuse, that person should be directed to contact the Department of Children and Family Services and/or the applicable local law enforcement agency.

(7) Florida Statute provides that a person required by state law to report child abuse, abandonment, or neglect, but who willingly and knowingly fails to do so, or prevents another from doing so, is guilty of a first degree misdemeanor. Likewise, knowingly and willingly filing a false report of child abuse, neglect, or abandonment or advising another to do so constitutes a third degree misdemeanor felony. Except when reporting their own acts of child abuse, abandonment, or neglect, any person authorized or required by state law, or reporting in good faith any instance of child abuse, abandonment, or neglect to the Department of Children and Families or any law enforcement agency, shall be immune from any civil or criminal liability which might otherwise result from such action.

(8) Each School District shall post notice in a prominent place that all employees and agents of the School District have an affirmative duty to report all actual or suspected reports of child abuse, abandonment, or neglect. The notice shall include the telephone number of the central abuse hotline. Once a report is made by an employee of the School District, the superintendent/designee shall serve as liaison with the appropriate investigating agencies.

(9) Child Abuse Prevention Training for School District employees, staff, volunteers shall be provided in compliance with, and as specified in Florida Statute.

**STATUTORY AUTHORITY:** 120.54, 1001.41, 1001.42, F.S.

**LAWS IMPLEMENTED:** 39.0015; 39.01; 39.201; 39.202; 39.203; 39.205; 39.206; 1001.43, 1006.061, F.S.

**HISTORY:** ADOPTED: 07/08/04
REVISION DATE(S):
FORMERLY: NEW

## CHAPTER 2.00 - SCHOOL BOARD GOVERNANCE AND ORGANIZATION

| **Individuals with Communicable Diseases** | **2.18** |
|---|---|

1. It is the School Board's intent to protect employees and students from exposure to communicable diseases, to risks occasioned by such diseases, and to provide reasonable accommodations to infected students and employees.

2. It is recognized that students and employees with any illness, including communicable diseases, may wish to attend school or continue to work. As long as they are able to meet acceptable performance standards, and medical evidence indicates that their condition is not a threat to themselves nor to others, they may attend school as would any other student or continue to work as any other employee. If it becomes necessary, reasonable accommodations shall be made to enable the qualified individual to continue the student's education or the individual's employment.

3. All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need-to-know.

4. Procedures and guidelines shall be in place which are consistent with federal and state regulations regarding the training and methods of handling and ameliorating the potential risks of exposure to blood borne pathogens, and communicable diseases.

5. Members of the public who wish to volunteer and who have communicable diseases may be denied that opportunity in the sole discretion of the District.

6. Procedures shall be developed by the Superintendent to implement this Rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1000.21; 1001.03; 1001.42; 1001.43; 1002.22, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-6.03020; 6A-6.0331**

**HISTORY:**

**FORMERLY: NEW**

**ADOPTION DATE: 8-8-06**

## RESPONSIBILITIES OF SUPERINTENDENT 3.01

(1) The Superintendent is the executive officer of the School Board and is responsible for the day to day administration and management of the schools and for the supervision of instruction in the district.

(2) The Superintendent serves as the secretary of the School Board and shall keep such minutes and records as may be necessary to set forth clearly all actions and proceedings of the School Board.

(3) District employees shall be under the general supervision of and subject to the direction of the Superintendent.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.32, 1001.33, 1001.42; 1001.43; 1001.48; 1001.49; 1001.51; 1006.08 F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 07/08/04**
**FORMERLY: BFE; BHA; CB; CBA; CGD; CHD**

| PERFORMANCE GRADE SCHOOLS | 3.011 |
|---|---|

(1) The Superintendent shall establish procedures which shall be approved by the Board to give greater autonomy, including authority over the allocation of the schools' budget, to:

(a) Schools designated as performance grade category "A"; and

(b) Schools having improved at least two performance grade categories as required by Florida Statutes.

(2) Students who attend a school that has been designated as performance grade category "F" for two (2) school years in a four (4) year period shall be allowed to attend a high performing school in the district or an adjoining district or be granted a state opportunity scholarship to a private school.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.42, 1001.43, 1002.38, F.S.**

**HISTORY:**

**ADOPTED: 07/08/04**
**REVISION DATE(S):**
**FORMERLY: NEW**

## RESPONSIBILITIES OF PRINCIPALS 3.02

The Superintendent shall appoint, subject to School Board approval, a principal for each school in the District who shall be qualified by School Board Rule and other provisions of law to serve in that position. The principal is the educational leader of the school and as such is responsible for the supervision of instruction. The principal also has the primary and direct responsibility for the day to day administration including the implementation and enforcement of School Board Rules and Procedures and the fiscal management of the school. The principal shall provide leadership to the creation, implementation and revision of the school improvement plan.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.32, 1001.43, 1001.54; 1006.09, F.S.**

**HISTORY:**
**ADOPTED: 08/18/78**
**REVISION DATE(S): 07/08/04**
**FORMERLY: BFE; BHA; CB; CBA; CGD; CHD**

## EMERGENCIES 3.03

(1) In case of an emergency involving the welfare and safety of students and employees, the Superintendent may suspend any part of these Rules; provided that the Superintendent shall report the fact of and the reason for suspension immediately to individual Board Members and to the full Board at the next regular meeting of the School Board. Provided further that the suspension shall expire at the time of next regular meeting of School Board unless continued in effect by actions of the School Board.

(2) In case of an emergency, the Superintendent/designee may close any school or all schools. School Board members shall be informed immediately of any event or condition which requires the closing of a school.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.33, 1001.43 F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 07/08/04**
**FORMERLY: BFE; BHA; CB; CBA; CGD; CHD**

## DISTRICT ORGANIZATION 3.05

(1) The Superintendent shall propose and the School Board shall approve one or more organizational charts to provide for the administration of the School District and a basic organizational chart for high schools, middle schools, and elementary schools. The Superintendent may approve variations to individual school organizational charts that are intended to meet the unique needs and goals of the school and that are consistent with District staffing formulas. The Superintendent shall also prepare and the School Board shall approve a specific job description for each position on such charts.

(2) In creating the administrative organization, the Superintendent and Board shall be guided by the principal that the district administration exists to serve students and teachers and to support school based administrators.

(3) The Superintendent may from time to time delegate to a member of the administrative staff duties assigned to the Superintendent by these Rules or other provisions of law. Provided however, the Superintendent remains responsible for the actions of such designee

(4) The Superintendent shall specifically name one or more individuals to serve as acting Superintendent in the Superintendent's absence (or the Superintendent's inability to act due to medical or other personal reasons). If more than one individual is named, the Superintendent shall designate the order in which they should act.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.42, 1001.43, 1012.27 F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 07/08/04**
**FORMERLY: BFE; BHA; CB; CBA; CGD; CHD**

## CAMPUS DISORDERS AND TRESPASSING 3.06

1. In order to insure the safety of school campuses and the orderly administration of schools, each principal shall take all necessary steps to regulate access to the principal's assigned campus considering the physical configuration of the school buildings, the age of the students assigned to the school, the nature of the activity taking place on campus, and all other unique characteristics of the school campus.

2. All individuals shall access a campus during regular school hours through one or more designated entrances, shall present adequate identification if requested, and shall register their presence on campus. The following categories of individuals are exempt from this requirement:

   a. Students duly registered at the particular school and in good standing.
   b. Employees assigned to the School.
   c. Individual required by their employment to be present on campus, including contractors and deliverymen. However, such individuals shall be required to provide adequate identification at anytime when asked by school administrators.

3. A student who is suspended or expelled is not "in good standing" and is not permitted on any school campus in the District or to otherwise attend a school sponsored event sanctioned by any school in the District.

4. Any person on a school campus not in accordance with this rule, whether during the regular school day, during an after school event, or at any other time; shall be considered a trespasser, shall be asked to leave immediately by any District employee or law enforcement, and warned not to return to campus except in compliance with this rule. Any such incident shall be documented. Law enforcement shall be notified as appropriate.

5. Any person who creates a disturbance on School Board property or commits any act that interrupts the orderly conduct of a school or any school District related activity shall be immediately asked to leave School Board property and shall be subject to penalties imposed by Florida Statute. This rule shall apply both during the regular school day, at after school events, or at any other time.

**CAMPUS DISORDERS AND TRESPASSING** **3.06**

**STATUTORY AUTHORITY:** **1001.41; 1001.42; F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1001.51; 1006.07; 1006.145, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04**
**FORMERLY:**

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

| CHARGES FOR COPIES OF PUBLIC RECORDS | 3.07 |
|---|---|

1. Copy Charges. Copies of public records may be obtained by making a request to the lawful custodian of the records. Charges for copies of public records not exceeding 8 1/2" x 14" in size shall be fifteen (15) cents for each one-sided copy or twenty cents for each two sided copy, unless a different fee is otherwise prescribed by Florida Statutes. A one dollar ($1.00) fee shall be assessed for a certified copy of a public record.

2. Electronic Records. Audio, video, and other materials shall be charged at the actual cost of duplication as determined by the Superintendent.

3. Additional Charges For Review and Redaction. If the nature or volume of public records requested to be inspected, examined, copied or redacted pursuant to this paragraph is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by District employees, the District may charge, in addition to the actual cost of duplication, a service charge. The service charge shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service. "Information technology resources" means data processing hardware and software, personnel, facility resources, maintenance, and training.

4. Delegation of Authority. The Superintendent is authorized to enact procedures and guidelines to implement this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **119.07(4), F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04; 1/12/16**

## COPYRIGHTED MATERIALS 3.08

1) Commercial materials, whether printed or non-printed, may not be duplicated without prior written permission from the owner or copyright holder.

2) The School Board does not sanction or condone illegal duplication in any form, the use of illegally duplicated materials, or the improper use of commercially duplicated materials.

3) The Superintendent shall prepare procedures for the legal duplication of materials for instructional purposes.

4) Employees who willfully infringe upon current copyright laws may be subject to disciplinary action by the School Board.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.30; 1001.43, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S):**
**FORMERLY: NEW**

## MOMENT OF QUIET REFLECTION 3.09

1) Prior to, during, or immediately following opening activities of each school day, each school within the District shall provide an opportunity for quiet reflection for students not to exceed two (2) minutes in length.

2) The period of quiet reflection referenced in section (1) above is not intended to be and shall not be conducted as a religious service or exercise. It shall be considered an opportunity for a moment of quiet reflection on the activities of the day ahead.

**STATUTORY AUTHORITY:** **1001.41; 1001.42; F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1003.45, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S):**
**FORMERLY: NEW**

## Flag Display, Pledge of Allegiance and Florida State Motto 3.10

1. The pledge of allegiance to the flag shall be recited at the beginning of each school day in elementary, middle, and secondary schools.

2. A student may elect not to participate in the Pledge of Allegiance. However, the student's actions may not interfere with the right of other students to participate. A notice shall be conspicuously posted on each school campus that informs students of their right.

3. The United States flag and the official flag of Florida shall be displayed daily on suitable flag staff on the grounds of each school when the weather permits.

4. Each classroom and auditorium shall display the United States flag.

5. The State of Florida motto “In God We Trust” shall be displayed in a conspicuous place in each District school and building used by the District.

**STATUTORY AUTHORITY:** **1001.41; 1001.42; F.S.**

**LAWS IMPLEMENTED:** **1000.06; 1001.43; 1003.43, 1003.44, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04; 8/14/18**

## AGENTS, SOLICITORS AND SALESPERSONS 3.11

Because there are legitimate and necessary calls from business and professional representatives who provide supplies and services regularly used in the schools, agents, salespersons and delivery persons may visit schools at the discretion of the principal. All such persons shall sign in at school's main office upon arrival.

The principal shall prohibit all forms of commercial canvassing or soliciting of teachers or students on school premises during school hours except as otherwise approved in writing by the Superintendent.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1001.43; 1013.43(2), F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S):**
**FORMERLY: NEW**

| **Public Records** | **3.12** |
|---|---|

1. Purpose. The purpose of this rule is to implement the requirements of The Florida Public Records Law codified in Florida Statute 119.07.

2. Definition. Florida Statute 119.011(12) defines "public record" to mean any record, regardless of form, made or received by an agency pursuant to law or ordinance or in connection with the transaction of its official business.

3. Designation of Community Relations Department to Process Public Records Requests. Florida Statute 119.07 authorizes records custodians to designate other District officers or employees to respond to public records requests. On behalf of District staff members who are custodians of public records or who have custody of public records, the Chief and selected staff of the Community Relations Department are designated as the custodians' designee to permit and coordinate the inspection, copying and photographing of District public records. The purpose of such designation is to assure that throughout the District, public record requests are processed uniformly, efficiently and in compliance with the Public Records Law. The Community Relations Department staff members so designated shall be identified by name on the Community Relations Department section of the District website [http://www.stjohns.k12.fl.us/cr/request/] or [http://www.stjohns.k12.fl.us/cr/wp-content/uploads/sites/35/2015/10/PR-Protocol.pdf]. Their names also may be obtained by emailing or telephoning the Community Relations Department, (904) 547-7504 or sjpubrec@stjohns.k12.fl.us. Custodians who refer requests to the Community Relations Department shall provide the designated staff member's name to the requesting party. The Superintendent is authorized to supplement and modify this designation by posting current information on the District website.

4. Inspection and Copying. Pursuant to Florida Statute 119.07(1), members of the St. Johns County School District staff who have custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at a reasonable time, under reasonable conditions, and under supervision by the custodian of the public records or the Community Relations Department staff as the custodian's designee.

5. Good Faith Review and Response. The custodian of District public records or the Community Relations Department staff designee shall acknowledge requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to determine from other District officers or employees whether such a record exists and, if so, the location at which the record can be accessed. A proper response also requires the custodian or Community Relations Department staff designee to review the request to determine whether any of the requested records are confidential or exempt from public disclosure under the law.

6. Confidential and Exempt Records Redaction. Records that are by law confidential or exempt from public disclosure are not subject to public records disclosure. If the custodian or Community Relations Department staff designee asserts that part of a requested record is confidential or exempt, the custodian or designee shall redact that portion of the record which is confidential or exempt, and produce the remainder of such record for inspection and copying.

7. Basis of Exemption Claim. If all or part of the requested record is exempt from inspection and copying, the custodian or Community Relations Department designee shall state the basis of the applicable exemption, including the citation to any statutory exemption. If requested by the person seeking to inspect or copy the record, the custodian or designee shall state in writing and with particularity the reasons for the conclusion that the record is exempt or confidential.

8. Electronic Response. As an additional means of inspecting or copying public records, a custodian of public records or the Community Relations Department staff designee may provide access to public records by remote electronic means, provided exempt or confidential information is not disclosed.

9. Charges. There may be charges for inspection, copying and redaction as provided by School Board Rule 3.07.

10. Photographing Records. Pursuant to Florida Statute 119.07(3), any person shall have the right to access to public records for the purpose of making photographs of the record while such record is in the possession, custody, and control of the custodian of public records, subject to the following rules:

    a. As provided in paragraph 3, selected Community Relations Department staff members are designated as the custodian's designee to permit, coordinate and supervise the photographing of public records. Such staff shall be identified by name as provided in paragraph 3.

    b. A request to photograph public records shall be responded to in good faith as provided in paragraph 5.

    c. The review and redaction process provided in paragraph 6 shall apply to requests to photograph records.

    d. The custodian or Community Relations Department staff designee shall state the basis of any claim of confidentiality or exemption as provided in paragraph 7.

    e. Photographing public records shall be done under the supervision of the custodian or the Community Relations Department staff designee.

Photographing shall be done in the room where the public records are kept. If, in the judgment of the custodian or Community Relations Department staff designee, this is impracticable, photographing shall be done in another room or place, as nearly adjacent as possible to the room where the public records are kept, to be determined by the custodian or designee. For purpose of this section, the School Board finds that as a general rule, it is impracticable for security reasons to allow the public to photograph records in secure areas of a school that are not open to the general public during the school day. In such cases, the photographing should take place in the school reception area or a nearby office or conference room under the supervision of appropriate staff. Where provision of another room or place for photographing is required, the expense or providing the same shall be paid by the person desiring to photograph the public record.

11. Confidential and Exempt Records. Records maintained by the District which are exempt from public inspection include but not be limited to:

    (a) Education records, pursuant to Florida Statute 1002.22, and the Federal Family Educational Rights and Privacy Act (FERPA);

    (b) Portions of personnel records, pursuant to Florida Statute 1012.31;

    (c) All work products developed in preparation for collective bargaining, pursuant to Florida Statute 447.605;

    (d) Appraisals, offers, and counter offers relating to purchase of real property, pursuant to Florida Statute 1013.14;

    (e) Legal records prepared by an attorney exclusively for civil or criminal litigation, pursuant to Florida Statute 119.071(1)(d);

    (f) Data processing software which qualifies as a trade secret which was obtained under a licensing agreement that prevents its disclosure, pursuant to Florida Statute 119.071(1)(d)1;

    (g) Sealed responses to request for bids or proposals, until such time as they are publicly opened, pursuant to Florida Statute 119.071(1)(b); and,

    (h) Security camera videotape pursuant to Florida Statutes 119.071(3)(a) and 281.301. Such videotape is also confidential and exempt as an education record when it depicts students, pursuant to Florida Statute 1002.221.

12. Delegation of Authority. The Superintendent is authorized to enact guidelines and procedures to implement and clarify this rule.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:** **119.07, 119.071, 281.301, 447.605, 1002.22, 1002.221, 1012.31, 1013.14, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 1/12/16**

## SCHOOL VOLUNTEERS 3.13

1. The School District welcomes and encourages individuals to volunteer their time to serve the students and employees of the District. However, serving as a volunteer is a privilege. As such, it is in the sole discretion of the School District whether an individual can serve, and continues to serve, as a volunteer. School volunteers may include, but are not limited to, parents, senior citizens and students who serve without compensation in the School District.

2. All potential volunteers are required to complete a St. Johns County School District Volunteer Application Form. All potential volunteers are subject to a criminal background check, and screening procedures are based on the type of volunteer activity and student contact. Volunteer activity is divided into two categories:

   a. A Level I volunteer is an individual, regardless of their status as a parent or guardian, who has direct contact with students only within the immediate presence of a District employee or is assigned volunteer duties other than driving or chaperoning students on an overnight field study or activity, including athletics. Level I volunteers are subject to a background check by the St. Johns Sheriff's Office (SJSO).

   b. A Level II volunteer is an individual who has direct contact with students outside the immediate presence of a District employee. This level also applies, but is not limited to applicants who are assigned duties of driving or chaperoning students on an overnight field study or activity, including athletics. Level II volunteers are subject to background checks conducted by the SJSO, the Florida Department of Law Enforcement (FDLE) and the Federal Bureau of Investigation (FBI).

3. All volunteers are also checked against the registration information regarding sexual predators and sexual offenders maintained by the Department of Law Enforcement under section 943.043, Florida Statutes.

4. Volunteers shall be approved by the District Volunteer's Office and the principal of the school in which they serve or, if service is rendered at the District office, by the appropriate director. Volunteers may serve at more than one location, but shall be subject to the approval of each principal and\or director. Further, volunteers shall serve under the supervision of the principal or director who shall ensure they perform meaningful and appropriate duties and have knowledge of the practices and policies relevant to the assigned duties.

5. Volunteers shall register their presence on campus, as would any other visitor, and each supervisor shall ensure the volunteer's service hours and assigned location are recorded.

6. Volunteers are required to notify the District Volunteer office of any arrest or the filing of criminal charges within 48 hours after such event. The privilege to serve as a volunteer can be revoked by the principal and/or director at any time.

7. The cost of Level II clearance will be borne by the volunteer.

8. The Superintendent is authorized to enact guidelines and procedures as needed to implement this rule.

**STATUTORY AUTHORITY:** **1001.41; F.S.**

**LAWS IMPLEMENTED:** **435.04, F.S.**

**HISTORY:** **Adopted: 01/11/05**
**Revised: 1/13/26**
**Formerly: IICC**

## ALCOHOL AND DRUGS 3.15

No person shall be in possession of or under the influence of alcohol or drugs while on School Board property or at a school district sponsored activity. “Drugs” is defined to include any controlled substance, prescription or non-prescription drug, or substance, used for non-medical purposes or used with the intent to illegally modify an individual’s mood or behavior.

1. Persons other than students or employees who are in violation of this rule shall be directed to leave school board property immediately. Any such person who refuses to leave may be subject to arrest.
2. Any person having purchased an admission ticket to a school event shall forfeit the right to attend the event or receive a refund if found in violation of this rule.
3. Alcohol or drugs found in the possession of a minor will be seized and reported to law enforcement.
4. Alcohol shall not be provided by the sponsor as a part of the price of admission or by means of a "cash bar" at events sponsored by groups affiliated with a school or the District such as PTSO or booster club.
5. It is not a violation of this rule if alcohol is offered as a prize or gift or is available for purchase at auction or otherwise (such as a "wine basket" offered at a fund raising event) provided it is in a sealed container, is not consumed on school board property or at the school sponsored event, and is otherwise permitted by law.
6. Students found in violation of this rule will be disciplined pursuant to the Student Conduct Code.
7. Employees found in violation of this rule will be subject to discipline.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1003.02; 1006.07; 1012.22; 1012.27, 1012.33, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04; 11/16/04**

## CHARTER SCHOOLS 3.16

Pursuant to Florida law, the State Board of Education has delegated each School District with certain duties pertaining to the establishment, operation, and oversight of charter schools in their district. The Superintendent shall develop procedures to accomplish these duties which include the review of charter applications, monitoring, review of annual reports, charter renewals, and such other requirements of state law.

**STATUTORY AUTHORITY:** **1001.41(2), F.S.**

**LAWS IMPLEMENTED:** **1002.33; 1001.02(1), F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04**
**FORMERLY:**

# SCHOOL CALENDAR AND SCHOOL DAY 3.18

1. Annually the Superintendent shall establish a School Year Calendar Committee.

2. The Committee shall recommend a school year calendar to the Superintendent who shall subsequently recommend the calendar to the School Board for its approval. In order to provide as much notice to students and their families, employees and the community, every effort will be made to approve calendars at least (2) two years in advance (as measured from the end of each fiscal year).

3. The Superintendent shall prepare a list of specific religious observance days which occur when school is in session and may result in a student's excused absence in accord with provisions of Policy 5.04 (1), Student Attendance.

4. The Superintendent shall approve the beginning and ending time for the school day at each school, considering the unique needs and desires of each school and the benefits of uniformity.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.21; 1001.42; 1001.43, 1001.51 F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISED: 02/08/05**

**FORMERLY:**

## SCHOOL SITE DECISION MAKING 3.19

Each school shall have input in decisions that affect its operation. The Superintendent and Board shall regularly solicit input from principals, School Advisory Councils, and others as they make decisions impacting schools.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43, F.S.**

**HISTORY:** **ADOPTED: 11/16/2004**
**REVISION DATE(S):**
**FORMERLY: NEW**

## HIV, Aids, or Other Communicable Diseases, Bloodborne Pathogens and Environmental Hazards 3.20

(1) It is the School Board's intent to protect employees and students from risks caused by exposure to infectious diseases and environmental hazards, and to provide reasonable accommodations to infected students.

(2) It is recognized that students with any illness, including (HIV) infected persons, may continue to attend school as long as academic, behavioral, and medical evidence indicates that the student's condition is not a threat to others and attending school is not a threat to the student. If it becomes necessary, reasonable accommodations shall be made or an alternative educational services delivery shall be implemented.

(3) All information regarding such matters shall be held in strict confidence and released only to those who have a legitimate need to know.

(4) Staff members shall cooperate with public health authorities by practicing and promoting "universal precautions," as promulgated by the Centers for Disease Control (CDC).The Superintendent shall develop procedures as necessary to implement this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1000.21; 1001.03; 1001.42; 1001.43; 1002.22, F.S.; 29 CFR 1910.1030**

**STATE BOARD OF EDUCATION RULES:** **6A-6.03020; 6A-6.0331**

**HISTORY:** **ADOPTED: 07/01/2002**
**REVISION DATE(S): 08/14/07**
**FORMERLY: NEW**

## Prohibiting Bullying and Harassment 3.21

1. Introduction. The St. Johns County School Board is committed to providing all its students and employees an educational and work environment that is safe, secure, and free from bullying and harassment of any kind. Bullying and harassment of District students or employees is categorically prohibited.

2. Definitions. The following definitions apply for purpose of this rule.

   a. Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. Bullying includes cyberbullying as defined in paragraph 2.b., and also may involve:

      i. Teasing

      ii. Social exclusion

      iii. Threat

      iv. Intimidation

      v. Stalking

      vi. Physical violence

      vii. Theft

      viii. Sexual, religious or racial/ethnic harassment

      ix. Public or private humiliation

      x. Destruction of property

      "Bullying" is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation. Bullying is often characterized by an imbalance of power.

   b. "Cyberbullying" means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or

intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo electronic system, or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

c. "Cyberstalking," as defined by Florida Statute 784.048(1)(d), means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose, therefore affecting the learning environment.

d. "Harassment" means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property; substantially interferes with the student's educational performance, opportunities or benefits; or substantially disrupts the orderly operation of a school.

e. "Bullying" and "harassment" also encompass:

(i) Cyberbullying and cyberstalking as defined above.

(ii) Retaliation against a student or District employee by another student or District employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment in bad faith is considered retaliation.

(iii) Perpetuation of conduct listed in the definitions of bullying and harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or District employee by:

- Incitement or coercion;

- Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system; or

- Acting in a manner that has an effect substantially similar to the effect of bullying and/or harassment.

3. Standards of Conduct. The School Board is committed to setting standards for student behavior cooperatively, through interaction among the students, parents/legal guardians, staff, and community members, to produce an atmosphere that fosters students' self-discipline and personal responsibility. The development of this atmosphere requires respect for self and others, as well as for school and community property on the part of students, staff, and community members. Since students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.

4. Expected Behavior from Students, District Employees and Third Parties. The expectation is that District students and employees will abide by this rule and other District rules and standards of behavior. The expectation is that parents and other third parties will refrain from bullying and harassment of District students and employees in compliance with this rule and Florida law in their dealings with District students and employees.

   a. Students. Students shall refrain from bullying and harassment as prohibited by this rule. They shall abide by the standards of conduct set by the District Student Code of Conduct and Acceptable Use Policy. More generally, they are expected to conduct themselves consistent with their level of development and maturity with proper regard and respect for authority, the rights and welfare of other students and school staff, and school property.

   b. Employees. School District employees shall refrain from bullying or harassing as prohibited by this rule. They shall abide by the standards of conduct set by School Board Rules 6.83 - Acceptable Use Policy for Employee Use of District Electronic Communication System, 6.84 – Employee Use of Social Networking Websites and 9.021 – Civility. More generally, the School Board has adopted Character Counts! and its Six Pillars of Character as a framework for meaningful communication for employees to follow in dealing with their fellow employees and members of the public.

   c. Third Parties. District volunteers, vendors, parents and guardians of District students and other third parties are prohibited by Florida Statute 1006.147 from bullying or harassing District students or

employees. A volunteer or vendor who is determined to have bullied or harassed a student or employee shall be subject to consequences, including loss of volunteer or vendor status and school access privileges. A volunteer, vendor, parent, guardian or other third party who is found to have bullied or harassed a District student or employee likewise shall be subject to consequences, including loss of school access privileges, legal action to protect bullied students or employees, and/or referral to law enforcement.

5. Bullying and Harassment Prohibited. The bullying or harassment of any student or District employee is prohibited:

   a. On School District property.

   b. During any education program or activity conducted by the District.

   c. During any school-related or school-sponsored program or activity, on a District school bus or at a District bus stop.

   d. Through the use of data or computer software that is accessed through a District computer, computer system, or computer network.

   e. Through the use of data or computer software that is accessed at a non-school related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the School District or a school, if the bullying (i) substantially interferes with or limits the student's ability to participate in or benefit from the services, activities, or opportunities offered by a school, (ii) substantially interferes with an employee's job performance, or (iii) substantially disrupts the educational process or orderly operation of a school.

   f. The above section (e) does not require the District or schools to staff or monitor any non-school related activity, function or program.

6. Positive Reinforcement. All administrators, faculty, and staff, in collaboration with parents, students, and community members, will incorporate systemic methods for student and staff recognition through positive reinforcement for good conduct, self-discipline, good citizenship, and academic success, in accordance with the required school plan to address positive school culture and behavior.

7. Incident Reporting and Immunity. The following procedures should be followed for reporting of any alleged violation of this rule:

   a. At each school, the principal or the principal's designee is responsible for receiving complaints alleging violations of this rule.

All school employees are required to report alleged violations of this rule to the principal or the principal's designee. All other District employees shall report alleged violations of this rule to the Superintendent or the Superintendent's designee. All other members of the school community, including students, parents/legal guardians, volunteers and visitors are encouraged to report any act that may be a violation of this rule anonymously or in-person to the principal or the principal's designee.

b. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in-person or anonymously and how this report will be acted upon. The victim of bullying and/or harassment, anyone who witnessed the bullying and/or harassment, and anyone who has credible information that an act of bullying and/or harassment has taken place are encouraged to file a report of bullying or harassment.

c. A school or District employee, school volunteer or visitor, student, parent/legal guardian or other person who promptly reports in good faith an act of bullying and/or harassment to the appropriate school or District official, and who makes this report in compliance with the procedures set forth in this District rule, shall be immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments within the School District.

d. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s). Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

8. Determination of Whether a Reported Act is Within the Scope of the School District. When a report of bullying or harassment has been received, the principal or the principal's designee, or if applicable, the Superintendent or Superintendent's designee, will promptly initiate a preliminary investigation to determine whether there is probable cause to believe an act of bullying or harassment has occurred and falls within the scope of the School District's Student Code of Conduct, or is otherwise within the scope of the School District. Computers without web-filtering software or computers with web-filtering software that is disabled shall be used when complaints of cyberbullying or cyberstalking are investigated.

a. If it is within scope of this rule or the Student Code of Conduct, Procedures for Prompt Investigation of an act of bullying or harassment, as set forth in paragraph 9, shall be followed.

b. Regardless of whether or not it is inside the scope of this rule, if the reported bullying or harassment alleges or may involve criminal misconduct, the matter shall be referred to appropriate law enforcement immediately in accordance with School Board Rule 5.13(2), the parents or legal guardian shall be notified, and the referral documented.

c. If it is outside scope of this rule, and the reported bullying or harassment does not allege or appear to involve criminal misconduct, the parents/legal guardians of all students involved shall be informed.

d. While the District does not assume any liability for incidents that must be referred for external investigation, it encourages the provision of assistance and intervention as the principal or the principal's designee deems appropriate, including the use of School Resource Officer and other personnel.

e. If a report alleges or may involve neglect or abuse of a student, the matter shall be immediately reported to the Department of Children and Families as required by law.

9. Procedures for Prompt Investigation. The investigation of a reported act of bullying or harassment of a student, school employee, or other persons providing service to the District shall be school-based. Incidents that require a reasonable investigation when reported to appropriate school authorities include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.

a. The principal or the principal's designee shall document all complaints in writing to ensure that problems are addressed in a timely manner. If the complaint is against a principal or a District employee who is not school-based, or if the complaint is against a parent or vendor, then the complaint shall be forwarded to the Superintendent or designee, who shall investigate the complaint.

b. The Procedures for Investigating Bullying or Harassment to be followed by principals, or if applicable the Superintendent, or their designees, include:

i. Documented interviews of the victim, alleged perpetrator(s), and witnesses are conducted privately, separately, and are

confidential. At no time will the alleged perpetrator and victim be interviewed together. It is recommended that the victim be interviewed first.

ii. The investigator shall collect and evaluate the facts including, but not limited to:

- Description of incident(s) including nature of the behavior (physical hurt or psychological distress), context in which the alleged incident(s) occurred, etc.;
- How often the conduct occurred;
- Whether there were past incidents or past continuing patterns of behavior;
- The relationship between the parties involved;
- The characteristics of parties involved (i.e., grade, age, etc.);
- The identity and number of individuals who participated in bullying or harassing behavior;
- Where the alleged incident(s) occurred;
- Whether the conduct adversely affected a student's education or educational environment;
- Whether the conduct adversely affected an employee's job performance;
- Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
- The date, time, and method in which the parents/legal guardians of all parties involved were contacted.

iii. The determination of whether a particular action or incident constitutes a violation of this rule shall be based on all the facts and surrounding circumstances in a written final report to the principal and Superintendent or designee. The report should include recommended remedial steps necessary to stop the bullying or harassing behavior.

iv. The investigation shall be completed within 15 school days.

v. The investigation shall be conducted as confidentially as possible, consistent with the necessity of interviewing witnesses.

10. Parent Notification. The principal, or the principal's designee, or if applicable, the Superintendent or the Superintendent's designee, shall promptly notify via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this rule to the parent or legal guardian of all students involved as soon as possible after an investigation of the incident has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

    a. Once the investigation has been completed and it has been determined that criminal misconduct may be involved, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

    b. If the bullying or harassment incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform parents/legal guardian of the victim(s) involved in the bullying or harassment incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) which states "…a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."

11. Consequences. The determination of whether a violation of this rule has occurred shall be based on all the facts and surrounding circumstances. Consequences and appropriate remedial actions will apply to persons, whether they be students, school employees, or visitors/volunteers, who are found to have wrongfully accused another of an act of bullying and/or harassment. The physical location or time of access of a computer-related incident shall not be a defense to any violation of this rule or the Student Code of Conduct provisions dealing with bullying, harassment, or cyberbullying.

    a. Student consequences and appropriate remedial actions for a committed act of bullying or harassment are outlined in the Student Code of Conduct Level III infraction.

    b. District employee consequences and appropriate remedial action for bullying or harassment will be instituted in accordance with District

policies, procedures, and agreements. Additionally, egregious acts of bullying or harassment by certified educators may result in the reporting to the State Board of Education, where a subsequent sanction against an educator's state issued certificate may occur under State Board of Education Rule 6-B-1.006, FAC., The Principles of Professional Conduct of the Education Profession in Florida.

c. Volunteer, vendor, parent or guardian and other third party consequences and appropriate remedial action for a committed act of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act including, if applicable, referral to appropriate law enforcement officials.

12. Referral for Counseling. District personnel or parents may request informal consultation with school staff (specialty staff, e.g. school counselor, school social worker, school psychologist, etc.) to determine the severity of concern resulting from bullying or harassment and appropriate steps to address the concern.

    a. There shall be a procedure in place for consideration of appropriate services for students involved. The parent or legal guardian shall be notified when referral for services is contemplated. Counseling may be provided by School District personnel or contract providers. A referral may be made to Student Services for determination of counseling, assistance, and interventions.

    b. Referral of School District personnel to the Employee Assistance Program (EAP) for consideration of appropriate services will be made by the administrator.

    c. Intervention and assistance include:

        i. Counseling and support to address the needs of the victims of bullying or harassment, or

        ii. Counseling/interventions to address behavior of the students who bully and harass others, or

        iii. Counseling/interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

13. Actions to Protect Victim. According to the level of infraction, parents/legal guardians will be notified by telephone or writing of actions being taken to protect the child; the frequency of notification will depend on the

seriousness of the bullying or harassment incident. Notifications must be consistent with the student privacy rights under the applicable provisions of the Family Education Rights and Privacy Act of 1974 (FERPA).

a. Limited disclosure may be necessary to complete a thorough investigation as described above. The District's obligation to investigate and take corrective action may supersede an individual's right to privacy.

b. The complainant's identity shall be protected, but absolute confidentiality cannot be guaranteed. The identity of the victim of the reported act shall be protected to the reasonable extent possible.

c. Retaliation against the complainant or witnesses is prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment in response to filing a complaint or assisting with an investigation under this rule. Retaliatory or intimidating conduct against any individual who has made a bullying complaint or any individual who has testified, assisted, or participated, in any manner, in an investigation is specifically prohibited and as detailed in this rule, shall be treated as another incidence of bullying.

14. Data Collection/Reporting. The procedure for including incidents of bullying and/or harassment in the school's report of safety and discipline data is required under Florida Statute 1006.09(6). The report must include each incident of bullying and/or harassment and the resulting consequences, including discipline, interventions, and referrals. In a separate section, the report must include each reported incident of bullying or harassment that does not meet the criteria of a prohibited act under this rule, with recommendations regarding said incident.

a. The School District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying/harassment as an incident code as well as bullying-related element code. The SESIR definition of bullying is systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment; or unreasonably interfere with the individual's school performance or participation. The SESIR definition of harassment is any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that 1) places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property, 2) has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or 3) has the effect of substantially disrupting the orderly operation of a school including

any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

b. If a bullying or harassment incident occurs, then it will be reported in SESIR with either the bullying or harassment code. If the bullying or harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code AND the related element code entitled bullying-related code. Those incidents are:

i. Alcohol

ii. Arson

iii. Battery

iv. Breaking and entering

v. Disruption on campus

vi. Drug sale/distribution, excluding alcohol

vii. Drug use/possession, excluding alcohol

viii. Fighting

ix. Major fighting

x. Homicide

xi. Kidnapping

xii. Larceny/theft

xiii. Robbery

xiv. Sexual battery

xv. Sexual harassment

xvi. Sexual offenses

xvii. Threat/intimidation

xviii. Trespassing

xix. Tobacco

xx. Vandalism

xxi. Weapons possession

xxii. Other major (Other major incidents that do not fit within the other definitions)

c. Discipline and referral data will be recorded in Student Discipline/Referral Action Report and Automated Student Information System.

d. The District will provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Survey 2, 3, and 5 from Education Information and Accountability Services, and at designated dates provided by the department. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race or disability should include the incident basis. Victims of these offenses should also have the incident basis (sex, race or disability) noted in their student record.

15. Providing Instruction. The District is committed to providing healthy, positive, and safe school learning environments in which the social norms and climate do not tolerate bullying and harassment. This requires the efforts of everyone in the school environment – teachers, administrators, counselors, school nurses, all non-teaching staff, parents/legal guardians, and students.

    Students, parents/legal guardians, teachers, school administrators, counseling staff, bus drivers, non-teaching staff and school volunteers shall be given annual instruction at a minimum on the requirements of this rule against bullying and harassment. The instruction shall consist of methods of preventing bullying or harassment, as well as how to effectively identify and respond to bullying and harassment in schools,-including instruction on recognizing behaviors that lead to bullying and harassment and taking appropriate preventive action based on those observations.

16. Existing Instructional Programs. The Instruction and training programs approved by the St. Johns County School District include, but are not limited to:

    - Character Counts
    - Buildresiliency.org

- Safeflorida.net
- Schoolsafety.gov
    - Creating a Safe and Respectful Environment on Our Nation's School Busses (for bus drivers)
- Stopbullying.gov
- District Developed Teacher and Bus Driver Presentations
- District Approved Classroom Lessons

Decisions to include additional instructional programs or activities, not previously listed within this policy, will be made on a case-by-case basis following approval of the district office.

17. Publicizing the Rule. The St. Johns County School District shall provide notice to students, parents/legal guardians, and staff of this rule through appropriate references in the Student Code of Conduct and employee handbooks, and/or through other reasonable means. Each school principal shall develop and document an annual process for discussing the school District rule on bullying and harassment with students.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:** **1001.43, 1006.07, 1006.08, 1006.09, 1006.10, 1006.135, 1006.13, 1012.796, 1012.799, 1006.145, 1006.147, F.S.**

**HISTORY:** **Adopted: 01/13/09**
**Revision Date(s): 01/14/14; 10/11/16; 01/13/26**

## Use of Service Animals 3.22

1. Introduction. Service animals as defined below are allowed in District schools and facilities in accordance with the requirements of the law and this rule. "Therapy" animals, pets and other animals are not allowed in District schools and facilities unless they meet the requirements of this rule. However, this rule does not restrict law enforcement officers' use of animals (K-9 units) for law enforcement purposes or teachers from keeping small animals on display in the classroom, subject to their principal's approval. Furthermore, the rule does not prohibit motorists from bringing animals on campus if they are at all times securely enclosed in their vehicle.

2. General Rule. The St. Johns County School District ("The District") will comply with all state and federal laws, regulations and rules regarding the use of service animals by individuals with disabilities under appropriate circumstances.

3. Definitions.

   a. Individual with a Disability. An individual with a disability is defined as an individual with a physical or mental impairment that substantially limits one or more of the major life activities, as defined by Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans with Disabilities Act of 1990 (ADA).

   b. Service Animal. As defined by Florida law and federal regulations implemented under Title II of the Americans with Disabilities Act (ADA), a service animal includes any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. (Note: the ADA regulations as to service animals also include "miniature horses" in appropriate circumstances.)

   c. Work or Tasks Performed by a Service Animal. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being,

comfort, or companionship do not constitute work or tasks for the purposes of this definition.

4. Persons Training a Service Animal. An individual training a service animal is entitled to the same privileges granted to an individual with a disability.

5. Procedures/Requirements.

   a. The District may inquire only to determine:

      i. if the animal is required because of a disability, and

      ii. what work or task the animal has been trained to perform.

      The District will not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal. The District will not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability.

   b. Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of the District's facilities where students, faculty, members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go, without prior notice to the District.

   c. The District can require proof of immunization and all animal licensing and registration requirements under applicable state and local law. In addition, individuals who have service animals are not exempt from local animal control or public health requirements. If the District is not provided proof of immunization as required by state or local law, the District may refuse to allow the individual to bring the service animal to school and/or a school function.

   d. A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

e. The District is not responsible for the care or supervision of a service animal.

f. The District must approve any person who is authorized to assist in the care and supervision of the service animal while on school property as a vendor in accordance with Board policy.

g. The District will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. The District will charge an individual with a disability for any damage caused by his/her service animal in the same manner they would charge any individual for damage caused by that individual.

h. The District may ask the individual with a disability to remove a service animal from the premises only if:

   i. the animal is out of control and/or the animal's handler does not effectively control (e.g., by voice control, signals, or other effective means) the animal's behavior; or

   ii. the animal is not housebroken.

   If the District excludes or removes a service animal consistent with the provisions of this paragraph, the individual shall be provided the opportunity to participate in the service, program, or activity without having the service animal on the premises.

i. Any individual who is aggrieved by the decision to deny a service animal request may appeal that decision to the Director for Exceptional Student Education. That appeal must be in writing and provide detailed information regarding the basis of the appeal. The Director for Exceptional Student Education will notify the individual of his or her decision within five (5) school days of receipt of the appeal. Any individual who believes that the District has discriminated against him or her based on a disability because of an action prohibiting, removing, limiting or excluding a service animal, may file a grievance following the procedure outlined in the current *Student Code of Conduct* document.

6. Conflicting Disabilities. Employees or parents of students with medical issues who are impacted by animals (such as respiratory diseases) should contact the school principal if they have a concern about exposure to a service animal. The employee or parent(s) of the student will be asked to provide medical documentation that identifies the disability and the need for an accommodation. The school principal will facilitate a process to resolve the conflict that considers the conflicting needs/accommodations of all persons involved.

| | |
|---|---|
| **STATUTORY AUTHORITY:** | **1001.41; 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990** |
| **HISTORY:** | **Adopted: 11/12/19** |

## Recording Non-Public Meetings with Employees of the District 3.23

1. Introduction. Video recording, audio recording and court reporting of any non-public meeting with an employee of the District on school grounds is prohibited.

2. Exceptions. The School Board is committed to providing parents/legal guardians with the opportunity to meaningfully participate in the process of identifying, evaluating, and programming for students with disabilities. Therefore, audio recording, defined as using any device or object to record voices and sounds that may be reproduced or reviewed, may be allowed in the following specified circumstances:

   a. the student's parent/legal guardian has a disability;

   b. the student's parent/legal guardian has a language barrier; or,

   c. the student's parent/legal guardian has an impairment which prevents them from understanding or participating in the Individual Educational Plan (IEP) or Section 504 of the Rehabilitation Act of 1973 (Section 504) process.

3. Requests to Record an IEP or Section 504 Team Meeting. A parent/legal guardian who needs to record an IEP or Section 504 team meeting for one of the specified circumstances above must submit a written request to the Principal no less than three (3) days in advance of the scheduled IEP or Section 504 team meeting. The written notice may be delivered to the student's Principal in-person or via-electronic mail.

   The written notice must include, at a minimum, the following:

   a. The name of the parent/legal guardian's child and school;

   b. The date of the IEP or Section 504 team meeting; and,

   c. The reason why the parent/legal guardian needs to record the IEP or Section 504 team meeting.

   If a parent/legal guardian and the District agree to schedule an IEP or Section 504 Plan team meeting to convene with less than ten (10) days' notice, a parent/legal guardian seeking to audio record the meeting must give notice to the Principal the day before the scheduled meeting.

   A parent/legal guardian who fails to provide timely notice is prohibited from audio recording the IEP or Section 504 team meeting unless the parent/legal guardian has an impairment which prevents them from understanding or participating in the IEP or Section 504 process.

4. Approval/Denial of Requests to Record an IEP or Section 504 Team Meeting. The Principal or their designee shall notify the parent/legal guardian in writing as to whether the request is approved or denied. Notification will be provided at least one (1) day prior to the scheduled meeting for meetings scheduled with more than ten (10) days' notice. For meetings scheduled with less than ten (10) days' notice, notification will be provided the day after the parent/legal guardian submits a written notice to the Principal.

   a. If the request is approved, the parent/legal guardian is responsible for obtaining and operating their own audio equipment. The District will also audio record the meeting and maintain a copy of the recording as an educational record of the student.

   b. If the request is denied, the Principal or their designee shall specify the reasons for the denial in writing.

   When appropriate, the Principal or their designee may determine that the request to audio record an IEP or Section 504 team meeting is a request for a reasonable accommodation under the Americans with Disabilities Act, *as amended*. In such circumstances, the Principal or their designee may determine that providing a different or alternative accommodation in lieu of audio recording is reasonable.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:**
**Section 504 of the Rehabilitation Act of 1973**
**The Individuals with Disabilities Education Act**
**34 C.F.R. §104.36**
**34 C.F.R. §§300.322; 300.501**
**F.S. §1003.57**
**F.A.C. Rule 6A-6.03311**

**HISTORY:** **Adopted: 05/10/22**

**STUDENT PROGRESSION PLAN** **4.01**

The School Board shall approve the Student Progression Plan and any changes thereto. The plan shall be maintained in the Curriculum Department at the District Office. The Plan shall be pursuant to Florida Statutes and shall be comprehensive to include student performance standards and promotional and graduation requirements for Grades K-12, adult and general education, exceptional student education, vocational, and career and technical education. District schools shall be authorized to add courses and programs during the school year in addition to those listed in the St. Johns County High School Course catalog. These courses and programs shall be added on the basis of student, school, or community needs.

**STATUTORY AUTHORITY:** **1001.41; 1001.43, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1003.43, 1003.49, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-1.0941**

**HISTORY:** **ADOPTED:**
**REVISION DATE(S): 01/11/05**
**FORMERLY: NEW**

## THE CURRICULUM 4.02

(1) The District curriculum shall be determined by:

(a) Students' needs as determined by studies, data analysis and surveys;

(b) Continuous evaluation of curriculum effectiveness in meeting students' needs; and,

(c) Florida Statutes, State Board of Education rules, and the School Board.

(2) The Superintendent may appoint such committees as may be necessary to assist in determining the educational needs of students in the District.

(3) The Superintendent shall designate an appropriate staff member who is responsible for the development and coordination of the total curriculum of the District.

(4) The District shall provide instruction based on the Sunshine State Standards and as required by statute.

(5) The program of instruction shall include, but not be limited to the following:

(a) Elementary School Curriculum - language arts (reading, writing, listening, speaking), mathematics, social studies, science, health, physical education, music, art, technology, critical thinking skills and such other disciplines that may be considered necessary to a comprehensive elementary school program. Instruction in the use of the media center and counseling services shall be provided.

(b) Middle School Curriculum - Language arts (reading, writing, listening, speaking), mathematics, science, social studies, music, art, health, physical education, exploratory career education, and critical thinking skills. Activities which offer desirable experiences on consumer education, the arts, athletics, and student government may be promoted. Instruction in the use of the media center and counseling services shall be provided.

(c) High School Curriculum - Courses that meet the needs of all students shall be offered at levels which will challenge each student to perform in accordance with the student's customized learning

path (CLP). Secondary schools shall offer courses in all required areas and shall provide as many elective courses as possible based on student need and available resources.

(i) Media Center and counseling services shall be provided.

(ii) A program of student government, student publications, the arts, social activities, athletics and shall be provided for the development of well-rounded citizens.

(d) Elementary and Middle School Physical Education Program -The comprehensive physical education program for elementary and middle grades in the St. Johns County School District shall include the following program outcomes:

a. Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental and social or emotional development of every student.

b. Development of, and instruction in, cognitive concepts about motor skills and physical fitness that support a life long healthy lifestyle.

c. Opportunities to develop positive social and cooperative skills through physical activity participation.

d. Instruction in healthy eating habits and good nutrition.

e. Use of physical fitness assessment instrument(s) to help students understand, improve, and maintain their physical well-being.

High School Physical Education Program -Students in grades 9-12 shall participate in a physical education program that stresses physical fitness and encourages healthy, active lifestyles. Physical education shall consist of physical activities of at least a moderate intensity level and for a time period sufficient to provide a significant health benefit to students, subject to the differing capabilities of students.

The comprehensive program shall include the following program outcomes:

a. Development of, and instruction in, cognitive concepts about maintaining appropriate levels of cardiovascular fitness,

muscular strength and endurance, flexibility, and body composition necessary for a healthy lifestyle.

b. Instruction in application of fitness assessment results to guide changes in a personal program of physical activity.

c. Instruction in utilization of technology to assess, enhance and maintain fitness and skills.

d. Instruction in cognitive concepts relating the role of physical activity in the prevention of disease.

e. Instruction in cognitive concepts relating the role of physical activity as a potential vehicle for social interaction and cooperative relations within school and family.

(e) Comprehensible Instruction shall be offered to limited English proficient students.

(f) A student's progression from one grade to another shall be determined, in part, upon proficiency in reading, writing, science, and mathematics.

(6) The Superintendent shall provide course outlines, Florida Sunshine State Standards, grade level expectations and other guidelines for materials to be utilized at the various grade levels.

(7) The Superintendent shall make an annual report to the School Board giving the status of the instructional program in meeting the District's educational goals and identifying objectives and recommendations for improving the curriculum.

(8) The responsibility and right of Teacher to present information of a controversial nature is hereby recognized. The teacher shall not present controversial material or issues which are not directly or closely related to the subject area being taught. In presenting controversial materials on an issue, the teacher shall present all sides of the question without bias or prejudice and shall permit each student to arrive at the student's own conclusions.

(9) As provided in Florida Statutes, a course description shall be presented for School Board approval before any course or unit in the objective study of the Bible or a comparative study of religion, is initiated in any school. The description shall detail the purpose of the course, the materials to be

used, grade location, length of the course, and credit value. No teacher shall present any material which ridicules any religious sect, belief, or faith.

(10) Prior to initiating any course or unit of instruction in human growth and development, the course outline and description shall be approved by the School Board. This rule does not preclude the teaching of puberty or personal cleanliness in health and physical education classes or in the elementary grades, or the teaching of matters relating to sex education as provided in state-adopted textbooks, or information relating to sex education as required in courses using duly-adopted textbooks and materials where sex education is an incidental part of the course.

(11) Students shall be taught the dangers and consequences of sexually transmitted diseases. The manner, scope, and levels at which this information will be presented shall be determined by the Superintendent in consultation with instructional supervisors and principals. Prior to initiating any such unit of instruction, the proposed program, the materials to be used, and other essential information shall be approved by the School Board. When any questionable information is to be viewed by mixed groups, the sexes may be separated for presentation of materials.

(12) Courses with Human Sexuality, HIV/AIDS, and other STD content, shall be developed and taught utilizing the most current local guidelines approved by the Board. Such courses shall be “abstinence only.”

(13) Students at all appropriate levels will be given instruction regarding the harmful effects of alcohol, tobacco, and drug abuse.

(14) When dealing with political issues, all positions will be fairly presented. All presentations of political issues shall be presented on a non-partisan basis.

(15) All instructional materials, including teachers’ manuals, audio-visual materials, or other supplementary instructional material, shall be available for inspection by parents and the general public.

**STATUTORY AUTHORITY:** 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED:** 1001.43; 1003.42; 1003.43; 1003.45; 1006.28; 1006.29; 1008.25; 1010.305, F.S.

**STATE BOARD OF EDUCATION RULE:** 6A-1.0941; 6A-1.09412; 6A-1.09414

**HISTORY:**
ADOPTED:
REVISION DATE(S):
FORMERLY: IGA; INB

## EXCEPTIONAL STUDENT EDUCATION 4.03

(1) "Exceptional student" means any student who has been determined eligible for a special program in accordance with the rules of the State Board of Education.The term includes students who are gifted and students with disabilities who are mentally handicapped, speech and language impaired, deaf or hard of hearing, visually impaired, dual sensory impaired, physically impaired, emotionally handicapped, specific learning disabled, hospital and homebound, autistic, developmentally delayed children, ages birth through 5 years, or children, ages birth through 2 years,with established conditions that are identified in State Board of Education rules pursuant to s. 1003.21(1)(e).

(2) The Superintendent shall annually prepare a plan for the provision of exceptional student education programs for all exceptional students which shall be approved by the Board. The plan shall be subject to the approval of the State Commissioner of Education.

(3) The plan shall include the following: screening procedures; pre-referral activities, referral procedures, eligibility criteria, program placement, program dismissal, and descriptions of program organization and operations.

(4) Parents of exceptional students shall be informed about the services that are available and appropriate for the student's disability; and or giftedness.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1000.21; 1001.42; 1001.43; 1003.57; 1006.07, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-6.0131; 6A-6.03411**

**HISTORY:** **ADOPTED:**
**REVISION DATE(S): 01/11/05**
**FORMERLY: IGBA**

## FIELD TRIPS 4.051

(1) Field trips are school sponsored activities where students leave school board property under the supervision of school board employees for educational purposes. Field trips are appropriate for the following reasons:

(a) As an adjunct to classroom work and is directly related to the curriculum.

(b) As an adjunct to the purpose and activities of a club or organization.

(c) As a reward for desired behavior or accomplishments.

(2) The direct cost of a field trip may be assessed to students but a student shall not be denied the opportunity to participate due to financial need.

(3) The principal shall approve each field trip in advance.

(4) The Superintendent shall be advised of all field trips prior to the trip occurring and reserves the right to cancel any such field trip. The Superintendent shall keep the Board advised of approved trips. However, the Superintendent may develop a list of pre-approved trips considering the purpose of the trip as outlined in paragraph 1 above and the grade level of the students. Such pre-approved trips need not receive the Superintendent's prior permission.

(5) The School Board shall approve all field trips that are out of state or involve an over night stay prior to the trip occurring. Further, approval shall be received prior to major fund raising and making contractual commitments. However, in times of national emergency or any other time when it is in the best interest of the health, safety, and welfare of students and employees, the School Board may revoke its approval

(6) The Superintendent shall develop procedures to implement the requirements of these rules.

(7) When an athletic team or other competitive group is (a) competing in an event that provides for graduated advancement (such as a state athletic championship), (b) the competition is sanctioned by the Florida High School Athletic Association or other sanctioning extra-curricular organization, (c) such competition requires an over night stay or is out of state, and (d) time is of the essence; the requirement of School Board approval is hereby waived; however, the Superintendent's approval shall remain a requirement.

# CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

**STATUTORY AUTHORITY:** 1001.41, F.S.

**LAWS IMPLEMENTED:** 1001.42; 1006.07; 1006.21; 1006.22, F.S.

**STATE BOARD OF EDUCATION FULE:** 6A-3.017, F.A.C.

**HISTORY:**

ADOPTED: 8/18/98
REVISION DATE(S):
FORMERLY: NEW

## STUDENT CLUBS AND ORGANIZATIONS 4.06

(1) Extracurricular activities shall be considered an essential part of the total school program and shall be under the principal's direction and general control. Extracurricular activities shall be offered to students through various clubs and organizations.

(2) All student clubs and organizations shall comply with the following:

(a) The Principal shall approve the rules of each student club or organization. The rules shall state the purposes, qualifications for members, and the rules of conduct; shall be maintained on file in the administration offices of the School; and shall be available to all interested parties.

(b) Eligibility for membership shall not include a vote of the current membership. Hazing is strictly forbidden. Hazing shall be defined as any action or situation for the purpose of initiation or admission into or affiliation with any club or organization which recklessly or intentionally endangers a student's mental or physical health or safety.

(c) Any school club or organization which engages in an initiation ceremony for its members shall prepare and submit the program of initiation exercises to the faculty sponsor for review and approval by the principal.

(d) Dues shall be reasonable and not prohibitive. Students shall not be excluded because of financial hardship.

(e) Shall be self-supporting.

(f) A faculty sponsor shall be present at all meetings.

(g) All social events shall be adequately chaperoned.

(h) All monies accruing to any school club or organization shall be accounted for through the school’s internal accounting system pursuant to the District's accounting procedures.

(i) A student club or organization shall not conduct any activity or act which violates law, School Board Rules or procedures.

(3) The club or organization's faculty sponsor shall be a Board employee who is:

(a) assigned responsibility for the club or organization as a part of the employee's job description.

(b) paid a supplement for such duty, or

(c) volunteers to serve in the position

(4) A student's participation in a club or organization is a privilege and not a right. A student's opportunity to participate can be limited or denied for failure to follow the club or organization's rules or for violation of the Student Conduct Code or School Board rules.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1006.09, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S):6/8/04**
**FORMERLY: IGDA; JFCE**

## STUDENT AND SCHOOL PUBLICATIONS 4.07

(1) Student publications, including, but not limited to student newspapers, literary magazines, yearbooks, and websites are media produced by students under the supervision of faculty or other School Board employees. Such publications are important adjuncts to the secondary school curriculum. They provide opportunities for students to learn and demonstrate academic, managerial and organizational, and creative skills. Further, student publications are an important mechanism to learn responsible journalism and the roles of media in a community.

(2) School publications are produced by the administration of a school to inform the students and their families, employees, and the larger community of information about the school or to commemorate events at the school. Such publications include newsletters, websites and yearbooks.

(3) The principal shall be responsible for both the content and the business aspects of all publications.

(4) Advertising in student and school publications shall be governed by the applicable School Board Rule on advertising.

(5) The use of the Internet and websites shall be governed by the applicable School Board Rule on electronic communication and applicable procedures developed pursuant to that policy.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1001.43; 1006.28 F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04**
**FORMERLY:**

## PUBLIC APPEARANCES OF SCHOOL GROUPS 4.08

(1) The principal shall approve all appearances of school groups that take place at locations other than the school campus.

(a) When considering appearances at functions sponsored by religious organizations or with a religious theme, the principal shall consider whether the appearance inappropriately entangles the public schools with religious activity.

(b) When considering appearances at political functions sponsored by a candidate, a political party, or other political group, the principal shall consider whether the appearance inappropriately appears as an endorsement by the public schools of any particular political candidate position. Further, the principal shall endeavor to make the school group available to appear at functions sponsored by opposing candidates or groups under similar terms and conditions, scheduling permitting.

(2) Such appearances shall be considered field trips and shall be governed by the relevant School Board Rules and procedures.

(3) School groups may accept honorariums for their performances which shall be accounted for as any other donation to the club or organization through the school's internal accounts.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1001.43; 1006.07 F.S.**

**HISTORY:**

**ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04**
**FORMERLY:**

## ATHLETICS 4.09

(1) The athletic program shall be considered an essential part of the total school program and shall be under the principal's direction and general supervision. However, a student's participation is a privilege and not a right. A student's opportunity to participate can be limited or denied for failure to follow team rules or for violation of the Student Conduct Code, School Board rules, or Florida High School Athletic Association (FHSAA) rules and regulations.

(2) For purposes of this rule, “athletics” shall be defined as those sports and activities sanctioned by FHSAA. As such, athletics at the middle school level and all other sports and activities at the high school level shall be governed by Rule 4.06, *Student Clubs and Organizations.*

(3) All District high schools shall be members of, and shall be governed by the rules and regulations adopted by FHSAA. Students who participate in athletics shall meet eligibility requirements established by FHSAA and the School Board.

(4) Students participating in any type of interscholastic athletics shall provide proof of accident insurance covering medical expenses of any injury sustained in a sport provided the student is insured. The principal shall be responsible for obtaining proof, of the student’s insurance prior to participation in interscholastic athletics. A student shall not be denied the opportunity to participate in athletics because of lack of insurance. The District may provide appropriate insurance for non-insured students.

(5) No student shall participate without the written permission of the student’s parent(s) or legal guardian being on file.

(6) Pursuant to Section 768.135, Florida Statutes, licensed medical personnel who act as volunteers for school events and agree to render emergency care or treatment shall be immune from civil liability for treatment of a participant in any school-sponsored athletic event, provided such treatment was rendered in accordance with acceptable standards of practice and was not objected to by the participant.

(7) Students may be assessed a fee to defray the direct cost of their participation, but a student shall not be denied the opportunity to participate because of the student’s financial inability to pay such fee.

Provided however, this provision does not apply to charging admission for students who are spectators at athletic events.

(8) Eligibility for membership shall not include a vote of the current team membership. Hazing is strictly forbidden. Hazing shall be defined as any action or situation for the purpose of initiation or admission into or affiliation with team which recklessly or intentionally endangers a student's mental or physical health or safety.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **768.135; 1001.43; 1006.07; 1006.15; 1006.16; 1006.20, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04**
**FORMERLY: IGD; JHA**

## ADULT EDUCATION 4.10

The School Board shall establish and maintain an Adult Education Program which is based on a needs assessment and is designed for basic skills education, secondary education, or life-long learning pursuant to Florida Statutes and State Board of Education rules. This program shall be the direct responsibility of the Superintendent of Schools. Course and credit requirements for the General Education Diploma (GED) and the Adult General Education Program shall be approved by the School Board and incorporated into the Student Progression Plan.

1. The program shall be designed for:

    a. An individual who has reached the compulsory school age and has legally withdrawn from the elementary or secondary school of last attendance.

    b. A high school student who can be more effectively served in this program and who needs a course(s) required for high school graduation; and

    c. Any adult resident who desires to further his / her education. An adult shall be defined as any person who has attained eighteen (18) years of age and is enrolled in any instructional program or activity conducted under the authority and direction of the District.

2. A student who withdraws from the regular high school program and subsequently enrolls in the Adult General Education Program shall be permitted to re-enter the regular high school program with the written permission of the regular high school principal and the adult education principal.

3. A student who is enrolled in the Adult General Education Program is expected to attend every class. Attendance shall be reported for each class period by the teacher. Absences shall be counted effective the first scheduled class meeting. An excused absence may be allowed in accordance with the school attendance policy.

4. An official transcript showing acceptable course work or credit completed by a student shall be placed in the student's record. An official transcript is one received directly from the school or school district.

**STATUTORY AUTHORITY:** **1001.41(2), F.S.**

# CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

**LAWS IMPLEMENTED:** 1000.04; 1001.42 F.S., 1003.21; 1003.54

**STATE BOARD OF EDUCATION RULES:** 6A-6.011; 6A-6.013, 6A-6.014, 6A-6.021

**HISTORY:**

ADOPTED: 8/18/98
REVISION DATE(S): 01/11/05
FORMERLY: NEW

## INSTRUCTIONAL MATERIALS 4.11

1. School Board's Responsibility. The School Board has the duty to provide adequate instructional materials for all students in accordance with statutory requirements and applicable law. "Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature.

   a. Courses of study. The School Board is responsible for adopting courses of study, including instructional materials for use in the schools of the District.

   b. Instructional materials. The School Board is responsible to provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. The School Board shall ensure that instructional materials used in the District are consistent with the District goals and objectives and the course descriptions established in rule of the State Board of Education, as well as with the State and District performance standards provided for in Section 1001.03(1), Florida Statutes.

   c. Adoption contest. The process for a parent of a public school student to contest the adoption of an instructional material is specified in School Board Rule 4.17.

   d. Parental objections. The process for a parent to object to his or her child's use of a textbook or other instructional materials is specified in School Board Rule 4.171.

   e. School library media services. The School Board is responsible for establishing and maintaining a program of school library media services for all public schools in the District.

2. Superintendent's Responsibility. The Superintendent has the duty to recommend such plans for improving, providing, distributing, accounting for, and caring for instructional materials and other instructional aids as will result in general improvement of the District school system, purchasing plans and procedures regarding the requisition, purchase, receipt, storage, distribution, use, conservation, records, and reports of, and management practices and property accountability concerning,

instructional materials, and providing for an evaluation of any instructional manuals to be requisitioned that have not been used previously in the District's schools. The Superintendent must keep adequate records and accounts for all financial transactions for funds collected pursuant to Paragraph 3 of this rule.

a. Notice. The Superintendent shall notify the Florida Department of Education by April 1 of each year the state-adopted instructional materials that will be requisitioned for use in the District. The notification shall include a plan for instructional materials use to assist in determining if adequate instructional materials have been requisitioned.

3. Principals' Responsibility. School principals have the following duties for the management and care of instructional materials at the school:

a. Proper use. The principal shall assure that instructional materials are used to provide instruction to students enrolled at the grade level or levels for which the materials are designed, in accordance with District policy and procedure. The school principal shall communicate to parents the manner in which instructional materials are used to implement the curricular objectives of the school.

b. Money collected for lost or damaged instructional materials. All instructional materials purchased are the property of the School Board. When distributed to the students, these instructional materials are on loan to the students while they are pursuing their courses of study and are to be returned at the direction of the school principal or the teacher in charge. The school principal shall collect from each student or the student's parent the purchase price of any instructional material the student has lost, destroyed, or unnecessarily damaged and to report and transmit the money collected to the District School Superintendent. The failure to collect such sum upon reasonable effort by the school principal may result in the suspension of the student from participation in extracurricular activities or satisfaction of the debt by the student through community service activities at the school site as determined by the school principal, in accordance with School Board policy and procedures.

c. Disposition of funds. All money collected from the sale, exchange, loss, or damage of instructional materials shall be transmitted to the Superintendent to be deposited in the School Board fund and added to the District appropriation for instructional materials.

d. Accounting for instructional materials. Principals shall see that all instructional materials are fully and properly accounted for as prescribed by adopted rules of the District School Board.

4. Additional Procedures. The Superintendent is authorized to enact procedures and guidelines to implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42, 1001.43, F.S.** |
| **LAWS IMPLEMENTED:** | **1006.28, F.S.** |
| **HISTORY:** | **Adopted: 01/11/05**<br>**Revision Date(s): 10/14/14** |

## INSTRUCTIONAL MATERIALS SELECTION 4.12

Appropriate instructional materials are a necessary resource for students to achieve the District's goal of creating educated and caring contributors to the world. The Superintendent shall adopt procedures for the selection of both state adopted and non-state adopted instructional materials. The goal for District-wide adoption of textbooks and instructional materials, which may include state-adopted and non-state-adopted textbooks and instructional materials, is to unify the curriculum of the District educational program throughout all schools and to place new and current instructional materials in schools within the first two (2) years of the state-adoption cycle.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1006.28; 1006.31; 1006.29(5), F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 01/11/05**
**FORMERLY: IIAB**

## EDUCATIONAL MEDIA MATERIALS SELECTION 4.13

(1) Students shall have access to sufficient and appropriate educational media resources.

(2) The purpose of these materials is to implement, enrich, and support the educational program of the school. The educational media materials shall be assembled to provide a wide range of materials on all levels of difficulty, with diversity of appeal, and the representation of different points of view. Materials will be selected to meet the following objectives:

(a) To enrich and support the curriculum, taking into consideration the varied interest, abilities, and maturity levels of the students served.

(b) To stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.

(c) To provide a background of information enabling students to make intelligent judgments in their daily life.

(d) To represent the many religious, ethnic, and cultural groups and their contributions to the American heritage.

(3) It is a goal of the District to provide a comprehensive collection appropriate for students which places principle above personal opinion and reason above prejudice in the selection of materials of the highest quality.

(4) The Superintendent shall adopt procedures to implement this Rule.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1006.28; 1006.34(2)(b), F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 01/11/05**
**FORMERLY:**

## SCHOOL LIBRARY MEDIA SERVICES 4.131

1. Introduction. Florida Statute 1006.28(2)(d).2. requires the School Board to adopt procedures for developing library media center collections, which shall be posted on the District website.

2. Standards and Criteria. The standards and criteria to be followed in developing library media center collections are as follows:

   a. The standards and criteria for selection of materials set forth in School Board Rule 4.13.

   b. The criteria set forth in Florida Statute 1006.40(3).

   c. The criteria enumerated in Florida Statute 1006.28(2)(a)2.b.

   d. As required by Florida Statute 1006.28(2)d.2.c., reader interest, support of state academic standards and aligned curriculum, and the academic needs of students and faculty also shall be considered in the selection and retention of materials.

3. Consultation. In developing and curating media collections, media specialists shall consult with reputable, professionally recognized reviewing periodicals. They shall also consult with school community stakeholders through the auspices of their school media advisory committee.

4. Ongoing Review. On an ongoing basis, media specialists shall review their collection and remove or discontinue books in the exercise of their professional judgment based on, at a minimum, compliance with standards and criteria listed in Paragraph 2, physical condition, rate of recent circulation, alignment to state academic standards and relevancy to curriculum, out of date content, age – appropriateness, literary merit, prurient content, patently offensive content according to the standards of the community served by the school, and feedback from parents, students and the school media advisory committee.

5. Elementary Schools. Each elementary school shall publish on its website, in searchable format as prescribed by the Florida Department of Education, a list of all materials maintained in the school library media center, or in a classroom library, or required as part of a school or grade - level reading list.

6. Limitations on Access. The Superintendent shall prescribe and publish on the District's website the process for a parent to limit his or her student's access to materials in the school or classroom library.

7. Reporting. The District shall submit to the Florida Department of Education the annual report regarding library material objections required by Florida Statute 1006.28(2)(e)3.

8. Delegation of Authority. The Superintendent is authorized to adopt procedures and guidelines to implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42; 1001.43, F.S.** |
| **LAWS IMPLEMENTED:** | **1006.28, F.S.** |
| **HISTORY:** | **Adopted: 09/13/22**<br>**Revised: 10/10/23** |

## OBJECTION TO LIBRARY MATERIALS 4.132

1. Introduction. Florida Statute 1006.28(2)(a)2.b. requires the School Board to adopt a policy providing school parents and St. Johns County residents the opportunity to object to materials made available in a school or classroom library, or included in a reading list on the grounds they violate one or more of the following criteria. The challenged material:

   a. is pornographic or prohibited under Florida Statute 847.012;

   b. depicts or describes sexual conduct as defined in Florida Statute 847.001(19), unless such material is for a course required by Florida Statutes 1003.46, 1003.42(2)(n)1.g., or 1003.42(2)(n)3., or identified by State Board of Education rule;

   c. is not suited to student needs and their ability to comprehend the material presented; or

   d. is inappropriate for the grade level and age group for which the material is used.

2. Delegation of Authority to Superintendent. The School Board delegates to the Superintendent the authority and responsibility to establish the procedures for reviewing objections to library materials. The procedures shall conform to the following parameters:

   a. An objecting party who is not the parent/guardian of a student in the District is limited to one objection per month as specified by Florida Statute 1006.28(2)(a)2.b

   b. The first step in the objection resolution procedure shall be a school-based informal complaint process under which the completed objection form is submitted to the principal (or designee) for review. The principal shall inform the objecting party what action (if any) will be taken on the objection at the school level.

   c. There shall be a formal complaint process available to the objecting party if the party seeks to pursue the objection beyond the principal's review.

   d. The formal complaint process shall be initiated by filing with the Superintendent an objection using a form in accordance with statutory requirements and Board of Education rules, accompanied by a written argument and evidence in support of the objection. If the objection is based on criteria listed in Florida Statute 1006.28(2)(a)2.b.(I) or (II), the book shall be removed from circulation until the objection is resolved.

e. The complaint shall be reviewed by a District-level committee appointed by the Superintendent. The committee shall consist of appropriate District staff, two (2) parents of District students and two St. Johns County residents, not employed by the District.

f. The committee shall meet to evaluate the objecting party's complaint. The objecting party will have the opportunity to attend the meeting and briefly address the committee. Such meeting must be noticed and open to the public in accordance with Florida Statute 286.011.

g. The committee shall submit its recommendation and a summary of its findings to the Superintendent.

h. The Superintendent shall approve, reject or modify the committee's recommendation and communicate the decision to the objecting party by email.

3. Appeal. The objecting party shall have ten (10) days to appeal the Superintendent's decision to the School Board, which shall conduct a hearing on the appeal. The ten (10) day appeal period shall commence on the date the Superintendent's decision is emailed to the objecting party. If an appeal is not received within ten (10) days, the Superintendent's decision shall be final.

4. Request for Appointment of Magistrate. Pursuant to Florida Statute 1006.28(2)(a)5., a parent who disagrees with the School Board's decision may request the Department of Education to appoint a special magistrate to review the School Board's determination.

**STATUTORY AUTHORITY:** **1001.41; 1001.42; 1001.43, F.S.**

**LAWS IMPLEMENTED:** **1006.28, F.S.**

**HISTORY:** **Adopted: 04/18/23**
**Revised:10/10/23; 04/08/25**

## NON-SCHOOL EXTRA CURRICULAR TRIPS AND TRAVEL 4.14

The School Board recognizes that employees may, from time to time, organize trips and other activities involving students that are not sponsored or approved by the District. By definition, such activities are either private commercial or not-for-profit activities of the employee and students and are outside the control and authority of the District. Therefore, the School District is not liable for any personal injury or financial loss that any individual, including School Board employees or students, may suffer as a result of participating in such activities. It is important and necessary that such activity be separate and distinct from the employee's duties and that such activity occurs outside the school day, except as provided for below.

(1) The organizer may not use either the name of the District or individual schools to imply an endorsement or responsibility of the District for the activity.

(2) The organizer may not use District property including but not limited to email, school newsletters, or copiers to organize or promote the activity, except to the extent other commercial or not-profit entities are extended that privilege. Such privilege will only be extended when it is determined by the principal to be in the best interest of students and their families.

(3) The organizer shall follow School Board rules and procedures if the organizer chooses to use school buildings for either planning or hosting the activity. The organizer shall be expected to pay the required fee for the use of the building unless the activity is covered by one of the recognized exceptions to the rule.

(4) Neither duty time of the organizer nor classroom time of the student shall be used for planning or advertising such trips.

(5) The organizer shall not state or imply that attendance or participation by a student will give the student any academic or other advantage over students that do not participate, other than the intangible benefits of any broadening experience.

(6) The District shall not be involved in the curriculum, itinerary, or selection of organizers for the activity.

(7) Participation in such travel by employees and students shall be subject to the District's leave and attendance policies.

**STATUTORY AUTHORITY**: **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **768.28; 1001.41; 1001.43, F.S.**

**HISTORY**: **ADOPTED: 8/18/98**
**REVISION DATE(S): 6/8/04**
**FORMERLY:**

# DISTRICT AND STATE-WIDE ASSESSMENT PLAN 4.15

(1) The Superintendent shall prepare a District and State-Wide Testing Plan for students which shall be approved by the Board.

(2) No student shall be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any District testing program on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background. Test modifications shall be made for students with disabilities and limited English proficiency to ensure aptitude and achievement are measured and not their disability.

(3) The parent or guardian of each student must be notified as to the progress of the student towards achieving state and district expectations for proficiency in reading, science, writing and mathematics. A student's state assessment results must be reported to the parent or guardian.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.11(5); 1001.43; 1008.22; 1008.34, F.S.**

**HISTORY:**

**ADOPTED:**
**REVISION DATE(S): 01/11/05**
**FORMERLY: NEW**

# SECURITY OF TESTS 4.16

(1) All tests required by the State Board of Education and District administered national norm-referenced achievement tests shall be secured pursuant to state laws and State Board of Education Rules.

(2) District and school personnel who have access to mandated tests shall be informed of test security laws and procedures and of penalties for breaches of test security.

(a) The District testing coordinator shall instruct school test coordinators and principals on test security measures.

(b) Principals shall be responsible for informing their faculty of test security measures.

(3) The loss of tests, cheating, or any other breach of test security procedures and laws shall be reported immediately to the testing coordinator. Any unresolved problems in the District shall be reported to the Florida Department of Education pursuant to provisions in State Board of Education Rule 6A-10.042.

(4) The testing coordinator shall coordinate the destruction of test materials as directed by the Florida Department of Education and shall inform the Department, in writing, to certify that the designated testing materials were destroyed in a secure manner.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.11(5); 1001.43; 1008.22; 1008.24; 1008.34, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-10.042**

**HISTORY:**

**ADOPTED:**
**REVISION DATE(S): 01/11/05**
**FORMERLY: NEW**

| PROCEDURE FOR CONTESTING ADOPTION OF INSTRUCTIONAL MATERIALS | 4.17 |
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1. Introduction. Florida Statute 1006.28(1)(a)(3) requires School Boards to establish a process by which the parent of a District public school student or a St. Johns County resident may contest the School Board's adoption of a specific instructional material.

2. Process. A parent of a District public school student or a St. Johns County resident within the meaning of Florida Statute 1006.28(1)2(b) ("Complainant") may contest the School Board's adoption of a specific instructional material in accordance with following process:

   a. The Complainant must file a petition, on the form provided by the District, within thirty (30) calendar days after the adoption of the material by the School Board.

   b. The contest form to be used for contesting adoption is available on the District website and from the Superintendent's office.

   c. The contest form must be signed by the Complainant and include the Complainant's address, email address and telephone number, and the reasons for the objection to the adoption.

   d. Within thirty (30) days after the expiration of the thirty (30) day filing period specified in subparagraph a., the School Board shall conduct an open public hearing on all timely filed petitions.

   e. The School Board shall provide the Complainant written notice of the date and time of the hearing at least seven (7) days prior to the date of the hearing.

   f. The hearing shall be conducted before the School Board at a special meeting called for that purpose. An unbiased and qualified hearing officer engaged by the Superintendent shall preside and rule upon procedural matters. The hearing officer may not be an employee or agent of the School District.

   g. The School Board's decision at the conclusion of the public hearing shall be final and not subject to further petition or review.

   h. The hearing is not subject to the provisions of Chapter 120; however, the hearing will provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer.

3. Additional Procedures. The Superintendent is authorized to enact procedures and guidelines to further implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42; 1001.43, F.S.** |
| **LAWS IMPLEMENTED:** | **1006.28, F.S.** |
| **HISTORY:** | **Adopted: 10/14/14**<br>**Revised: 01/09/18** |

## OBJECTION TO INSTRUCTIONAL MATERIALS 4.171

1. Introduction. School Board Rule 4.171 describes the process for contesting the use of a particular textbook or instructional material used in District schools adopted by the School Board. Pursuant to Florida Statute 1006.28, St. Johns County residents as defined by Florida Statute 1006.28(1)2(b) and parents of children enrolled in District schools have standing to object to the use of particular instructional materials in accordance with the procedure provided by this rule.

2. Procedure. The following procedure shall be followed when a parent or St. Johns County resident ("Complainant") objects to an instructional material:

   a. The objecting parent shall register his/her concerns in writing with the principal of the school where his or her child attends. The principal shall forward the complaint to the Director for Instructional Resources and Media Services.

   b. The objecting resident shall register his/her concerns in writing with the Director for Instructional Resources and Media Services.

   c. The complaint shall include the following information:

      (i) Author, compiler, or editor of the work;

      (ii) Publisher;

      (iii) Title;

      (iv) Reason for objection;

      (v) Page number of each item of concern; and

      (vi) The Complainant's signature, address, email address and telephone number.

   d. The Director for Instructional Resources and Media Services shall forward the complaint to the Superintendent's office.

   e. A committee shall be appointed by the Superintendent to review the objection. The Director for Instructional Resources and Media Services shall be responsible for the organization of the committee.

      (i) The following shall compose a review committee for elementary schools:

a) The Director of Instructional Resources and Media Services or designee;

b) Elementary media specialist;

c) Elementary principal;

d) A curriculum supervisor;

e) Three (3) instructional staff members at the elementary level; and

f) Two (2) parents of elementary age students.

(ii) The following shall compose a review committee for secondary schools:

a) The Director of Instructional Resources and Media Services or designee;

b) Secondary media specialist;

c) Secondary principal;

d) A curriculum supervisor;

e) Three (3) instructional staff members at the secondary level; and

f) Two (2) parents of secondary age students.

f. The Complainant shall have an opportunity to address the committee.

g. The committee shall make its recommendation to the Superintendent within fifteen (15) days. The Superintendent shall make a final decision within five (5) days of receipt of the District committee's recommendation.

3. Appeal. The complainant may appeal the Superintendent's decision to the School Board within thirty (30) days. The School Board shall conduct a hearing and render the final decision on the Complainant’s concern within sixty (60) days.

**STATUTORY AUTHORITY:** 1001.41; 1001.42; 1001.43, F.S.

**LAWS IMPLEMENTED:** 1006.28, F.S.

**HISTORY:** Adopted: 01/11/05
Revision Date(s): 10/14/14; 01/09/18
Renumbered: 10/14/14
Formerly: 4.17 Challenged Materials

## HOMELESS STUDENTS POLICY 4.18

1. Purpose.

   a. The purpose of this policy is to clarify statutory rights of children and youths experiencing homelessness as provided by federal and state law. The requirements of federal and state law as implemented by this policy supersede other internal policies and procedures relating to children and youths experiencing homelessness.

   b. School Board Rule 4.18 and this policy assures that homeless children and youths are provided with equal access to the same free, appropriate education, including preschool, as other students; have an opportunity to meet the same challenging State of Florida academic standards to which all students are held; to fully participate in the District's academic and extracurricular activities; are not segregated, separated or isolated into other educational programs on the basis of their status as homeless; and shall establish safeguards that protect homeless students from being stigmatized or discriminated against on the basis of their homelessness. The St. Johns County School District ("District") shall remove barriers that affect the enrollment and retention of homeless students.

   c. Public notice of the educational rights of homeless students will be available in the District's Student and Family Handbook and disseminated in schools and community.

2. Definitions.

   a. The McKinney-Vento Act (42 U.S.C. § 11434a), defines homeless children and youths as children and youths who lack a fixed, regular and adequate nighttime residence within the meaning of 42 U.S.C. § 11302(a)(1). The definition includes children and youths who:

      i. are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;

      ii. are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;

      iii. are living in emergency or transitional shelters;

      iv. are abandoned in hospitals;

      v. have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

vi. are living in cars, parks, public spaces abandoned buildings, substandard housing, bus or train stations, or similar settings;

vii. and migratory children who are living in circumstances described above.

b. The McKinney-Vento Act defines the term "unaccompanied youth" to include a homeless child or youth who is not in the physical custody of a parent or guardian. 42 U.S.C. § 11434a(6).

c. The McKinney-Vento Act defines the term "school of origin" to mean the school that the child or youth attended when permanently housed or the school where the child or youth was last enrolled, including a preschool. 42 U.S.C. § 11432(g)(3)(I).

d. The McKinney-Vento Act defines “eligible school” as the school of origin, the school zoned for the address where the student is temporarily residing or another school which students residing in that attendance zone are eligible to attend.

e. The McKinney-Vento Act defines the terms "enroll and enrollment" to include attending classes and participating fully in school activities. 42 U.S.C. § 11434a(1).

f. The term "immediate" means without delay, even if the child or youth missed an application or enrollment deadline during any period of homelessness.

g. The term "parent" means the natural or adoptive parent or legal guardian of a student.

h. The term "liaison" means the staff person designated by the Superintendent as the person responsible for carrying out the duties assigned to the liaison pursuant to 42 U.S.C. § 11432.

i. The term local educational agency (LEA) means the School Board. 42 U.S.C. § 11434a(3).

j. The McKinney-Vento Act states the designated receiving school includes the next level school such as elementary from prekindergarten, middle from elementary, high from middle. A homeless child or youth, whose homelessness continues into the next school year, may attend that next level school which is the district designated school for those students in the homeless student’s school of origin. The matriculation of next school of

origin is determined by the student's address used when the student was last permanently housed.

3. District's Obligations. The District will:

   a. Designate an appropriate staff person able to carry out the duties described in the McKinney-Vento Act, as the District's liaison for homeless children and youth.

      i. The District's homeless education liaison shall make a determination of homeless status on a case by case basis.

   b. Remove barriers to:

      i. Identifying homeless children and youth.

      ii. Enrolling and retaining of homeless children and youth in schools.

   c. Provide access to homeless children to public preschool programs administered by the District.

   d. Provide appropriate credit for full or partial coursework satisfactorily completed by homeless children and youth while attending a prior school.

   e. Provide access for homeless children and youth to academic and extracurricular activities.

   f. Immediately enroll homeless children and youth to a qualified school.

   g. Coordinate District programs and collaborate with other school districts, community service providers and organizations including:

      i. Local social services and other community agencies to provide support to homeless students and their families;

      ii. Other school districts regarding homeless student-related transportation, transfer of school records and other inter-district activities, as needed;

      iii. Housing authorities; and

      iv. ESE.

4. Enrollment. The District's Homeless Student Policy assures that:

   a. A homeless child or youth may continue their education in the school of origin. Keeping the child or youth in the school of origin is presumed to be

in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the cause of an unaccompanied youth) the youth.

b. When considering placement in a school other than the child's or youth's school of origin, the District will consider student-centered factors to determine a placement that is in the student's best interest.

c. The eligible school selected shall immediately enroll the homeless child or youth, even if the child or youth missed an application or enrollment deadline during any period of homelessness.

d. When a school other than the school or origin is selected, will remove barriers to enrollment and enroll homeless children or youths immediately, even if they cannot produce records or otherwise meet enrollments, including:

   i. Previous academic records;

   ii. Immunizations or other health records;

   iii. Birth certificate;

   iv. Proof or residency;

   v. Guardianship;

   vi. Uniform or dress code requirements;

   vii. Outstanding fees, fines or absences; and

   viii. Other required documentation.

e. If a homeless student arrives without records, the assigned school's Guidance Department shall assist the family and contact the previously attended school system to obtain the required records.

f. The assigned school's contact for homeless children and youths shall immediately refer the parent or guardian to the District's Homeless Education Liaison, who will help in obtaining necessary immunizations or immunization or medical records if the student needs to obtain these records.

g. A homeless student is considered a resident of the County if the child or youth is personally somewhere within the District to live there temporarily,

but not necessarily to remain permanently. Homeless students who do not live with their parents or guardians may enroll themselves in school.

5. Guardianship and Caregivers.

   a. Although a school should immediately enroll a homeless student, even if there is no proof of legal guardianship at the time of initial enrollment, the legal guardian shall be asked to present to the school all court order(s) showing his/her appointment as a guardian of the student, within a reasonable period of time.

   b. If a homeless student is not accompanied by a parent or guardian at the time of enrollment, once he or she is enrolled in and attending a school, the person acting as a caregiver or the unaccompanied youth will be asked to complete the District's caregiver authorization form (SJSD 2369), within a reasonable period of time. This form is incorporated herein by reference as part of this policy and can be located on the District's forms web site.

6. Full Participation and Comparable Services. Pursuant to 42 U.S.C. §11432(g)(4), each homeless student shall be provided with services comparable to other students in the selected school, assuring that:

   a. A homeless student who becomes permanently housed during the academic year, may remain at their school of origin for the remainder of the academic year and continue to receive all McKinney-Vento Act benefits;

   b. Children and youths experiencing homelessness, and who meet the relevant eligibility criteria, will have access to all available academic and extracurricular activities for which they meet relevant eligibility criteria;

   c. Unaccompanied homeless high school youth will receive counseling to prepare and improve their readiness for post-secondary education;

   d. Services shall be provided to homeless children and youths that are comparable to services offered to non-homeless students in their schools, including the following:

      i. Transportation services;

      ii. Educational services for which the child or youth meets the eligibility criteria:

         - Title I

- ESE
- Educational programs for English Learners

iii. Vocational and technical education programs;

iv. Gifted and talented programs;

v. School nutrition programs (all identified homeless students are entitled to free meals per McKinney-Vento);

vi. Preschool programs administered by the LEA.

Pending grant funding, the School Board may provide additional services, including but not limited to: Tutoring (at shelters, Title I and non-Title I schools), school supplies, school uniforms/shirts, mentoring, summer programs.

7. Student Records. The School District's Homeless Student Policy assures that records will be:

a. Treated as a student education record, and shall not be deemed to be directory information, under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

b. Maintained for each homeless child or youth, including:

- Immunization or other required health records;
- Academic records;
- Guardianship records; and
- Evaluations for special services;
- Birth Certificates.

c. Made available, in a timely fashion, when a child or youth enters a new school.

d. Held confidential in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

8. Transportation. The District's Homeless Students Policy assures that:

a. Transportation to and from a child's or youth's school will be provided or arranged, at the request of the parent or guardian, or in the case of an

unaccompanied child or youth, the District's Homeless Education Liaison.

b. If the homeless student continues to live in the area served by the District in which the school of origin is located, the student's transportation to and from the school of origin will be provided and/or arranged for by the District. Transportation must be provided to or arranged for the student unless the student is residing in a location within the school zone's walking distance.

c. When the homeless child's or youth's living arrangements are in an area served by another school district (district of residence), this school district (district of service) will coordinate with the district of resident to agree upon a method to apportion responsibility and costs for transportation to and from the school of origin. 42 U.S.C. § 11432 (g)(1)(J)(iii)(II).

9. Disputes Pursuant to 42 U.S.C. § 11432 (g)(3)(E). If a dispute arises over school selection or enrollment:

a. The student shall be immediately admitted to the school in which enrollment was requested (school of origin or assigned zoned school) and transportation provided to and from the school of origin, pending resolution of the dispute;

b. The parent or guardian of the student shall be provided with a written explanation in a manner and form understandable to the parent, guardian, or unaccompanied youth, of the District's decision regarding the school selection or enrollment, including the rights of the parent, guardian or student to appeal the decision through the District's enrollment dispute procedure and the Florida Department of Education's appeal process;

c. The student, parent or guardian shall be referred to the District's Homeless Education Liaison, who shall ensure the resolution process is carried out as expeditiously as possible after receiving notice of the dispute; and

d. In the case of an unaccompanied student, the District's Homeless Education Liaison shall ensure that the student is immediately enrolled in school pending the resolution of the dispute.

e. The resolution process can be found on the District's website at: http://www.stjohns.k12.fl.us/homeless/

f. The child or youth will either remain enrolled in the student's school of origin or shall be immediately enrolled in the eligible school in which enrollment is sought, either the school zoned for the address where the student is residing or another school which students residing in that attendance zone

are eligible to attend, pending final resolution of the dispute including all available appeals.

g. The parent or guardian of the child or youth or, in the case of an unaccompanied youth, the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school or the district, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions.

10. Homeless Education Liaison. The District's Superintendent will ensure his/her duties are communicated to the District and school personnel and appropriate community agencies and providers. The Homeless Liaison's name and contact information shall be posted on the District website.

**STATUTORY AUTHORITY:** **743.067, 1001.41, 1001.42, 1003.01, 1003.21, 1003.22, F.S.**

**LAWS IMPLEMENTED:** **McKinney-Vento Homeless Assistance Act 42 U.S.C. §§ 11431 – 11436**

**HISTORY:** **ADOPTED: 10/13/09**
**REVISED: 05/15/2012; 11/13/18; 04/18/23**

## Home Education Program 4.19

Home Education programs shall be conducted in accordance with applicable provisions of Florida Statutes. The Superintendent shall designate a district level administrator who shall coordinate and facilitate these programs.

**STATUTORY AUTHORITY:** 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED:** 1000.21; 1001.43; 1002.41, F.S.

**HISTORY:**

**REVISION DATE(S):** 01/11/05
08/14/07

## Discrimination Against Students Prohibited 5.02

1. Introduction. The School Board shall admit students to District schools and programs without regard to race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background.

2. Discrimination Prohibited. Discrimination on the basis of race, color, national origin, sex, disability, religion, or marital status against a student in the District is prohibited. No person in this state shall, on the basis of race, color, national origin, sex, disability, religion, or marital status, be excluded from participation in, be denied the benefits of, or be subjected to, discrimination under any District education program or activity.

3. Non-discriminatory Admission Criteria. The criteria for admission to a District program or course shall not have the effect of restricting access by persons of a particular race, color, national origin, sex, disability, religion, or marital status.

4. Class Availability. All District education classes shall be available to all students without regard to race, color, national origin, sex, disability, religion, or marital status; however, this is not intended to eliminate the provision of programs designed to meet the needs of students with limited proficiency in English, gifted students, or students with disabilities or programs tailored to students with specialized talents or skills.

5. Separate Sex Programs And Activities. Students may be separated by sex for a single-sex program, for any portion of a class that deals with human reproduction, or during participation in bodily contact sports. For the purpose of this section, bodily contact sports include wrestling, football, basketball, and other sports in which the purpose or major activity involves bodily contact.

6. Guidance And Counseling Services. District guidance and counseling services shall be available to students equally. Guidance and counseling services, materials, and promotional events shall stress access to academic and career opportunities for students without regard to race, color, national origin, sex, disability, religion, or marital status.

7. Athletics. No person shall, on the basis of sex, be excluded from participating in, be denied the benefits of, or be treated differently from another person or otherwise be discriminated against in any interscholastic, club, or intramural athletics offered by a District school; and no District school shall provide athletics separately on such basis.

8. Separate Sex Teams. Notwithstanding the requirements of paragraph 7, a District school may operate or sponsor separate teams for members of each sex if the selection for such teams is based upon competitive skill or the activity involved is a bodily contact sport. However, when a school operates or sponsors a team in a particular sport for members of one sex but does not operate or sponsor such a team for members of the other sex, and athletic opportunities for that sex have previously been limited, members of the excluded sex must be allowed to try out for the team offered.

    a. Physical Education. Paragraph 7 does not prohibit the grouping of students in physical education classes and activities by ability as assessed by objective standards of individual performance developed and applied without regard to sex.

9. Equal Athletic Opportunity. In offering or sponsoring interscholastic, club, or intramural athletics, District schools shall provide equal athletic opportunity for members of both sexes.

10. Toilet, Locker Room And Shower Facilities. Schools will provide separate toilet, locker room, and shower facilities on the basis of sex, but such facilities shall be comparable to such facilities provided for students of the other sex.

11. Procedures and Guidelines. The Superintendent is authorized to enact procedures and guidelines to interpret and implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41 F.S** |
| **LAW(S) IMPLEMENTED:** | **1001.05, F.S.** |
| **STATE BOARD OF EDUCATION RULES:** | **6A-19.001, 19.002, 19.004, F.A.C.** |
| **HISTORY:** | **Adopted: 8/18/98**<br>**Revised:7/14/26** |

## STUDENT ATTENDANCE ZONES AND ASSIGNMENT 5.03

1. Introduction. Each student residing in St. Johns County and enrolled in the public school system shall be assigned to a school based upon the student's residence.

2. Residence. For school assignment purposes, a student's residence shall be determined in accordance with the District's Student Assignment, Enrollment and Choice Plan.

3. Adoption of Attendance Zones. Attendance zones shall be adopted from time to time by the School Board pursuant to the rule making process of state law. In developing attendance zones, in accordance with the following criteria, the School Board shall consider whether the proposed attendance zone:

   a. Anticipates future growth and demographic changes in the attendance zone.

   b. Fully utilizes school facilities.

   c. Meets school size commitments recommended by the School Board to the extent practical.

   d. Keeps neighborhood units in the same attendance zone to the extent practical.

   e. Assigns students to the closest school to the extent practical.

   f. Places a transportation burden on any identifiable diversity subgroup.

   g. Maximizes transportation efficiency.

   h. Minimizes the disruption to students and their families caused by rezoning.

   i. Creates demographic balance.

4. Assignment. Each student shall attend his/her assigned school unless voluntarily or involuntarily transferred to another school (including public schools in surrounding counties), pursuant to state law, School Board rule or procedure, including administrative placement at an alternative school when the Superintendent determines that such placement is in the best interest of the District.

5. Expelled Students. No student shall be permitted to transfer or enroll in a school when the student has been expelled from another school district. As such, the St. Johns County School District shall enforce the terms of the original expulsion order.

6. Transfers. Students shall be permitted to transfer to a school other than their assigned school pursuant to School Board procedures, for any of the following reasons:

   a. Based upon the St. Johns County residence of a parent who has shared parental responsibility.

   b. To attend a Career Academy or Program of Choice.

   c. Pursuant to the Controlled Open Enrollment process as set forth in the Student Assignment, Enrollment and Choice Plan.

   d. "Hardship" as determined by the Superintendent.

   e. Pursuant to state law and inter-local agreements entered into between surrounding school districts, which allow students for specific reasons to attend a school in this district or surrounding districts, regardless of the county in which they reside. Any such inter-local agreements shall be approved by the School Board and shall not materially impact the racial composition of either the receiving or sending district.

   f. Based on the Opportunity Scholarship Program, a student assigned by attendance area or special assignment who spent the prior year in attendance at a public school that has been designated as earning a grade "F" or three consecutive "Ds" as based on statewide assessments conducted pursuant to Florida Statute 1008.22.

7. Administrative Reassignment. A student may be administratively reassigned to another school when in the sole judgment of the Superintendent such reassignment is in the interest of student welfare or safety, or otherwise in the best interest of the District.

8. Disciplinary Transfer. Students may be involuntarily transferred for disciplinary reasons pursuant to School Board rule or procedure, or in accordance with the terms of a court order.

9. Implementation. The Superintendent shall develop Student Assignment, Enrollment and Choice Plans for School Board approval. The Superintendent may also adopt guidelines and procedures to implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42, F.S .** |
| **LAW(S) IMPLEMENTED:** | **1001.41; 1001.42; 1001.43; 1001.51; 1002.31; 1001.38, F.S. 20 USCA 6316** |
| **HISTORY:** | **Adopted: 01/11/05 Revision Date(s): 01/10/17, 7/14/26** |

## STUDENT ATTENDANCE 5.04

1. Introduction. The St. Johns County School Board is committed to the principle that regular school attendance is essential to students' educational success.

2. Required Attendance. All children who have attained the age of 6 years or who will have attained the age of 6 years by February 1 of any school year or who are older than 6 years of age but who have not attained the age of 16 years, except at otherwise provided, are required to attend school regularly during the entire school term.

3. Declaration of Intent to Terminate Enrollment. A student who attains the age of 16 years and who has not graduated is subject to compulsory school attendance unless the student has filed a formal declaration of intent to terminate school enrollment with the student's assigned school or the School Board.

4. Marriage or Pregnancy. Students who become or have become married and students who are pregnant shall not be prohibited from attending school. These students and students who are parents shall receive the same educational instruction or its equivalent as other students, but may voluntarily be assigned to a class or program suited to their special needs. Consistent with Florida Statute 1003.54, pregnant or parenting teens may participate in a teenage parent program. Pregnant students may attend alternative education programs or adult education programs, provided that the curriculum allows the student to continue to work toward a high school diploma.

5. Children 3 Years of Age or Younger with Disabilities. Consistent with rules adopted by the State Board of Education, children with disabilities who have attained the age of 3 years shall be eligible for admission to public special education programs and for related services. Children with disabilities younger than 3 years of age who are deaf or hard of hearing, visually impaired, dual sensory impaired, orthopedically impaired, or other health impaired or who have experienced traumatic brain injury, have autism spectrum disorder, have established conditions, or exhibit developmental delays or intellectual disabilities may be eligible for special programs and may receive services in accordance with rules of the State Board of Education.

6. Homeless Students. Children and youths who are experiencing homelessness must have access to a free public education and must be admitted to school in the school district in which they or their families live. The District shall assist such children in meeting the requirements for enrollment set forth in Florida Statute 1003.22 and School Board Rule 5.05.

7. Guidelines and Procedures. The Superintendent is authorized to enact guidelines and procedures to interpret and implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, F.S.** |
| **LAWS IMPLEMENTED:** | **1003.21; 1003.23; 1003.24; 1003.26, F.S.** |
| **STATE BOARD OF EDUCATION RULE** | **6A-6.0331, F.A.C.** |
| **HISTORY:** | **Adopted: 8/18/98**<br>**Revised: 7/8/04; 7/14/26** |

## Release Time for Religious Instruction or Holiday 5.041

1. Religious Instruction. A student with a notarized written request from the student's parent or guardian may request permission to be excused from attendance in school to participate in religious instruction. Absence shall be limited to not more than one class period each school day, but not to exceed five hours per week. Instruction shall be given at the student's place of worship or at any other place away from school property designated by the religious group, church or denomination. The notarized statement must be submitted and approved each semester by the principal of the student's school.

2. Conditions of Approval. A principal shall grant permission for such absences provided the following conditions are met:

   a. The student is in compliance with the Student Progression Plan, including but not limited to, minimum grades for promotion or graduation and sufficient enrollment in required courses;

   b. Transportation to and from religious instruction is the sole responsibility of the religious institution or parent or guardian of the student. With the parent's or guardian's permission, a student with a valid driver's license may drive himself or herself.

   c. The parent or guardian of the student agrees in writing to release and indemnify the School Board and its agents and employees from and against any claim for injury and/or death occurring while the student is absent from school in order to attend religious instruction including travel to and from such instruction.

   d. The religious institution maintains weekly attendance records and makes them available to the school attended by each student.

3. Termination of Approval. With prior notice to the parent or guardian, a principal may terminate an individual student's permission to participate in such religious instruction for failure to meet the requirements of paragraph 2 above. The notification shall be given in writing, and the parent or guardian shall be given an opportunity to be heard by the principal.

4. Termination of Approval – Non-attendance. Without prior notice to the parent or guardian, a principal may terminate an individual student's permission to participate in such religious instruction due to the student's non-attendance at such instruction. The notification shall be given in writing, and the parent or guardian may request an opportunity to be heard by the principal.

5. Religious Holidays. Absences from school for observance of a religious holiday or because the tenets of a student's religion forbid secular activity during a school day or portion thereof shall be excused subject to compliance with Rule 5.042.

6. List of Religious Holidays. The Superintendent or the Superintendent's designee shall be responsible for maintaining a list of religious holidays covered by this rule. The Superintendent or the designee may consult with religious institutions and leaders in the community for this purpose.

7. Notice. A student's parent or guardian shall give the school written notice of intended absence at least four school days prior to the intended absence. If the principal determines that the intended absence does not meet the requirements of this rule, the principal shall notify the student's parent or guardian at least two days prior to the intended absence.

8. Make-up Work. A student who is absent from school under this rule shall be given a reasonable opportunity to make up any examinations, study or work assignments missed while absent. The expectation is that such work will be made up within five school days or less after the absence.

9. Opportunity to Be Heard. A parent or guardian who disagrees with a school's decision not to excuse a requested absence on a day not named on the list of religious holidays shall have the right to appeal that decision to the principal.

10. Adult Students. The opportunities and responsibilities granted to a parent or guardian of a student may be exercised by an adult student on the student's own behalf and without the consent of the adult student's parent or guardian.

11. Delegation of Authority. The Superintendent is authorized to adopt procedures and guidelines to interpret and implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41; 1003.21, F.S.** |
| **LAWS IMPLEMENTED:** | **1003.21, F.S.** |
| **STATE BOARD OF EDUCATION RULE:** | **6A-1.09514** |
| **HISTORY:** | **Adopted: 08/14/07**<br>**Revised: 7/14/26** |

## ABSENCES AND ENFORCEMENT OF SCHOOL ATTENDANCE 5.042

1. Introduction. The St. Johns County School Board concurs with the legislative finding set forth in Florida Statute 1003.26 that "poor academic performance is associated with non-attendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance."

2. Definitions. For purpose of this rule, the following definitions apply:

   a. An "excused absence" includes:

      i. Personal Illness.

      ii Illness of an immediate family member.

      iii. Death in the family.

      iv. Religious holidays of the student's religious faith.

      v. Required court appearance or subpoena by a law enforcement agency.

      vi. Special events, including, but not limited to, important public functions, student conferences, school-sponsored student state/national competitions, administratively approved post-secondary educational institution visitation, as well as exceptional cases of family need. Students must get permission from the principal at least five days in advance.

      vii. Medical or dental appointments.

      viii. Students having or suspected of having a communicable disease or infestation that can be transmitted are to be excluded from school and are not allowed to return to school until they no longer present a health hazard (Florida Statute 1003.22). Examples of communicable diseases and infestations include, but are not limited to, fleas, head lice, ringworm, impetigo, and scabies. Students are allowed a maximum of three (3) days excused absence for an infestation of head lice.

   b. "Unexcused absences" include, but are not limited to:

      i. Shopping trips.

      ii. Pleasure trips.

      iii. Suspension from school.

      iv. Appointments without prior approval except in case of emergency.

v. Truancy.

vi. Other avoidable absences.

3. Reporting and Notification. Teachers shall promptly report excused and unexcused absences to the school. Upon each unexcused absence, or absence for which the reason is unknown, the school principal or the principal's designee will attempt to contact the student's parent or guardian to determine the reason for the absence and prevent a pattern of non-attendance from developing.

4. Make-up Work -Excused Absence. If the absence is an excused absence, the school shall provide opportunities for the student to make up assigned work and not receive an academic penalty unless the work is not made up within a reasonable time.

5. Make-up Work- Unexcused Absence. With unexcused absences, it is the student's responsibility to complete all coursework, test and quizzes and turn them in to the appropriate teacher. A student shall have one day to complete and turn in the work for each day the student is absent (i.e., in the event of three days unexcused absences, the student has three days to complete and turn in coursework). The student may receive up to 50% credit for made-up coursework and up to 100% credit for tests and quizzes. Coursework, tests, and quizzes not completed and turned in within the allotted time frame will earn no credit. There is no expectation that the student's teacher or teachers recreate lessons, lectures, or labs for unexcused absences.

6. Pattern of Nonattendance and Referral to Child Study Team. If a student has had at least five unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period, the student's primary teacher must report to the school principal or his or her designee that the student may be exhibiting a pattern of nonattendance. Unless there is clear evidence that the absences are not a pattern of nonattendance, the principal shall refer the case to the school's child study team to determine if early patterns of truancy are developing. If the child study team finds that a pattern of nonattendance is developing, whether the absences are excused or not, a meeting with the parent shall be scheduled to identify potential remedies, and the principal shall notify the Superintendent and the District contact for home education programs that the referred student is exhibiting a pattern of nonattendance. The child study team may allow the parent to attend the meeting virtually or by telephone if the parent is unable to attend the meeting in person.

7. Child Study Team Process. If the parent or child fails to attend the child study team meeting, the meeting shall be held in their absence, and the team shall make written recommendations to remediate the truancy based upon the information available to the school. The recommendations shall be provided to the parent within 7 days after the child study team meeting. If the initial meeting does not resolve the problem, the child study team shall implement the following:

a. Frequent attempts at communication between the teacher and the family.

b. Attempt to determine the reasons the child is truant from school and provide remedies if available or refer the family to services, including referring the family for available scholarship options if the learning environment is an issue of concern.

c. Evaluation for alternative education programs.

d. Attendance contracts.

e. The child study team may, but is not required to, implement other interventions, including referral to the Department of Juvenile Justice's designated provider for voluntary family services, or to other agencies for family services, or recommend filing a truancy petition pursuant to Florida Statute 984.151.

8. Parent's Refusal to Participate in Remedial Strategies. If the parent refuses to participate in remedial strategies because he or she believes that those strategies are unnecessary or inappropriate, the parent may appeal to the School Board. If the School Board's final determination is that the strategies of the child study team are appropriate, and the parent still refuses to participate or cooperate, the Superintendent may seek criminal prosecution for noncompliance with compulsory school attendance.

9. Enrollment in Home Education Program. If a parent or guardian of a student who has been identified as exhibiting a pattern of nonattendance enrolls the student in a home education program, the Superintendent and appropriate staff shall proceed in accordance with Florida Statute 1003.26(1)(f).

10. Truancy Petition. If it is determined that a student subject to compulsory school attendance has had at least 5 unexcused absences, or absences for which the reasons are unknown, within a calendar month or 10 unexcused absences, or absences for which the reasons are unknown, within a 90-calendar-day period pursuant to Florida Statute 1003.26(1)(b), or has had more than 15 unexcused absences in a 90-calendar-day period, the Superintendent or designated staff may file a truancy petition pursuant to Florida Statute 984.151 seeking early truancy intervention.

11. Non-enrollment. If a student who is subject to compulsory education requirements is not enrolled in school, the Superintendent shall proceed in accordance with Florida Statute 1003.26(2).

12. Procedures and Guidelines. The Superintendent is authorized to adopt procedures and guidelines to interpret and implement the requirements of Florida Statute 1003.26 and this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, F.S.** |
| **LAWS IMPLEMENTED:** | **984.151, 1002.20, 1003.01, 1003.02, 1003.21, 1003.23, 1003.24, 1003.26, 1003.27, F.S.** |
| **STATE BOARD OF EDUCATION RULES** | **6A-1.044, 6A-1.09512, 6A-1.09913, 6A-1.09514, F.A.C.** |
| **HISTORY:** | **Adopted: 7/14/26** |

## Requirements for Initial Enrollment 5.05

1. Required Documentation. Any student who initially enrolls in the District shall be required to present the following information:

    a. Subject to the provisions of Florida Statute 1003.22, a certification of immunization against communicable diseases for which immunization is required by the Florida Department of Health. This requirement does not apply to persons admitted to or attending adult education classes unless they are under twenty-one (21) years of age.

    b. Proof of full legal name and age as required by Florida Statute 1003.21.

    c. Students who enroll in pre-kindergarten or otherwise enroll in a public or private school in Florida for the first time must present evidence of a health examination performed within one (1) year of enrollment.

        i. Any student who was previously enrolled in a Florida school and who seeks admission to a District school may be granted thirty (30) days to secure documentation of a school health examination.

        ii. The Superintendent may grant exceptions to this rule pursuant to Florida Statute.

        iii. The health examination shall be completed by a health professional who is licensed in Florida or in the state where the examination was performed.

    d. Proof of residence.

    e. Students who reside with a person who is not the student's parent(s), shall present a court order appointing the person with whom they reside as either their legal guardian or legal custodian or shall present other proper documentation from a state or federal agency placing the child with the person with whom they reside.

2. Kindergarten. Any child shall be eligible for admission to kindergarten if the child is five (5) years old on or before September 1 of the school year.

3. Transfers. To transfer into the first grade at a District school from a private school or a public school in another district in Florida, a student must be at least six (6) years old on or before September 1 of the school year and meet one (1) of the following requirements:

    a. Previous enrollment and attendance in a Florida public school;

b. Satisfactory completion of kindergarten requirements in a non-public school; or

c. Previous attendance in an out-of-state school in which the student was admitted on the basis of age requirements established by the state of residency.

4. Out-of-State Transfers. Any student who was previously enrolled in an out-of-state public school and who seeks admission to a District school shall be admitted on the basis of admission requirements established in the state where the student previously was enrolled, if the transfer of the student's academic credit is acceptable under School Board rules and practice. Prior to admission, the parent or guardian must also provide documentation of their residence in the state where the student was previously enrolled.

5. Placement. A student entering a District school from a private or non-public school shall be assigned to a grade based on placement tests, age, and previous school records.

6. Delegation of Authority. The Superintendent is authorized to adopt procedures and guidelines to interpret and implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, F.S.** |
| **LAWS IMPLEMENTED:** | **1003.21; 1003.22, F.S.** |
| **STATE BOARD OF EDUCATION RULE:** | **6A-1.0985** |
| **HISTORY:** | **Adopted:**<br>**Revised: 9/15/02; 4/14/09; 8/14/18; 7/14/26** |

## ADMISSION TO POST-SECONDARY VOCATIONAL PROGRAMS 5.08*

The Superintendent or designee shall develop written procedures to implement Section 1007.264, Florida Statutes, which pertains to hearing and visually impaired or learning disabled students who enter post-secondary programs in hearing and visually "career" education centers. The procedures shall include those provided by State Board of Education Rule 6A-10.041 that are applicable to district school boards.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1007.264, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-10.041**

**HISTORY:**

**ADOPTED:**
**REVISION DATE(S): 01/11/05**
**FORMERLY: NEW**

## Parental Enrollment and Educational Decision-Making 5.09

1. Introduction. Parents are encouraged to collaboratively make school enrollment and other educational decisions in the best interest of their child. However, disagreements between parents can occur as to matters such as what school the child should attend, who should be allowed to pick the child up from school, whether their child should be evaluated for special education services, whether the child should be placed in a special education class, and whether permission should be granted for the child to participate in extracurricular activities. This rule sets out the procedures and guidelines for schools to follow in case of parental disagreement unless there is a specific, valid court order addressing the issue.

2. Student Enrollment and Pick-Up. The following school enrollment and pick-up procedures will be followed in the absence of a valid, specific court order to the contrary:

   a. The enrolling parent must reside in the attendance zone for the school in which the child is being enrolled or the child must be otherwise eligible to attend that school via open enrollment or other school choice program. By enrolling the child in school, the enrolling parent shall be deemed to certify that he or she has authority to enroll the child in that school, either with the consent of the other parent or under an applicable court order.

   b. For safety reasons, bus transportation will only be to and from the residence address of the enrolling parent.

   c. The emergency contact card and Alert Now information will be completed by the enrolling parent. The emergency contacts listed may pick up the student any day of the week.

   d. Except as provided in subparagraph e. below, absent the enrolling parent's consent, changes in regard to enrollment, emergency contacts or persons authorized to pick up a student can only be made by or with the written consent of the enrolling parent.

   e. For grades K-8, a student must not be allowed to leave school with anyone who is not listed on the emergency contact card unless the enrolling parent consents and makes arrangements with the school in advance. Such arrangements may be made by telephone or email. In an emergency, if the enrolling parent is not available to give instructions, then the non-enrolling parent may authorize someone who is not listed as an emergency contact to pick up the student on that occasion. In high school, if a student wishes to leave school at the end of the day with someone who is not listed on the emergency contact card, the school will not interfere with the student's choice.

f. If the non-enrolling parent disagrees with any of the foregoing terms and conditions of enrollment and student pick-up, he or she must furnish the principal with a valid, specific court order imposing different terms and conditions. The principal, in the exercise of his or her judgment and discretion, may deviate from these procedures and guidelines if he or she is satisfied that the order requires them.

3. Exceptions. The provisions of this policy as it relates to student pick-up do not apply to law enforcement officers, court officials, Children and Family Services or Emergency Medical Services personnel provided that the person's identity and authority are clearly established. Further, it shall not apply to school employees in the performance of their professional responsibilities provided a reasonable attempt is made to notify the parent or guardian beforehand.

4. General Decision-Making Authority. In the event the parents cannot agree on an educational decision or a matter such as course selection, special education services, or extracurricular activities, the school will defer to the enrolling parent, unless the principal is furnished with a valid, specific, court order to the contrary. The principal in the exercise of his or her judgment and discretion may take such action as may be required by the order. This includes educational decisions, including special education services, and extracurricular activities.

5. Records. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g; 34 CFR Part 99) is a federal law that provides access to and protects the privacy of student education records. Florida's student privacy and parental and adult student rights statutes are at Florida Statutes 1002.22, 1002.221, and 1002.222. Under those statutes, parents are entitled to access to their child's student records unless a court order provides otherwise. If the person requesting records is not designated on the enrollment form, and is claiming to be the natural parent, the school will comply with the following procedures:

   a. If the person is physically present, the school will request a photo identification, compare the name on the identification with the name on the birth certificate, if available, and confirm with the enrolling parent.

   b. If the person is not physically present, the school will establish identity by requiring an affidavit with a photo identification and confirm with the enrolling parent.

   c. No records will be released unless the principal or designee is satisfied the person is a parent. The school has a reasonable time of up to thirty (30) days to produce the records.

6. Delegation of Authority. The Superintendent is authorized to provide guidance as necessary to interpret and implement this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1006.07, F.S.**

**HISTORY:** **Adopted:**
**Revised: 01/11/05; 7/14/26**

## STUDENT CONTROL AND THE STUDENT CODE OF CONDUCT 5.10

1. Introduction. Safe and orderly schools are crucial for creating the best environment for students to learn and excel.

2. Principal's Responsibility- School Safety and Student Discipline. Principals are responsible for ensuring the school is safe and orderly. Students are subject to the principal's control while being transported to or from school at public expense, while at school or attending a school-sponsored activity, and at all other times while on School Board property. Students who are privately transported to or from school or a school-related activity are not subject to school control while en route to or from school or the school-related activity.

3. Delegation of Authority. Principals shall delegate the responsibility and authority for the control and direction of students to members of the administration, instructional personnel, contract employees, and such other support staff, such as teacher aides and bus drivers, as necessary.

4. Annual Review. Annually, the principal shall review school discipline data with the school advisory council in developing school improvement plans to maintain a safe and healthy school environment that protects the civil rights of all students.

5. Student Code of Conduct. The School Board shall adopt a Student Code of Conduct ("Code") for elementary, middle, and high school students. The Code must include policies and specific grounds for disciplinary actions, such as in-school suspension, out-of-school suspension, expulsion, and actions related to the possession or use of alcohol or controlled substances. It shall address the responsibilities and rights of students, including attendance, respect for persons and property, and participation in school programs.

    a. The Code shall be distributed to all teachers, school personnel, students, and parents at the beginning of every school year. Each student shall sign a statement that he or she has received a copy of the Code.

    b. The Code shall be discussed at the beginning of every school year in student classes, school advisory council meetings, and parent and teacher association or organization meetings.

    c. The Code must include consistent policies and specific grounds for disciplinary actions, such as in-school suspension, out-of-school suspension, expulsion, and actions related to the possession or use of alcohol or controlled substances.

6. Procedures and Guidelines. The Superintendent is authorized to enact procedures and guidelines to interpret and implement this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1003.04; 1003.31; 1003.32; 1006.07; 1006.08; 1006.09; 1006.10; 1006.13, F.S.**

**HISTORY:** **Adopted:**
**Revised: 01/11/05; 7/14/26**

## Cell Phones and Other Wireless Communications Devices 5.101

1. Introduction. This rule regulates the use of cell phones and other wireless communication devices on school property and school buses, and at school functions. For purpose of this rule, "use" of a cell phone or other wireless communication device means using it for any purpose or application, including telephone calls, texts, emails, other forms of messaging, games, videos, music or audio, accessing other online content, and other applications.

2. General Rule. A student may possess a cell phone or other wireless communications device while the student is on school property, on a school bus, or attending a school function during the school day; however, elementary and middle school students may not use a wireless communications device during the school day, and high school students may not use a wireless communications device during instructional time, except when expressly directed by a teacher solely for educational purposes.

3. Exceptions to General Rule. In all grades, students are allowed to use cell phones and wireless communication devices in accordance with:

   a. the student's individualized educational plan;

   b. the student's 504 accommodation plan issued under Section 504 of the Rehabilitation Act of 1973; or

   c. a written, signed note from a physician licensed under Chapter 458 or 459 certifying that the student requires the use of a wireless communications device based upon valid clinical reasoning or evidence.

   High school students (grades 9 – 12) may also use cell phones and wireless communication devices during lunch or between classes in breezeways and other outdoor areas, and in other areas of the school designated by the principal for such use.

4. Storage. Teachers shall designate an area of their classroom for storage of students' devices. Except as provided in paragraph 2, during the school day, all devices must be stored in a designated area or must remain powered off and stored in a student's backpack, purse, locker, or vehicle.

5. Violations. A student who violates District rule for possession or use of cell phones and wireless communication devices shall be subject to discipline in accordance with the Student Code of Conduct.

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| **STATUTORY AUTHORITY:** | **1001.42, 1001.43, F.S.** |
| **LAWS IMPLEMENTED:** | **1006.07, F.S.** |
| **HISTORY:** | **Adopted: 01/13/26** |

## STUDENT DETENTION, SEARCH, AND SEIZURE 5.11

1. Detention. A principal, teacher, or any other staff member may temporarily detain and question a student when circumstances indicate that such student has committed, is committing, or is about to commit an offense in violation of Florida law, School Board rule, Student Code of Conduct or school rule.

2. Standards. Any student detention, search, or seizure shall be conducted in accordance with the requirements and procedures set forth in the Student Code of Conduct.

3. Notice to Students. Each school shall display a sign in a prominent location(s) within the school where it may be readily seen by students informing them that, upon reasonable suspicion, their lockers and other storage areas are subject to search, for prohibited or illegally possessed substances or objects. The sign shall be in substantially the following form:

**Notice to Students**

School authorities may search student lockers, personal property or other areas, including private vehicles, when there is reasonable suspicion that a prohibited or illegally possessed substance or object is in the student's locker or other area to be searched.

4. Other Areas Subject to Search. For purpose of this rule, "other areas" subject to search by school authorities includes automobiles, trucks, vans, vehicles, bicycles or other means of transportation located or operated on School Board property. Students shall not have any expectation of privacy in their vehicles while on school property.

5. Delegation of Authority. The Superintendent is authorized to enact procedures and guidelines to interpret and implement this rule.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1003.31, 1006.07, 1006.09(9), F.S.**

**HISTORY:** **Adopted:**
**Revised: 01/11/05; 7/14/26**

| Expulsion of Students | 5.12 |
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1. Introduction. This rule adopts statutory requirements for the expulsion of students.

2. Zero Tolerance Offenses. Pursuant to Florida Statute 1006.13, expulsion is mandatory for any student who is found to have committed a Zero Tolerance Offense on school property, at a school-sponsored activity or off-campus if the offense substantially disrupts the orderly operation of a school. Zero Tolerance offenses are listed in Florida Statute 1006.13 and School Board Rule 5.13.

3. The Principal's Recommendation. A principal shall recommend to the Superintendent the expulsion of any student charged with a Zero Tolerance Offense. In cases that do not involve a Zero Tolerance Offense, the principal may recommend to the Superintendent the expulsion of a student who has committed a serious breach of conduct including, but not limited to:

   a. willful disobedience;

   b. open defiance of authority of a School Board employee;

   c. violence against persons or property;

   d. giving or selling intoxicating beverages, controlled substances, drugs, or Counterfeit Drugs as defined in the Student Code of Conduct to any person on school grounds or at any school-sponsored activity;

   e. threatening or using a weapon against any person; and/or

   f. any felonious act; conviction of a felony; or such other acts subject to expulsion as set out in the Student Code of Conduct.

4. Alternatives to Expulsion. Except for cases involving Zero Tolerance Offenses, any recommendation of expulsion shall include a detailed report by the school principal providing the basis for the recommendation and alternative measures to expulsion considered by the principal before making the recommendation. In Zero Tolerance Offense cases, it is sufficient for the report to note that because expulsion is mandatory, there are no alternative measures available.

5. Discipline Committee. The Superintendent shall appoint a District Discipline Committee ("Committee") to review all recommendations for expulsion and either accept, reject or modify the principal's recommendation. The Committee shall advise the Superintendent of its decision in writing.

6. Superintendent's Recommendation. The Superintendent shall consider the Committee's recommendation and may adopt, modify or reject it. If the Superintendent recommends expulsion, the recommendation shall be referred to the School Board for final action.

7. Informal Hearing. If the student is recommended for expulsion and does not dispute the facts which lead to the disciplinary action, the student or parent/guardian may request an informal hearing with the School Board to dispute the recommendation for expulsion including any mitigating circumstances. The purpose of the informal hearing is to relieve both the student and Superintendent from presenting witnesses and other evidence to the School Board and to allow the Board to consider only the recommendation for expulsion, and any mitigating circumstances. Therefore, the Superintendent shall present the Board with a written narrative of the facts which the Superintendent considered when making the recommendation for expulsion. Both the student and the Superintendent may address the Board but no evidence will be presented at such a hearing. The School Board may adopt, reject, or modify the Superintendent's recommendation. The action of the School Board shall be final.

8. Formal Hearing. If the student is recommended for expulsion and the facts substantiating the grounds for expulsion are in dispute, the student or parent/guardian may request the School Board to review the Superintendent's recommendation in a formal public hearing before the School Board. The hearing shall be conducted as follows:

    a. The hearing provisions of Chapter 120, Florida Statutes, shall apply.

    b. The parent/guardian, or adult student, may be represented by legal counsel or other qualified representation.

    c. The student has the right to call and cross examine witnesses, present evidence and defend the charges.

    d. The School Board may adopt, reject, or modify the Superintendent's recommendation. The action of the School Board shall be final.

9. Rehearing. A student who is expelled from the District by School Board action shall not be afforded a rehearing before the School Board unless prior evidence is proven to be false or new evidence is substantiated that was not available at the original hearing.

10. Special Education Students. The following procedures for expulsion shall apply to exceptional education students:

    a. The principal shall adhere to State Board of Education rules when recommending expulsion of exceptional education students and shall be responsible for convening a Disciplinary Review Committee, which shall include, but not be limited to, District administrator of exceptional student education, the school psychologist, the exceptional student education teacher, regular education teacher, the parent, and the principal or the principal's designee.

b. The committee shall review the student's IEP or the Section 504 plan, and determine whether the student's behavior bears a relationship to his/her exceptionality by conducting a manifestation determination hearing.

c. If the hearing determines the student's behavior is a manifestation of his/her exceptionality, the student may not be expelled and the IEP or Section 504 plan may be modified in accordance with the student's current needs.

d. If the behavior is not a manifestation of the student's disability, then the student shall be referred to the District Discipline Committee and the disciplinary process shall proceed in accordance with paragraphs 4 – 8 above.

e. The parent/guardian shall be provided a copy of the suspension and expulsion procedures for exceptional education students at the initial placement meeting or at the first IEP meeting held in the District.

11. Additional Requirements. Additional requirements for the expulsion of exceptional education students may be set forth in the Special Programs and Procedures for Exceptional Student Education Manual.

12. Out of District Expulsion Order. If a student seeking enrollment in the District is subject to a final order of expulsion or dismissal by any in-state or out-of-state public or private school board for an act which would have been grounds for expulsion according to the District Code of Student Conduct, the District shall comply with the following procedures:

a. A final order of expulsion shall be recorded in the records of the receiving school district.

b. The expelled student applying for admission to the School District shall be advised of the final order of expulsion.

c. The Superintendent may recommend to the School Board that the final order of expulsion be waived and the student be admitted to the District, or that the final order of expulsion be honored and the student not be admitted to the District.

13. Delegation of Authority. The Superintendent is authorized to adopt procedures and guidelines to interpret and implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **120.569; 120.57(1), 1001.43, 1002.20; 1006.07, 1006.08, 1006.09, 1006.13, F.S.** |
| **STATE BOARD OF EDUCATION RULE:** | **6A-6.0331** |
| **HISTORY:** | **Adopted: 08/18/98**<br>**Revised: 03/08/05; 08/14/07; 7/14/26** |

## Zero Tolerance for Crimes and Victimization 5.13

1. Policy. The School Board shall promote a safe and supportive learning environment in schools by protecting students and staff from conduct that poses a threat to students or school safety. This rule implements the policy of Zero Tolerance for crime and victimization set forth in Florida Statute 1006.13. Zero Tolerance policies apply equally to all students regardless of their economic status, race, or disability.

2. Definitions. As used in this policy:

   a. "Acts that pose a threat to school safety" means and include the commission of any crime or act that results in physical or emotional harm to the victim, disruption of the school environment, or poses a threat to student or school safety.

   b. "Petty acts of misconduct" means and includes any act that does not pose a serious threat to school safety and does not require consultation with law enforcement, including but not limited to those acts listed as Level I and Level II offenses in the Student Code of Conduct adopted as provided in School Board Rule 5.10.

3. Reporting to Law Enforcement. Delinquent acts and crimes shall be reported to law enforcement if, in the judgment of District staff, the act or the perpetrator might pose a threat to school or student safety.

4. Isolated Petty Acts of Misconduct. This policy does not require the reporting of petty acts of misconduct to law enforcement. In the interest of school and student safety, however, any uncertainty or doubt shall be resolved in favor of reporting.

5. Multiple Acts. If a student commits more than one petty act of misconduct or exhibits a pattern of behavior that poses a threat to others or the school environment, the Threat Assessment Team must consult with law enforcement to determine if the student should be reported to law enforcement, referred for mental health services, or both.

6. Principals' Responsibility. School principals shall be responsible for ensuring that all school personnel are properly informed of their responsibilities regarding incident reporting, and that acts that pose a threat to student or school safety are properly reported to the principal or principal's designee and that the disposition of the incident is properly documented. School principals shall also ensure compliance with the requirements of School Board Rule 5.14 and Florida Department of Education Rule 6A-1.0017 for School Environmental Safety Incident Reporting (SESIR).

7. Discipline - Weapons and Threat Offenses. Students found to have committed one of the following offenses on School Board property, school sponsored transportation or during a school sponsored activity shall be expelled from the student's regular school, with or without continuing educational services at an alternative school, for a period of not less than one full year and shall be referred to the criminal justice or juvenile justice system:

   a. Bringing a firearm or weapon as defined in Chapter 790, Florida Statutes, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.

   b. Making a threat or false report as defined in Sections 790.162 and 790.163, Florida Statutes, respectively, involving school or school personnel's property, school transportation or a school-sponsored activity.

   The Superintendent may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. The Superintendent may also consider the 1-year expulsion requirement on a case-by-case basis and request the School Board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system. The Superintendent also may refer such a student to mental health services where circumstances warrant.

   Before the expiration of an expulsion period, the Superintendent shall determine, based upon the determination of the threat management team, whether the expulsion period should be extended and, if the expulsion period is extended, what educational services will be provided. Recommendation to extend the expulsion period must be provided to the student and his or her parents in accordance with Florida Statute 1006.08(1).

8. Discipline - Assault or Battery on Certain Officials or Employees. Upon being charged with a violation of Section 784.081(1)(2) or (3), Florida Statutes, a student shall be removed from the classroom immediately and placed in an alternative school setting pending disposition. Any student found to have committed such an offense shall be expelled, placed in an alternative school or other program, as appropriate. Such a student may also be referred to mental health services, when warranted.

9. Required Response - Other Felonies. The District shall comply with requirements of this paragraph when a student is adjudicated guilty of or

delinquent for, or is found to have committed any of the felony offenses listed below, regardless of where the offense was committed and regardless of whether the student pleads guilty or nolo contendre, or if adjudication is withheld:

a. Chapter 782, relating to homicide;

b. Chapter 784, relating to assault, battery, and culpable negligence;

c. Chapter 787, relating to kidnapping, false imprisonment, luring or enticing a child, and custody offenses;

d. Chapter 794, relating to sexual battery;

e. Chapter 800, relating to lewdness and indecent exposure;

f. Chapter 827, relating to abuse of children;

g. Section 812.13, relating to robbery;

h. Section 812.131, relating to robbery by sudden snatching;

i. Section 812.133, relating to carjacking;

j. Section 812.315, relating to home-invasion robbery; or

k. Possession, use or sale of any explosive device.

10. Protecting Against Further Victimization. The School Board shall adopt a cooperative agreement with the Department of Juvenile Justice which establishes guidelines for ensuring that any no contact order entered by a court is reported and enforced and that all of the necessary steps are taken to protect the victim of the offense.

a. Any offender described in paragraph 9, who is not exempted as provided in Section 1006.13(6)(a), Florida Statutes, may not attend any school attended by the victim or a sibling of the victim of the offense or ride on a school bus on which the victim or a sibling of the victim is riding. The offender shall be permitted to attend another school within the District only if the other school is not attended by the victim or sibling of the victim of the offense; or the offender may be permitted by another school district school attend a school in that district if the offender is unable to attend any school in the St. Johns County School District.

b. If the offender is unable to attend any other school in the District and is prohibited from attending a school in another school district, the

District where the offender resides shall take every reasonable precaution to keep the offender separated from the victim while on school grounds or on school transportation. The steps to be taken by the District to keep the offender separated from the victim must include, but are not limited to, in-school suspension of the offender and the scheduling of classes, lunch, or other school activities of the victim and the offender so as not to coincide.

c. The offender, or the parents or guardian of the offender if the offender is a juvenile, shall arrange and pay for transportation associated with or required by the offender's attending another school or that would be required as a consequence of the prohibition against riding on a school bus on which the victim or a sibling of the victim is riding. However, the offender or the parents or guardian of the offender may not be charged for existing modes of transportation that can be used by the offender at no additional cost to the District.

d. If, before or at the time of such adjudication, withholding of adjudication, or plea, the offender was attending a school attended by the victim or a sibling of the victim of the offense, and the Department of Juvenile Justice will notify the District of the adjudication or plea, and whether the offender is prohibited from attending that school or riding on a school bus whenever the victim or a sibling of the victim is attending the same school or riding on the same school bus, except as provided pursuant to a written disposition order under Section 985.455(2), Florida Statutes. Upon receipt of such notice, the District shall take the precautionary measures referred to above.

11. Disciplinary Criteria. Any disciplinary action taken against a student who violates this policy shall be based on the particular circumstances of the student's misconduct, subject to the procedures set forth in School Board rules and the Code of Conduct.

12. Students with Disabilities. If a student committing any of the offenses in this policy is a student who has a disability, the School District shall comply with the applicable State Board of Education Rules and other applicable regulations and requirements.

13. Review. Student disciplinary action shall be subject to review in accordance with Florida Statutes and as provided in the Student Code of Conduct.

14. Alternatives. A Threat Assessment Team may use alternatives to expulsion or referral to law enforcement agencies to address behavior that poses a threat to school safety or disrupts the orderly school environment, including but not limited to alternative school, restitution, civil citation, teen court,

neighborhood restorative justice, mental health services or similar programs.

15. Procedures and Guidelines. The Superintendent is authorized to adopt procedures and guidelines to implement this rule.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1006.13, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-1.0017, 6A-1.0018, F.A.C.**

**HISTORY:** **Adopted: 01/11/2005**
**Revised: 09/13/2011; 8/14/18; 11/12/19; 2/9/2021; 7/14/26**

## School Environmental Safety Incident Reporting (SESIR) 5.14

1. Purpose. The purpose of this rule is to set forth the requirements for reporting disruptive or criminal incidents to the Florida Department of Education (FDOE) so that the data can, in turn, be used in required state and federal reports, including EdFacts, the United States Department of Education, Office of Civil Rights Data Collection (required by 20 U.S.C. 3413(c)(1)), the Gun Free Schools Act report (required by 20 U.S.C. 7961(d) and (e)), the Every Student Succeeds Act report cards (required by 20 US.C. 6311(h)(1) and (2)), and state reports on bullying and harassment (required by Florida Statute 1006.147). SESIR data is also used to design and evaluate interventions to provide a safe learning environment. SESIR is not a law enforcement reporting system. SESIR is required by Florida Statute 1001.212(8), FDOE Rule 6A-1.10017, and School Board Rule 5.13.

2. Definitions. The following definitions prescribed by FDOE Rule 6A-1.10017 apply to this rule:

   a. "Allegation" means a claim or assertion that someone has committed a SESIR incident, typically made without proof and prior to an investigation.

   b. "Law enforcement action" means that official action was taken by a School Resource Officer (SRO) or local law enforcement officer in response to a SESIR incident, including but not limited to, an arrest, referral to a civil citation or similar prearrest diversion program authorized by Florida Statute 985.12, or initiation of an involuntary examination authorized by Florida Statute 394.463.

   c. "Locally-defined incident" means an incident that is a violation of the District Student Code of Conduct, but does not meet the definition of any incident reportable to SESIR.

   d. "Rank order level" means a classification of incidents, from Level I to Level IV, which determines which incident must be reported when more than one incident occurs during a single episode. The rank order level of each incident is noted under the incident definitions found in paragraph 7 of this rule.

   e. "Related element" means a factor that was present during or contributed to the incident but was not the main offense. All related elements that are applicable are required to be reported with SESIR incidents.

   f. "Reported to law enforcement" means that school district or charter school staff communicated with an SRO or other law enforcement official about an incident. Reporting to law enforcement may not

always result in law enforcement action being taken.

g. "School personnel" means any person employed at a school, volunteering at a school on a temporary or permanent basis, or a third party that is contracted to provide services for the school.

h. "Unsubstantiated" means that following an investigation, there is not enough evidence to demonstrate that the alleged incident occurred.

3. Analysis of Incidents. The following requirements and guidelines shall be followed in the analysis of potential SESIR incidents:

a. In order to determine whether an incident must be reported in SESIR, the following criteria must be met:

i. The incident meets one of the SESIR incident definitions listed in paragraph 7.

ii. The incident occurred on a K-12 school campus, on school-sponsored transportation, during off-campus school-sponsored activities, or off campus where the incident is accomplished through electronic means, if the incident substantially disrupts the educational process or orderly operation of a school.

b. SESIR incidents that meet the requirements of paragraph 3.a. of this rule must be reported regardless of whether:

i. The incident was carried out by a student, a person other than a student, or where the person who carried out the incident is unknown;

ii. The victim of the incident is a student, a person other than a student, or unknown;

iii. The incident occurred when school was in session. SESIR incidents can occur 365 days a year at any time of the day or night;

iv. Disciplinary action is taken by District law enforcement;

v. Law enforcement is action is taken by an SRO or other law enforcement officer or agency;

vi. Criminal charges are filed by law enforcement; or

vii. The offender has the capacity to understand his or her behavior and the inappropriateness of his or her actions.

However, where the offender is a student, school districts may take age, development, and disability into account when determining appropriate discipline.

4. Requirement to Report SESIR Incidents.

   a. All incidents meeting the requirements of paragraph 3 of this rule must be reported to FDOE.

   b. An incident which meets the requirements of paragraph 3 of this rule may not be reported as a locally-defined incident in lieu of reporting the incident to FDOE. An incident may be coded as a locally-defined incident only if it does not meet one of the SESIR incident categories.

   c. SESIR incidents meeting the requirements of paragraph 3.a. of this rule must be reported regardless of whether law enforcement action is taken or whether a student is disciplined.

5. General SESIR Reporting Conventions.

   a. SESIR is an incident-based reporting system, which means that a single incident is reported, even where there are multiple offenders or victims, or multiple incidents that occur within one episode.

      i. If there is more than one reportable incident in a single episode, each incident must be separately reported based upon rank order level, beginning with incidents that are classified as Level I.

      ii. If there are multiple incidents that have the same rank order level, the incident that caused the most injury or damage to property must be reported.

   b. When reporting a SESIR incident, all related elements as described in paragraph 8 of this rule that are present or contribute to a reported incident must be reported. A related element must be reported even when it duplicates the incident. For example, when reporting an alcohol incident, the alcohol-related element must also be reported.

   c. SESIR incidents must be reported to FDOE during the survey periods and using the elements set forth in Rule 6A-1.0014, Comprehensive Management Information System.

   d. SESIR incidents meeting the requirements of paragraph 3.a. of this rule must be reported regardless of whether law enforcement action is taken or whether a student is disciplined.

e. Except as provided in paragraph 6, allegations that are unsubstantiated must not be reported in SESIR.

6. Incident-specific SESIR Reporting Conventions.

a. For incidents of Bullying, Harassment, Sexual Harassment, Threat/intimidation, and any other incident that is Bullying-related, the incident basis and the victim basis, which identifies whether the incident is based upon the person's race, sex, disability, sexual orientation, or religion, must be reported.

b. Allegations of Bullying and Harassment that are not able to be substantiated after investigation must be reported in SESIR as Unsubstantiated Bullying and Unsubstantiated Harassment, respectively, pursuant to Florida Statute 1006.147(4)(k) and Rule 6A-1.0017(6)(b).

c. Allegations of Sexual Assault or Sexual Battery by school personnel against any victim that are not able to be substantiated after investigation must be reported as Unsubstantiated Sexual Assault or Unsubstantiated Sexual Battery.

d. For Unsubstantiated Sexual Assault, Unsubstantiated Sexual Battery, Sexual Assault, and Sexual Battery by school personnel, the District is required to report the following:

i. District Responsibility. The District must report whether it determined that a member of school personnel was responsible for the offense, was not responsible for the offense, or whether the determination remains pending. The District must only report that the determination is pending when its final decision remains unresolved at the end of the reporting period for Survey 5, as set forth in FDOE Rule 6A-1.0014.

ii. Preliminary Action. The District must report the action taken prior to any final disciplinary action or prior to termination. Reportable actions are:

(a) Duty reassignment, which refers to the changing of placement from one position to another without promotion or demotion.

(b) Resignation, which refers to a person formally giving up his or her job, and no longer being employed by the employer.

(c) Retirement, which refers to a person leaving his or her

career permanently.

(d) No action taken prior to final disciplinary action or termination.

(e) Other, which refers to other preliminary action taken not listed above.

7. Incident Definitions.

a. Alcohol (Level IV). Possession, sale, purchase, or use of alcoholic beverages. “Use” means the person is caught in the act of using, admits to use, or is discovered to have used in the course of an investigation.

b. Aggravated Battery (Level I). A battery where the attacker intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement; uses a deadly weapon; or, where the attacker knew or should have known the victim was pregnant.

c. Arson (Level I). To intentionally damage or cause to be damaged, by fire or explosion, any dwelling, structure, or conveyance, whether occupied or not, or its contents. Fires that are not intentional, that are caused by accident, or do not cause damage are not required to be reported in SESIR.

d. Burglary (Level II). Unlawful entry into or remaining in a dwelling, structure, or conveyance with the intent to commit a crime therein.

e. Bullying (Level IV). Systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment, or which unreasonably interferes with the individual's school performance or participation. Bullying includes instances of cyberbullying. Bullying may include, but is not limited to, repetitive instances of teasing, social exclusion, threats, intimidation, stalking, physical violence, theft, harassment, public or private humiliation, or destruction of property. If the physical harm or psychological distress is not the result of systematic or chronic behavior, evaluate for Harassment (as defined herein).

f. Criminal Mischief (Felony Vandalism - $1,000 threshold) (Level III). Willfully and maliciously injuring or damaging by any means any real or personal property belonging to another, including, but not limited to, the placement of graffiti thereon or other acts of vandalism thereto. Incidents that fall below the $1,000 threshold are not reportable in SESIR, but instead should be reported as locally-

defined incidents according to District policy.

g. Disruption on Campus-Major (Level III). Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others. Examples of major disruptions include bomb threats, inciting a riot, or initiating a false fire alarm.

h. Drug Sale or Distribution (Level II). The manufacture, cultivation, sale, or distribution of any drug, narcotic, controlled substance or substance represented to be a drug, narcotic, or controlled substance.

i. Drug Use or Possession (Level III). The use or possession of any drug, narcotic, controlled substance, or any substance when used for chemical intoxication. Use means the person is caught in the act of using, admits to use or is discovered to have used in the course of an investigation.

j. Fighting (Level III). When two or more persons mutually participate in use of force or physical violence that requires either physical intervention or results in injury requiring first aid or medical attention. Lower-level fights, including pushing, shoving, or altercations that stop on verbal command are not required to be reported in SESIR.

k. Grand Theft ($750 threshold) (Level III). The unauthorized taking of the property of another person or organization, including motor vehicles, valued at $750 or more, without threat, violence, or bodily harm. Incidents that fall below the $750 threshold are not reportable in SESIR, but instead should be reported as locally-defined incidents according to District policy. Thefts of property of any value that involve a use of force, violence, assault, or putting the victim in fear must be reported as Robbery (as defined herein).

l. Harassment (Level IV). Any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct that places a student or school employee in reasonable fear of harm to his or her person or damage to his or her property; has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or has the effect of substantially disrupting the orderly operation of a school, including any course of conduct directed at a specific person that causes substantial emotional distress in such a person and serves no legitimate purpose.

m. Hazing (Level III). Any action or situation that endangers the mental or physical health or safety of a student at a school with any of grades 6 through 12 for purposes of initiation or admission into or affiliation

with any school-sanctioned organization. Hazing includes, but is not limited to pressuring, coercing, or forcing a student to participate in illegal or dangerous behavior, or any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.

n. Homicide (Level I). The unjustified killing of one human being by another.

o. Kidnapping (Level I). Forcibly, or by threat, confining, abducting, or imprisoning another person against his or her will and without lawful authority.

p. Other Major Incidents (Level III). Any serious, harmful incident resulting in the need for law enforcement consultation not previously classified.

q. Robbery (Level II). The taking or attempted taking of money or other property from the person or custody of another with the intent to permanently or temporarily deprive the person or owner of the money or other property under the confrontational circumstances of force, or threat of force or violence, and/or by putting the victim in fear. A key difference in Grand Theft and Robbery is that Robbery involves violence, a threat of violence or assault, and putting the victim in fear.

r. Sexual Assault (Level II). An incident that includes fondling, indecent liberties, child molestation, or threatened rape. Both males and females can be victims of sexual assault.

s. Sexual Battery (Rape) (Level I). Forced or attempted oral, anal, or vaginal penetration by using a sexual organ or an object simulating a sexual organ, or the anal or vaginal penetration of another by any body part or foreign object. Both males and females can be victims of sexual battery.

t. Sexual Harassment (Level III). Unwelcome conduct of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Harassing conduct can include verbal or nonverbal actions, including graphic and written statements, and may include statements made through computers, cellphones, and other devices connected to the Internet. The conduct can be carried out by school employees, other students, and non-employee third parties.

u. Sexual Offenses (Other) (Level III). Other sexual contact, including intercourse, without force or threat of force. Includes subjecting an individual to lewd sexual gestures, sexual activity, or exposing private body parts in a lewd manner.

v. Simple Battery (Level II). An actual and intentional touching or striking of another person against his or her will, or the intentional causing of bodily harm to an individual.

w. Threat/Intimidation (Level III). An incident where there was no physical contact between the offender and victim, but the victim reasonably believed that physical harm could have occurred based on verbal or nonverbal communication by the offender. This includes nonverbal threats and verbal threats of physical harm which are made in person, electronically or through any other means.

x. Tobacco (Level IV). The possession, sale, purchase, distribution, or use of tobacco or nicotine products on school grounds, at school-sponsored events, or on school transportation by any person under the age of 21. Tobacco incidents cannot be Drug-related.

y. Trespassing (Level III). To enter or remain on school grounds, school transportation, or at a school-sponsored event, without authorization or invitation and with no lawful purpose for entry. Only incidents involving a student currently under suspension or expulsion, or incidents where any offender (student or non-student) was previously issued an official trespass warning by school officials, or where any offender was arrested for trespass, are required to be reported in SESIR. Trespass incidents that did not have a prior official warning, did not result in arrest, or did not involve students under suspension or expulsion should be reported as locally-defined incidents according to District policies.

z. Weapons Possession (Level II). Possession of a firearm or weapon as defined by Section 790.001, F.S., that can inflict serious harm on another person or that can place a person in reasonable fear of serious harm.

8. Related element definitions.

a. Alcohol-related. An incident is alcohol related if there is evidence that those involved in the incident were caught drinking at the incident or had been drinking, based on testing or investigation of a Law Enforcement Officer at the scene, or if they admit to drinking, or if the incident is somehow related to possession, use or sale of alcohol. Schools are not required to test for the presence of alcohol.

b. Bullying-related. An incident is bullying-related if the incident includes systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees that is severe or pervasive enough to create an intimidating, hostile, or offensive environment, or which unreasonably interferes with the

individual's school performance or participation.

c. Drug-related. An incident is drug related if there is evidence that those involved in the incident were under the influence of drugs at the time of the incident; if they admit to using or being under the influence of drugs; if drugs were in the possession of individuals involved in the incident, based on testing or investigation done by a police officer as a result of the incident; or if the incident is somehow related to possession, use or sale of drugs. Schools are not required to test for drug use.

d. Gang-related. An incident is gang-related if gang affiliation/association caused the incident or was a contributing factor to action that happened during the incident.

e. Hate Crime-related. All SESIR incidents motivated all or in part by hostility to the victim's real or perceived race, religion, color, sexual orientation, ethnicity, ancestry, national origin, political beliefs, marital status, age, social and family background, linguistic preference or mental/physical disability are required to be reported as Hate Crime-related.

f. Hazing-related. An incident is hazing-related if the incident includes any action or situation that endangers the mental or physical health or safety of a student for purposes of initiation or admission into or affiliation with any school-sanctioned organization.

g. Injury-related. All SESIR incidents that result in serious bodily injury are required to be reported as Injury-related. Less serious bodily injury means incidents which require immediate first aid or subsequent medical attention. More serious injuries include death or injuries with substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

h. Vaping-related. All SESIR incidents that involve the use of non-combustible vaping products, including electronic cigarettes, vapes and vape pens, or any electronic nicotine delivery system (ENDS) are required to be reported as vaping-related, if the liquid used contains nicotine or a controlled substance. Schools are not required to test for nicotine or drugs in vaping devices.

i. Weapon-related. All SESIR incidents are required to be reported as weapon-related where anyone involved possessed or used a weapon or if the incident was related to possession, use or sale of weapons.

9. Reporting Law Enforcement Involvement. Any SESIR incident must be reported to FDOE under the following circumstances:

   a. The incident is reported or referred to law enforcement by District personnel, pursuant to the provisions of Florida Statute 1006.13; or

   b. The incident was reported to law enforcement and resulted in official law enforcement action being taken by an SRO or other law enforcement agency or official, as defined in paragraph 2.b.

   c. The incident was reported to law enforcement and did not result in official action being taken by an SRO or other law enforcement agency or official, as defined in paragraph 2.b. of this rule, pursuant to the provisions of Florida Statute 1006.13.

   d. Required reporting to law enforcement.

      i. The District must report all SESIR incidents to law enforcement, except for Bullying, Harassment, Sexual Harassment, and Tobacco.

      ii. The District must report all SESIR incidents to law enforcement, including Bullying, Harassment, Sexual Harassment, and Tobacco, where the incident includes one or more of the following related elements:

         (a) Alcohol-related;

         (b) Drug-related;

         (c) Gang-related;

         (d) Hate crime-related;

         (e) Hazing-related;

         (f) Injury-related, if the injuries are reported as more serious; and

         (g) Weapon-related.

      iii. This rule does not limit the District from reporting other incidents to law enforcement that are not listed in subparagraphs 9.d.i. and ii.

10. Training required. Each district superintendent must designate persons responsible for SESIR reporting in the district, and ensure that all such persons receive the training found at http://sesir.org. SESIR training

provided by Department staff can be used to satisfy the online training requirement. Charter schools must designate persons responsible for SESIR reporting in their school and must report their name, email address, and phone number to the district.

11. Accountability for SESIR Reporting. In order to enhance SESIR reporting, the persons or entity listed below have the following responsibilities:

    a. School Principals. Each public school principal, including charter school principals or equivalent, must ensure that all persons at the school responsible for SESIR information participate in the training set forth in paragraph 10 of this rule and must ensure that SESIR data is accurately and timely reported.

    b. Superintendent. The Superintendent must ensure that all persons responsible for reporting SESIR data have received the training required in paragraph 10 of this rule, that District policies are consistent with the SESIR reporting requirements set forth in this rule and FDOE Rule 6A-1.0014, and that the District timely and accurately reports SESIR incidents. Annually, the Superintendent is required to certify to FDOE that these requirements have been met.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1006.13, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-1.0017, F.A.C.**

**HISTORY:** **Adopted: 02/09/21**
**Revised: 7/14/26**

## ADMINISTRATION OF MEDICATION DURING SCHOOL HOURS 5.15

1. Introduction. Administration of medications during school hours is discouraged. The term "medication" includes both prescription and non-prescription ("over-the-counter") medication. All prescription and non-prescription medication administered by the school must be prescribed by a physician who has determined that a student's health and well-being requires medication during school hours. All non-prescription medication in the possession of students at the middle and high school that is not to be administered by the school requires written permission from the parent to the school.

2. Parental Permission Pursuant to Florida Statute 1006.062(b). For each prescribed medication, a student's parent shall provide to the school principal a written statement which grants to the principal or the principal's designee permission to assist in the administration of such medication and which explains the necessity for the medication to be provided during the school day, including any occasion when the student is away from school property on school business. The school principal or the principal's designee shall assist the student in the administration of the medication.

3. Designated Employees. Each principal shall designate two or more employees to administer medications. The employees shall be trained to administer the medication as provided by law.

4. Field Trips. An employee, trained to administer medication, must accompany students needing prescribed medication during field trip hours. Training of faculty and staff in the administration of prescribed medications shall be on a voluntary basis and will take place prior to the beginning of each school year.

5. Instructions. Instructions for administering a medication shall be provided in writing by a physician, described on the medication container provided by the pharmacist, or, as to non-prescription, by the manufacturer. Any variation will require a written note from the prescribing physician.

6. Requirements. All medications must be delivered to the school in the original container with the following information provided:

   a. Name and purpose of medication;

   b. Time the medication is to be given;

   c. Specific instructions on the administration of the medication;

   d. Approximate duration of medication; and

   e. A completed Administration of Medication form.

7. Initial Dosage. First dosage of any new medication shall not be administered to a student during school hours because of the possibility of an adverse reaction.

8. Storage. Each prescribed medication to be administered by a school shall be received, counted, and stored in its original container. When the medication is not in use, it shall be stored in its original container in a secure fashion under lock and key in a location designated by the principal or principal's designee. Only authorized staff shall have access to student medication. Exceptions (for asthma, anaphylaxis, etc.) may be granted based upon a physician's order filed with the school.

9. Record-keeping. A record shall be maintained on each student who receives prescription or non-prescription medication during school hours, including the time, dosage and reason for each medication administered.

10. Self-administration. In accordance with Florida Statute 1002.20, students may carry and self-administer medications for conditions such as diabetes or cystic fibrosis with written authorization from the parent and healthcare provider.

11. Life-threatening Allergies. In accordance with Florida Statute 1002.20, schools must provide training to personnel for managing conditions like anaphylaxis, including the use of epinephrine auto-injectors, and ensure emergency action plans are in place for students with life-threatening allergies.

12. Immunity. As provided for by law, there shall be no liability for civil damages as a result of the administration of the medication when the person administering the medication acts as an ordinarily reasonably prudent person would have acted under the same or similar circumstances.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.43, 1001.22, 1002.20, 1006.062, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-6.0253; 6A-6.0251, F.A.C.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 02/08/05; 7/14/26**

| **Medical Marijuana** | **5.151** |
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1. Purpose. The sole purpose of this policy is to comply with the mandate of Florida Statute 1006.062(8) for the adoption of a policy and a procedure to allow a student who is a qualified patient, as defined in Florida Statute 381.986, to use marijuana obtained pursuant to that section. Nothing in this policy shall be interpreted to extend any privilege beyond that mandated by Florida Statute 1006.062(8).

2. Definitions. The definitions set forth in Florida Statute 381.986(1) are hereby adopted and incorporated by reference into this policy unless otherwise provided below:

   a. "Designated location" means a location identified, in his or her sole discretion, by the school principal for the administration of medical marijuana by an authorized Caregiver.

   b. "Low-THC cannabis" shall have that meaning prescribed by Florida Statute 381.986(1)(e), which means a plant of the genus Cannabis, the dried flowers of which contain 0.8 percent or less of tetrahydrocannabinol and more than 10 percent of cannabidiol weight for weight; the seeds thereof; the resin extracted from any part of such plant; or any compound, manufacture, salt, derivative, mixture, or preparation of such plant or its seeds or resin that is dispensed from a medical marijuana treatment center.

   c. "Marijuana" shall have that meaning prescribed by Florida Statute 381.986(1)(f), which means all parts of any plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including low-THC cannabis, which are dispensed from a medical marijuana treatment center for medical use by a qualified patient. For purposes of this policy, the terms "marijuana" and "medical marijuana" may be used interchangeably.

   d. "Prohibited forms of medical marijuana/cannabinoid products" means any vapors, patches, smokable, and other forms of administration that provide continuous delivery of medical marijuana/cannabinoid products to a student while at school. Such other forms of administration shall not be permissible.

   e. "Permissible forms of medical marijuana/cannabinoid products" means non-smokable/non-inhalable products such as oils, tinctures, edible products or lotions that can be administered and fully absorbed in a short period of time.

f. "Student" means an individual enrolled in a District school excluding charter school.

g. "Qualified student/patient" means a student who meets the definition of a qualified patient in Florida Statute 381.986(1)(l).

3. Administering Medical Marijuana by Caregiver.

a. Marijuana may be administered by a Caregiver to a qualified student/patient on District property during school hours in accordance with this policy and at a designated location only if the marijuana is for a qualifying medical condition to the extent authorized by Florida Statute 381.986.

b. This policy conveys no right to any student or to the student's parents/guardians or other Caregiver to demand access to any location on school or District property, a school bus or at a school- sponsored event to administer marijuana.

c. No District employee or contractor may administer, store/hold or transport marijuana in any form nor may it be stored in any District vehicle or on any District property, including school grounds and parking lots.

d. A Caregiver seeking to administer marijuana to a qualified student/patient on District property must first provide the following to the school:

i. proof of valid physician certification by a qualified physician;

ii. proof that the student is a qualified patient;

iii. proof of valid Caregiver identification card from the State of Florida which demonstrates that the person is authorized to administer the marijuana to the qualified student/patient; and

iv. any other information or documentation determined necessary by the Superintendent or designee to reasonably implement the terms of this policy.

The school shall have five (5) school days to verify this documentation.

e. The parent/guardian/Caregiver shall be responsible for providing the permissible form of marijuana to be administered to the qualified student and for removing the marijuana from school grounds immediately after the administration is complete. Administration of the marijuana shall be at a designated location and will not involve the participation, or supervision, by any employee. No qualifying student/patient shall have marijuana in their possession except during the administration process by his or her Caregiver.

f. The Caregiver assumes all potential civil and criminal responsibility and liability indirectly or directly connected to activities under this policy. Administration of marijuana to a qualified student under this policy is a personal and medical decision by the parent/legal guardian and is not endorsed by the Board or any school official.

g. Any Caregiver must comply with applicable school check-in and check-out procedures.

h. Student possession, use, distribution, sale or being under the influence of marijuana inconsistent with, and not expressly authorized by, this policy is prohibited and is a violation of School Board Rule 3.15 and may subject the student to disciplinary consequences, including suspension and/or expulsion.

i. Access to a qualified student on school property by a Caregiver may be limited or revoked if the qualified student/patient or the student's Caregiver violates this policy.

4. Off-campus Alternative. A qualified student/patient who meets the requirements of paragraph 3 above may leave campus with a parent, guardian or Caregiver for administration of marijuana for a qualified medical condition to the extent authorized by Florida Statute 381.986. Such absence shall be scheduled and approved in advance by the principal or principal's designee.

5. Termination. After posting a notice at each District school and on the District website for a period of five school days, the Superintendent is authorized to suspend this policy for a period of up to one hundred twenty (120) days upon notification that the federal government is investigating whether, or has determined, that this policy violates federal law or jeopardizes its receipt of federal funds. The Superintendent may also recommend repeal of this policy to the Board through the rulemaking process during this period.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **381.896; 1006.062, F.S.**

**HISTORY:** **Adopted: 12/10/19**

## EYE-PROTECTIVE DEVICES 5.16

1. Eye-protective Devices Required. Eye-protective devices shall be worn by students, teachers, and visitors in courses including, but not limited to, chemistry, physics, or chemical-physical laboratories, at any time at which the individual is engaged in or observing an activity or the use of hazardous substances likely to cause injury to the eyes. Activity or the use of hazardous substances likely to cause injury to the eye includes:

   a. Heat treatment; tempering or kiln firing of any metal or other materials;

   b. Working with caustic or explosive materials; or

   c. Working with hot liquids or solids, including chemicals which are flammable, caustic, toxic, or irritating.

2. Plano Safety Glasses. Schools shall furnish plano safety glasses or devices to students who are required to wear them and may provide such glasses to teachers. Schools and shall furnish such equipment for all visitors to such classrooms or laboratories when potentially hazardous activities are being conducted, or, alternatively, may purchase such plano safety glasses or devices in large quantities and sell them at cost to students and teachers, but shall not purchase, furnish, or dispense prescription glasses or lenses.

3. Failure to Wear Eye-Protective Devices. Students are required to wear the eye-protective device as directed by the teacher when engaged in specified courses. A student's failure or refusal to wear the device shall be cause for suspension or dismissal from the course, or other appropriate discipline.

4. Delegation of Authority. The Superintendent is authorized to enact procedures and guidelines to interpret and implement this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1006.063; 1006.07, F.S.**

**HISTORY:** **Adopted:**
**Revised: 01/11/05; 7/14/26**

## STUDENT INJURIES 5.17

1. Required Response. The following procedure shall be followed when a student is injured at school, on a school bus or while involved in any school sponsored activity:

   a. School staff should document all student injuries, including student reports of injuries, whether or not there is any sign of injury.

   b. First aid shall be administered by the first available person with first aid training.

   c. Discretion shall be used in moving a student.

   d. Emergency medical services shall be summoned when the student has sustained a serious injury.

   e. The student's parent(s) or legal guardian shall be notified as soon as possible.

2. Parental Notification. In case of serious injury, if the student's parent(s) or legal guardian cannot be reached, the physician designated by the student's parent(s) or legal guardian shall be notified and instructions followed.

3. Injury Report. School staff who witnessed or investigated the accident shall complete an accident report providing a detailed description of the accident, the injury and a list of witnesses.

4. Other Steps. When professional medical treatment is needed or the injury results in the student's absence in excess of 2 hours, the following steps shall be taken:

   a. a student accident claim form shall be completed;

   b. the incident shall be immediately reported to the principal; and

   c. an accident investigation shall be conducted by the principal's designee.

5. Serious Injury. The principal shall make a prompt report to the Superintendent of any serious injury.

6. Delegation of Authority. The Superintendent is authorized to enact procedures and guidelines to interpret and implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **1001.43, 1006.07, 1006.08, 1006.09, F.S.** |
| **HISTORY:** | **Adopted:**<br>**Revised: 01/11/05; 7/14/26** |

## EDUCATION RECORDS 5.19

1. Purpose. This rule applies to education records maintained to facilitate the instruction, guidance, and educational progress of students in programs operated under the authority and direction of the St. Johns County School District. This rule implements Florida Statutes 1002.22 and 1002.221 and Florida Department of Education Rule 6A-1.0955 to protect the rights of students and their parents with respect to education records created, maintained, or used by the District in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g and its implementing regulations.

2. Definitions.

   a. "Education records" means records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution, as defined in 20 U.S.C. s. 1232g(a)(4).

   b. "Eligible student" means a student who has reached 18 years of age or is attending a postsecondary institution, at any age.

   c. "Online educational service" means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function. Examples include online services that students or parents use to access class readings, assignments, or videos, to view learning progression, or to complete assignments. This does not include online services that students or parents may use in their personal capacity, or online services that districts or schools may use to which students or parents do not have access, such as a District student information system.

   d. "Parent" includes parents or guardians of students who are or have been in attendance at a District school or educational program.

   e. "Personally identifiable information" or "PII" means information that can be used to distinguish or trace a student's identity either directly or indirectly through linkages with other information, as defined in 34 CFR § 99.3. PII includes but is not limited to direct identifiers (such as a student's or other family member's name), indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name), and other personal identifiers (such as a student's social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

f. “School day(s)” means any weekday that school is in session, based on the District's calendar;

g. “Student” means any individual who is or has been in attendance at a District school or program and regarding whom the District maintains education records.

h. “Therapeutic treatment plan” means a plan that identifies the mental health diagnosis, or condition, the therapy or intervention goal(s), the type of school-based mental health intervention, and the school-based mental health services provider responsible for providing the mental health intervention or therapy.

i. “Therapy progress notes” means notes maintained by a school-based mental health services provider that summarize the focus and progress toward treatment goals(s) of each therapy or intervention session.

j. “Third-party vendor” or “Third-party service provider” means any entity, whether public or private, that provides services to the District through a contract or agreement. The term does not include the Florida Department of Education, the Department's contractors and subcontractors, and other school boards and school districts as defined in Rule 6A-1.0955(2)(g), F.A.C.

3. Categories of Records. Information contained in education records must be classified and retained as follows:

a. Category A: Information for each student which must be kept current while the student is enrolled and retained permanently in the manner prescribed by Florida Statute 1001.52(3).

b. Category B: Information which is subject to periodic review and elimination when the information is no longer useful in the manner prescribed by Florida Statute. 1001.52(3).

4. Category A Records. The following Category A information must be maintained for each student:

a. Student's full legal name, as initially determined in accordance with Florida Statute 382.013 or as legally changed in accordance with Florida Statute 68.07;

b. Authenticated birthdate, place of birth, race, ethnicity and sex;

c. Last known address of the student;

d. Names of the student's parent(s) or guardian(s);

e. Name and location of last school attended;

f. Number of days present and absent, date enrolled and date withdrawn;

g. Courses taken and record of achievement, such as grades, units, or certification of competence;

h. Date of graduation or date of program completion;

i. Records of requests for access to and disclosure of personally identifiable information from the education records of the student as required by FERPA; and

j. Threat management records, as described in paragraph 6.

5. Category B Records. Category B records may include but are not limited to the following:

a. Health information and health care plans;

b. Family background data;

c. Standardized test scores;

d. Educational and career plans;

e. Honors and activities;

f. Work experience reports;

g. Teacher comments;

h. Reports of student services or exceptional student staffing committees including all information required by Florida Statute 1001.41(13);

i. Discipline records;

j. School Environmental Safety Incident Reports (SESIR) collected under Florida Statute 1006.07(9);

k. Academic and behavioral intervention services;

l. Psychological evaluations;

m. Therapeutic treatment plans and therapy progress notes;

n. Correspondence from community agencies or private professionals;

o. Driver education certificate;

p. List of schools attended;

q. Written agreements of corrections, deletions or expunctions as a result of meetings or hearings to amend educational records; and

r. Records designated for retention by the Florida Department of State in General Records Schedule GS7 for *Public Schools Pre-K -- 12, Adult and Vocational/Technical.*

6. Threat Management. All reports of concerning behavior, concerning communications, or threats documented using the Florida Harm Prevention and Threat Management Instrument prescribed by Rule 6A-1.0019, F.A.C., are Category A records and must be permanently maintained in the Florida School Safety and Threat Management Portal upon its availability. Threat management records include all corresponding documentation and any additional information required by the Florida Model for Harm Prevention and Threat Management related to the reporting, evaluation, intervention, and management of threat assessment evaluations and intervention services.

7. Searchability. The District shall maintain sufficient information, including social security numbers, for students enrolled in a postsecondary program so that they can be located after they have either withdrawn or completed a program of study.

8. Annual Notice. Annual written notice shall be given to parents and eligible students to inform them of their rights of access, waiver of access, challenge and hearing, privacy, and categories of PII designated as directory information. The notice shall also inform them of the existence of this rule and how it can be accessed.

9. Rights of Students and Parents. The rights of students and their parents with respect to education records created, maintained, or used by public educational institutions and agencies shall be protected in accordance with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g, the implementing regulations issued pursuant thereto, and this section. In order to maintain the eligibility of public educational institutions and agencies to receive federal funds and participate in federal programs, the State Board of Education shall comply with FERPA after the board has evaluated and determined that the FERPA is consistent with the following principles:

a. Students and their parents shall have the right to access their education records, including the right to inspect and review those records.

b. Students and their parents shall have the right to waive their access to their education records in certain circumstances.

c. Students and their parents shall have the right to challenge the content of education records in order to ensure that the records are not inaccurate, misleading, or otherwise a violation of privacy or other rights.

d. Students and their parents shall have the right of privacy with respect to such records and reports.

e. Students and their parents shall receive annual notice of their rights with respect to education records.

10. Access to Records. Eligible students and the parents or guardians of students who are or have been in attendance in the District shall have the right to inspect and review their education records. The District shall arrange for such inspection and review within a reasonable period of time, but in no case more than 30 days after the request has been made.

11. Copy Charges. Students and parents may obtain copies of education records by making a request to the principal or other custodian of the records. Charges for copies shall be assessed according to a fee schedule approved by the Superintendent and maintained in the Office of School Operations.

12. Electronic Records. Audio, video, and other electronic materials shall be charged at the actual cost of duplication as determined by the Superintendent.

13. Redaction. A security videotape or other education record may depict images or contain personally identifiable information about other students in addition to the requesting parent's child(ren). If extensive redaction is required to remove the personally identifiable information of other students from an education record, the District may charge, in addition to the cost of copying or duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the District or attributable to the District for the clerical and supervisory assistance required, or both.

14. Waiver of Access to Confidential Letters or Statements. Parents, guardians and eligible students shall have the right to waive access to confidential letters or statements of recommendation or evaluation. Such waiver shall be made in writing and shall be signed by the parent or guardian.

15. Waiver of Rights. The District may not require parents, guardians or eligible students to waive their rights under section Florida Statute 1002.22(2) and FERPA.

16. Listing of Educational Records. The type, location, and name and title of the custodians of the educational records maintained by the District are as follows:

a. Academic Records

b. Exceptional Education Records

c. Disciplinary Records

d. Counseling Records

e. Health Records

Records are maintained at the student's school and District offices. Principals are responsible for school-based records. Department heads are responsible for District office records. Requests for educational records should be directed to the school or department where the records are maintained. Questions in regard to requests for educational records should be directed to the Office of Community Relations.

17. Security of Student Records. The District supports and complies with cybersecurity standards commonly referred to as the CIA Triad that safeguard its data, information technology, and resources to ensure confidentiality, integrity and availability. The District supported cybersecurity standards include: the National Institute of Standards (NIST), the NIST Cybersecurity Framework (CSF) and the Center for Internet Security (CIS) which are generally accepted as best practices for cybersecurity. The District also engages with the National Cybersecurity & Infrastructure Security Agency (CISA) for cybersecurity monitoring, resources and vulnerability alerts.

18. Disclosure of Personally Identifiable Information. Except for (i) directory information or (ii) as authorized by FERPA or other applicable law, student education records shall not be disclosed to any person without the consent of the parents, guardians or eligible students.

19. Disclosure of Directory Information. Student Directory Information is governed by Rule 5.20.

20. Right to Challenge Education Record. If a parent, guardian or eligible student believes an education record to be inaccurate, misleading, or a violation of a student's privacy, the parent, guardian or eligible student may challenge the record by requesting the District to appropriately amend the record. Such request must be submitted in writing to the District Director of Student Services within 90 days after the date of the action or event that is the subject of the record. Such a challenge is only available to correct clerical and ministerial errors, not to bring substantive claims regarding the reasons for making the challenged entries.

21. Delegation of Authority. The Superintendent is authorized to enact procedures and guidelines to interpret and implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **20 U.S.C. 1232g;<br>1002.22, 1002.221, 1002.222, F.S.** |
| **STATE BOARD OF EDUCATION RULES:** | **6A-1.0955, F.A.C.** |
| **HISTORY:** | **Adopted: 1/11/05<br>Revised: 1/12/16; 7/14/26** |

## DIRECTORY INFORMATION 5.20

1. Introduction. The School Board of St. Johns County reserves the right to release selected personal information about students (referred to as "Directory Information") without obtaining prior permission from a student's parent(s), guardian(s) or adult student for itself and any school or administrative department of the School Board. A student's parent(s), guardian(s) or an adult student, however, may notify the School Board that Directory Information concerning the student shall not be released. Such notification shall be in writing and filed annually with the principal of the student's school and with the District office.

2. Designation of Directory Information. Directory Information consists of the following data about a student:

   a. Name;

   b. Address;

   c. Telephone number, if listed;

   d. Date and place of birth;

   e. Internally-generated pupil number;

   f. Participation in officially recognized activities and sports;

   g. Weight and height, if an athletic team member;

   h. Most recent previous school or program attended;

   i. District schools attended and dates of attendance;

   j. Degrees, awards and honors received;

   k. Major field of study; and

   l. Photographs and video.

3. Examples of Disclosure of Directory Information. Examples of where Directory Information may be published by the School Board, any school, or any administrative department of the School Board include:

   a. A playbill showing a student's role in a drama production;

   b. Honor roll or recognition lists;

c. Graduation programs;

d. Sports activity programs or releases, such as for football, showing weight and height, position played, photographs of team members, and like information;

e. School-related activities and competitions such as science fairs, spelling bees, cheerleading, ROTC, dance, drama and other student programs, activities and events;

f. News media releases;

g. Class, school, or District websites;

h. School newspaper; and

i. Similar publications.

4. Disclosure at the Request of Third Parties. Directory Information will be disclosed at the request of third parties only to:

a. Law enforcement agencies, both state and federal (official request only);

b. U.S. Armed Forces recruiting officials (secondary student only as required by federal law; limited to name, address and telephone listing);

c. College and university recruiters; and

d. Yearbook publishers, school ring vendors and school photograph vendors as selected by each school.

Directory Information is also subject to disclosure to the extent it is contained in a student's education records that are subject to disclosure without consent under the provisions of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g ("FERPA").

5. Opt-Out. Directory Information will not be published or released to any governmental agency, third party, commercial vendors or other third party when a student's parent(s), guardian(s) or adult student has given written notice objecting to the release of such information. Such objection must be filed annually with the student's school within 30 days after registration, except when such information is disclosed as part of education records that are subject to disclosure without consent under FERPA.

6. Notification. Students' parent(s) or legal guardian shall be notified annually in the Code of Student Conduct that the School Board may release Directory Information to the general public and of the opt out procedure in paragraph 6.

7. Delegation of Authority. The Superintendent may adopt guidelines and procedures to interpret and implement this policy.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1002.22, F.S.**
**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, 20 U.S.C. § 1232g**

**HISTORY:** **Adopted: 01/10/05**
**Revised: 04/13/10; 7/14/26**

## Teacher Authority and Removal of Students from Classroom 5.22

1. Introduction. Subject to law and to the rules of the School Board, each teacher or other member of the staff of any school shall have such authority for the control and discipline of students as may be assigned to him or her by the principal or the principal's designated representative and shall keep good order in the classroom and in other places in which he or she is assigned to be in charge of students.

2. Teacher Authority. In accordance with this rule and within the framework of the District Student Code of Conduct, teachers and other instructional personnel shall have the authority to undertake any of the following actions in managing student behavior and ensuring the safety of all students in their classes and school and their opportunity to learn in an orderly and disciplined classroom:

   a. Establish classroom rules of conduct.

   b. Establish and implement consequences, designed to change behavior, for infractions of classroom rules.

   c. Have disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students removed from the classroom for behavior management intervention.

   d. Have violent, abusive, uncontrollable, or disruptive students directed for information or assistance from appropriate school or District staff.

   e. Assist in enforcing school rules on school property, during school-sponsored transportation, and during school-sponsored activities.

   f. Request and receive information as to the disposition of any referrals to the administration for violation of classroom or school rules.

   g. Request and receive immediate assistance in classroom management if a student becomes uncontrollable or in case of emergency.

   h. Request and receive training and other assistance to improve skills in classroom management, violence prevention, conflict resolution, and related areas.

   i. Press charges if there is a reason to believe that a crime has been committed on school property, during school-sponsored transportation, or during school-sponsored activities.

   j. Use reasonable force, according to standards adopted by the State Board of Education, to protect himself or herself or others from injury.

3. Removal of Student from Classroom. A teacher may remove a student from class whose behavior interferes with the teacher's ability to effectively communicate with other students in the class or with the ability of the student's classmates to learn. A teacher may recommend an appropriate consequence consistent with the Student Code of Conduct.

4. Return of Student to Classroom. When a teacher removes a student from class, the principal will advise the teacher of how the student was disciplined. A disruptive student will not be returned to the classroom where the student exhibited the disruptive behavior until the teacher has been so advised. The teacher may request a conference with the principal and the student's parents/guardian prior to the student being returned to the classroom.

5. Teacher Consent. The principal may not return a student who has been removed by a teacher from the teacher's class without the teacher's consent, unless the Placement Review Committee determines that such placement is the best or only available alternative. The teacher and Placement Review Committee must render decisions within five (5) working days of the removal of the student from the classroom.

6. Placement Review Committee. Each school shall establish one or more Placement Review Committees to determine if a student is to be returned to a teacher's class after that student has been removed by the teacher and the teacher has withheld consent for that student to be returned to the teacher's class.

    a. Committee membership shall include the following:

        i. Two (2) teachers, one (1) selected by the instructional staff of the school and one (1) selected by the teacher who has removed the student.

        ii. One (1) member of the school staff selected by the principal.

        iii. One (1) teacher selected by the instructional staff of the school to serve as an alternate member of the committee.

    b. A teacher, who removed a student from class and who has withheld consent for the return of that student to class, shall not serve on the committee when the committee makes its decision regarding the return of the student.

    c. The Placement Review Committee will be selected during pre-school planning. Each school's faculty shall also determine the following during pre-school planning:

        i. If a current school committee meets the criteria contained herein for the Placement Review Committee and if the faculty wishes that

committee to perform the duties of the Placement Review Committee.

ii. The number of Placement Review Committees needed at each school.

iii. The terms of office of the members of the Placement Review Committee.

iv. The method the instructional staff will use in the selection of the Placement Review Committee members.

v. The appropriate form a teacher is to use to document the behavior which resulted in the teacher having the student removed from class.

7. Classroom Management Training. Any teacher who removes twenty-five percent (25%) of a total class enrollment shall be required to complete professional development to improve classroom management skills. Any required training under this provision shall be free of charge to the teacher.

8. Staff Duty to Report. Each teacher or other member of the staff of any school who knows or has reason to suspect that any person has committed, or has made a credible threat to commit, a crime of violence on school property or against school students or employees shall report such knowledge or suspicion in accordance with the provisions of Florida Statute 1006.13. Each district school superintendent and each school principal shall fully s upport good faith reporting in accordance with the provisions of this subsection and Florida Statute 1006.13. Any person who makes a report required by this subsection in good faith shall be immune from civil or criminal liability for making the report.

9. Delegation of Authority. The Superintendent is authorized to enact procedures and guidelines to interpret and implement this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1003.32, F.S.**

**HISTORY:** **Adopted:**
**Revised: 01/11/05; 7/14/26**

## PARENTAL ACCESS TO INFORMATION 5.24

1. Access to Instructional Materials. All instructional materials, including teacher manuals, films, tapes, or other supplementary material shall be available for inspection by the parents or guardians of the students. A request to inspect such materials should be addressed to the student's teacher or principal.

2. Limits on Surveys, Analyses and Evaluations. No student shall be required to submit to a survey, analysis, or evaluation, that reveals information concerning the following:

   a. political affiliations or beliefs of the student or the student's parent or guardian;

   b. mental or psychological problems of the student or the student's family;

   c. sex behavior or attitudes;

   d. illegal, anti-social, self-incriminating, or demeaning behavior;

   e. critical appraisals of other individuals with whom respondents have close family relationships;

   f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

   g. religious practices, affiliations, or beliefs of the student or student's parent or guardian; or

   h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program);

   without the prior written consent of the parent, guardian, or in the case the student is an adult or emancipated minor, without the consent of the student.

3. Access to Surveys. A parent or guardian has the right to inspect a survey created by a third party before the survey is administered by a school. Such requests should be addressed to the student's teacher or principal. The teacher or principal shall promptly respond.

4. Privacy of Survey Results. The results of a survey that reveals any of the information listed in paragraph 2 shall be private and subject to the same rules and safeguards in regard to disclosure as educational records.

5. Annual Notification. At least annually at the beginning of the school year, the District shall notify parents or guardians of the provisions of this rule in the Student

Code of Conduct.

6. Specific Activities. The District shall notify parents or guardians, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the following activities are scheduled, or expected to be scheduled, and shall provide parents or guardians the opportunity to opt their child out of those activities.

   a. Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

   b. The administration of any survey containing one or more items described in paragraph 2. a.-h.

   c. Any nonemergency, invasive physical examination or screening that is:

      i. required as a condition of attendance;

      ii. administered by the school and scheduled by the school in advance; and

      iii. not necessary to protect the immediate health and safety of the student, or of other students.

7. Exceptions. The provisions of this rule are subject to the exceptions enumerated in 20 US C 1232H.

8. Delegation of Authority. The Superintendent is authorized to enact procedures and guidelines to interpret and implement this rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **20 U.S.C. 1232H; 1001.43, F.S.**

**HISTORY:** **Adopted:**
**Revised: 01/11/05; 7/14/26**

## DATING VIOLENCE AND ABUSE 5.26

1. Introduction. It is the policy of the St. Johns County School District to provide all students with an educational setting that is safe, secure, and free from dating violence and abuse. The District shall not tolerate dating violence and abuse of any kind. Dating violence or abuse by any student is prohibited on school property, during any school related or school sponsored program or activity, or during school sponsored transportation.

2. Definitions. The following definitions apply for purpose of this rule:

   a. "Dating violence" is a pattern of emotional, verbal, sexual, or physical abuse used by one person in a current or past intimate relationship to exert power and control over another when one or both of the partners is a student.

   b. "Abuse" is mistreatment which may include insults, coercion, social sabotage, sexual harassment, threats, and/or acts of physical or sexual abuse. The abusive partner uses this pattern of violent and coercive behavior to gain power and maintain control over the dating partner.

3. Reporting Dating Violence or Abuse. School employees shall report to the principal or the principal's designee suspected cases of dating violence and abuse. Students should report suspected cases of dating violence and abuse to the principal or principal's designee and may do so anonymously. Student victims should report any incidences of dating violence and abuse to the principal or principal's designee as soon after it occurs as possible.

4. Investigation. Reports of dating violence or abuse will be investigated as follows:

   a. The principal or principal's designee will conduct an investigation. If the principal or principal's designee determines that inappropriate behaviors have occurred on school property, during any school related or school sponsored program or activity, or during school sponsored transportation the principal or principal's designee will make a determination if disciplinary action is warranted as outlined in the Student Code of Conduct and take the necessary action.

   b. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of dating violence and/or abuse and the investigative procedures that follow.

   c. If there is cause to believe a crime has been committed, the appropriate law enforcement agency shall be notified.

5. Accommodation. Appropriate accommodations will be provided to victims of dating violence and abuse.

6. Curriculum. The health education curriculum for students in grades 7 through 12 shall include dating violence and abuse. The dating violence and abuse component shall include but is not limited to the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse. The curriculum shall have an emphasis on prevention-based education.

7. Training. Training on the District's policy prohibiting dating violence and abuse and related procedures will be provided.

8. Delegation of Authority. The Superintendent is authorized to adopt procedures and guidelines to interpret and implement this policy.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1000.21, 1001.43, 1003.42, 1006.07, 1006.148, F.S.**

**HISTORY:** **Adopted: 06/14/11**
**Revised: 7/14/26**

| **Hazing Prohibited** | **5.27** |
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1. Introduction. The St. Johns County School District condemns hazing in any form. Hazing will not be tolerated, and disciplinary action will be taken when hazing occurs in connection with athletics, clubs, extracurricular activities or any other educational environment.

2. Definition. Hazing means any action or situation that endangers the mental or physical health or safety of a student at a school serving any or all grades from 6 through 12 for purposes including, but not limited to, initiation or admission into affiliation with any organization operating under the sanction of a school serving any or all grades from 6 through 12.

   a. Hazing includes, but is not limited to pressuring, coercing, or forcing a student into:

      i. Violating state or federal law

      ii. Consuming any food, liquor, drug, or other substance

      iii. Participating in physical activity that could adversely affect the health or safety of the student

   b. Any brutality of a physical nature, such as whipping, beating, branding, or exposure to the elements.

   Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

3. Hazing Prohibited. Hazing of any District student is prohibited:

   a. On School District property;

   b. In connection with school athletics, clubs or extracurricular activities; or

   c. During any school or District related or school sponsored program or activity.

4. Incident Reporting. The following procedures are to be followed for reporting any alleged hazing incident:

   a. Incidents of hazing are to be reported to the principal of the victim's school or the principal's designee.

   b. All School District employees are required to report alleged violations of hazing to the principal or the principal's designee.

c. Alleged hazing may be reported anonymously. While such an anonymous report shall be used to initiate an investigation of the allegations, disciplinary action may not be taken based solely on an anonymous report.

d. Any District high school or other school that serves any or all grades from 9 through 12, shall report a hazing incident to local law enforcement if it appears that the alleged violation may constitute a criminal offense as defined in Section 106.135, Florida Statutes.

5. Investigative Procedure. The investigation of a reported act of hazing shall be school based.

a. The principal or principal's designee shall document all complaints in writing to ensure that incidents are addressed in a timely manner.

b. The procedure for investigating hazing to be followed includes:

i. Documented interviews of the victim, alleged perpetrator(s), and witnesses are conducted privately and separately. At no time will the alleged perpetrator and victim be interviewed together. It is recommended that the victim be interviewed first.

ii. The investigator shall collect and evaluate the facts including, but not limited to:

- Description of incident(s) including nature of the behavior (physical hurt or psychological distress), context in which the alleged incident(s) occurred, etc.;
- How often the conduct occurred;
- Whether there were past incidents or past continuing patterns of behavior;
- The relationship between the parties involved;
- The characteristics of parties involved (i.e., grade, age, etc.);
- The identity and number of individuals who participated in hazing behavior;
- Where the alleged incident(s) occurred;
- Whether the conduct adversely affected the student's education or educational environment;

- The date, time, and method in which the parents/legal guardians of all parties involved were contacted.

iii. The determination of whether a particular action or incident constitutes a violation of this rule shall be based on all the facts and surrounding circumstances in a written final report to the principal and Superintendent or designee. The report should include recommended remedial steps necessary to stop the hazing behavior.

iv. The investigation shall be completed within 15 school days.

v. The investigation shall be conducted as confidentially as possible, consistent with the necessity of interviewing witnesses.

6. Parent/Guardian Notification. The principal, or the principal's designee, shall promptly notify via telephone, personal conference, and/or in writing, the occurrence of any incident of hazing as defined by this rule to the parent or legal guardian of all students involved as soon as possible after an investigation of the incident has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974, 20 USC § 1232g (FERPA).

   a. Once the investigation has been completed and it has been determined that criminal misconduct may be involved, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

   b. If the hazing incident results in the perpetrator being charged with a crime, the principal, or principal's designee, shall by telephone or in writing by first class mail, inform parents/legal guardian of the victim(s) involved in the hazing incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) which states "…a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school."

7. Consequences. The determination of whether a violation of this rule has occurred shall be based on all the facts and surrounding circumstances.

   a. Student consequences and appropriate remedial actions for a committed act of hazing are outlined in the Student Code of Conduct Level III infraction.

b. District employee consequences and appropriate remedial action for hazing will be instituted in accordance with District policies, procedures, and agreements. Additionally, acts of hazing by certified educators may result in the reporting to the State Board of Education, where a subsequent sanction against an educator's state issued certificate may occur under State Board of Education Rule 6B-1.006, *The Principles of Professional Conduct for the Education Profession in Florida*.

c. Visitor or volunteer consequences and appropriate remedial action for a committed act of hazing shall be determined by the school administrator after consideration of the nature and circumstances of the act including, if applicable, referral to appropriate law enforcement officials.

8. Referral for Counseling. The District will make counseling available to victims and perpetrators of hazing.

a. The parent or legal guardian may request counseling.

b. The parent or legal guardian shall be notified when referral for services is contemplated. Counseling may be provided by certified School District counselors or contract providers. A referral may be made to Student Services for determination of counseling, assistance, and interventions.

c. Intervention and assistance include:

i. Counseling and support to address the needs of the victims of hazing, or

ii. Counseling and intervention to address behavior of the students who perpetrated the hazing, or

iii. Counseling and intervention, which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.

9. Actions to Protect Victim. According to the level of infraction, parents/legal guardians will be notified by telephone or writing of any actions being taken to protect a student from further incidents. Notifications must be consistent with the student privacy rights under FERPA.

a. Limited disclosure may be necessary to complete a thorough investigation as described above. The District's obligation to investigate and take corrective action may supersede a student's right to privacy.

b. Retaliation against the complainant or witnesses is prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment in response to filing a complaint or assisting with an investigation under this rule.

10. Data Collection/Reporting. The procedure for a school to report incidents of hazing in its report of safety and discipline data is set forth in Florida Statute 1006.09(6). The school's safety and discipline report must include the number of incidents reported, the number referred to a local law enforcement agency, the number of incidents that result in school disciplinary action, and the number of incidents that do not result in either referral to law enforcement or school disciplinary action.

11. Guidelines and Procedures. The Superintendent is authorized to publish guidelines and procedures to implement this rule.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:** **1006.135, 1006.09(6), F.S.**

**HISTORY:** **Adopted: 10/14/14**
**Revised: 7/14/26**

## Employment Definitions and Categories 6.10

1. Full-time Employee. Full-time employees are employed for the school term, or for the fiscal year, to render the minimum number of hours each day as established by the School Board for that job or position. The number of hours per day for full-time employment for employees subject to a collective bargaining agreement shall be set by the agreement. The number of hours for full-time employment for all other employees is five (5) hours per day and at least 25 hours per week.

2. Part-time Employee. Part-time employees are employed to render less than the minimum number of hours each day as required for full-time employment as defined above.

3. Temporary Employee. Temporary employees are employed for a limited time to fill a vacancy for which a regular full-time or regular part-time employee is not available or to perform some work of a temporary nature. Such employment will cease at the close of the school term, the end of the school fiscal year, or when the temporary work has been completed. A temporary employee may be a part-time or full-time employee.

4. Instructional Personnel. "Instructional personnel" means any staff member whose function includes the provision of direct instructional services to students. Instructional personnel also includes personnel whose functions provide direct support in the learning process of students, such as (i) classroom teachers; (ii) staff members who provide student services, including school counselors, social workers, career specialists, and school psychologists; (iii) librarians and media specialists; (iv) other instructional staff including primary specialists, learning resource specialists, instructional trainers and certified adjunct educators; and (v) education paraprofessionals. Adjunct athletic coaches are not considered instructional personnel but rather are treated as a separate and distinct contract category as specified in paragraph 7.

5. Administrative Personnel. "Administrative personnel" includes personnel who perform management activities such as developing broad policies for the school district and executing those policies through the direction of personnel at all levels within the District. Administrative personnel are generally high-level, responsible personnel who have been assigned the responsibilities of systemwide or schoolwide functions, such as district school superintendents, assistant superintendents, deputy superintendents, school principals, assistant principals, career center directors, and others who perform management activities.

6. Educational Support Employees. "Educational support employees: means employees whose job functions are neither administrative nor instructional, yet whose work supports the educational process.

7. Adjunct Athletic Coaches. An "adjunct athletic coach" is employed on an at-will contract basis to coach a school sports team. Adjunct athletic coaches are required to (a) undergo pre-employment background screening in accordance with School Board Rule 6.104; (b) be certified under Florida Statute 1012.55; (c) comply with the Code of Ethics for the Education Profession in Florida and the Principles of Professional Conduct for the Education Profession in Florida; and (d) are subject to the reporting requirements of School Board Rule 6.40. Adjunct athletic coaches will receive an adjunct coaching agreement that incorporates the requirements of subparagraphs (a) – (d) above, and provides that either party may terminate the agreement at any time and for any reason, without notice. Principals and their designees are authorized to execute adjunct athletic coach agreements on the School Board's behalf.

8. Delegation of Authority. Authority is delegated to the Superintendent to adopt guidelines and procedures to implement this rule.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1001.43, 1012.22, 1012.23, F.S.**

**LAWS IMPLEMENTED:** **1012.01, 1012.22, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 09/12/06; 10/08/13; 8/14/18; 7/09/19, 01/13/26**

## Employment of Personnel 6.101

1. General Duties of School Board. The School Board shall designate positions to be filled, prescribe qualifications for those positions, and provide for the appointment, compensation, promotion, suspension, and dismissal of employees, subject to the requirements of Chapter 1012, Florida Statutes and applicable law. The School Board shall act upon written recommendations submitted by the Superintendent for positions to be filled, for minimum qualifications for personnel for the various positions, and for the persons nominated to fill such positions. As provided by Florida Statute 1012.22(a)2, the School Board may reject for good cause any employee nominated.

2. Employment Procedures. The Superintendent is directed to develop appropriate employment procedures governing the recruitment, screening (including fingerprinting), selection, appointment, reappointment, and employment of all personnel consistent with Federal law, Florida Statutes, State Board of Education Rules, and School Board Rules.

3. School Board Employment. Notwithstanding the provisions of paragraph 1, above, the School Board may employ certain employees, including but not limited, to legal counsel, clerical support, and internal auditors, who, while employees of the District, shall be engaged by School Board without recommendation of the Superintendent and shall report directly to and work at the direction of the School Board.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **1001.42, 1011.10,1012.22,F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 09/12/06;**
**10/08/13; 01/13/26**

**Formerly Rule 6.102**
**Renumbered: 10/08/13**

## Nondiscrimination in Employment 6.102

The St. Johns County School Board is committed to providing educational and work environments free of unlawful harassment or discrimination. No employee or applicant for employment shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination or harassment in any program, activity, employment, or conditions of employment in St. Johns County public schools on the basis of race, color, national or ethnic origin, sex, disability, marital status, age, religion, political or religious beliefs, genetic information, or any other basis prohibited by law. Nor shall any person be subjected to retaliation for reporting or complaining of alleged discrimination or harassment or participating in any way in the investigation of such allegations. The employees of St. Johns County School Board shall not engage in such discrimination or harassment, and such conduct is also prohibited for any third party while participating in any activity sponsored by St. Johns County public schools.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1001.43, F.S.**

**LAW(S) IMPLEMENTED:** **760.01, 760.10, 1000.05, 1010.05, F.S.; 42 U.S.C. 2000e [Title VII]; 42 U.S.C. 2000ff [GINA]; 42 U.S.C. 12101 [ADA]; 29 U.S.C. 794 [Sec. 504 of the Rehabilitation Act of 1973]**

**STATE BOARD OF EDUCATION RULE(S):** **6A-19.001 - .004; 6A-19.008; 6A-19.009, F.A.C.**

**HISTORY:** **Adopted: 10/08/13**
**Revised: 01/13/26**

## Qualifications of Personnel 6.103

1. Qualifications. To be eligible for appointment in any position in the District, a person must be of good moral character; must have attained the age of 18 years, if he or she is to be employed in an instructional capacity; must not be ineligible for such employment under s. 1012.315; and must, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Families, except when employed pursuant to s. 1012.55 or under the emergency provisions of s. 1012.24. Previous residence in this state shall not be required in any school of the state as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

2. Job Descriptions. Other qualifications for District employment positions are set forth in the job descriptions adopted by the School Board.

3. Background Screening. Personnel who are hired or contracted to fill positions that require direct contact with students must undergo background screening as required by School Board Rules 6.104 and 7.142.

4. Professional Learning. To fulfill the Mission Statement of the District, which seeks to create life-long learners, the District is committed to the professional learning of its employees on an ongoing basis. The District will offer, encourage, and support educational opportunities for its employees to enhance their abilities to better serve the students of the District. Further, the employees of the District are expected to identify and participate in educational opportunities that will improve their general, professional, and/or work related education.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1012.22, 1012.23 F.S.**

**LAWS IMPLEMENTED:** **1001.42, 1012.22, 1012.32, 1012.465, 1012.56, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06; 10/08/13; 01/13/26**

**Formerly Rule 6.60**
**Renumbered: 10/08/13**

| Background Screening | 6.104 |
|---|---|

1. Initial Employment Background Screening. Any offer of employment with the School District is conditioned on submission of fingerprints as required by Florida statutes and a criminal background investigation by the Agency for Health Care Administration, and an employment background investigation by the Superintendent or designee(s). After a job offer, but prior to beginning employment with the District, all candidates for all positions must undergo a criminal and employment background check to determine suitability for employment. Failure to be truthful on the application about prior criminal history will be grounds for disqualification or dismissal from employment. The application for employment shall inform applicants they are subject to criminal background checks, and that failure to be truthful about their criminal history will subject them to disqualification or dismissal. The District maintains the authority to make the final hiring decision, based on all available information, for all applicants who successfully pass their criminal background checks performed by the Agency for Health Care Administration.

2. Submission of Fingerprints. As a condition of employment and prior to beginning work, an applicant who has received a conditional job offer must file a complete set of fingerprints for processing in accordance with Florida Statute 435.04 and 1012.315. The applicant shall be required to pay for full costs of processing at the time of fingerprinting or authorize appropriate payroll deductions. Applicants may be required to be reprinted when required by applicable law or District process.

3. Standards. Pursuant to Florida Statutes 1012.315, a person is ineligible for educator certification or employment in any position that requires direct contact with students in the District if the person:

    a. Is ineligible based on a security background investigation under Florida Statute 435.04(2) (Level 2 Screening Standard);

    b. Is on the disqualification list maintained by the Florida Department of Education under Florida Statute 1001.10(4)(b);

    c. Is registered as a sex offender as described in 42 U.S.C. § 9858f(c)(1)(C);

    d. Would be ineligible for an exemption under Florida Statute 435.07(4)(c); or

    e. Has been convicted of:

i. Any criminal act committed in another state or under federal law which, if committed in this state, constitutes a disqualifying offense under Florida Statute 435.04(2).

ii. Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under Florida Statute 943.0435(1)(h)1.d.

4. Review Process. The Human Resources Department ("Department") shall review the criminal history of all applicants and/or persons nominated for initial employment. The Department shall obtain criminal background information for applicants through the Florida Care Provider Background Screening Clearinghouse ("Clearinghouse").

a. Once the Clearinghouse makes a determination of eligibility, the Department shall review both the application and the Clearinghouse Results Website reports concerning the new employee. The Department will compare the information provided by the new employee with the information received from the Clearinghouse. If an applicant has failed to disclose a material conviction on his or her application, the Department reserves the right to reject the application.

b. As defined by Rule 6A-10.084, Florida Administrative Code, and used in this rule, the term "conviction" means a finding of guilt, an adjudication of guilt; a verdict of guilty; or a plea of guilty or *nolo contendere,* including (i) where a person is found guilty, pleads guilty or pleads *nolo contendere*, and (ii) adjudication of guilt is withheld. A person has been "convicted" when a criminal charge against that person results in a conviction.

c. If the Clearinghouse determines an applicant is ineligible for employment, the Department shall reject the application unless the Department finds that the Clearinghouse determination was erroneous.

d. In cases where the Clearinghouse does not determine that an applicant is ineligible, the District reserves the right to disqualify an applicant based upon the facts of an application, criminal background check or other valid or reliable data sources, pursuant to paragraphs 5 and 6.

e. Pursuant to Florida Statutes 943.059(4)(a)6 and 943.0585(4)(a)6, an applicant whose criminal history record has been sealed or expunged may not deny or fail to acknowledge the arrests or convictions covered by the expunged or sealed record.

f. For purpose of paragraphs 4-9, reference to a felony, misdemeanor or other offense contemplates not only a violation of Florida law, but also a violation of federal law or the law of another state or nation, which, if committed in this state, would constitute a disqualifying offense.

g. No applicant who has received a conditional job offer shall begin work before his/her fingerprints are processed, the criminal and pre-employment investigation is completed, and a determination is rendered as to suitability for employment.

5. Other Disqualifying Circumstances. To be eligible for appointment in any position within the District, a person must be of good moral character. Regardless of a Clearinghouse determination of eligibility, the following circumstances will disqualify an applicant from employment by the District:

a. Conviction of an offense involving cruelty to animals.

b. Conviction of a crime of moral turpitude as defined by Rule 6A-5.056 of the Florida Administrative Code.

c. Dishonorable discharge from any branch of the Armed Services.

d. Any applicant who, upon date of application, is currently serving a court ordered probation or any other court ordered requirement for any criminal offense.

e. Any applicant who, upon date of application, has been arrested and/or charged with any criminal or serious traffic offense(s) and a final disposition in the matter is pending for the charged offense(s).

6. Other Offenses. Regardless of a Clearinghouse determination of eligibility, an applicant shall be considered on a case by case basis for disqualification for conviction of the following offense(s):

a. Any felony not listed elsewhere in this rule.

b. Any offense regardless of level related to prostitution or lewd and lascivious criminal conduct not listed elsewhere in this rule.

c. Domestic violence.

d. Disorderly conduct.

e. Petty theft or shoplifting.

f. Furnishing alcohol to minors.

g. Two or more DUI offenses.

h. Misdemeanor drug and/paraphernalia possession.

i. Possession of a concealed weapon – misdemeanor.

j. Other misdemeanors.

k. Any criminal offense(s) to the extent that the nature of the offense for which the applicant was charged and convicted is deemed to conflict with the expectations of employment by the District or pose any risk to student safety.

If the Department concludes that the circumstances of such a conviction, or other information derived from the pre-employment investigation, conflict with the expectations of employment or pose any risk to student or work place safety, the application will be denied.

7. Department Committee. The case by case determination of eligibility as contemplated by paragraph 6 shall be conducted by a committee composed of the head of the Department, the Directors of Instructional and Non-instructional Personnel, the Director of District Benefits and Salaries, and Director of Position Contracts and Applications. The head of the Department is authorized to appoint other staff to serve in the place of a designated member to accommodate scheduling or workload. In determining whether an applicant should be disqualified under those provisions, the Committee shall determine whether the conviction or circumstances conflict with the expectations of employment, raise substantial questions about the applicant's character or judgment, or pose any risk to student safety.

8. Contract Personnel. Any instructional or non-instructional persons under contract to the School District to operate student programs and persons participating in short-term teacher assistance experiences or field experiences who have direct contact with students must meet the requirements of paragraphs 1-7 above. Such persons may not be in direct contact with students if ineligible under Florida Statute 1012.315, or the other provisions of this rule.

9. Other Positions. Adjunct athletic coaches, substitute teachers, practicum students, interns, intern supervisors, part-time as-needed employees and at-will employees must meet the requirements of paragraphs 1 – 7 above.

10. Reconsideration and Appeal. Applicants who have been denied employment, and probationary employees who have been denied permanent employment, on the basis of their criminal record and/or background check, may request reconsideration by the Human Resources Department only if they present new information not previously available to the Department. They may also request an exemption under Florida Statute 435.07.

11. Rescreening. Employees are subject to periodic rescreening as required by Florida Statute 435.12. Such rescreening shall be conducted at District expense in accordance with the standards and procedures for pre-employment screening under this rule.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **435.04; 435.12; 1012.315; and 1001.36, 1001.42, 1001.43, 1012.01, 1012.22, 1012.27, 1012.32, 1012.39, 1012.55, 1012.56, F.S.**

**HISTORY:** **Adopted: 10/08/13**
**Revision Date(s): 8/14/18; 7/09/19; 04/08/25**

## Probationary Status for New Employees 6.105

1. Probationary Status. Upon initial employment by the District, all employees shall serve a probationary period.

2. Instructional Personnel. For instructional personnel, the probationary period shall begin the first day of employment and shall continue for a period of one (1) calendar year.

3. Administrative Personnel. For administrative personnel, the probationary period shall be ninety-seven (97) days.

4. Educational Support Employees. For educational support employees, the probationary period shall be as provided in the St. Johns educational support employee negotiated agreement.

5. Termination without Cause. During the probationary period, a probationary employee may be dismissed without cause or may resign without breach of contract.

6. Successful Completion. Employment during the probationary period must be continuous for probation to be successfully completed.

7 Extensions. The probationary period may be extended if the Superintendent determines that an additional probationary period is needed and the employee agrees in writing to the extension.

8. Continued Employment. Following successful completion of the probationary period, the School Board shall determine whether to award the employee an annual contract.

9. No Appeal. A probationary employee who is dismissed prior to expiration of the probationary period shall not have rights to appeal or grieve that decision, nor shall the employee be entitled to an explanation.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, 1012.33 F.S.**

**LAWS IMPLEMENTED:** **1001.43, 1012.335, 1012.40, F.S.**

**HISTORY:** **Adopted: 8/18/98**
**Revised: 08/08/06; 10/08/13; 11/13/18; 01/13/26**
**Formerly Rule 6.104**
**Renumbered: 10/08/13**

| Expectation of Ethical Conduct for St. Johns County Educational Staff | 6.106 |
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1. Scope. This rule sets expectations of ethical and professional conduct on the part of District instructional personnel, adjunct athletic coaches and instructional contractors ("District Educators").

2. Expectation. All St. Johns County School Board employees are expected to be ethical, professional and civil in all their dealings with students, parents, fellow employees and the public. The School Board finds that unethical, inappropriate or unbecoming conduct by District employees has the potential to disrupt the educational process and damage the reputation and stature of the District, its teachers and staff. The expectation of ethical conduct is particularly high for District Educators.

3. Standards of Professional Conduct. District Educators shall abide by The Principles of Professional Conduct of the Education Profession in Florida as set forth in State Board of Education Rule 6A-10.081, F.A.C. and paragraphs 4–9 below. Furthermore, District administrative and instructional personnel shall not engage in any act of misconduct that might result in disqualification for employment pursuant to Florida Statute 1012.315 or loss of education certification pursuant to Florida Statute 1012.795.

4. Ethical Principles. District Educators shall be guided by the following ethical principles:

   a. The educator values the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.

   b. The educator's primary professional concern will always be for the student and for the development of the student's potential. The educator will therefore strive for professional growth and will seek to exercise the best professional judgment and integrity.

5. Disciplinary Principles. District Educators shall comply with the disciplinary principles set forth in paragraphs 6-9 below. Violation of any of these principles shall subject the individual to revocation or suspension of their educator's certificate or other penalties as provided by law.

6. Obligation to Students. Obligation to students requires that the District Educator:

a. Shall make reasonable effort to protect the student from conditions harmful to learning and/or to the student's mental and/or physical health and/or safety.

b. Shall not unreasonably restrain a student from independent action in pursuit of learning.

c. Shall not unreasonably deny a student access to diverse points of view.

d. Shall not intentionally suppress or distort subject matter relevant to a student's academic program.

e. Shall not intentionally expose a student to unnecessary embarrassment or disparagement.

f. Shall not intentionally provide classroom instruction to students in prekindergarten through grade 8 on sexual orientation or gender identity, except when required by Florida Statutes 1003.42(2)(n) 3. and 1003.46, F.S.

g. Shall not intentionally provide classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by state academic standards as adopted in Rule 6A-1.09401, F.A.C., or is part of a reproductive health course or health lesson for which a student's parent has the option to have his or her student not attend.

h. Shall not intentionally violate or deny a student's legal rights.

i. Shall not discourage or prohibit parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in Florida Statute 39.01.

j. Shall not harass or discriminate against any student on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition, sexual orientation, or social and family background and shall make reasonable effort to assure that each student is protected from harassment or discrimination. Discrimination on the basis of race, color, national origin, or sex includes subjecting any student to training or instruction that espouses, promotes, advances, inculcates, or compels such student to believe any of the concepts listed in Florida Statute 1000.05(4)(a).

k. Shall not exploit a relationship with a student for personal gain or advantage.

l. Shall keep in confidence personally identifiable information obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.

m. Shall not violate Florida Statute 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution.

n. Shall not violate Florida Statute 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

7. Obligation to the Public. Obligation to the public requires that the District Educator:

a. Shall take reasonable precautions to distinguish between personal views and those of any educational institution or organization with which the individual is affiliated.

b. Shall not intentionally distort or misrepresent facts concerning an educational matter in direct or indirect public expression.

c. Shall not use institutional privileges for personal gain or advantage.

d. Shall accept no gratuity, gift, or favor that might influence professional judgment.

e. Shall offer no gratuity, gift, or favor to obtain special advantages.

8. Obligation to the Profession. Obligation to the profession of education requires that the District Educator:

a. Shall maintain honesty in all professional dealings.

b. Shall not on the basis of race, color, religion, sex, age, national or ethnic origin, political beliefs, marital status, handicapping condition if otherwise qualified, or social and family background deny to a colleague professional benefits or advantages or participation in any professional organization.

c. Shall not interfere with a colleague's exercise of political or civil rights and responsibilities.

d. Shall not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, shall make reasonable effort to assure that each individual is protected from such harassment or discrimination.

e. Shall not make malicious or intentionally false statements about a colleague.

f. Shall not use coercive means or promise special treatment to influence professional judgments of colleagues.

g. Shall not misrepresent one's own professional qualifications.

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

i. Shall not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.

j. Shall not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.

k. Shall provide upon the request of the certificated individual a written statement of specific reason for recommendations that lead to the denial of increments, significant changes in employment, or termination of employment.

l. Shall not assist entry into or continuance in the profession of any person known to be unqualified in accordance with these Principles of Professional Conduct for the Education Profession in Florida and other applicable Florida statutes and State Board of Education rules.

m. Shall self-report within forty-eight (48) hours to appropriate authorities (as determined by district) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt, nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial

diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment. When handling sealed and expunged records disclosed under this rule, school districts shall comply with the confidentiality provisions of Florida Statutes 943.0585(4)(c) and 943.059(4)(c).

n. Shall report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Florida Statute 1012.795(1).

o. Shall seek no reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education Rules as defined in Florida Statute 1012.795(1).

p. Shall comply with the conditions of an order of the Education Practices Commission imposing probation, imposing a fine, or restricting the authorized scope of practice.

q. Shall, as the supervising administrator, cooperate with the Education Practices Commission in monitoring the probation of a subordinate.

9. Access to Instructional Material. A certificate holder serving as a school principal shall not prevent, direct school personnel to prevent, or allow school personnel to prevent students from accessing any material used in a classroom, made available in a school or classroom library, or included on a reading list unless the certificate holder or his or her designee has reviewed the material and determines it violates the prohibitions in Florida Statute 1006.28(2)(a)2., the material is unavailable to students based upon school board polices adopted to implement Florida Statute 1006.28(2)(d), or it was determined under the District's objection process adopted to implement Florida Statute 1006.28(2)(a)2, that the material violated one of the prohibitions in that section.

10. Training. The Superintendent shall be responsible for training District instructional and administrative personnel in the requirements of this rule.

11. Procedures and Guidelines. The Superintendent is authorized to adopt procedures and guidelines to implement and administer this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, 1001.42, 1012.22, 1012.23, F.S.** |
| **LAW(S) IMPLEMENTED:** | **1001.42; 1012.315; 1012.796, F.S.** |
| **STATE BOARD OF EDUCATION RULES:** | **6A-10.081, F.A.C.** |
| **HISTORY:** | **Adopted: 8/14/18**<br>**Revised: 01/13/26** |

## Physical, Psychological and Psychiatric Examinations 6.11

The School Board may require a physical, psychological, and/or psychiatric examination by a physician licensed in the state of Florida when in the School Board's judgment such an examination is relevant to the teaching performance, employment status or duties of a School Board employee or employment applicant. The Superintendent shall select the physician(s), psychologist(s), or psychiatrist(s) and shall pay all costs incurred in the examination(s). The employee or applicant shall consent to the report of the physician(s), psychologist(s), or psychiatrist(s) being submitted to the Superintendent, with a copy being forwarded to the employee.

**STATUTORY AUTHORITY:** **1001.41; 1012.23 F.S.**

**LAW(S) IMPLEMENTED:** **1012.32 F.S.**

**HISTORY:** **Adopted: 8/18/98**
**Revised: 8/08/06, 10/08/13, 01/13/26**

| Transportation Employee Drug, Alcohol, and other Driver Screening | 6.111 |
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1. Alcohol and Drug Testing. The School District may conduct random, unannounced alcohol and drug testing, additional driver and supervisor training, and certain other testing and training of transportation employees, pursuant to federal law.

2. Driving Record Review. The School District reserves the right to review the driving records and personal automobile insurance of all employees who operate motor vehicles in connection with School Board business.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **112.0455, 440.102, 1001.43, 1012.45, F.S.**
**49 CFR Parts 40, 382 and 391**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06, 10/08/13; 01/13/26**

## Year of Service Defined for Administrative, Instructional and Non-Instructional Personnel 6.12

The minimum time which may be recognized as a year of service for contractual and salary purposes shall be full-time actual service rendered under contract for more than one-half (1/2) of the number of days, or more than one-half (1/2) the number of total hours, required for the normal contractual period of service for the position held, which shall be 196 days or longer, or the minimum required for the District to participate in the Florida Education Finance Program in the year the service was rendered. In determining such service, sick leave and holidays for which the employee received compensation shall be counted, but all other types of leave and holidays shall be excluded.

**STATUTORY AUTHORITY:** **1001.41, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **1012.01, 1011.60, F.S.**

**HISTORY:** **Adopted: 8/18/98**
**Revised: 10/08/13, 11/13/18, 01/13/26**

| Teaching Out-Of-Field | 6.131 |
|---|---|

1. Introduction. The employment or assignment of an instructional employee to a position for which the employee does not have the proper certificate ("teaching out-of-field") may occur when a qualified and appropriately certificated teacher is not reasonably available, in the Superintendent's judgment.

2. Requirements. Any instructional employee who is employed or assigned out-of-field to a bachelor's level position, shall be required to satisfy the subject area exam or complete two courses toward the subject area and add the subject area to his or her teaching certificate by either the end of the academic year in which the assignment was made or one full semester, whichever occurs later. Any instructional employee who is employed or assigned out-of-field to a masters level position shall earn at least six (6) semester hours of college credit or equivalent per semester until the employee has earned their masters degree. During the first year of teaching out-of-field, the Human Resources Department may modify the time period or number of semester hours.

3. Reporting. The Human Resources Department shall report to the Superintendent any instructional employee who is assigned to teach a subject(s) for which the employee is not properly certificated. Such reports shall be filed at the beginning of each school year, or as assignments occur during the year, and shall include the following information: employee's name, school, and the out-of-field assignment. The parents of all students who the employee is assigned to teach out-of-field shall be notified in writing of such assignment. The assignments shall be approved by the School Board.

**STATUTORY AUTHORITY:** **1001.41, 1012.23, F.S.**

**LAWS IMPLEMENTED:** **1012.42, 1012.55, F.S.**

**HISTORY:** **Adopted: 8/18/98**
**Revision Date(s): 8/08/06, 10/08/13, 1/12/16; 01/13/26**

## Substitute Teachers 6.16

1. Employment. School principals are authorized to employ a substitute teacher when an instructional staff member is unable to perform assigned duties.

2. Applicant Requirements. Applicants who seek employment as substitute teachers shall meet the following minimum qualifications and provide the appropriate documentation as required by the Department of Human Resources:

   a. Although a bachelor's degree is the preferred qualification, due to a shortage of substitute teachers the District reserves the right to employ substitutes with different educational credentials;

   b. Be at least twenty-one (21) years of age;

   c. Submit a complete set of fingerprints and undergo a criminal background screen as required by School Board Rule 6.104,Florida Statute 1012.32 or other applicable law; and

   d. Complete an initial orientation/training program and other training required by Florida statutes.

3. Approval. Human Resources Department shall approve applicants as substitute teachers provided their qualifications are found to be satisfactory. Applicants shall not be eligible to teach until approved.

4. Compensation. Substitute teachers shall be paid the compensation set by the School Board.

5. Retirees. Any member of the Florida Retirement System who is retired and eligible for employment as a substitute teacher under applicable regulations may be employed as an hourly substitute teacher.

6. At-Will Status. Substitutes are employed on an at-will basis and serve at the pleasure of the School Board. Substitute teacher status is not a property right.

7. Evaluation. The District shall develop performance appraisal measures for assessing the quality of instruction delivered by substitutes who provide instruction for 30 or more days in a single classroom placement.

8. Contracting with Agency. The School Board may contract with a third party to provide substitute teachers employed by such third party subject to the direction and control of Superintendent, principal and other administrators. Such substitute teachers shall be classified as instructional contractors for background screening and other purposes. They shall be

compensated on the basis of their agreement with the employer. Otherwise, required qualifications and other terms of their employment shall align with this rule.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IPLEMENTED:** **1012.35,1012.39, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06, 10/08/13, 11/13/18, 01/13/26**

## Certification of Instructional Employees 6.17

1. General. The District recognizes the importance of its instructional employees having demonstrated their professional abilities, not only in their subject matter, but in the art of teaching. Therefore, except as provided in Rules 6.171 and 6.172, each person employed or occupying a position as school supervisor, school principal, teacher, library media specialist, school counselor, athletic coach, or other position in which the employee serves in an instructional capacity in the District shall hold the certificate required by law and by rules of the State Board of Education in fulfilling the requirements of the law for the type of service rendered. The employee shall be responsible for maintaining a valid certificate and shall advise the District office of each re-issuance or renewal.

2. Authorization. The School Board authorizes issuance and renewal of District certificates to qualified personnel under Rules 6.171 and 6.172.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **1001.43, 1012.54, 1012.55, 1012.56, 1012.57, F.S.**

**STATE BOARD OF EDUCATION RULE(S):** **Chapter 6A-4, F.A.C.**

**HISTORY:** **Adopted: 08/08/06**
**Revised: 10/08/13; 01/13,26**

**Formerly Rule 6.19**
**Renumbered: 10/08/13**

## Non-Certified Instructional Personnel 6.171

1. Introduction. In St. Johns County there are persons who possess expert skill in or knowledge of a particular subject or talent but do not hold a Florida teaching certificate. These persons are a valuable educational resource.

2. School Board Policy. Non-certified instructional personnel will not be used until a posting and reposting of the teaching vacancy has failed to yield qualified candidates. The policy can only be used to fill vacancies in programs designated by the Superintendent.

3. Procedure. In order to be considered for a position as a non-certified instructor, the applicant must:

   a. Duly submit an application for employment.

   b. Meet such educational requirements as the Superintendent may prescribe.

   c. Have a minimum of six (6) documented years of experience in the field that will be taught.

   d. Preference will be given to those applicants who agree to take and pass the four (4) sections of the General Knowledge Exam in the first year of employment.

4. Additional Requirements. The following requirements shall apply:

   a. Age requirements shall be the same as those required for certified instructional personnel.

   b. Employment procedures. Employment procedures shall be the same as those followed for certificated instructional personnel, except that non-certified instructional personnel shall not be entitled to a contract as prescribed by Rule 6A-1.604(1), F.A.C.

   c. Personnel records. The personnel records of the District shall contain information necessary to establish the specialty of the individual, and a statement of the instructional duties assigned to and performed by such person.

   d. Salary. The School Board will set salary for full-time and part-time non-certified instructional personnel.

   e. Assignment, suspension, and dismissal. Procedures for the assignment, suspension, and dismissal of non-certified instructional

personnel shall be adopted and provided in writing to each such employee at the time of employment.

f. Assessment of performance. Procedures for assessing the performance of duties and responsibilities by non-certified instructional personnel shall be the same as for certified personnel.

g. Student Welfare and Instructional Responsibilities. Each non-certified instructional person shall possess a clear understanding of applicable rules and policies relevant to student welfare and the employee's instructional responsibilities. The principal of the school or the director of the department to which the employee is assigned shall be responsible for assuring compliance with this requirement.

5. Other Professions. The School Board may employ non-certified persons licensed or certified by the State of Florida as occupational therapists, physical therapists, audiologists, speech pathologists and clinical social workers to render services to students in those areas covered by such license or certification. Such non-certified professionals shall not be assigned duties of an instructional nature that are not within the scope of their license or certification.

6. Designated Instructional Fields. The Superintendent may authorize the hiring of non-certified personnel in such fields as the Superintendent determines would be in the best interest of the District.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42, 1012.23 F.S.** |
| **LAWS IMPLEMENTED:** | **1001.43; 1012.55, F.S.** |
| **STATE BOARD OF EDUCATION RULE:** | **6A-1.0502, F.A.C** |
| **HISTORY:** | **Adopted: 08/08/06**<br>**Revised: 10/08/13; 11/13/18; 01/13/26** |

## Employment of Adult, Career and Technical Instructional Personnel Based on Occupational Experience or Alternative Qualifications 6.172

1. Introduction. The purpose of this rule is to enable the District to hire teachers in adult, career and technical education fields who do not meet Florida Department of Education certification requirements.

2. Part-time and Full-time Non-degreed Teachers of Career Programs. Qualifications for non-degreed teachers of adult, career and technical education courses are based primarily on successful occupational experience rather than academic training.

3. Qualifications – Non-Degreed Teachers. Qualifications for non-degreed adult, career and technical education teachers are:

   a. The filing of a complete set of fingerprints in the same manner as required by Florida Statute 1012.32.

   b. Documentation of education and successful occupational experience including documentation of:

      i. A high school diploma or the equivalent.

      ii. Completion of three (3) years of full-time successful occupational experience or the equivalent of part-time experience in the teaching specialization area. The School Board may establish alternative qualifications for teachers with an industry certification in the career area in which they teach.

      iii. Completion of career education training conducted through the local school district inservice master plan.

      iv. For full-time teachers, completion of professional education training in teaching methods, course construction, lesson planning and evaluation, and teaching students with disabilities. This training may be completed through coursework from an accredited or approved institution or an approved district teacher education program.

      v. Demonstration of successful teaching performance.

      vi. Documentation of industry certification when state or national industry certifications are available and applicable.

4. Alternative Qualifications – Candidates with Degrees. In accordance with paragraph 2.b.ii., as an alternative for requiring a non-degreed career or technical education teacher to have three (3) years of occupational experience, a candidate with a four (4) year degree and two (2) years of occupational experience who meets the other requirements of this rule may be hired to fill a vacant part-time or full-time career or technical education position.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1012.23, F.S.**

**LAWS IMPLEMENTED:** **1012.32; 1012.36; 1012.39, F.S.**

**HISTORY:**

**Adopted: 8/18/98**
**Revised: 08/08/06; 10/08/13**
**11/12/19; 01/13/26**

**Formerly Rules 6.17 & 6.191**
**Renumbered: 10/08/13**

## Private Tutoring for Compensation 6.173

1. General Rule. Members of the District administrative and instructional staff may provide tutoring services for compensation to District students during the school year, but not when the student is assigned to a class taught or supervised by the staff member. Staff shall not provide tutoring services for compensation to students assigned to a class that the staff member teaches or supervises.

2. Time and Place. Tutoring shall not take place during work hours or at school.

3. Delegation of Authority. The Superintendent is authorized to enact guidelines and procedures as necessary to implement and/or clarify this rule.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1012.23, F.S.**

**HISTORY:** **Adopted: 1/12/16**
**Revised: 01/13/26**

| Contracts with Instructional, Administrative and Non-Instructional Employees | 6.18 |
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1. Instructional Employees. All instructional employees shall be entitled to and shall enter into a written contract with the School Board as provided by state law. A copy shall be retained in the employee's personnel file.

2. Non-Instructional Employees. All non-instructional employees shall be entitled to and shall enter into a written contract with the School Board as provided by state law. A copy shall be retained in the employee's personnel file.

3. Administrative Employees. All administrative employees shall be entitled to and shall enter into a written contract with the School Board. All such contracts shall be for a period of one (1) year and shall be subject to annual renewal at the discretion of the School Board. A copy shall be retained in the employee's personnel file.

4. Adjunct Athletic Coaches, Substitute Teachers and Contractors. This rule does not apply to adjunct athletic coaches, substitute teachers or contractors, whose contract status and terms of engagement are governed by other District rules and procedures.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **1001.43, 1012.22, 1012.33, F.S.**

**STATE BOARD OF EDUCATION RULE(S):** **6A-1.064**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06, 10/08/13, 11/13/18; 01/13/26**

## Leave of Absence 6.20

1. Introduction. Leave is permission, granted in advance by the School Board or its designee, for an employee to be absent from work duties for a specific period of time, with the right of returning to employment upon expiration of the leave. Except for Military Leave, and Family and Medical Leave under the Family and Medical Leave Act ("FMLA"), leave is granted at the discretion of the School Board or its designee. The procedure for granting leave and the terms and conditions of the various categories of leave are set forth in this rule, applicable statutes and the District's collective bargaining agreements ("Negotiated Agreements") in case of District employees covered by those agreements

2. Requests for Leave. Ordinarily, leave must be granted in advance. An employee must submit a written request for leave to his or her supervisor, giving the reason leave is requested. In order for leave to be granted, the request must be recommended by the supervisor and approved by the Superintendent or the Superintendent's designee under the authority derived from the School Board, and by the School Board when its approval is required. Leave may not be retroactively approved. However, Sick Leave and Personal Leave for verified emergency purposes are deemed to be granted in advance if the employee properly submits a completed written request to the proper authority promptly on the day of return to work. In such a case, the employee is obligated to notify his or her supervisor of the emergency at the earliest practicable opportunity.

3. Duration of Leave. Except for Military Leave and FMLA Leave, the duration of leave is at the discretion of the School Board. However, no leave, except Military Leave, will be granted for a period in excess of the employee's current contract term.

4. Leave with Pay. The following leaves with pay may be granted under the conditions of this rule:

   a. Sick Leave

   b. Annual Leave

   c. Personal Leave

   d. Emergency Leave

   e. Jury Duty

   f. Military Leave

   g. Bereavement Leave

h. Line of Duty (Workers Compensation) Leave

i. Religious holidays in accordance with the Negotiated Agreements and the District master calendar.

Employees holding two District positions that together meet the criterion for full-time status are deemed to be full-time employees for purpose of this rule.

The use of leave with pay will be measured to the nearest quarter hour. As explained in paragraphs 5. and 6c., leave will accrue in quarter hour increments based upon the employee's regularly scheduled workday.

5. Sick Leave - Accrual. Any member of the instructional staff or any other employee of the District employed on a full-time basis who is unable to perform the duties of his or her employment on account of personal sickness, accident disability, or extended personal illness, or because of illness or death of father, mother, brother, sister, husband, wife, child, other close relative, or member of his or her own household, and consequently has to be absent from his or her work shall be granted leave of absence for sickness by the Superintendent or designee. Sick Leave may also be used for regular or periodic medical and dental and appointments.

a. Upon employment, (i) instructional employees, and (ii) full-time non-instructional and administrative employees shall be granted four (4) days of Sick Leave and shall accrue additional Sick Leave at the rate of one (1) day per month up to a total of the employee's months of employment per year. However, if employment commences during the last four months of the contract term, the Sick Leave advanced will be prorated based on the percentage of the full contract year that employee will serve under his or her initial contract. For purpose of this rule, a full-time non-instructional or administrative employee is one whose regularly scheduled workweek is at least 25 hours.

b. If the employee terminates his or her employment and has not accrued the 4 days of sick leave available to him or her, the District may withhold the average daily amount for the days of sick leave used but unearned by the employee.

c. An accrued day of Sick Leave shall be equal to the number of hours in the employee's regularly scheduled workday, calculated by dividing the employees regularly scheduled work week by five days. Sick Leave shall be cumulative from year to year. There is no limit to the number of days of Sick Leave that can be accrued, but employees cannot receive paid Sick Leave prior to earning it. If an

employee holds two District positions, the regularly scheduled workweek for both positions shall be added together to determine the employee's regularly scheduled workweek and workday.

d. An employee may transfer the employee's accrued Sick Leave to a spouse, child, parent or sibling who is also an employee. The transferred Sick Leave may not be used until the receiving employee has exhausted all other Sick Leave, except Sick Leave available from a Sick Leave pool if the receiving employee participates in the Sick Leave pool. Donated Sick Leave shall have no terminal value.

6. Sick Leave -Terminal Pay. The District shall provide terminal pay for accumulated sick leave to instructional staff and educational support employees. If termination of employment is by death of the employee, any terminal pay to which the employee may have been entitled may be made to his or her beneficiary. However, such terminal pay may not exceed an amount determined as follows:

a. During the first 3 years of service, the daily rate of pay multiplied by 35 percent times the number of days of accumulated sick leave.

b. During the next 3 years of service, the daily rate of pay multiplied by 40 percent times the number of days of accumulated sick leave.

c. During the next 3 years of service, the daily rate of pay multiplied by 45 percent times the number of days of accumulated sick leave.

d. During the next 3 years of service, the daily rate of pay multiplied by 50 percent times the number of days of accumulated sick leave.

e. During and after the 13th year of service, the daily rate of pay multiplied by 100 percent times the number of days of accumulated sick leave.

7. Annual (Vacation) Leave. Annual (Vacation) Leave shall be granted to full-time employees who are on twelve (12) month contracts in accordance with this paragraph.

a. For purpose of this paragraph, a full-time employee is one whose regularly scheduled workweek is at least 25 hours.

b. Annual Leave shall be based on an employee's regularly scheduled workweek and shall accrue as follows:

i. One (1) day per month for each month of full-time employment cumulative to twelve (12) days per year for employees with

less than five (5) consecutive years of twelve (12) month service in the District.

ii. One and one quarter (1 1/4) days per month for each month of full-time employment cumulative to fifteen (15) days per year for employees with five (5) or more consecutive years of twelve (12) month service in the District.

iii One and one half (1 1/2) days per month for each month of full-time employment cumulative to eighteen (18) days per year for employees with ten (10) consecutive years or more of twelve (12) month service in the District.

However, in case of an employee who retires or leaves employment by the District a second time, such employee's years of service with the District prior to initial termination shall be counted in computing years of service.

c. For purpose of the accrual of days of Leave under subparagraphs (b)(i) – (iii) above, a day shall be equal to the number of hours in the employees regularly scheduled workday, calculated by dividing the employee's regularly scheduled workweek by five days.

d. The maximum amount of annual leave that can be accrued is four hundred and eighty (480) hours. This shall constitute the maximum lump-sum payment of annual leave upon retirement or death of an employee or other termination of employment. The four hundred and eighty (480) hours may be accrued by accumulating up to one-half (1/2) of the yearly earned annual leave; the remaining annual leave shall be used by the employee or the annual leave will be forfeited. Provided, however, the Superintendent may defer using or losing one-half (1/2) of the accrued annual leave during a given school fiscal year when circumstances prevent the affected employee from taking annual leave. This deferred leave shall be taken within the subsequent two (2) year period.

e. Annual Leave shall be scheduled for minimum disruption of the school program and at the concurrence of the employee's supervisor. No more than thirty (30) days of Annual Leave may be taken in any one (1) fiscal year.

f. If the employee is participating in the FRS Deferred Retirement Option Plan (DROP), the employee may elect to receive annual percentage payments for up to five (5) years as the employee may request. Payment will begin no later than 30 days after enrollment in DROP.

8. Personal Leave. An employee may be granted up to six (6) days of Personal Leave with pay each year. Personal Leave with pay must be requested and approved by the Board or its designee on an individual basis. Personal Leave prior to or following an employee holiday or the first or last day of the professional employee's school year must be requested five (5) days in advance. Approved Personal Leave will be deducted from the employee's accrued Sick Leave and is non-cumulative from year to year.

9. Emergency Leave. Emergency Leave may be granted to an employee when no other leave is available in order for the employee to attend to legal or business obligations or other emergencies and such events are unanticipated and beyond the employee's ability to control. Two (2) days of such leave may be granted each year and these days are charged only to accrued Sick Leave and are non-cumulative from year to year.

10. Military Leave. Military Leave is leave granted to an employee who is required to serve in the armed forces of the United States or of the State of Florida.

    a. An employee in the National Guard or active reserve, who participates in required annual military training, shall, if possible, schedule his period of training after the end of the school year and before the beginning of the next school year. When such duty must be performed during the school year, the District will comply with State and Federal laws and rules in reference to paid leave and unpaid leave.

    b. An employee granted military leave for extended active duty shall, upon the completion of the tour of duty, be returned to employment without prejudice; provided that an application for re-employment is filed within six (6) months following the discharge date or release from active duty. Following receipt of the application for re-employment, the School Board shall have a reasonable time, not to exceed six (6) months, to assign the employee to duty in the same or similar position the employee held when the employee began active duty.

11. Jury and Witness Duty. Jury and Witness Duty Leave is granted when an employee is required to attend a deposition or a judicial or quasi-judicial proceeding as a witness in a matter in which the employee is not a party, or when the employee is called for jury duty. Documentation of having been called to such duty shall be required. The employee may retain any witness or juror fees paid as a result of such service. However, the District shall not be responsible for meals, lodging, and travel expenses. If an employee is called as a witness in the line of duty, such employee shall be granted

Temporary Duty. As such, the employee shall be entitled to receive both per diem and travel expenses. An employee who is required by subpoena or otherwise to testify or produce documents in connection with a judicial or quasi-judicial proceeding as a result of the employee's employment by the District shall not be required to take leave under this section.

12. Bereavement Leave. Bereavement Leave may be granted to all employees. The terms of the leave are subject to the terms of the Negotiated Agreements.

13. Line of Duty (Workers' Compensation) Leave. Line of Duty Leave is leave necessitated by injury or illness incurred in the discharge of duties. An employee shall be entitled to a maximum of ten (10) days of such leave per school year which are non-cumulative, except as described below. The employee shall provide adequate documentation of the illness or injury. Any workers' compensation payment received by the employee while on compensatory leave shall be paid to the School Board. The School Board may grant an additional ten (10) days of leave if the following conditions are met:

    a. The District receives adequate documentation of the employee's continuing illness or injury;

    b. The employee shall not receive remuneration for any type of work; and

    c. The employee has used all annual leave and all accrued sick leave in excess of twenty (20) days

14. Leave Without Pay. No leave without pay may be granted until the employee has exhausted all accrued leave time. All requests for leave without pay must be submitted for approval at least ten (10) workdays prior to effective date of leave. Leave without pay may be granted under the conditions of this rule for:

    a. Medical Leave (not covered under Sick Leave)

    b. Personal (Without Pay)

    c. Child Rearing Leave

    d. Political Leave

    e. Military

    f. Professional Leave (Sabbatical or Professional Improvement Leave)

The rules for returning to work from unpaid leave are set forth in Paragraph 24 below.

15. Medical Leave. Medical Leave is leave without pay and is granted at the sole discretion of the School Board or its designee for a period of up to one (1) year when an employee has exhausted the employee's Sick Leave due to an extended illness, accident, disability, or maternity. The Board may request written documentation of the need for Medical Leave.

16. Personal (Without Pay). Leave requests for unpaid leave for personal reasons may be granted at the option of the Board or its designee for a period of up to thirty (30) days. Leave of up to ninety (90) days may be granted at the option of the Board for serious illness of an immediate family member, once all Sick Leave, Personal Leave and FMLA Leave has been exhausted.

17. Child Rearing Leave. An employee adopting a child or parent of a newborn (newborn is considered less than three (3) months of age on the beginning of the leave) shall be entitled upon request to leave up to three (3) months or as permitted by an applicable Negotiated Agreements to commence after receiving, or birth of a child or prior to receiving such custody if necessary in order to fulfill the requirements for adoption, within limits stated in this Agreement. The applicable Negotiated Agreements may further define the conditions of Child Rearing Leave for covered employees.

18. Political Leave. Political Leave is leave without pay and may be granted for up to one (1) year for purposes of campaigning for or serving in public office or as an officer in the St. Johns Education Association, the St. Johns Educational Support Professional Association or their state or national affiliates.

19. Military Leave (Without Pay). Employees going into full-time military service will be granted leave in accordance with Florida Statue 115.14. Military orders must be presented with request for leave.

20. Professional Leave. Professional Leave is granted to an employee to further the employee's education and professional development in areas and subject matter related to the employee's service to the District. Professional Leave is granted at the sole discretion of the Superintendent and may be granted with or without pay. For employees covered by a Negotiated Agreement, the agreement may set forth additional conditions for Professional Leave (referred to as Sabbatical/Professional Improvement Leave and Education Leave, respectively, in the St. Johns Education and St. Johns School Support Association agreements).

21. Administrative Leave. Administrative Leave may be granted with pay to administrative employees who are salaried and not hourly employees when the employee has been assigned tasks other than current job responsibilities and expectations which have required the employee to work in excess of normal hours. Leave shall be used within twelve (12) months of approval and shall not be accumulated and shall not be paid out. The Superintendent may grant up to five (5) days of leave; more than five (5) days requires the approval of the School Board.

    Administrative Leave may also be granted with pay to any District employee when such leave is in the District's interest, such as pending termination of an employee's employment in a critical position, or pending an employee's probationary termination. The Superintendent may grant such leave for a period of thirty (30) days or until the next School Board meeting, whichever occurs first.

22. Family and Medical Leave. The School Board shall grant FMLA Leave as required by the terms of the Act.

23. Domestic Violence. An employee may request and take up to three (3) working days of leave in any 12-month period if the employee or a family or household member of the employee is the victim of domestic violence subject to the requirements and limitations of Section 741.313, Florida Statutes. This leave could be paid or unpaid if accrued paid leave is unavailable.

24. Unpaid Leave – Return to Work. When unpaid leave is granted in excess of thirty (30) days, an employee shall not have the right to return to work unless a vacancy exists for which the employee is qualified. The employee will be placed in the first available position for which employee is qualified at the employee's current salary for a period of two (2) months from the employee's written notice to return to work and physician's clearance if the employee was on medical leave. Employees will return the following school year to the school where they were assigned at the time of leave. An employee must notify the Superintendent in writing at the termination of leave of the employee's intent to return to work, and in any case, no later than April 15th. All employees on leave shall be notified by the District in writing by April 1st of the requirement to submit a letter of intent by April 15th.

25. The following types of leave require the approval of the School Board:

    a. Medical Leave.

    b. Military Leave in excess of seventeen (17) days.

    c. Personal Leave in excess of six (6) days.

d. Line of Duty (Worker's Compensation) Leave.

e. Political Leave.

f. Professional Leave in excess of ten (10) days.

g. Administrative Leave in excess of five (5) days.

h. Family and Medical Leave

26. The Superintendent or his designee is authorized to grant the following types of leave.

a. Sick Leave.

b. Personal Leave not in excess of six (6) days.

c. Annual Leave.

d. Professional Leave not to exceed ten (10) days.

e. Jury Duty.

f. Witness Duty.

g. Military Leave not to exceed seventeen (17) days.

h. Temporary Duty.

i. Emergency Leave.

j. Administrative Leave not to exceed five (5) days.

27. Temporary Duty. Temporary Duty is leave granted to an employee to be temporarily away from the employee's regularly assigned duties and place of employment for purpose of performing other education services, including participation in surveys, professional meetings, workshops, conferences, and similar services of direct benefit to the School District.

28. Abuse of Leave. Abuse of leave provisions, including falsifying a request for leave is a serious offense subject to discipline, up to and including termination.

29. Ineligible Employees. Employees who are eligible for leave time under this rule, must maintain regular attendance. Emergency requests must be

approved by the employee's supervisor. Excessive absences are subject to disciplinary action, up to and including termination of employment.

30. Procedures. The Superintendent shall adopt procedures and guidelines as necessary to implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, 1012.22, 1012.23, F.S.** |
| **LAW(S) IMPLEMENTED:** | **1001.43, 1012.22, 1012.61, 1012.63, 1012.64, 1012.65, 1012.66, F.S.** |
| **STATE BOARD OF EDUCATION RULE(S):** | **6A-1.080, 6A-1.082** |
| **HISTORY:** | **Adopted: 8/18/98**<br>**Revised: 07/01/08, 10/08/13, 03/08/16, 7/09/19, 01/13/26** |

## Sick Leave Bank 6.22

The School Board authorizes the creation of a sick leave bank for all employees, the terms of which shall be as negotiated under the collective bargaining agreements for employees covered by the agreement, and administrative employees alike.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1012.23, F.S.**

**LAWS IMPLEMENTED:** **1012.61(4), F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06; 10/08/13; 01/13/26**

**Renumbered: 10/08/13**
**Formerly Rule 6.34**

## Effective Date For Leave, Suspension, Or Termination 6.23

The effective date for any leave (whether paid or unpaid), suspension, or termination is the next day the employee would be required to work, but for the leave, suspension, or termination.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **1001.42(5), 1011.60, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06, 10/08/13; 7/09/19; 01/13/26**

**Renumbered: 10/08/13**
**Formerly Rule 6.212**

| **Holidays** | **6.231** |
|---|---|

1. Legal Holidays. The following holidays shall be paid holidays observed by the St. Johns County School District:

   a. New Year's Day

   b. Birthday of Martin Luther King, Jr., third Monday in January

   c. Memorial Day

   d. Independence Day

   e. Labor Day

   f. Veterans' Day, November 11

   g. Thanksgiving Day

   h. Friday after Thanksgiving

   i. Christmas Day

2. Holiday Rules. The following provisions apply in determining whether an employee is entitled to pay for holidays.

   a. An employee who terminates employment and does not report for work on the first day following a holiday shall not receive pay for the holiday. This excludes pre-approved leave. The termination date shall be considered the last work day on which the employee is paid prior to the holiday.

   b. In order to be eligible to be paid for a holiday, an employee must (i) be on paid leave before and after the paid holiday, (ii) be on leave before the paid holiday and report for work on the first day following the paid holiday, or (iii) be on paid status for at least ten (10) consecutive work days prior to and including the last work day prior to the paid holiday.

3. Hardship Waiver – Medical. An employee who does not qualify for compensation over a holiday because he or she was not paid for 10 consecutive days prior to the holiday due to a bona-fide unexpected medical emergency may apply to the Human Resources Department for a hardship waiver of the disqualification. To be eligible for a waiver, the employee's medical emergency must be bona-fide, unexpected, unplanned and appropriately documented by the employee's attending physician and submitted to Human Resources. It must involve an overnight hospital stay, or an inpatient or outpatient surgical procedure.

In reviewing the request for an emergency medical waiver, the Human Resources Department should consider the nature, severity, and foreseeability of the emergency, and prior patterns of leave usage leading to the employee exhausting his or her accrued leave prior to the emergency.

4. Hardship Waiver – Death. When an employee's absence was due to a death in his or her immediate family, the employee may also apply for a hardship waiver. For purpose of this paragraph, "Immediate family" is defined as spouse, parent, sibling, child, grandparent, grandchild, or their in-law or step relative counterparts. The Human Resources Department may grant the waiver in the exercise of its judgment and discretion.

5. Credit for Paid Legal Holidays. For purposes of computing the total annual number of required days of service, employees shall receive credit for paid legal holidays.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **110.117, 1011.60, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06, 10/08/13; 11/12/19; 12/08/20; 01/13/26**

**Renumbered: 10/08/13**
**Formerly Rule 6.23**

## Health Insurance Premiums – Leave or Retirement 6.24

1. Guidelines. The following guidelines apply regarding payment of the normal health insurance contribution for an employee who is on authorized leave as provided herein:

   a. The health insurance premium will be paid when an employee enters unpaid leave status involving a worker's compensation claim. The School Board will continue to pay the Board's portion of their insurance. The employee is still responsible for their portion of the insurance premiums. If the employee is continuing to receive their salary during their leave, the premiums will be deducted as usual. The normal contribution shall be paid until the employee is released to return to work or a settlement is reached in the worker's compensation case.

   b. Any employee who is on Family Medical Leave Act ("FMLA") leave will receive up to a maximum of twelve weeks of the Board's portion of health insurance per fiscal year, in compliance with the Act. The employee is responsible for the employee portion of their premium while on FMLA leave.

   c. An employee who is on a Board-approved non-FMLA unpaid leave shall be responsible for both the Board portion and employee portion of the premium. When the employee goes on unpaid status, they shall be provided the opportunity to continue their total health insurance for a period not to exceed 12 months.

2. Military Service. School Board members and employees who are a Florida resident and a member of the Florida National Guard or a reserve in any branch of the United States military and who are called into active military duty are entitled to health insurance pursuant to the provisions and conditions prescribed in Florida Statute 250.341.

3. Retirees. Retired School Board personnel and their eligible dependents may continue to participate in the current group health insurance program of the District provided the person enrolls immediately upon retirement and continues without interruption. The health insurance coverage shall be identical to that offered to School Board employees. The retiree's contribution to the health insurance premiums for continued participation shall be as set by the Board and shall be paid by the retiree and / or as provided in the School Board approved health insurance plan.

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| **STATUTORY AUTHORITY:** | **1001.41, 1001.42, 1012.23F.S.** |
| **LAWS IMPLEMENTED:** | **112.0801, , F.S.** |
| **HISTORY:** | **Adopted: 08/18/98**<br>**Revised: 08/08/06, 10/08/13;**<br>**7/09/19; 5/11/21; 01/13/26**<br><br>**Renumbered: 10/08/13**<br>**Formerly Rule 6.321** |

## Resignations and Retirements 6.25

1. Definitions.

   a. A resignation is the voluntary act of the employee terminating their employment with the District.

   b. Retirement is the resignation of the employee concurrent with application for benefits from the Florida Retirement System. For purposes of these rules, participating in DROP (Deferred Retirement Option Program of the Florida Retirement System) shall not be considered retirement.

2. Resignation Procedure. Employees who wish to resign shall submit their resignation in writing to their supervisor, who shall forward the letter to the Human Resources Department. No resignation shall become effective until accepted by the School Board; the School Board may refuse to accept any resignation for cause. Once submitted to the employee's supervisor, the employee's offer of resignation may not be withdrawn.

   a. A resignation may be accepted during the contractual period of service; provided that an acceptable reason is given and a qualified and satisfactory replacement is available.

   b. The Superintendent shall pursue any remedy against an employee for breach of contract or otherwise, as the School Board deems in the best interest of the District. Further, a certificated employee who violates the employee's contract by leaving the employee's position without first being released by the School Board shall be referred by the Superintendent to Professional Practices.

3. Retirement Procedure. Any employee who plans to retire shall concurrently submit their resignation to the School Board and their application to the retirement system for retirement benefits. Employees are encouraged to submit the resignation and application form at least ninety (90) days in advance of the retirement date to ensure the Florida Retirement System check is issued in the month following the last month of service with the School Board.

**STATUTORY AUTHORITY:** **1001.43, F.S.**

**LAW(S) IMPLEMENTED:** **1001.42(5), 1012.23, 1012.34, 1012.33, F.S.**

**HISTORY:**

**Formerly Rule 6.214**
**Adopted: 08/18/98**
**Revision Date(s): 08/08/06, 10/08/13**
**Revised/Renumbered: 10/08/13**

| Compensation | 6.30 |
|---|---|

1. Compensation. School Board employees shall be compensated as approved by the School Board. Such compensation shall comply with the requirements of State Board of Education Rules and applicable law.

2. Overtime. Any employee subject to the overtime provisions of the Fair Labor Standards Act of 1938, as amended, and who is required to work in excess of forty (40) (excluding lunch) hours in any work week shall be compensated for the hours in excess of forty (40) (excluding lunch) at the rate of one and one-half times the regular rate of pay for the service performed.

3. Flex Time. Flex time instead of pay may be granted for hourly employees working in excess of forty (40) hours consistent with the Fair Labor Standards Act of 1938. Such time shall be during the pay period which includes the next pay period after it was earned.

4. Unauthorized Overtime. Any employee working beyond the employee's designated total weekly hours without prior permission of the employee's supervisor may be subject to disciplinary action.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAWS IMPLEMENTED:** **1001.43, 1011.60, 1012.22, 1012.55, F.S.**

**STATE BOARD OF EDUCATION RULE(S):** **6A-1.052, F.A.C.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06; 10/08/13; 7/09/19; 01/13/26**

## Violation of Law and Self-Reporting 6.40

1. Violation. Any employee, instructional contractor, or adjunct athletic coach who violates any School Board rule or procedure may be subject to discipline up to and including dismissal. Anyone violating a local, state, and/or federal law on School Board property or at a school function will be subject to referral for prosecution to the appropriate law enforcement agency. The referral process will be subject to Florida statutes and School Board rules and may subject the alleged violator to discipline up to and including dismissal.

2. Self-Reporting. All District employees, instructional contractors and adjunct athletic coaches are required to self-report to their supervisor any arrest, conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entry of a plea of guilty or *nolo contendere* (no contest) for any criminal offense other than a minor traffic violation within forty-eight (48) hours. Driving under the influence (DUI) is not a minor traffic violation and must be reported within the forty-eight (48) hours. The final disposition shall also be reported within forty-eight (48) hours of its entry. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. A person who fails to comply with this reporting requirement shall be subject to discipline. This section applies to persons who have applied for employment by the School Board but have not yet received an offer of employment and to persons who have been approved by the School Board for employment even if they have yet to sign a contract for such employment.

3. Place of Offense. The self-reporting requirement of paragraph 2 applies to alleged criminal offenses regardless of where they allegedly were committed (on or off School Board property, or in the State of Florida or elsewhere), or online.

4. Sealed and Expunged Records. When handling sealed and expunged records disclosed under this rule, the District shall comply with the confidentiality provisions of Sections 943.0585 and 943.059, Florida Statutes.

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| **STATUTORY AUTHORITY:** | **1001.41, 1012.22, 1012.23, F.S.** |
| **LAW(S) IMPLEMENTED:** | **1001.41, 1001.43,1012.22, 1012.465, F.S.** |
| **HISTORY:** | **Adopted: 08/18/98<br>Revised: 07/01/08; 10/08/13; 8/14/18; 7/09/19; 01/13/26** |

## Nepotism 6.41

1. Nepotism Prohibited. No employee shall be recommended for employment or work under the direct supervision of a Close Relative. Close relatives of the Superintendent and School Board members may be employed by the District, however they may not work under their direct supervision. Two or more Close Relatives may not work in the same administrative unit except by special permission of the Superintendent.

2. Definitions. Close Relatives are defined as an employee's mother, father, sons, daughters, brothers, sisters, grandparents, grandchildren, spouse and in-laws and.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **112.3135, 1001.43, 1012.22, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06; 10/08/13; 01/13/26**

## Records and Reports 6.42

All School Board employees shall maintain records and file reports as may be required by Florida Statutes, State Board of Education rules, School Board rules, and Board approved job descriptions, or as the Superintendent may deem necessary for the effective administration of the District school system. Such records include but are not limited to student attendance, property inventory, personnel, financial, facilities or equity reports and other types of information. Reports shall be submitted on forms prescribed for such purposes at designated intervals or on specified dates. All such reports shall be filed by the designated time. Failure to timely submit required reports may subject the responsible employee to discipline.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1012.23, F.S.**

**LAWS IMPLEMENTED:** **1012.53, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06; 10/08/13; 7/09/19; 01/13/26**

## ALCOHOL AND DRUG FREE WORKPLACE 6.45

1. Purpose. The St. Johns County School Board hereby adopted an Alcohol and Drug-Free Workplace policy and enacts procedures to implement that policy in accordance with Florida Statutes 440.101 and 440.102. The policy and procedures have been adopted to ensure that all employees, as well as adjuncts, remain drug free as a condition of employment. They prohibit the possession or use of alcohol or drugs by any employee under circumstances that will or may affect the efficient operation of the business of the School Board, the safety of its employees, volunteers, students, parents, persons having business with the School Board or any school, and the public it serves. The policy and procedures are intended to meet or exceed the minimal requirements of Florida Statute 440.102.

2. Transportation Department Drug and Alcohol Testing. Individuals who operate a commercial motor vehicle in their employment with the School Board are also subject to the School Board's Transportation Drug and Alcohol Policy.

3. Definitions. The following definitions apply to this policy and procedures:

   a. "Drug" means alcohol, including distilled spirits and all beverages containing one-half of 1 percent or more alcohol by volume as defined by Florida Statute 561.01, as amended from time to time; a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph or any other controlled substance, as defined in the Controlled Substances Act (21 USC § 812) and 21 CFR § 1301, et seq. or Chapter 893, Florida Statutes, as amended from time to time.

   b. "Drug test or test" means any chemical, biological, or physical instrumental analysis administered, by a laboratory certified by the United States Department of Health and Human Services or licensed by the Agency for Health Care Administration, for the purpose of determining the presence or absence of a drug or its metabolites.

   c. "Employee" means any person who works for salary, wages, or other remuneration or compensation for the School Board.

   d. "Employer" means the School Board.

   e. "Job Applicant" means a person who has been recommended for employment by the School Board and who has received a conditional offer of employment, in a special-risk, mandatory testing, or safety-sensitive position.

f. "Reasonable-suspicion drug testing" means drug/alcohol testing based on a belief that an employee is using or has used drugs or alcohol in violation of this policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:

   i. Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.

   ii. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.

   iii. A report of drug use, provided by a reliable and credible source.

   iv. Evidence that an individual has tampered with a drug test during his or her employment with the current employer.

   v. Information that an employee has caused, contributed to, or been involved in an accident while at work.

   vi. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

g. "Safety-sensitive position" or “Mandatory-testing position” means a position in which a drug impairment constitutes an immediate and direct threat to public health or safety, such as a position that requires the employee to work with children, carry a firearm, perform life-threatening procedures, work with confidential information or documents pertaining to criminal investigations, or work with controlled substances; a position subject to Florida Statute 110.1127; or a position in which a momentary lapse in attention could result in injury or death to another person. Because of the likelihood that all School Board employees will have occasion to work with children, all School Board employment positions are designated as Mandatory-testing positions.

h. "Special-risk position" means, with respect to a public employer, a position that is required to be filled by a person who is certified under Chapter 633 or Chapter 943, Florida Statutes.

i. "Specimen" means tissue, hair, or a product of the human body capable of revealing the presence of drugs or their metabolites, as approved by the United States Food and Drug Administration, the Agency for Health Care Administration or other federal or state agency.

j. "Workplace" means the site for the performance of any work done in connection with the duties of an employee of the School Board, including a school-owned or leased property, a school-owned or provided vehicle, and an off-campus event or function.

4. Prohibited Conduct. The following conduct is prohibited:

a. No employee shall possess, consume, deliver, provide to another, or sell alcoholic beverages, or be under the influence of alcohol in the workplace or while on duty.

b. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any drug, narcotic, amphetamine, barbiturate, marijuana, cocaine, heroin, or any other controlled substance, as defined in the Controlled Substances Act (21 USC § 812) and 21 CFR § 1301, et seq. or Chapter 893, Florida Statutes, as amended from time to time, while on duty or in the workplace.

5. Covered Employees. This policy covers all employees, including but not limited to those employees eligible for benefits pursuant to the provisions of Chapter 440, Florida Statutes, generally known as the Florida Workers' Compensation Law, and adjuncts.

6. Conditions of Employment. As a condition of employment, each employee shall:

a. Abide by the terms of this policy.

b. Notify the Superintendent of any arrest, charges, or conviction for sale and/or possession of a controlled substance within forty-eight (48) hours.

7. Drug/Alcohol Testing. The Superintendent may, and, to the extent required by law, will require testing as one of the several means of enforcing this drug and alcohol abuse policy. Testing will be conducted in the manner and circumstances listed below and as otherwise allowed by law. Required testing shall include:

a. Job Applicant Drug Testing. All job applicants who have received a conditional offer of employment must submit to a drug test and the School Board may use a refusal to submit to a drug test or a positive confirmed drug test, or refusal to submit within the allotted time, as a basis for refusing to hire a job applicant.

b. Reasonable-Suspicion Drug and Alcohol Testing. All employees are required to submit to reasonable-suspicion drug and/or alcohol testing.

c. Routine Fitness-for-Duty Drug and Alcohol Testing. An employee must submit to a drug and/or alcohol test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is

part of the employer's established policy, or that is scheduled routinely for all members of an employment classification or group.

d. Follow-Up Drug and Alcohol Testing. If the employee, in the course of employment, enters an employee assistance program for drug or alcohol - related problems, or a drug or alcohol rehabilitation program, the employee may be required to submit to drug and/or alcohol test as a follow-up to ensure compliance with such program and upon completion of such program, unless the employee voluntarily entered the program. In those cases, the School Board has the option to not require follow-up testing. If follow-up testing is required, it must be conducted at least once a year for a 2-year period after completion of the program. Advance notice of a follow-up testing date must not be given to the employee to be tested.

Employees who are undergoing rehabilitation, counseling or other treatment for drugs or alcohol, which is known to or required by the Superintendent, as a condition of continued employment, shall authorize the Superintendent to obtain information to verify compliance with the rehabilitation, counseling, or treatment program and this policy.

8. The School Board may test for the following drugs (identified by chemical name, as well as brand or common name)*:

**Alcohol** (ethanol, beer, wine, booze, alley juice, fire water, grog, hooch, rocket fuel)
**Amphetamines** (methamphetamine, amp, cinnamon, lemon drop, trash, tweak, crystal, crank, biphetamine, desoxyn, dexedrine, speed)
**Cannabinoids** (marijuana, blunt, columbo, hash, hay, pot, joint, indo, roach, grass, weed, reefer)
**Cocaine** (coke, blast, flake, railers, ringer, toot, blow, nose candy, snow, crack, rock)
**Phencyclidine** (PCP, angel dust, LSD, beast, blaze, Superman, tab, trips, hog)
**Opiates** (opium, codeine, morphine, heroin, dover's powder, paregoric, parepectolin, school boy, smack, tar, chasing the tiger)
**Barbiturates** (phenobarbital, tuinal, amytal, barbs, downers, tranqs)
**Benzodiazepines** (bennies, rophies, ativan, azene, clonopin, dalmane, diazeam, halcion, librium, poxipam, remestan, serax, tranxene, valium, veratrine, vivol, xanax)
**Methadone** (dolophine, methadose, amidone, fizzies)
**Propoxyphene** (darvocet, darvon N, dolene, novopropoxyn)

* The drugs tested may change and this list is not intended to be all-inclusive.

. **Over-the-Counter and Prescription Drugs Which Could Alter or Affect Drug Test Results ***

| Category | |
|---|---|
| Alcohol | All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof) |
| Amphetamines | Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastine |
| Cannabinoids | Marinol (Dronabinol, THC) |
| Cocaine | Cocaine HCI topical solution (Roxanne) |
| Phencyclidine | Not legal by prescription |
| Methaqualone | Not legal by prescription |
| Opiates | Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Emprin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, dilaudid (Hydromorphine), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc. |
| Barbituates | Phenobarbitol, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebral, Butabarbital, Butalbital, Phenrinin, Triad, etc. |
| Benzodiazepines | Ativan, Azene, Clonopin, dalmine, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax |
| Methadone | Dolphine, Metadose |
| Propoxyphene | Darvocet, Darvon N, Dolene, etc. |

*Due to the large number of obscure brand names and constant marketing of new products, this list cannot and is not intended to be all-inclusive.

9. Testing Procedures and Employee Protection. The provisions of Florida Statutes 440.102(5)-(6) and (8)-(9), governing (a) testing procedures, specimen collection procedures and employee protection; (b) confirmation testing; (c) confidentiality; (d) drug-testing standards for laboratories; and (e) other terms and conditions of the drug testing program, are adopted and incorporated by reference into this rule.

   Employees and applicants may provide information they consider relevant to a test to the medical review officer. Such information may include current or recently used prescription or non-prescription medications, or other relevant

medical information. Employees and applicants will have the opportunity to consult with a medical review officer regarding technical information related to medications and the test.

When a test result is reported to the School Board as negative dilute, a recollection may be required at either the direction of the MRO or School Board. In these cases, failure of the employee or applicant to submit for the recollection may be deemed a refusal to test.

Employees and applicants who receive a positive confirmed test result may contest or explain the result to the MRO within five (5) working days after written notification from the MRO. If the challenge or explanation is unsatisfactory, the MRO will report the positive result to the School Board and the individual may contest the result in accordance with rules adopted by the Agency for Health Care Administration.

Employees and applicants may request a portion of their specimen for retesting up to 180 days after written notification of a positive test result. The employee or applicant who provided the specimen shall be permitted to have a portion of the specimen retested, at the employee's or applicant's expense, at another laboratory, licensed and approved by the Agency for Health Care Administration, chosen by the employee or job applicant.

Employees and applicants have the right to pursue administrative and/or legal challenges to their test results and must notify the lab if they file any administrative or civil actions regarding the test results.

All information, interviews, reports, statements, memoranda and drug test results, written or otherwise, received or produced as part of the School Board's drug and alcohol testing program are confidential and exempt from the provisions of 119.07(1). Unless authorized by law, rule, or regulations, the School Board will not release such information without a written consent form signed voluntarily by the person tested.

10. Use of Alcohol Test Results. For the purposes of this policy, if an alcohol test reveals the presence of alcohol in a level defined by state statutes as illegal for driving in Florida, the employee shall be deemed to have violated Section 4 of this policy. If a test reveals the presence of alcohol in a level more than a trace, but less than that defined by statute as illegal for driving purposes, the results of the test will be considered along with all other relevant information, *e.g.,* employee conduct, speech, performance, and the factors listed in Section 2(f), in determining whether the employee was under the influence of alcohol.

11. Use of Drug Test Results. A positive drug test shall be a violation of Section 4 of this policy.

12. Prescription or Over-the-Counter Drugs.

Any employee who is taking any prescription or over-the-counter drug, which might impair the employee from safely performing his or her job duties, must notify Human Resources. If it is determined that use of prescription or over the counter drugs impairs the employee's ability to safely and/or effectively perform his/her job, an employee may be required to use leave during the period medication is taken.

13. Discipline for Violation of Policy. The employees and job applicants shall be subject to discipline, as follows:

a. An employee who violates the provisions of Section 4 or who is directed to take a physical examination, blood, breathalyzer, urinalysis or other test allowed by law, and refuses or fails to do so when and as directed; or who, after having taken such examination and/or test is determined to have violated Section 4 of this policy, shall be subject to disciplinary action up to and including termination, as recommended by the Superintendent. An employee who is subject to termination under this section shall be entitled to such procedural rights as are established by law or collective bargaining agreement.

b. A job applicant who has received a conditional offer of employment and who violates the provisions of Section 4. or who is directed to take a physical examination, blood, breathalyzer, urinalysis or other test allowed by law or this policy, and refuses or fails to do so when and as directed; or who, after having taken such examination and/or test is determined to have violated Section 4 of this policy, may be subject to rejection of his or her application for employment.

c. Refusal to submit to a drug test may include:

- Failure to submit within the allotted time frame;
- Failure to provide an adequate specimen for testing without valid medical explanation;
- Failure to submit to a recollection;
- Providing an adulterated or substituted specimen;
- Delaying or failing to appear or remain at the testing facility within a reasonable time after being instructed to do so;
- Leaving the scene of an accident or failing to remain available for testing after an accident;
- Failure to respond to an MRO within a reasonable period of time;
- Refusal to cooperate in and complete the collection process, including refusal to sign the necessary testing forms, or refusal to be driven by or accompanied by another School Board employee as directed.

d. An employee in a safety-sensitive, special risk, or mandatory testing position who enters an employee assistance program or drug rehabilitation

program will either be assigned to a different position or placed on leave while the employee is participating in the program.

14. Additional or Other Action. The Superintendent is responsible for taking the following action:

    a. The Superintendent shall notify the appropriate agency, such as the Department of Education, Professional Practices Services, after receiving notice of a criminal drug conviction or violation of this Policy in accordance with applicable requirements or legal obligations.

    b. The Superintendent may take one of the following actions, within thirty (30) days of receiving notice, with respect to any employee who violates Section 3:

        i. Require such an employee to participate satisfactorily in a drug abuse assistance, or rehabilitation program, approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

        If the employee fails to participate satisfactorily in such program, the employee may be non-renewed, or his/her employment may be suspended or terminated, upon recommendation of the Superintendent and discretion of the School Board;

        ii. Take other appropriate personnel action against such an employee, as recommended by the Superintendent; and/or

        iii. Offer assistance and information on alcohol and drug abuse in order to maintain an alcohol and a drug-free workplace. Employee assistance will be available through the Human Resources Department and the Employee Assistance Program. The School Board shall also conduct periodic workshops on drug and alcohol abuse in the workplace to inform employees and supervisors of the dangers of substance abuse and of the provisions in this policy.

15. Notice to Employees and Job Applicants. One time, prior to testing, employees and job applicants shall be provided with the written statement required by Florida Statute 440.102(3), as amended from time to time.

16. A sample of Drug Rehabilitation Programs in the area can be obtained from Human Resources. The School Board's EAP program may also be a resource.

17. Collective Bargaining Agreements. Employees covered by a collective bargaining agreement should also consult that Agreement for any provisions pertaining to drug and alcohol testing, discipline, and discharge.

18. Employer Protection. The employer protection provisions of Florida Statute 440.102(7), as amended from time to time, are hereby incorporated by reference.

19. Procedures and Guidelines. The Superintendent is authorized to enact procedures and guidelines to further implement this rule.

**STATUTORY AUTHORITY:** **1001.43, F.S.**

**LAWS IMPLEMENTED:** **440.101, 440.102, 1001.42(5), 1012.23, 1012.34, 1012.33, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISED: 08/08/06; 06/14/11; 7/09/19**

## Political Activities of Employees 6.46

1. Introduction. The St. Johns County School District encourages its employees to be involved in the political process, recognizing that informed and involved citizens are crucial to a healthy democracy. However, political activity at school or school activities cannot be allowed to create the appearance of partisanship on the part of the School District, teachers and staff, disrupt the school environment, or otherwise interfere with the educational mission of the School District.

2. No Promotion or Solicitation. School Board employees shall not promote or solicit support of any political candidate, partisan or non-partisan, or for any political cause or movement (i) during regular work hours, (ii) on School Board property, or (iii) using the District email system or other District media.

3. Notice. A School Board employee who is a candidate for public office shall notify the Superintendent immediately upon qualifying for election. The employee shall conduct the campaign so as not to interfere with the employee's responsibilities.

4. Leave. Personal leave without pay may be taken during the campaign period pursuant to School Board Rule 6.20.

5. Delegation of Authority. The Superintendent is authorized to enact guidelines regulating political activity on School Board property or using District media.

**STATUTORY AUTHORITY:** **1001.41 F.S.**

**LAWS IMPLEMENTED:** **104.31; 106.15, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 11/21/06; 10/08/13; 7/09/19; 01/13/26**

## Grievance Procedure for Employees 6.50

1. Scope. The Board and the Superintendent recognize that a fair and expeditious process for resolving employee complaints is important for good morale and efficiency. Employees who are covered by a collective bargain agreement (CBA) should submit grievable complaints in accordance with the grievance procedure prescribed by the CBA. Rules 2.16 and 3.21 prescribe the procedures for submitting complaints of sexual harassment or discrimination, and bullying and harassment, respectively. This rule details the procedure for resolving other types of complaints an employee may have.

2. Definitions. The following definitions apply for purpose of this rule:

   a. "Complaint" means any dispute or disagreement concerning an employee's employment that comes within the scope of this rule as defined in paragraph 1.

   b. "Complainant" means the employee or employees, filing the complaint.

   c. "Day" shall mean a working day.

3. Complaint Procedure. The following procedure shall be followed:

   a. Informal discussion - The employee shall discuss the complaint with the employee's immediate supervisor within five (5) days of the occurrence of the underlying facts.

   b. Level One - If the complainant is not satisfied with the informal resolution, the complainant may file a formal written complaint with the complainant's immediate supervisor within ten (10) days of the informal discussion. The supervisor shall provide a written answer to the complainant within ten (10) days after receipt of the complaint. Class complaints involving more than one (1) supervisor and complaints involving an administrator above the building level may be filed by the complainant at Level Two.

   c. Level Two - If the complainant is not satisfied with the resolution at Level One, the complainant may, within ten (10) days of the answer, file a copy of the complaint with the Superintendent. Within ten (10) days of receipt of the complaint, the Superintendent shall give a written resolution to the complainant and the School Board. This action will be the final resolution of the complaint, and it shall not be subject to further review.

d. Time Limits. Time limits may be extended by mutual agreement between the parties.

e. Schedule. The complaint process will normally be carried out during non-work time. If, however, the Board elects to carry out provisions of this rule during work time, the complainant shall not lose pay.

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| **STATUTORY AUTHORITY:** | **1001.41 F.S.** |
| **LAWS IMPLEMENTED:** | **1012.22(5); 1001.49; 447.401, F.S.** |
| **HISTORY:** | **Adopted: 08/18/98**<br>**Revision Date(s): 08/08/06, 10/08/13** |

## Complaints Against Employees 6.51

1. Scope. This rule provides the complaint resolution procedure for resolving complaints and disagreements that parents and members of the public may have with School Board employees. Rule 2.16 governs complaints of unlawful discrimination against an employee; Rule 2.161 prescribes the procedure for filing a complaint of sexual harassment against an employee; Rule 3.21 is the procedure for filing a complaint of bullying or harassment, and the District's negotiated agreements prescribe the process for resolving grievances. This rule applies to complaints against employees that do not fall under Rules 2.16, 2.161 and 3.21, or the negotiated agreement.

2. Definitions. For purpose of this rule, the following definitions apply:

   a. "Complaint" means any complaint a member of the public may make against or dispute with a School Board employee that is within the scope of this rule as defined in paragraph 1.

   b. "Complainant" means the person or persons filing the complaint.

   c. "Supervisor" means the principal of the school where the employee is assigned or the employee's immediate supervisor if the employee is not assigned to a school.

3. Procedure. The following steps should be followed in the complaint resolution process:

   a. Informal Discussion- The complainant is encouraged to address a complaint directly with the employee involved in an informal discussion as soon as possible in order to resolve the complaint at the first opportunity. If this informal discussion does not result in a mutually satisfactory resolution, or if either party is uncomfortable with an informal discussion, either party may refer the matter to the employee's supervisor for a Level One review.

   b. Level One- The supervisor shall in a timely manner investigate the complaint, obtaining input from both the complainant and the employee. After investigation, the supervisor shall resolve the complaint. Any party to the complaint can request that the resolution be written. If either party to the complaint is dissatisfied with the resolution and wishes to further pursue the matter, that party shall request the resolution be written and request a Level Two review.

c. Level Two - The Superintendent shall review the written resolution from the supervisor, undertake such additional investigation as the Superintendent deems necessary, and shall in writing either uphold or modify the supervisor's resolution. A copy shall be provided to the complainant and the School Board. This action will be the final resolution of the complaint. The complaint shall not be subject to further review.

4. Discipline. Employee misconduct that comes to the attention of the District Superintendent or supervisor in connection with a complaint under this rule may be the basis of discipline under applicable District policies and procedures governing employee discipline.

5. Professional Conduct Reporting. This rule does not supplant the requirements for reporting of conduct that may warrant discipline by the Education Practices Commission as outlined in Florida Statute 1012.795. If reportable misconduct of an employee comes to the attention of the Superintendent, supervisor or other District employee as a result of a complaint filed under this rule, they shall proceed under Rule 6.53, Professional Misconduct.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1012.22, 1012.796, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 07/01/08; 10/08/13; 7/09/19; 01/13/26**

## Suspension and Dismissal 6.52

1. Authority to Suspend. No employee may be suspended from duty except by the School Board or the Superintendent in accordance with this rule. An employee may only be suspended for just cause.

2. Suspension With Pay. The School Board delegates to the Superintendent as its designee the authority to suspend a member of the staff with pay when it is in the best interest of the District for a period extending to and including the next meeting of the School Board.

3. Suspension Without Pay. The School Board hereby delegates to the Superintendent as its designee the authority to suspend an employee for just cause with partial or no pay under the following narrowly-defined circumstances in order to facilitate personnel management, to maintain an orderly and productive work environment, to avoid public embarrassment to employees, and to eliminate relatively minor disciplinary action from the School Board's agenda.

    a. The suspension shall not exceed five (5) days.

    b. The Superintendent is authorized to suspend an employee if the Superintendent finds that the employee has:

        i. Been absent without leave;

        ii. Been insubordinate;

        iii. Endangered the health or well-being of a fellow employee or of a student(s);

        iv. Willfully neglected duty;

        v. Been intoxicated, consumed an alcoholic beverage, or used a controlled substance, unless prescribed by a physician, while working, on school property, on a school bus or school-approved transportation, or at any school-related function or activity;

        vi. Been arrested for driving while under the influence of alcohol or disorderly intoxication;

        vii. Violated School Board rules or applicable law.

        viii. Otherwise been guilty of conduct that is unbecoming of a District employee or that reflects badly upon the District.

c. This rule delegates to the Superintendent authority in addition to the authority conferred by Florida Statute. It shall not be construed to limit the Superintendent's statutory powers.

4. Appeal of Suspension. An instructional or administrative employee who wishes to contest the suspension shall submit to the Superintendent a written request for a hearing before the School Board within fifteen (15) days after receipt of the notice of suspension. The hearing shall be conducted before the School Board within sixty (60) days of the request. Paragraph 7 addresses the appeal rights of educational support employees. An employee who accepts the suspension shall be deemed to waive all further rights to due process.

5. Dismissal. An employee is subject to dismissal for just cause by the School Board. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education:

a. immorality;

b. misconduct in office ;

c. incompetency;

d. two consecutive annual performance evaluation ratings of unsatisfactory under Florida Statute 1012.34;

e. two annual performance evaluation ratings of unsatisfactory within a 3-year period under Florida Statute 1012.34;

f. three consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory under Florida Statute 1012.34;

g. gross insubordination;

h. willful neglect of duty; or

i. being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any crime involving moral turpitude.

Except as provided in paragraph 7 below, in any dismissal proceeding in which the substantial interest of the employee is affected, or in which the employee has a property interest, the employee shall be entitled to a hearing on the merits of the case in accordance with the provisions of Chapter 120, Administrative Procedures Act and shall be provided due process as required by law. An employee who wishes to request a

hearing shall submit a written request to the Superintendent within fifteen (15) days of receipt of the Superintendent's notice of intention to recommend dismissal, or notice of dismissal, whichever is received first. The Superintendent may elect, in the exercise of discretion, to refer any such proceeding to a hearing before the School Board in accordance with its rules, or to the Department of Administrative Hearings, in accordance with applicable statutory procedure.

6. Non-Renewal. Non-renewal of employees during their probationary period or upon expiration of an annual or time-limited contract shall not be considered dismissal subject to this policy, or to further review.

7. Negotiated Agreements. In case of employees who are subject to the Negotiated Agreement between the School Board and the St. Johns Educational Support Professional Association, the provisions of paragraph 3 of this rule shall not limit the grounds for termination, suspension or discipline set forth in the Negotiated Agreement. Furthermore, in those cases, the provisions of paragraphs 4 and 5 shall not apply and the grievance procedure set forth in the Negotiated Agreement shall govern the employee's right to contest disciplinary action and the procedures therefor.

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| **STATUTORY AUTHORITY:** | **1001.32; 1001.41, F.S.** |
| **LAWS IMPLEMENTED:** | **1001.42; 1012.27; 1012.33; 1012.795, F.S.** |
| **STATE BOARD OF EDUCATION RULE:** | **6B-4.009, F.A.C.** |
| **HISTORY:** | **Adopted: 08/18/98**<br>**Revised: 08/08/06; 09/13/11, 10/08/13, 01/13/26** |

## Professional Misconduct Reporting 6.53

1. Mandatory Reporting. District personnel shall report to the Department of Human Resources any complaint against a member of the District instructional or administrative staff alleging one of the grounds for discipline listed in Florida Statute 1012.795. It provides that a member of the instructional or administrative staff is subject to discipline if he or she:

   (a) Has obtained or attempted to obtain an educator certificate by fraudulent means.

   (b) Knowingly failed to report actual or suspected child abuse as required in Florida Statute 1006.061 or report alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student as required in Florida Statute 1012.796.

   (c) Has proved to be incompetent to teach or to perform duties as an employee of the public school system or to teach in or to operate a private school.

   (c) Has been guilty of gross immorality or an act involving moral turpitude as defined by State Board of Education Rule, including engaging in or soliciting sexual, romantic or lewd conduct with a student or minor.

   (e) Has had an educator certificate or other professional license sanctioned by this or any other state or has had the authority to practice the regulated profession revoked, suspended, or otherwise acted against, including a denial of certification or licensure, by the licensing or certifying authority of any jurisdiction, including its agencies and subdivisions. The licensing or certifying authority's acceptance of a relinquishment, stipulation, consent order, or other settlement offered in response to or in anticipation of the filing of charges against the licensee or certificateholder shall be construed as action against the license or certificate. For purposes of this rule, a sanction or action against a professional license, a certificate, or an authority to practice a regulated profession must relate to being an educator or the fitness of or ability to be an educator.

   (f) Has been convicted of, has had adjudication withheld for, or has pled guilty or nolo contendere to a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

(g) Upon investigation, has been found guilty of other personal misconduct which seriously reduces that person's effectiveness as an employee of the District.

(h) Has breached his or her contract by leaving his or her position without first being released by the District, as provided in Florida Statutes 1012.33(2) and 1012.335(3).

(i) Has been the subject of a court order directing the Education Practices Commission to suspend the certificate as a result of noncompliance with a child support order, a subpoena, an order to show cause or a written agreement with the Department of Revenue.

(j) Has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

(k) Has violated any order of the Education Practices Commission.

(l) Has been the subject of a court order or plea agreement in any jurisdiction which requires the certificateholder to surrender or otherwise relinquish his or her educator's certificate. A surrender or relinquishment shall be for permanent revocation of the certificate. A person may not surrender or otherwise relinquish his or her certificate prior to a finding of probable cause by the commissioner as provided in Florida Statute 1012.796.

(m) Has been disqualified from educator certification under Florida Statute 1012.315.

(n) Has committed a third recruiting offense as determined by the Florida High School Athletic Association (FHSAA) pursuant to Florida Statute 1006.20(2)(b).

(o) Has violated test security as provided in Florida Statute 1008.24.

(p) Has otherwise violated the provisions of law, the penalty for which is the revocation of the educator certificate.

(q) Has committed any other act or omission listed in Florida Statute 1012.795.

2. Review. The Department of Human Resources shall promptly review the complaint. If the complaint is legally sufficient to allege that a violation has occurred as provided in Florida Statute 1012.795, the Human Resources Department and the Superintendent shall file a written report with the

Department of Education Office of Professional Practices, which report shall include all relevant information developed in the investigation. Such report shall be filed within 30 days after the District becomes aware of the subject matter.

3. Other Personnel. Adjunct athletic coaches and instructional contractors who are required by contract or law to hold education certification under Florida Statute 1012.795 are subject to this rule.

4. Superintendent's Responsibility. The Superintendent is responsible for reporting to the appropriate law enforcement agency reports of misconduct against a District employee or contractor that would result in disqualification from educator certification under Florida Statute 1012.795 or employment under Florida Statute 1012.315.

5. Complaints Against Other Employees and Staff. This rule applies only to those employees and staff subject to discipline by the Education Practices Commission.

6. Termination of Employment. Reporting under this rule is still required if an employee or staff member's employment is terminated (by resignation or otherwise) before or during the reporting process. The District shall notify the Office of Professional Practices of any such employee or staff member's termination while the investigation is pending.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, 1012.22, F.S.**

**LAWS IMPLEMENTED:** **1012.795, 1012.796, F.S.**

**HISTORY:** **Adopted: 07/01/08**
**Revised: 10/08/13; 8/14/18; 7/09/19; 01/13/26**

**Renumbered: 10/08/13**
**Formerly Rule 6.512**

## Personnel Files 6.80

1. Definition. An employee's personnel file shall consist of all records, information, data, or materials maintained by the District in any form or retrieval system whatsoever, with respect to any employee which is specifically applicable to that employee.

2. Contents. A personnel file shall be maintained by the Superintendent on each employee. The record shall include:

   a. Application for employment.

   b. References.

   c. Annual evaluations.

   d. Disciplinary information.

   e. Data substantiating placement on the salary schedule (including but not limited to education, official transcripts, experience).

   f. Certifications.

   g. Any other pertinent information.

3. Administration. Personnel files shall be administered pursuant to the provisions of Florida Statute 1012.31 and the rules of the Florida Board of Education.

4. Derogatory or Anonymous Material. Pursuant to Florida Statute 1012.31(1)(a), except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension, or dismissal under laws of the State of Florida, no derogatory materials relating to an employee's conduct, service, character, or personality shall be placed in the personnel file of such employee.

   a. Pursuant to Florida Statute 1012.31(3)(a)3., no derogatory material shall be open to public disclosure until 10 days after notice has been given to such employee under paragraph 5 below.

   b. Pursuant to Florida Statute 1012.31(1)(b), no anonymous letter or anonymous materials shall be placed in the personnel file.

5. Materials Pertaining to Performance and Discipline. Pursuant to Florida Statute 1012.31(2)(a), materials relating to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment. The

resignation or termination of an employee before an investigation of alleged misconduct by the employee affecting the health, safety, or welfare of a student is concluded must be clearly indicated in the employee's personnel file.

a. Pursuant to Florida Statute 1012.31(2)(b)1., no such materials may be placed in a personnel file unless they have been reduced to writing within 45 days, exclusive of the summer vacation period, of the school system administration becoming aware of the facts reflected in the materials. Pursuant to Florida Statute 1012.31(2)(b)2., additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify them as needed.

b. Pursuant to Florida Statute 1012.31(2)(c), a copy of such materials to be added to an employee's personnel file shall be provided to the employee either:

i. By certified mail, return receipt requested, to his or her address of record; or

ii. By personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

6. Employee's Right to Respond. Pursuant to Florida Statute 1012.31(2)(d), an employee has the right to answer in writing any such materials filed in his or her personnel file, and the answer shall be attached to the file copy. An employee has the right to request that the District School Superintendent or the Superintendent's designee make an informal inquiry regarding material in the employee's personnel file which the employee believes to be false. The official who makes the inquiry shall append to the material a written report of his or her findings.

7. Employee's Inspection Rights. Pursuant to Florida Statute 1012.31(2)(e) - (f), upon request, an employee, or any person designated in writing by the employee, shall be permitted to examine the personnel file of such employee. The employee shall be permitted conveniently to reproduce any materials in the file, at a cost no greater than the fees prescribed in Florida Statute 119.07(4). The custodian shall maintain a record of those persons reviewing the file and the employee's request.

8. Public Record. The personnel file of each employee is a public record pursuant to the provisions of Florida Statute 119.07 and other applicable laws, subject to the exceptions contained in Florida Statutes 119.071 and 1012.31, or otherwise provided by law, with the exception for pending

disciplinary investigations pursuant to Florida Statue 1012.31(3)(a)1, and for performance evaluations for the period of time specified in Florida Statute 1012.31(3)(a)2.

9. Access. Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be open to inspection at all times by School Board members, the Superintendent, the employee's supervisor, attorneys representing the District, and such other District employees who have a need to access a file as a part of their job description.

10. Law Enforcement. Notwithstanding other provisions of this rule, all aspects of each employee's personnel file shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **112.08(7), 1001.43, 1012.31, F.S.**
**34 CFR 99 (FERPA),**
**45 CFR 164 (HIPAA)**

**HISTORY:** **Adopted: 08/18/98**
**Revised: 08/08/06; 10/08/13;**
**7/09/19; 01/13/26**

## Assessment of Employees 6.81

1. Annual Evaluation. Each employee shall receive an annual evaluation by the employee's immediate administrative supervisor. The purpose of the evaluation shall be to improve the services of personnel in all departments. The administrative supervisors and department heads shall use the evaluation form provided by the Superintendent. The evaluation process and criteria shall comply with applicable law.

2. Collective Bargaining. Terms and procedures for assessments for employees subject to a collective bargaining agreement may be bargained, subject to the requirements of law.

**STATUTORY AUTHORITY:** **1001.41, 1012.22, 1012.23, F.S.**

**LAW(S) IMPLEMENTED:** **1001.43, 1008.36, 1012.22, 1012.27, 1012.34, F.S.**

**HISTORY:** **Adopted: 08/18/98**
**Revision Date(s): 08/08/06, 10/08/13**

# USE OF ELECTRONIC MEDIA FOR SCHOOL PURPOSES 6.82

1. Purpose. This rule requires School Board employees to use the School Board's electronic communications system and other authorized media for electronic communications in the performance of their duties, for official business and for school purposes.

2. Definitions. For purpose of this rule, the following definitions apply;

   a. District System. The "District System" refers to the District's electronic voice and data communications system, which consists of the District telephone system, e-mail system, enterprise applications and District, school, department and classroom websites. It also includes District-owned cell phones, PDAs, radios and other communication devices that are issued to employees for official use. It includes only those social media platforms, websites and applications that have been authorized by the Superintendent under paragraph 13.

   b. Other Authorized Media. The term "Other Authorized Media" refers to personal cell phones, smartphones, PDAs and other mobile electronic devices capable of electronic communications that are subsidized or otherwise authorized by the District for official use. It also encompasses the limited use of personal telephones and Other Mobile Devices under paragraph 8, and text messaging permitted under paragraphs 6(a) and 9.

   c. Other Mobile Devices. The term "Other Mobile Devices" includes smartphones, PDAs and mobile tablets. Smartphones and PDAs are electronic communication devices that combine various features such as telephone, facsimile, internet and networking capabilities. iPhones and Blackberries are examples of smartphones. Mobile tablets (like iPads) offer internet access, texting and other mobile applications.

   d. Transitory Message. For purpose of paragraphs 6(a) and 9 governing text messaging, a "Transitory Message" is one created primarily to communicate information of short-term value, with no material, on-going fiscal, administrative, legal, educational or historical significance that would reasonably require retention of such information if it were communicated in a written format. A transitory communication is not intended to transact official business, formalize or perpetuate knowledge, set policy, establish guidelines or procedures, certify a transaction or become a receipt.

3. General Rules. The general rules requiring the use of authorized media for official electronic communications (paragraph 4), prohibiting the use of

unauthorized media for official communications (paragraph 5) and requiring the use of authorized media for official communications with students (paragraph 6) are subject to limited exceptions dealing with the use of personal telephones and Other Mobile Devices (paragraph 8), text messaging (paragraphs 6(a) and 9) and emergencies (paragraph 10).

4. Use of Authorized Media Required. Except as provided in paragraphs 6(a) and 8 - 10, employees shall use the District System and Other Authorized Media for electronic communications in the performance of their duties, for official business, and for school purposes. In such electronic communications, School Board employees shall comply with Rule 6.83 regarding acceptable use of the District System, Rule 9.021 governing civility and Rule 9.043 regarding political activity.

5. Use of Unauthorized Media Prohibited. As stated in paragraph 4, School Board employees are required to use the District System and Other Authorized Media for electronic communications in the course of their employment. Except as provided in paragraphs 6(a), 8 - 10, and 13, District employees shall not use personal e-mail, personal electronic messaging, Facebook, Twitter, other social networking services or other unauthorized media for official communications. The purpose of this rule is to comply with Florida law governing the creation, retention and disposal of public records, and to promote uniformity and professionalism in the District's official communications.

6. Electronic Communications with Students - Official Purposes. School Board employees are required to use the District System and Other Authorized Media for electronic communications with students in the performance of their employment duties and for school purposes. The District e-mail system, classroom websites, eSchool Plus Home Access Center and other District provided systems adequately provide the means to electronically communicate with students. Conversely, the School Board has determined that personal e-mail, text messaging, social networking and other personal electronic media are inappropriate and undesirable to use for official communication with students because such use may create the appearance of casual and unprofessional interaction with students, particularly when the interaction takes place outside the school setting, off-campus or after school hours. Furthermore, the use of personal electronic media may create an appearance of inappropriate association with students, and also may implicate District legal obligations in regard to the maintenance and retention of information and records. Accordingly, except for limited use of personal telephones and Other Mobile Devices as provided in paragraph 8, transitory text messages for extracurricular purposes as provided in paragraph 6(a), emergency situations as provided in paragraph 10, and authorized social media as provided by paragraph 13, School Board employees shall not use personal e-mail, text messaging, electronic messaging,

Facebook, Twitter, other social networking services, or other unauthorized media to communicate with students for school-related purposes.

a. Extracurricular Activities Exception. Coaches, club advisors and other employees may text or use personal e-mail for Transitory Messages as defined in paragraph 2(d) to and from students under their supervision in extracurricular activities, when there is a need to communicate with participating students about the activity, such as to notify them about a change in the time or place of practice.

7. Electronic Communications with Students - Other Purposes. Paragraph 6 requires the use of the District System and Other Authorized Media to communicate with students for official purposes. However, paragraph 6 does not apply to employees' interactions with students outside the realm of their employment with the District and professional duties. If District employees choose to engage in social networking or other forms of electronic communications with students off-campus on their own time, they should be mindful of the requirements of the Code of Ethics and Principles of the Education Profession in Florida. District employees are strongly discouraged from any interaction with students that might create an appearance of inappropriate association or unprofessional conduct.

8. Limited Use of Personal Telephones and Other Mobile Devices. Unless authorized for official use under paragraph 2(b), it is generally not appropriate for District employees to use personal telephones and Other Mobile Devices for routine employment-related calls, and employees should use the District telephone system or Other Authorized Media for such calls. However, the occasional use of personal telephones for employment purposes is not prohibited when an employee is off campus or for some other reason does not have access to the District telephone system or Other Authorized Media. Furthermore, an employee may use a personal PDA, smartphone, computer or other mobile electronic device (such as an iPad, Nook or Kindle) to remotely access the District System, provided they comply with the District's Acceptable Use Policy and applicable security procedures.

9. Text Messaging - Official Communications with Non-Students. As stated in paragraph 6, text messaging is not authorized for official communications with students, except in emergencies and under the extracurricular activity circumstances described in paragraph 6(a). For other official electronic communications, employees should use District e-mail rather than text messaging. However, employees may utilize text messaging in the course of their employment for the limited purpose of sending or receiving Transitory Messages. Illustrative examples of permissible Transitory Messages are posted in the guidelines and procedures that accompany this rule. Provided, however, that no employee shall text message while operating a motor vehicle.

10. Emergencies. This rule does not apply in emergency situations when communication by any means is necessary out of concern for the lives, safety or welfare of students, staff or members of the public.

11. School and Department Websites. School and department webmasters may post and update employee only (internal) information using the District's Inside SJCSD webpages (accessed by employees via the internet or via the District network) only under the management and control of the District's Information Technology ("IT") Department. School and department webmasters may post and update public webpages (accessed by the pubic via the internet) only under the management and control of the District's IT Department.

    Schools and departments are prohibited from installing, configuring, posting or operating any internal or publicly accessed servers that are not authorized, managed and controlled by the IT Department.

12. Staff Websites. Teachers may seek to include a "class" or "teacher" web page as part of the involved school's public website. In this event, staff shall coordinate with the school webmaster to arrange for inclusion of the class or teacher web page as a part of the school's website.

13. Guidelines and Procedures. The Superintendent is authorized to adopt guidelines and procedures to implement and administer this rule. In particular, the Superintendent may adopt guidelines and procedures that authorize the use of other social media platforms, websites and applications as part of the District System for school or District purposes, subject to any restrictions and conditions that the Superintendent may impose on the use of such an authorized social medium.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1012.32, F.S.**

**HISTORY:** **Adopted: 05/15/12**
**Revised: 10/14/14**

| ACCEPTABLE USE POLICY FOR EMPLOYEE USE OF DISTRICT ELECTRONIC COMMUNICATIONS SYSTEM | 6.83 |
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1. The District Electronic Communication System. The District has an electronic voice and data communication system which provides internet, e-mail, telephone access and other electronic digital communication services ("District System" or "System"), as defined in School Board Rule 6.82.

2. Authorized Use. The use of the District System must be work-related and consistent with the educational mission, goals and policies of the District, including the Code of Ethics and Principles of Professional Conduct of Education Profession in Florida and Rule 9.021 regarding Civility.

3. Personal Use. Employees are generally not permitted to utilize the District System to conduct personal business or for other personal purposes. However, limited personal use of the system is permitted, but only to the extent it does not conflict with the user's employment duties and responsibilities. Instructional staff may use the telephone system to make personal telephone calls in compliance with the applicable requirements of the negotiated agreement with the St. Johns Educational Association. Other employees may use the telephone system to make calls on their breaks. Such calls should be brief and infrequent so as not to interfere with the official use of the system.

4. Internet and Email Cyber Security. The District is required to comply with state and federal data privacy laws. Employees are required to safeguard employee and student data they have access to in the course of performing their duties. They are required to safeguard their network/system credentials to protect student and employee data from hacks and unauthorized access. The District will provide employees with training in sound email and Internet security practices. Employees who fail to complete assigned Internet and email security training in a timely manner shall be subject to discipline, as described in the Acceptable Use Policy (AUP) Guidelines and Procedures Management Directive.

5. Prohibited Activities. In using the District System, employees shall not:

   a. Violate the conditions of the Code of Ethics and Principles of Professional Conduct of the Education Profession in Florida;

   b. Violate rules, procedures or guidelines of the School Board;

   c. Use the System for inappropriate communications with students;

   d. Access, download, store, view, send or display text, images, movies or sounds that contain pornography, obscenity, sexually suggestive material, or language that offends or degrades others.

e. Bully, harass or threaten any person;

f. Sexually harass any person;

g. Discriminate against or harass any person on the basis of gender, race, religion, ethnicity or disability;

h. Communicate slanderous, false or defamatory material;

i. Encourage or celebrate substance abuse;

j. Use the System in a manner that promotes or foreseeably could incite violence;

k. Use the System in a manner that could foreseeably disrupt the educational process;

l. Use the System in a manner that could foreseeably impair the employees' effectiveness in the performance of his or her duties;

m. Violate copyright laws.

n. Disclose personally identifiable student information or material to an unauthorized person except for student directory information as authorized by School Board Rule 6.21;

o. Access or use of unauthorized social media;

p. Allow another person to use his or her username and password;

q. Use another person's username and password;

r. Use the System or allow its use for political election/campaign activities, for political advocacy or activism, or to express personal views on issues that are pending or may reasonably be expected to come before the School Board. Personal e-mail or other non-District media should be used for those purposes. However, this rule shall not prohibit School Board Members and the Superintendent and his staff from using the District's system for communications relating to legislative affairs, other political issues affecting schools and education, and issues that may be pending or may come before the School Board;

s. Use the system for personal financial gain, online bidding or for any other activities related to non-School Board business;

t. Attempt to send or send anonymous messages of any kind or pretending to be someone else while sending a message;

u. Electronically or physically damage or attempt to damage the District System, equipment, materials or data, including hacking, flooding or virus deployment;

v. Attempt to or actually access the System without authorization or in violation of any law; or

w. Use the System for illegal or inappropriate activities.

6. No Expectation of Privacy. Users have no expectation of privacy in any communication sent or received over or through the District System, including e-mail, internet access, network access or other electronic resources, or material stored on or using any District-owned electronic device.

7. Acceptable Use Policy (AUP) Guidelines and Procedures. The Superintendent is authorized to adopt procedures and guidelines implementing and administering this rule and adopting an AUP regulating the use of the District resources by students and other users in addition to employees.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1012.32, F.S.**

**HISTORY:** **Adopted: 05/15/12**
**Revised: 10/14/14; 7/13/21**

## EMPLOYEES' USE OF SOCIAL NETWORKING WEBSITES 6.84

1. Introduction. Social networking websites such as Facebook and Twitter have become a widely used means for people to share personal views in many forms, including photographs, text, podcasting (audio files) and videos. Such media reaches millions of public viewers over the Internet in seconds after publishing. Personal websites, public blog websites, podcast websites, online chat rooms and video sharing websites (like Youtube) also provide instant Internet access.

2. Expectations. District employees are expected to be professional, civil and appropriate in all their communications with students, parents, fellow employees and the public, including in their electronic and on-line communications. This expectation applies to the posting of publicly accessible communications and material (collectively referred to as "Material") on the Internet, where it is available for viewing by members of the public, including students and parents. For purpose of this rule, websites, other electronic media and online Material are deemed to be publicly accessible if they can or may be viewed by District students, parents or the general public. The School Board finds that publication of inappropriate or unbecoming Material on publicly accessible websites or electronic media by an employee has the potential to disrupt the educational process, damage the reputation of the District, its teachers and staff, damage the District's reputation and stature, and subject the District, its teachers and employees to ridicule. Accordingly, employees shall refrain from publishing Material on publicly accessible media that is unsuitable for school-age children to view or read, or otherwise is objectionable under the guidelines described below.

3. Purpose. This rule provides guidelines for employees to follow in using the Internet and other forms of publicly accessible electronic communication. It also informs employees that displaying Material in violation of this rule will be cause for disciplinary action, including dismissal. The purpose of this rule is to protect the reputation of the School District and its employees; to assure the continued effectiveness of District employees in the performance of their duties; and to prevent disruption of the educational process.

4. Prohibited Activities. These rules apply to District employees who publish or cause to be published, material on social networking websites, and any other broadcast media where such material may be viewed by students, parents and other members of the public. Employees shall not publish on social networking websites or other publicly accessible electronic media Material that is unprofessional or unbecoming of a District employee, including:

    a. Material that is unlawful or unethical within the meaning of the Code of Ethics for the Education Profession in Florida.

b. Slanderous, false or defamatory Material.

c. Obscene, vulgar or sexually suggestive Material.

d. Material that encourages or celebrates substance abuse.

e. Material that promotes or incites violence.

f. Material that is contrary to the pillars of Character Counts!

g. Material that foreseeably could impair the employee's effectiveness in the performance of his or her duties.

h. Material that is unsuitable for school-aged children to view or read.

i. Material that otherwise could hold the employee or the District up to ridicule or otherwise could foreseeably could disrupt the educational process.

5. Private Publication. These rules do not apply to private communications and publication of Material on private, secure websites, where they cannot be viewed by District students, parents or the general public. However, an employee who privately publishes Material on private websites or media is responsible for ensuring that it remains private and does not become publicly accessible.

6. Personal and Business Websites. Employees are permitted to have personal or business web pages hosted on non-district web servers, but those personal web pages must not contain information related to students, and if they are publicly accessible, the web pages' contents and postings must comply with the requirements of this rule.

7. Procedures and Guidelines. The Superintendent is authorized to adopt procedures and guidelines to implement and administer this rule.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1012.32, F.S.**

**HISTORY:** **ADOPTED: 05/15/2012**

## SCHOOL DISTRICT BUDGET SYSTEM 7.01

1. The School District budget shall be prepared in a fiscally sound manner with the goal of using the financial resources of the District in a prudent and responsible manner in order to maximize the resources spent on direct instruction to students and in compliance with applicable state law and Florida Department of Education rules. The Superintendent shall use the following guidelines in preparing the annual operating budget for the School Board's consideration and adoption:

   a. Balanced Operating Fund Budget. The operating budget should be prepared to be in compliance with Chapter 1011, Florida Statutes.

   b. Minimum Fund Balance. The District shall endeavor to maintain its minimum fund balance in compliance with Section 1011.051, Florida Statutes.

   c. Goals and Objectives. The budget system shall be related to the goals and objectives of the District and its programs. To assure equity among schools, program elements, personnel and other resources shall be allocated on a formula basis or by other equitable means as determined by the Board.

   d. Guidelines. The Superintendent shall prepare an annual District budget in the form prescribed by the Department of Education. In formulating the budget, the Superintendent shall take into consideration the immediate and long range needs of the District and student achievement data obtained pursuant to Florida Statutes.

2. The District shall comply with the requirements of the Government Accounting Standard Board Statement 54 (GASB 54). As is more particularly described in GASB 54, the components of the fund balance shown on the District's financial statements shall be:

   a. Non-Spendable Fund Balance. The non-spendable fund balance shall include items that are not in spendable form.

   b. Restricted Fund Balance. The restricted fund balance shall include items subject to externally enforceable legal restrictions.

   c. Committed Fund Balance. The committed fund balance will include amounts which are committed for a specific purpose by formal School Board action, and which cannot be removed from this category without formal Board action.

d. Assigned Fund Balance. The assigned fund balance includes amounts which are assigned for the intended use of the Board or by delegation to the Superintendent or Superintendent's designee.

e. Unassigned Fund Balance. The unassigned fund balance shall be the excess of total fund balance over the total sum of non-spendable, restricted and committed fund balances.

f. Priorities. The District elects to prioritize use of its spendable fund balance as follows:

i. Restricted amounts are to be used first to accomplish the intended use of such funds unless there are legal documents/contracts that prohibit this, such as grant agreements which require dollar-to-dollar matching spending;

ii. Committed amounts to the extent the specified purpose of such commitment has been met;

iii. Assigned amounts to the extent the specified purpose of such assignment has been met; and

iv. Unassigned funds.

3. The Board commits an amount equal to 3% of its estimated revenue from The Florida Education Finance Program (FEFP) Conference Committee Report (the First Calculation) to be set aside under a stabilization arrangement for use in an emergency situation. The Board will treat this balance as committed. The circumstances which constitute an emergency are non-routine in nature and specifically include the following:

a. Failure to pay loans or debt service when due as a result of lack of funds;

b. Failure to pay uncontested claims to creditors within ninety(90) days due to lack of funds;

c. Failure to transfer taxes, social security or retirement/benefits for employees; and

d. Failure for one pay period to pay wages, salaries or retirement benefits to employees.

4. Except as provided in Section 2, it is the Board's intent that these guidelines shall be controlling unless unusual circumstances indicate otherwise. In such instances, any variances from the guidelines will be highlighted and explained prior to the adoption of the budget by the Board.

5. The Superintendent is authorized to adopt procedures and guidelines as necessary to implement this rule.

6. This policy has an effective date of June 30, 2011.

**STATUTORY AUTHORITY:** **1001.41. F.S.**

**LAW IMPLEMENTED:** **1008.385; 1008.22; 1008.34; 1001.11; 1013.61; 1011.01; 1010.01; 1011.02; 1011.03; 1011.04, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-1.002, 6A-1.004, 6A-1.006, 6A-1.007, 6A-1.0071, F.A.C.**

**HISTORY:** **ADOPTED: 08/18/1998**
**REVISED: 12/18/2003; 08/08/2006; 09/13/2011**

## Lottery Trust Fund Allocations 7.011

(1) Lottery Trust Fund Allocations (enhancement funds) received from state proceeds will be used to provide educational opportunities based on the needs of students, as determined by the School Board and consistent with proviso language included in the annual state appropriation bill or other state requirements.

(2) Enhancement funds may be utilized to:

(a) Maintain approved programs.

(b) Supplement school funding.

(c) Develop and implement school improvement plans.

(d) Provide such other service or programs as may be required or permitted by state law or regulations. Such services or programs shall be identified during the annual budget adoption process by the Board.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1011.62, F.S.**
**ANNUAL STATE APPROPRIATIONS ACT**

**HISTORY:** **ADOPTED: 11/16/99**
**REVISION DATE(S): 08/08/06**

## Guidelines For Administering The District Budget 7.02

The Superintendent shall ensure that all District obligations and expenditures are within the appropriations approved in the District budget.

(1) The Superintendent shall propose a budget amendment for the School Board's consideration if a budgetary appropriation is insufficient to meet District needs.

(2) The Superintendent is authorized to tentatively approve budget amendments. Such amendments shall be consolidated periodically and presented for School Board approval.

(3) The School Board authorizes expenditures which exceed the amount budgeted, provided the School Board subsequently approves the expenditure and amends the budget not later than sixty (60) days from the Superintendent's approval of the tentative budget amendment, except for the final budget amendment for the fiscal year which must be subsequently approved no later than seventy-five (75) days from the Superintendent's approval of the tentative budget amendment.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1001.43; 1001.51; 1010.01; 1010.04; 1011.05; 1011.06; 1011.07; 1011.60, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-1.006; 6A-1.007**

**HISTORY:** **ADOPTED: 08/08/06**

| Facsimile Signatures | 7.021 |
|---|---|

(1) In accordance with Florida Statutes, the Superintendent and the chair of the School Board, after filing with the Department of State their manual signatures certified under oath, may execute or cause to be executed with a facsimile signature in lieu of a manual signature:

(a) Any public security as permitted by Florida Statutes.

(b) Any instrument of payment.

(c) Any official order, proclamation, instrument of conveyance, or resolution, provided, however, that the same has been authorized by said School Board and such authorization is reflected in the minutes thereof.

(d) Contracts with school personnel.

(2) Definitions as used in this policy are as follows:

(a) "Public security" means a bond, note, certificates of indebtedness, or other obligation for the payment of money, issued by the Board.

(b) "Instrument of payment" means a check, draft, warrant, or order for the payment, delivery, or transfer of funds.

(c) "Instrument of conveyance" means an instrument conveying any interest in real property.

(d) "Facsimile signature" means a reproduction by engraving, imprinting, stamping, or other means of the manual signature of an authorized officer.

(3) The vice-chairperson shall have no authority to sign warrants or school documents except when the Vice-Chair is required to assume the duties of the chair; in which case the Vice-Chair shall be legally empowered to sign warrants and other legal documents as the chair would be empowered to sign.

(4) All other persons must have the express written consent of the Superintendent to use a facsimile signature of an authorized officer.

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| **STATUTORY AUTHORITY:** | **1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **116.34; 1001.43, F.S.** |
| **STATE BOARD OF EDUCATION RULES:** | **6A-1.0421** |
| **HISTORY:** | **ADOPTED: 08/18/98**<br>**REVISION DATE(S): 08/08/06** |

| Lease and Lease - Purchase of Land, Facilities and Equipment | 7.03 |
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The School District shall acquire, upon recommendation of the Superintendent, land, facilities, and equipment under lease and lease purchase agreements in accordance with applicable Florida Statutes.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.44; 1013.15; 1013.19, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 08/08/06**

## BONDS OR INSURANCE REQUIRED 7.04

Each School Board member, the Superintendent and any employee of the School Board who is responsible for school funds or property shall be placed under a blanket fidelity bond or appropriately insured. The amount of the bond or insurance shall be determined by the School Board and may be subject to a deductible in an amount approved by the School Board in the exercise of its business judgment in connection with its approval of the purchase of such coverage.

The Superintendent is authorized to provide for such bonds or insurance through a surety or insurance company authorized to conduct business in Florida.

**STATUTORY AUTHORITY:** **112.08; 1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **112.08; 1001.43; 1010.07, F.S.**

**HISTORY:** **ADOPTED: 08/08/2006**
**REVISED: 09/13/2011**

| Internal Funds | 7.05* |
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School District internal funds shall be maintained, accounted for, invested, and expended in accordance with Florida Statutes and Department of Education accounting procedures.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **1001.43; 1011.07; 1011.18, F.S.** |
| **STATE BOARD OF EDUCATION RULES:** | **6A-1.001; 6A-1.057; 6A-1.085; 6A-1.087; 6A-1.091** |
| **HISTORY:** | **ADOPTED: 08/18/98**<br>**REVISION DATE(S): 08/08/06** |

## Cooperative Activities 7.051

(1) A cooperative activity is one in which the school participates with outside groups such as Parent-Teacher Organizations and booster clubs that raise funds, through planning, staging, or conducting school-related activities. Such activities may be held on or off the school grounds and will usually take the form of fund-raising events such as carnivals, paid entertainment, or food sales.

(2) All Parent-Teacher Organizations, booster clubs, and similar organizations that are associated with any District school must be approved in writing by the principal prior to conducting business. The financial activity of this type of organization will not be recorded in the internal accounts. The organization shall not be allowed to use the school or District Florida Tax Exemption number nor their IRS Federal Identification Number.

The organization must file a financial budget with the principal for information purposes. All fund raising activities developed by the organization must be approved in writing by the principal before they occur.

The Superintendent, has the authority to suspend the activities of an organization if they feel that organization has caused or will cause action that has or will be detrimental to the school or School Board. If a suspension occurs, the principal shall file a written report with the School Board via the Superintendent detailing the actions that caused the suspension. The report shall be filed within seven (7) days of the suspension. The School Board shall be authorized to review the suspension report and take any other action necessary to determine if the suspension was warranted. If warranted, the School Board has the authority to take disciplinary action against the organization, including termination of the organization.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1010.04; 1010.06; 1011.07, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-1.085; 6A-1.087; 6A-1.091**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 08/08/06**

## Gifts, Bequests and Donations 7.052

1. The School Board recognizes that individuals and organizations may wish to donate money, supplies, equipment or real property for the benefit of the School District. However, the School Board also recognizes that it is not practical for the School District to accept and use all gifts, bequests and donations. This rule shall govern the receipt of all gifts, bequests and donations.

2. All proposed gifts of (i) real property (regardless of value) and (ii) tangible and intangible personal property having a value of at least $10,000 shall be subject to School Board approval. The proposed gift shall be submitted to the Superintendent or his designee, together with a memorandum from a principal, department head or other appropriate staff member describing the nature and purpose of the gift. The Superintendent shall determine whether the proposed gift meets the criteria in subsection (5) below. The Superintendent shall submit his recommendation to the School Board and the School Board shall decide whether to accept or reject the gift in the exercise of its judgment and discretion.

3. Proposed gifts of money, supplies, equipment or other personal property of a value between $3,000 and $9,999 shall be submitted to the Superintendent, together with a memorandum from a principal, department head or other appropriate staff member describing the nature and purpose of the proposed gift. The Superintendent shall determine whether to accept or reject the gift based on the criteria below. The Superintendent shall provide a monthly report to the School Board listing the gifts accepted in the $3,000 to $9,999 category.

4. Gifts of money, supplies, equipment or other personal property of a value less than $3,000 may be accepted by a principal or department head based on the criteria below. Gifts should not be broken up into smaller lots in order to keep them under the $3,000 threshold.

5. A proposed gift shall be reviewed under the following criteria:

   a. The gift should facilitate the mission, objectives and goals of the School District;

   b. The gift should not create significant, ongoing inequity of programs and/or facilities available to students between or among schools in the District;

   c. The gift should not obligate the District to provide unreasonable financial support or incur continuing costs, including physical improvements to School Board property;

   d. The gift should not unreasonably add to staff workload;

e. The gift should not place any unreasonable restrictions on the school programs or District operations;

f. The gift should not imply endorsement of any business or product; and

g. The gift should comply with applicable law.

6. If a cash gift to a school is utilized to buy equipment or in-kind gifts of equipment, the equipment shall be added to the school equipment inventory where required by policy.

7. Gifts of curriculum materials shall also be subject to the curriculum approval process.

8. In no event shall any employee or other agent make any commitment, obligation, or offer in exchange for any gift to the District.

9. Accepted gifts become the sole property of District. and shall be accepted without obligation relative to use or disposal. Donation and acceptance of property of any kind shall not impose liability on the School Board to any agents, officers, employees, heirs, representatives, successors and assigns of the donor of the property.

10. Gifts in memory or honor of individuals and groups shall be accepted only if the individual or group has been associated with the school either as a student, School Board Member or employee, or if the individual or group has made an outstanding contribution to the school or District.

11. Superintendent may adopt procedures to implement this rule.

**STATUTORY AUTHORITY:** **1001.42; 1001.43, F.S.**

**LAWS IMPLEMENTED:** **1001.42, F.S.**

**HISTORY:** **ADOPTED: 08/08/2006**
**REVISED: 08/14/2007; 06/14/2011**

## School Food Service Funds 7.06*

(1) School food service funds shall be considered part of the District School Fund and shall be subject to all requirements applicable to the District School Fund such as budgeting, accounting, reporting, and purchasing.

(2) Daily deposits of school food service funds shall be made by authorized personnel in a bank(s) designated by the School Board.

(3) Revenue from the sale of all items handled by the Food Service Department shall be considered school food service income. Such funds shall not be expended as cash.

(4) All payments from school food service funds shall be made by check or wire transfer.

(5) School food service funds shall be used only to pay regular operating costs.

(6) Any loss of records, cash, or supplies through theft or otherwise shall be reported immediately to the Superintendent. Such losses shall be itemized and a copy of the report submitted with the regular reports.

(7) Funds shall be collected and expended in compliance with United States Department of Agriculture and State Board of Education rules.

(8) The Board shall annually adopt prices charged to students and adults who participate in the food services program.

(9) The Superintendent shall develop written procedures for conducting the District's food service program.

(10) The Food Service Department may establish and secure a petty cash fund of up to $300 for school cafeterias by submitting a written request to the Finance Department. These petty cash funds shall be accounted for separately from all other funds maintained at the schools.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **1001.43; 1006.6; 1010.05; 1010.20, F.S.** |
| **STATE BOARD OF EDUCATION RULE:** | **6A-1.012; 6A-1.087** |
| **HISTORY:** | **ADOPTED: 08/18/98<br>REVISION DATE(S): 08/08/06** |

| Financial Records | 7.07 |
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The financial records and accounts of the School Board shall be kept by the Superintendent in accordance with State Board of Education rules and Florida Statutes.

**STATUTORY AUTHORITY:** 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED:** 1001.43; 1001.11
1001.51; 1011.62, F.S.

**STATE BOARD OF EDUCATION RULES:** 215.85 CH 66B; 6A-1.001; 6A-1.0011

**HISTORY:** ADOPTED: 08/18/98
REVISION DATE(S): 08/08/06

## Inventories and Property Records 7.08

(1) The Superintendent shall maintain an adequate and accurate record of all tangible personal property of the District. The record shall indicate the date of acquisition, the fund from which purchased, the manufacturer's serial/identification number, and property record number, etc., and shall be consistent with all requirements of Florida Statutes and the Rules of the Auditor General. School or cost centers inventories shall be verified by the District administration at the Superintendent's direction.

(2) All tangible property shall be listed having a value or cost as established by Florida Statutes or State Board. The principal/department head shall notify the Superintendent of all surplus, transfers, trade-ins, temporary, loans, stolen items, lost/missing, and cannibalized items and receipt of donated or purchased property that meets criteria for being recorded as a capital asset in order to update records and of all new equipment.

(3) Property inventories shall be performed annually. It shall be the duty of each principal or department head to designate a person to make an annual inventory of all school property within his/her building(s). This report shall include recommendations for the disposition of all assigned capital assets. Such inventory shall be filed with the District office either at the time designated in writing by the Director of Purchasing or at the time of change in principal or department head.

(4) Any incoming principal or department head and the Director of Purchasing shall make an inventory of all capital assets when the new principal or department head assumes the duties of the position. This inventory shall be checked against the last inventory made at the school and a report shall be filed with the District office to identify any shortages or discrepancies.

(5) The principal or department head shall also be responsible for taking inventories of properties not covered in subsection (1) herein such as, other materials as deemed appropriate. These inventory records shall remain on file in the individual work site.

(6) The Superintendent shall prescribe the procedures for the accountability of property as defined in Chapter 274, Florida Statutes.

(7) All equipment purchased by the various District organizations or by outside organizations for District use shall become School Board property and shall be recorded and inventoried in the same manner as all other equipment of a similar nature.

(8) The principal or department head shall keep an inventory of all equipment in his or her work site on forms provided by the Purchasing Department.

(9) The Superintendent shall maintain a current and perpetual inventory of all stock in School Board warehouses, and shall file an annual end-of-the-year report of the count and value of such items with the Finance Department.

(10) The Superintendent shall report to the School Board any property that has been lost, damaged, or stolen. Such report shall include a recommendation for inactivation of the property record, information concerning possible personal liability, and how such a loss or theft may be prevented.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **CHAPTER 274; 1001.43, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-1.087**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 08/08/06**

## Management and Disposal of Textbooks and Related Instructional Materials 7.081

All textbooks and related instructional materials received by the School District shall be maintained and disposed of in accordance with Florida Statutes and State Department of Education procedures.

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| **STATUTORY AUTHORITY:** | **112.08; 1001.41; 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **CHAPTER 274; 1001.42, 1001.43; 1006.28, 1006.41; 1013.28, F.S.** |
| **STATE BOARD OF EDUCATION RULE:** | **6A-1.087; 6A-7.074, F.A.C.** |
| **HISTORY:** | **ADOPTED: 08/18/98**<br>**REVISION DATE: 08/08/06** |

## Acquisition of Land for School Use 7.09

The acquisition and disposal of real property by the School Board shall be conducted in accordance with Florida Statutes and State Board of Education procedures.

**STATUTORY AUTHORITY:** 1001.42, F.S

**LAWS IMPLEMENTED:** 1001.43; 1011.06, 1013.14, 1013.24, F.S.

**HISTORY:** ADOPTED: 08/18/98
REVISION DATE(S): 08/08/06

## Lost or Stolen Property 7.11*

(1) An employee shall immediately notify the employee's principal or supervisor when any school property assigned to the employee, or is otherwise aware such property, has been vandalized, stolen, or lost.

(a) The proper law enforcement agency immediately to provide such information as may be available if the property is believed to have been stolen;

(b) The Director of Purchasing, and Risk Manager in writing, within forty-eight (48) hours.

(2) The property records custodian shall prepare a written report including copies of related police reports and recommendations to the Superintendent and the Director of Purchasing if the property is not recovered within thirty (30) days.

(3) The principal or department head shall contact maintenance personnel to request repairs if needed to secure the area vandalized or from which property has been stolen.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-1.087**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 08/08/06**

## CHAPTER 7.00 - BUSINESS SERVICES

| **Audits** | **7.12** |
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1. District Audits: Periodic audits shall be made of accounts, records, financial practices and program elements of the District pursuant to Florida Statutes and State Board of Education rules.

2. School Internal Accounts Audits: Periodic audits shall be made of accounts held and managed at individual schools and of the records and financial practices related thereto.

3. District Audit Committee:

A. The School Board may from time to time appoint a District Audit Committee to assist the School Board in fulfilling its oversight responsibilities of the District's financial affairs including, but not limited to, one or more of the following:

1. The integrity of financial information,

2. Compliance with legal and regulatory requirements,

3. The response to the work of external auditors, and

4. Oversight of the District's internal audit function.

B. The Board shall adopt procedures for the operation of the Committee including, but not limited to, the composition of the committee, the terms of membership, meeting schedule and responsibilities and such other issues as are necessary for the proper functioning of the committee.

4. Internal Auditor: The School Board may from time to time appoint an Internal Auditor. This position may be filled by either a qualified individual who is a full time employee of the District or an individual or firm under contract to the Board. The Internal Auditor shall report directly to the Board and not to the Superintendent. However, the Board may appoint the Committee as its designee as provided in § 1001.42 (0) (l) Florida Statutes.

**STATUTORY AUTHORITY:** **1001.42, F.S.**
**FAC 6A-1.087**

**LAWS IMPLEMENTED:**

**STATE BOARD OF EDUCATION RULES:**

**HISTORY:**

**ADOPTED:08/18/98**
**REVISION DATE(S): 08/14/07**

## CHAPTER 7.0 - BUSINESS SERVICES

| FRAUD | 7.121 |
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One of the Pillars of *Character Counts!*, the character education program of the St. Johns County School Board, is "trustworthiness." As an organization, each adult shall seek to teach our students that trustworthiness is a valuable and important character trait and as such, all employees of the School District are to emulate and demonstrate trustworthiness in their personal and professional dealings. Fraudulent behavior by School District employees is directly opposed to trustworthiness and therefore, it will not be tolerated.

Examples of fraudulent behavior include, but are not limited to, theft, lying to obtain a material benefit, embezzlement, purchasing property for personal use with School Board funds, inappropriate use of School Board property for personal use, and the use of false information to obtain a material benefit.

It is the policy of the School Board that:

(1) All applicants for employment with the School District are required to submit to a criminal background pursuant to Rule 6.103, School Board Policy. Criminal records are reviewed for a number of reasons; including the principle that past behavior is a predictor of future behavior. The School District will closely scrutinize those applicants whose criminal records reveal convictions for fraudulent behavior to be satisfied to the extent possible that fraudulent behavior will not be repeated. This scrutiny will be particularly intense for those applicants applying for a position that as a significant part of the job description requires the handling of property, money, and other assets of the School Board, such positions include but are not limited to cafeteria managers, bookkeepers and maintenance supervisors.

(2) The Superintendent, working in conjunction with the Internal Auditor, external auditors, and District staff, will insure that appropriate internal controls are in place to diminish the opportunities for theft, embezzlement, and other fraudulent acts by employees. Such internal controls shall be reviewed and revised as necessary including but not limited at such times as an employee has been found to have committed fraud.

(3) All employees of the District have an obligation to report fraud to their supervisor. In addition, an employee may report fraud directly to the Superintendent, the Internal Auditor, and the School Board Attorney. Any employee who reports fraud in good faith shall not be subject to any

recrimination for having made the report. Further, failure to report known fraudulent actions or actions that reasonably appear to be fraudulent can be grounds for discipline up to and including dismissal.

(4) All allegations of fraud will be investigated by appropriate District staff and will be reported to law enforcement if there is cause to believe a criminal offense has occurred. Employees who are determined by the District to have committed a fraudulent act while in the course of their employment shall be subject to discipline, up to and including dismissal. Employees who are dismissed shall not be eligible for rehire.

(5) If an employee is deemed to have fraudulently obtained any property of value from the School District, the District shall take all reasonable steps to recover the property including but not limited to civil action or restitution under criminal proceedings. When evaluating reasonable steps, the District shall weigh the cost of recovering the property against the value of the property.

**STATUTORY AUTHORITY:** **1001.42, 1001.49, 1012.27, F.S.**

**LAW IMPLEMENTED:** **1001.43, 1012.21, 1012.22, 1012.23, 1012.32, F.S.**

**HISTORY:** **ADOPTED: 12/18/03**
**REVISION DATE(S):**
**FORMERLY: New**

## Delegation of Authority to Contract 7.13

1. Superintendent's Authority. Consistent with the Superintendent's purchasing authority under School Board Rule 7.14, the School Board delegates to the Superintendent the authority to execute contracts on behalf of the District that meet the following criteria:

   a. The contract amount is less than $50,000.00.

   b. The term of the contract does not exceed one year.

   Where applicable, the Superintendent and Purchasing Department shall comply with the requirements for purchases of less than $50,000.00 set forth in School Board Rule 7.14.

2. Principals' Authority. The School Board delegates authority to District principals to execute contracts on behalf of the District that meet the following criteria;

   a. The contract relates only to the principal's school.

   b. The amount of the contract does not exceed $5,000.00.

   c. The term of the contract does not exceed one year.

   d. The contract does not license to a vendor or other third party the right to use the name of the school or the St. Johns County School District.

   e. If the contract is for the purchase of curriculum tools or products, it must be submitted to and approved by the District Curriculum and Instructional Department before it may be executed by the principal.

   f. If, the contract contains provisions that require the school or the District to indemnify or provide insurance for the benefit of the vendor, the contract must be submitted to and approved by the Purchasing Department before it may be executed by the principal.

   When a proposed contract is not within the limits of the principal's authority according to the criteria listed above, the principal may submit the contract to the Purchasing Department for review and approval for compliance with District contract requirements. If the proposed contract is within the Superintendent's authority under this rule, the Director of Purchasing may execute it as the Superintendent's designee.

3. Procedures and Guidelines. The Superintendent is authorized to adopt procedures and guidelines to implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41, 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **1001.41(4), 1001.42(19), 1001.43(2), 1001.51, F.S.** |
| **HISTORY:** | **Adopted: 8/14/18** |

## Purchasing and Procurement Policies 7.14

The Superintendent shall be responsible for all purchases of materials, equipment, and services from School District funds. No person, unless authorized to do so under the rules of the School Board, may make any purchase or enter into any contract involving the use of school funds; no expenditures for any such unauthorized purchase or contract shall be approved by the School Board.

1. Definitions. The following definitions apply for purpose of this Rule:

   a. "Competitive Solicitation" shall be defined for the purposes of this rule to include purchasing made through the issuance of an invitation to bid, request for proposals and invitation to negotiate. Competitive Solicitations are not required for purchases made through the pool purchase provisions of Florida Statute 1006.27.

   b. “Bidder”, "Proposer", or “Respondent” shall be defined for the purposes of this rule to include those vendors submitting bids, proposals, or responses to a Competitive Solicitation.

   c. "Superintendent" shall be defined for the purposes of this rule to mean "Superintendent or designee." The Superintendent’s designee shall be the Director of Purchasing, and such other persons specifically authorized by the rule to make purchases.

   d. "Invitation to Bid" shall be defined for the purposes of this rule as a written solicitation for competitive sealed bids. The Invitation to Bid is used when the School Board is capable of specifically defining the scope of work for which a contractual service is required, or when the School Board is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is publicly posted.

   e. "Request for Proposals" shall be defined for the purposes of this rule as a written solicitation for competitive sealed proposals. The Request for Proposals is used when it is not practicable for the School Board to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the School Board is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A written solicitation includes a solicitation that is publicly posted.

   f. "Invitation to Negotiate" shall be defined for the purposes of this rule as a written solicitation for competitive sealed replies to select one or more

vendors with which to commence negotiations for the procurement of commodities or contractual services. The Invitation to Negotiate is used when the School Board determines that negotiations may be necessary for it to receive the best value. A written solicitation includes a solicitation that is publicly posted.

g. "Invitation to Quote" shall be defined for the purposes of this rule as the procurement of commodities and contractual services for less than $50,000, and initiated, facilitated, and awarded through the Purchasing Department where a Competitive Solicitation is not required by law. An Invitation to Quote is publicly posted.

2. Competitive Solicitation Requirements. Except as authorized by law or rule, Competitive Solicitations shall be requested from three (3) or more sources for any authorized commodities or contractual services exceeding $50,000. The procurement of commodities or contractual services shall not be divided so as to avoid this monetary threshold requirement.

3. Rejection of Proposals. The School Board shall have the authority to reject any or all proposals submitted in response to any Competitive Solicitation and request new proposals or purchase the required commodities or contractual services in any other manner authorized by this section.

4. Acceptance of Bids. In acceptance of responses to Invitations to Bid, the School Board may accept the proposal of the lowest responsive, responsible Proposer. In the alternative, the School Board may also choose to award contracts to the lowest responsive, responsible Bidder as the primary awardee of a contract and to the next lowest responsive, responsible Bidder(s) as alternate awardees from whom commodities or contractual services would be purchased should the primary awardee become unable to provide all of the commodities or contractual services required by the School Board during the term of the contract. The School Board shall not be prevented from making multiple awards to the lowest responsive and responsible Bidders when such multiple awards are clearly stated in the bid solicitation documents. If less than two responsive bids for commodities or contractual services are received, the School Board may negotiate on the best terms and conditions or decide to reject all bids. The School Board shall document the reasons that negotiating terms and conditions with the sole Proposer is in the best interest of the School Board in lieu of resoliciting an Invitation to Bid. Preference may be given to St. Johns County Bidders provided prices and quality are equal, subject to certification as a drug-free workplace (Florida Statutes 287.087 and 287.084).

5. Acceptance of Responses to Requests for Proposals. In acceptance of responses to Requests for Proposals, the School Board may award a contract or pursue negotiation of a contract to one or more responsive, responsible Proposers whose

proposal the School Board determines to be most advantageous to the School Board and in its best interest in the exercise of the Board's judgment and discretion, based on the selection criteria published in the Request for Proposal. If less than two responsive proposals for commodity or contractual services are received, the School Board may negotiate on the best terms and conditions or decide to reject all proposals. The School Board shall document the reasons that negotiating terms and conditions with the sole Proposer is in the best interest of the School Board in lieu of resoliciting a Request for Proposal.

6. Bid Protest. A Bidder who wishes to file a bid protest must file such notice and follow procedures prescribed in Florida Statute 120.57 for resolution. For bids solicited by the Purchasing Department, the notice must be filed with the Purchasing Department. Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed in Florida Statute 120.57 shall constitute a waiver of proceedings under Chapter 120, Florida Statute.

7. Exceptions to the Competitive Solicitation Requirement. The requirement for requesting Competitive Solicitations for commodities or contractual services from three or more sources is hereby waived as authorized by Florida Statute 1010.04(4)(a), or any other applicable statute, rule or regulation, including the exceptions, exemptions and purchasing alternatives authorized by the State Board of Education Rules. Should the School Board utilize a purchasing alternative authorized by the State Board of Education Rules, the School Board shall obtain documentation of compliance with the Competitive Solicitation or other applicable statutory or regulatory requirements for utilizing the alternative.

8. Board Approval. School Board approval shall be required for any purchase or contract of $50,000 or more.

9. Thresholds. Except as authorized by law or rule, the Superintendent is authorized to purchase commodities or contractual services without Competitive Solicitation where the total amount of the purchase is less than $50,000 and does not exceed the applicable appropriation in the School District budget. The following purchasing thresholds shall apply:

   a. Up to $9,999. Purchasing of commodities and contractual services up to $9,999 shall be made in the best interest of the School Board.

   b. $10,000 up to $34,999. Purchasing of commodities and contractual services between $10,000 and up to $34,999 requires three (3) written quotes obtained by the requesting school or department, submitted to the Purchasing department for review and approval. Although a formal Invitation to Quote initiated from the Purchasing department is not required for this dollar threshold, it may be deemed appropriate based on the complexity or nature of the requirements as determined by the Director of Purchasing or designee.

c. $35,000 up to $49,999. Purchasing of commodities and contractual services between $35,000 and up to $49,999 requires an Invitation to Quote to be initiated, facilitated, and awarded through the Purchasing department.

School principals are authorized to make purchases from internal school accounts in compliance with the Internal Accounts Handbook.

10. Requisitions. Each purchase shall be based upon a requisition originating from a School Board department head or school principal. Each requisition or contract shall be properly financed, budgeted and encumbered prior to issuing a purchase order. Under extreme emergencies, the Director of Purchasing may grant permission for a purchase without a requisition; provided, however, any emergency purchase shall be followed immediately with an emergency requisition. A purchase shall not precede a requisition except in an emergency in accordance with State Board of Education Rules.

11. Conflict of Interest. The following provisions shall apply for conflict of interest. Any violation of these provisions by a School Board employee may be grounds for dismissal.

    a. No contract for goods or services may be made with any business organization in which:

        i. The Superintendent or School Board member has any financial interest whatsoever;

        ii. A spouse or child of the Superintendent or School Board member has an employment relationship or material interest as defined by Florida Statute 112.312; or,

    b. No School Board employee may directly or indirectly purchase or recommend the purchase of goods or services from any business organization in which he /she or his/her spouse or child has a material interest (as defined by Florida Statute 112.312) in the purchase transaction.

    c. School Board employees or officials may not use bid prices or school prices or receive gifts or any preferential treatment in making personal purchases. A School Board employee shall not be prohibited from participating in any activity or purchasing program that is publicly offered to all School Board employees. School Board employees shall be permitted to participate in School District public surplus sales provided they receive no preferential treatment.

12. Debarment. Pursuant to Florida law, relevant Florida Statutes and similar to Florida Statute 287.042(1)(b), the Superintendent shall have the authority to suspend or debar any person, firm, entity or an affiliate of any one of them, from consideration or award of future contracts for cause. Cause may include, without limitation, a recent record of persistent or repeated failure(s) or inability to fulfill the

terms and conditions of one or more previously awarded contracts with the School Board, failure to perform in accordance with contract specifications or drawings, failure to perform in accordance with applicable laws or ordinances, or failure to perform within the time limits provided in the contract(s). The suspension or debarment shall be for a period commensurate with the seriousness of the cause, generally not to exceed three years. For purpose of this section, "affiliate" includes a firm or entity that is owned or controlled by a person debarred under this rule, or by a principal of a debarred firm or entity.

13. Procedures and Guidelines. The Superintendent is authorized to adopt procedures to implement and supplement this rule.

**STATUTORY AUTHORITY:** **337.11(5)(A); 1001.42 F.S**

**LAWS IMPLEMENTED:** **12.312; 120.57; 212.0821; 255.04; 1001.43; 1010.01; 1010.04; 1013.47, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-1.012; 6A-1.087; 6A-7.042, F.A.C.**

**HISTORY** **ADOPTED: 8/18/98**
**Revision Date(s): 11/10/09; 9/16/14; 04/18/23**

## Selecting Professional Services 7.141

(1) In accordance with state law, architectural and engineering services shall be solicited through an application procedure. Except in emergency situations, the Board shall publish a legal advertisement in a local newspaper of wide circulation, describing the project or projects for which services are required and specifying the application procedure. A professional services contract shall be negotiated and recommended to the Board.

(2) The Superintendent is authorized to reuse Phase III School Facility Contractual Documents from previous projects when the following conditions are met. The Phase III Documents have been:

(a) Approved by the Department of Education within a period of one (1) year;

(b) Revised to comply with the current Uniform Building Code; and,

(c) Updated to meet current laws relating to fire safety, health and sanitation, casualty safety, and requirements for the physically handicapped.

(3) The Superintendent may authorize outside program consultants to provide professional help or training to divisions or departments.

(4) Full-time employees of the Board shall not contract for additional services to the Board as program consultants.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **287.055; 1001.43; 1001.53; 1011.06, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 08/08/06**

## Background Screening of Noninstructional Contractors 7.142

1. Introduction. This rule governs the criminal background screening of contractors who provide noninstructional services or goods to the St. Johns County School District and its schools. It does not apply to screening of District employees and instructional contractors, which is governed by Rule 6.104.

2. Definitions. The following definitions apply for purpose of this rule:

   a. "Noninstructional Contractor" means any vendor, individual, or entity under contract with the School Board or a District school who receives remuneration for noninstructional services, but who is not otherwise considered an employee of the District. The term also includes any employee of a vendor or contractor who performs the noninstructional services for the District or a school and any subcontractor and its employees.

   b. "Contract Administrator" means the School Board administrator who is responsible for the processing of the contract for noninstructional services. Accordingly, for contracts processed by the Purchasing Department, the Contract Administrator would be the Purchasing Director; for contracts processed by other departments, it would be the director in charge of that department; and for school-based contracts, it would be the school principal.

3. Background Screening – Direct Student Contact. Noninstructional Contractors (a) who are permitted access to school grounds when students are present and who are anticipated to have direct contact with students, and (b) charter bus drivers and other Contractors who are anticipated to have direct contact with students off-campus, shall undergo background screening as required by Florida Statute 1012.465, and paragraphs 5(a)-(h) of this rule. All competitive solicitations and proposed contracts for noninstructional services shall be evaluated by the Contract Administrator to determine whether the Noninstructional Contractors under that contract should be anticipated to come into direct contact with students. In the paramount interest of assuring student safety, direct contact should be anticipated whenever the Noninstructional Contractor will work in, or have access to, areas at the school where students are present, including but not limited to classrooms, corridors, bathrooms, cafeteria, gymnasium and locker rooms, media center, and playground facilities. Consistent with the District's high standards of student safety, any doubt in this evaluation should be resolved in favor of anticipating direct contact with students and requiring the more stringent screening under paragraph 4 of this rule.

4. Standards – Direct Student Contact. Pursuant to Florida Statutes 1012.465 and 1012.32, a Noninstructional Contractor who will have direct contact with students must not be ineligible for employment under the standards of Florida Statute 1012.315. Under these statutes, a Contractor is disqualified when such Contractor:

   a. Is ineligible based on a security background investigation under Florida Statute 435.04(2) (Level 2 Screening Standard);

   b. Is on the disqualification list maintained by the Florida Department of Education under Florida Statute 1001.10(4)(b);

   c. Is registered as a sex offender as described in 42 U.S.C. § 9858f(c)(1)(C);

   d. Would be ineligible for an exemption under Florida Statute 435.07(4)(c); or

   e. Has been convicted of:

      i. Any criminal act committed in another state or under federal law which, if committed in this state, constitutes a disqualifying offense under Florida Statute 435.04(2).

      ii. Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under Florida Statute 943.0435(1)(h)1.d.

5. Screening Procedure – Direct Student Contact. If it is determined in accordance with Paragraph 3 that a Noninstructional Contractor is anticipated to have direct contact with students, the Contractor shall undergo background screening as provided in subparagraphs (a)-(h) below:

   a. Submission to Fingerprints. Prior to beginning work, the Noninstructional Contractor must file a complete set of fingerprints for processing in accordance with Florida Statutes 435.04 and 1012.465. The Contractor shall be required to pay for full costs of processing at the time of fingerprinting or authorize appropriate payroll deductions.

   b. Review Process. The Human Resources Department ("Department") shall review the criminal history of all Noninstructional Contractors who are anticipated to have direct

contact with students. The Department shall obtain criminal background information on applicants through the Florida Case Provider Background Screening Clearinghouse ("Clearinghouse").

i. No Noninstructional Contractor shall begin work before his/her fingerprints are processed, the criminal and pre-employment investigation is completed, and the Contractor has been cleared.

ii. Once the Clearinghouse makes a determination of eligibility, the Department shall review both the application and the Clearinghouse Results Website reports concerning the Noninstructional Contractor. The Department will compare the information provided by the Noninstructional Contractor with the information received from the Clearinghouse. If a Contractor has failed to disclose a material conviction on his or her application, the Department reserves the right to reject the application.

iii. If the Clearinghouse determines an applicant is ineligible for clearance, the Department shall reject the application unless the Department finds that the Clearinghouse determination was erroneous.

iv. In cases where the Clearinghouse does not determine that an applicant is ineligible, the District reserves the right to disqualify the applicant based upon the facts of an application, criminal background check or other valid or reliable data sources, pursuant to paragraphs 5(c) – (h).

c. Statutory Disqualification. A Noninstructional Contractor shall be denied clearance for any work that is anticipated to involve direct contact with students by reason of conviction of any of the listed offenses in Florida Statutes 1012.315 or 435.04, or the equivalent offense under federal law or the law of another state or nation. As defined by Rule 6A-10.084, Florida Administrative Code, and used in this rule, the term "conviction" means a finding of guilt, an adjudication of guilt; a verdict of guilty; or a plea of guilty or *nolo contendere,* including (i) where a person is found guilty, pleads guilty or pleads *nolo contendere*, and (ii) adjudication of guilt is withheld. A person has been "convicted" when a criminal charge against that person results in a conviction.

d. Other Disqualifying Circumstances. Regardless of a Clearinghouse determination of eligibility, the following circumstances will also

disqualify a Noninstructional Contractor who is anticipated to have direct contact with students:

i. Conviction of an offense involving cruelty to animals.

ii. Conviction of a crime determined to be related to a crime or crimes of moral turpitude as defined by Rule 6A-5.05b of the Florida Administrative Code

iii. Dishonorable discharge from any branch of the Armed Services.

iv. Any Contractor who, upon date of application, is currently serving a court ordered probation or any other court ordered requirement for any criminal offense.

v. Any Contractor who, upon date of application, has been arrested and/or charged with any potentially disqualifying criminal offense(s) and a final disposition in the matter is pending for the charged offense(s).

e. Other Offenses – Within 10 Years. Regardless of a Clearinghouse determination of eligibility, a Noninstructional Contractor who will have direct contact with students must not have been convicted of the following offense(s) within 10 years of application date:

i. Any felony offense not listed elsewhere in this rule.

ii. Any offense regardless of level related to prostitution or lewd and lascivious criminal conduct not listed elsewhere in this rule.

f. Other Offenses – Case by Case Determination. Regardless of a Clearinghouse determination of eligibility, a Noninstructional Contractor who is anticipated to have direct contact with students will be screened on a case by case basis by reason of conviction of the following offense(s):

i. Relating to misdemeanor domestic violence.

ii. Relating to disorderly conduct.

iii. Relating to petty theft shoplifting.

iv. Furnishing alcohol to minors.

v. Misdemeanor offenses.

vi. Relating to two or more DUI offenses.

vii. Relating to misdemeanor drug and/paraphernalia possession or use.

viii. Possession of a concealed weapon – misdemeanor.

ix. Any criminal offense(s) to the extent that the nature of the offense for which the Contractor was charged and convicted is deemed to conflict with the expectations of the contract with the District or pose a risk to student safety.

Other information derived about the Contractor, which indicates the Contractor may not be suitable to work on school grounds when students are present, may be grounds for denying clearance, if in the judgment of the Department, such investigatory findings conflict with contractual expectations or pose any risk to student safety.

g. Department Committee. The case by case determination of eligibility as contemplated by paragraph 5(f) shall be conducted by a committee composed of the head of the Human Resources Department, the directors of instruction and non-instructional personnel, the director of risk management and the department coordinator. The head of the Department is authorized to appoint other staff to serve in the place of a designated member to accommodate scheduling or work load.

h. Reconsideration and Appeal. Contractors who have been denied employment, and probationary employees who have been denied permanent employment, on the bases of their criminal record and/or background check, may request reconsideration by the Human Resources Department only if they present new information not previously available to the Department.

6. Background Screening – Access to School Funds. Noninstructional Contractors who have access to or control of school funds are subject to the background screening procedure and standards set forth in Paragraphs 4 and 5.

7. Background Screening – No Contact with Students. If the evaluation of the proposed contract by the Contract Administrator determines that it is not anticipated that the Noninstructional Contractors performing the contract services will not have direct contact with students, and that any

unanticipated contact would be infrequent and incidental, the District will comply with the requirements of Florida Statute 1012.467.

8. Statewide Badges. The District shall recognize a uniform statewide badge issued by another district. However, the District reserves the right to conduct a criminal background check on a Contractor with a statewide badge to make sure the Contractor currently meets clearance requirements and does not pose a threat to student safety.

9. Exceptions. The requirements of this rule do not apply to Noninstructional Contractors who are exempted from background screening by Florida Statute 1012.468(2). However, such exempt Contractors are subject to screening against the sexual predators and sexual offenders databases maintained by the Department of Law Enforcement under Florida Statute 943.0343, and the National Sex Offender Public Registry. Any Noninstructional Contractor who is identified as a sexual predator or sexual offender shall not be permitted on school grounds when students are present.

10. Rescreening. Noninstructional Contractors who are subject to background screening under this rule are subject to periodic rescreening under Florida Statute 1012.32

11. Procedures and Guidelines. The Superintendent is authorized to enact procedures and guidelines to implement this rule.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:** **1012.465, 1012.467, 1012.460, F.S.**

**HISTORY:** **Adopted: 10/14/14**
**Revised: 04/08/25**

## ONLINE EDUCATIONAL SERVICES AGREEMENTS/CONTRACTS 7.143

1. Introduction. This rule specifies the procedure for protecting students' educational information and personally identifiably information when entering into online educational services agreements with a third-party vendor or third-party service provider. This rule is being implemented to comply with section 9(a)A of the Florida Administrative Code § 6A-1.0955(9)(a)- Education Records. This procedure should be followed prior to entering into an online educational services agreement, whether or not there is a written agreement, and whether or not the online educational service is free. This procedure is required even if the use of the online educational service is unique to specific classes or courses. Prior to entering into an online educational services agreement, the following review and approval procedure is to be followed.

2. Definitions.

   a. "Education records" means records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution, as defined in 20 U.S.C. s. 1232g(a)(4).

   b. "Online educational service" means computer software, mobile applications (apps), and web-based tools that students or parents are required to use and access through the internet and as part of a school activity or function. Examples include online services that students or parents use to access class readings, assignments, or videos, to view learning progression, or to complete assignments. This does not include online services that students or parents may use in their personal capacity, or online services that districts or schools may use to which students or parents do not have access, such as a district student information system.

   c. "Personally identifiable information" or "PII" means information that can be used to distinguish or trace a student's identity either directly or indirectly through linkages with other information, as defined in 34 CFR §99.3. PII includes, but is not limited to direct identifiers (such as a student's or other family member's name), indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name), and other personal identifiers (such as a student's social security number or Florida Education Identifier (FLEID) number). PII also includes information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

   d. "Third-party vendor" or "Third-party service provider" means any entity, whether public or private, that provides services to a school board or institution through a contract or agreement. The term does not include the

Florida Department of Education or the Department's contractors and subcontractors.

3. Procedure. Prior to the use of any online educational service under the terms of an online services agreement or contract by the District or any District school, the following steps shall be completed:

   a. Designate a person or persons responsible for the review and approval of online educational services that are required for students to use.

   b. Review the online educational service's terms of service and privacy policy to ensure compliance with state and federal privacy laws, including FERPA and its implementing regulations, the Children's Online Privacy Protection Act (COPPA), 15 U.S.C. ss. 6501-6506, and Section 1002.22, F.S.

   c. If student PII will be collected by the online educational service, the Superintendent shall establish procedures for notifying parents and eligible students of information that will be collected, how it will be used, when and how it will be destroyed, and the terms of re-disclosure, if any.

4. Prohibition Against Disclosure of Student PII. Any agreement for online educational services shall contain an express prohibition against sharing or selling a student's PII for commercial purposes without providing parents a means to either consent or disapprove. However, this disclosure prohibition does not prevent the purchase, merger, or other type of acquisition of a third-party provider or online educational service by another entity, provided that the successor entity continues to be subject to the provisions of this rule with respect to previously acquired PII.

5. Notice. For any online educational service that a student is required to use, the District will provide notice on its website of the PII information that may be collected, how it will be used, when it will be destroyed and the terms of re-disclosure. This notice will include a link to the online educational service's terms of service and privacy policy, if publicly available.

6. Compliance. Pursuant to this rule, any online educational service provided through a third-party vendor or third-party service provider must be approved by the School Board or its designee under School Board Rule 7.14.

7. Parent/Guardian Notice. Students shall only use School Board approved online educational services on District provided devices. Student use of any non-approved online educational service on District devices is prohibited and may result in disciplinary proceedings. The use of any non-approved online educational service on district provided devices may result in the students PII being disclosed and not protected.

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| **STATUTORY AUTHORITY:** | **1001.41, 1001.42, 1001.43, F.S.** |
| **LAW(S) IMPLEMENTED:** | **1001.22; 1001.21; F.S.**<br>**20 U.S.C. s. 1232g(a)(4); 15 U.S.C. ss. 6501-6506**<br>**34 CFR §99.3;**<br>**F.A.C. § 6A-1.0955** |
| **HISTORY:** | **ADOPTED:11/14/23** |

## Payment Of Vouchers/Invoices 7.15

(1) Expenditures for payment of vouchers and invoices shall be made by warrants or wire transfers of the School Board. Authorization for such payments shall be deemed approved by the Board if within amounts approved in the Board-adopted District budget or amendment thereto. In cases of expenditures exceeding approved purchasing limits, specific School Board approval is required and shall be reflected in School Board minutes. Approval of individual warrants themselves by the School Board shall not be required.

(2) Payment for construction purchases and construction services shall be made in a timely manner as set forth in chapter 218, Florida Statutes.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **218.72; 1001.43; 1001.51; 1011.06, F.S.**

**HISTORY:** **ADOPTED: 8/18/98**
**Revision Date(s): 08/08/06**

| Payroll | 7.16 |
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Payroll expenditures, deductions, and accounting shall be conducted in accordance with federal law, Florida Statutes, and State Board of Education procedures. The Superintendent shall prepare procedures for implementing this rule.

**STATUTORY AUTHORITY:** 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED:** 106.15; 1001.43; 1011.60; 1012.22, F.S.

**HISTORY:** ADOPTED: 8/18/98
REVISION DATE(S): 08/08/06

| **Authorized Travel Expenses** | **7.17*** |
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Travel expenses incurred by authorized persons involved in conducting School Board business may be reimbursed. The mileage reimbursement rate for authorized travel shall be at the rate established by the Internal Revenue Service annually.

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| **STATUTORY AUTHORITY:** | **1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **112.061; 1001.39; 1001.43, F.S.** |
| **STATE BOARD OF EDUCATION RULE:** | **6A-1.056** |
| **HISTORY:** | **ADOPTED: 8/18/98**<br>**REVISION DATE(S): 08/08/06; 06/14/22** |

## Indebtedness Created Against the School Board 7.18

Any school employee shall be personally liable for creating any bill of indebtedness against the School Board unless authority exists under School Board Rule or procedure or unless authorized in writing by the Superintendent. Any person violating the provisions of this Rule shall be subject to discipline

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**STATUTORY AUTHORITY:** 1001.41, F.S.

**LAWS IMPLEMENTED:** 1001.43; 1012.22, F.S.

**HISTORY:** ADOPTED: 8/18/98
REVISION DATE(S): 08/08/06

## Fund-Raising Activities 7.19

1. Introduction. Fund-raising activities are activities or events that are conducted for the purpose of raising money to support (i) the District, (ii) District schools, (iii) school-based organizations such as student clubs, (iii) support organizations such as PTOs and booster clubs, or (iv) the St. Johns Education Foundation. Fund-raising activities require prior written approval of the appropriate District or school official in compliance with this rule.

2. Definitions. For purpose of this rule, the following definitions apply:

   a. School Based Organization ("SBO"). An SBO is a student club or similar organization that is primarily student-run, with a sponsor who is a District employee. Examples include but are not limited to Art Club, Future Educators of America, Beta Club, Dance Club, Debate Club, High Q, Key Club, International Thespian Society, Literary Magazine and Mu Alpha Theta (Math).

   b. School Support Organization ("SSO"). An SSO is a volunteer organization that provides support or services to a school, such as booster clubs and parent teacher organizations ("PTO").

   c. Direct Support Organization ("DSO"). A DSO is an organization existing and operating under Florida Statute 1001.453. Currently, the St. Johns Education Foundation ("Foundation") is the District's only DSO. This rule does not apply to Foundation fund-raising activity.

3. Schools. In conducting fund-raising activities and events, schools shall comply with the requirements of the Internal Accounts Handbook.

4. School Based Organizations. SBOs shall comply with the financial controls required of them by the District Guidelines for Camps, Facility Use, School-Based Organizations and Clubs, and Special Events. In particular, in fund-raising activities and events, SBOs shall comply with the applicable requirements of the Internal Accounts Handbook.

5. School Support Organizations. SSOs shall comply with the financial control and other applicable requirements and procedures as set forth in the District Guidelines for Camps, Facility Use, School-Based Organizations and Clubs, and Special Events.

6. Approval of SSO Fundraising Activities. All fund-raising activities and projects conducted by an SSO require principal's written approval.

   a. At the beginning of the school year, SSOs shall submit to the principal for review and approval a list of proposed fund-raising activities planned for the

coming year. If during the year, a school-based organization proposes fund-raising activities that were not included on its list at the beginning of the year, the SSO shall submit its plans to the principal for review and approval prior to the event.

b. A request for approval of a fund-raising activity shall explain the purpose and scope of the proposed activity and when, how and where it will be conducted.

c. To be approved, the activity's purpose shall be consistent with the District's mission, its educational and extracurricular goals and objectives, and the School Board's rules and practices. The activity must be reasonable in terms of time and manner so that, in the judgment of the principal, it will not disrupt the school environment. Door-to-door solicitation by students in grades five (5) or below shall not be permitted and shall be discouraged or alternatives sought in grades six (6) through ten (10).

d. The principal's approval must be in writing and will include any conditions placed on the approval.

e. SSOs shall not conduct fund-raising activities without the prior written approval of the principal prior to the event.

7. Approval – District Based Fund-raising Activities. Plans for any fund-raising activity that would be for the benefit of the District or would be conducted District-wide shall be submitted to the Community Relations Department for prior review and written approval based on the criteria listed in paragraph 6.c.

8. Other On-Campus Fund-Raising Activities. All fund-raising activities conducted by service organizations at schools including, but not limited to, March of Dimes, Muscular Dystrophy Association, United Way, Boy Scouts, Girl Scouts shall be approved in advance by the principal or, if the proposed activity would be District-wide, the Community Relations Department, in accordance with the procedure and requirements prescribed by paragraph 6. Such fund-raising activities must be for a bona-fide charitable or educational purpose, and shall be reasonable in terms of how and when the activity is to be conducted in order to avoid disruption of the school environment. Such a fund-raising request may be denied or modified by the principal, if in his or her judgment, the activity may disrupt the school or campus environment.

9. Required Disclosures. All fund-raising solicitations and materials, including on-line messaging, must clearly disclose the (i) name of and contact information for the organization conducting the activity; (ii) the purpose for which funds are being solicited; and (iii) the name of the intended beneficiary (name of school or organization).

10. Unauthorized Fund-Raising Activity. Fund-raising activity on behalf of the District, any District school, or any District SSO or SBO shall be prohibited unless the activity has been authorized in accordance with the requirements of this rule.

11. For-Profit Activities. Fund-raising activities conducted by or for the benefit of for-profit interests shall not be allowed in schools, or on other District property. District media may not be used to raise funds for for-profit interests. Provided, however, that for-profit entities that have facility use agreements with the District may conduct for-profit fund-raising activities in the school space covered by their facility use agreement. However, this rule shall not prevent businesses that have a contract with the District or a school from soliciting sales or business as permitted by the contract.

12. School Productions and Regularly Scheduled Activities. Athletic events, concerts, class plays, and programs given by students and events and programs offered by a school are not considered fund-raising activities for purpose of this rule. The proceeds from such activities and events shall be retained by the school.

13. Food Items. Food items sold on campus during the school day for a fund-raising purpose shall be consistent with the District's Wellness Policy.

14. Raffles, etc. Raffles, bingo, lotteries, or games of chance, having cash prizes, shall not be permitted on school property by SBOs or SSOs. However, a fund-raising project with clearly identified tickets or entry blanks for chances to win appropriate items of value may be permitted if approved in advance by the school principal or administrator in charge of the District facility at which the event is to occur and conducted in accordance with Chapter 849, Florida Statutes. The organization conducting the fund-raising project must not:

    a. predetermine the winner;

    b. require an entry fee, donation, substantial consideration, payment, proof of purchase or contribution as a condition of entering the drawing or of being selected to win a prize (a suggested minimum donation is allowed);

    c. condition the drawing on a minimum number of tickets being disbursed or sold;

    d. arbitrarily remove, disqualify, disallow, or reject any entry or to discriminate in any manner between entrants who gave contributions and those who did not give contributions;

    e. fail to promptly notify the person who won;

    f. fail to award prizes offered;

g. print, publish, or circulate literature in connection with the drawing which is false, deceptive, or misleading;

h. cancel the drawing;

i. condition the acquisition or giveaway of any prize upon the receipt of voluntary donations or contributions.

15. Off-Premises Fund-raising Events. For events on premises other than School Board property, prior approval shall be secured from the principal of the school that sponsors the organization.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **CH. 849; 1001.51; 1006.02; 1010.01, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-1.085; 6A-7.042**

**HISTORY:** **ADOPTED: 8/18/98**
**REVISION DATE(S): 08/08/06; 04/14/20**

## Investment of Funds 7.20

(1) Based upon a written system of internal controls and operational procedures, the Superintendent shall invest temporarily idle funds to earn the maximum return for the period available. Highest priority shall be placed on the safety and liquidity of funds. Funds may be placed in the following types of investments:

(a) Bids from qualified depositories;

(b) Certificates of deposits;

(c) Time deposits;

(d) Securities of the United States Government including obligations of the United States Treasury;

(e) State managed cooperative investment plans, or

(f) Other forms of authorized investments. Should the district choose to enter into third-party custodial agreements, master purchase agreements or security purchase agreements, it shall do so in accordance with section 218.415, Florida Statutes or its successor and amendments thereto. The district shall not invest in derivative products.

(2) The principal shall invest temporarily idle internal account funds in qualified depositories at the best available return subject to the advice of district staff trained in investment practices and procedures.

(3) A periodic audit review of the written internal controls and operational procedures for investment of funds shall be conducted by an independent certified public accountant in conjunction with required district financial audits. The Superintendent shall report such investments in the monthly financial statement and indicate the location of each investment.

(4) Other investments may not be made unless specifically authorized.

**STATUTORY AUTHORITY:** 1001.42, F.S.

**LAWS IMPLEMENTED:** 163.01; CHAPTER 280; 1001.32; 1001.42; 1001.43; 1010.04; 1011.06; 1011.07; 1011.09; 1011.18; 1011.19, F.S.

**HISTORY:** ADOPTED: 8/18/98
Revision Date(s): 08/08/06

## Risk Management Insurance 7.21

(1) The Superintendent shall recommend annually to the School Board insurance programs, including property, liability, worker's compensation and motor vehicle insurance that provide the best protection against loss to the District.

(2) The Superintendent is authorized to approve claim payments against the School Board up to deductible amounts specified in District risk insurance programs approved by the School Board. Claims payments in favor of the School District shall be accepted by the Superintendent or designee and shall be reflected in appropriate budget amendments brought to the School Board for approval.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1001.57, F.S.**

**HISTORY:** **ADOPTED:08/18/98**
**REVISION DATE(S): 08/08/06**

| Electronic Funds Transfers and Payments | 7.22 |
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1. In accordance with Section 1010.11, Florida Statutes, the School Board authorizes electronic funds transfers (EFTs) for any purpose including direct deposit, wire transfer, withdrawal, investment, or payment consistent with the provisions of Chapter 668, Florida Statutes. In accordance with Section 668.006, Florida Statutes and Rule 6A-1.0012, Florida Administrative Code, the District will establish and implement control processes and procedures to ensure adequate integrity, security, confidentiality, and auditability of business transactions conducted using electronic commerce.

2. The Superintendent is authorized to enact procedures and guidelines to implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42, F.S.** |
| **LAWS IMPLEMENTED:** | **668.06; 1011.11, F.S.** |
| **STATE BOARD RULES IMPLEMENTED:** | **6A-1.0012** |
| **HISTORY:** | **Adopted:06/10/14** |

## CHAPTER 8.00 - AUXILIARY SERVICES

| **Safety of Pupils, Employees and Visitors** | **8.01** |
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1. The safety of pupils, employees and visitors shall be the responsibility of the authorized person in charge of each site owned or operated by the School Board.

2. Schools shall cooperate with the police, sheriff's department, fire department and other agencies promoting safety education.

3. To assist in carrying out the responsibilities for safety, each principal shall appoint a member of the staff as school safety coordinator.

4. No person, including pupils, employees, or visitors, shall bring on any School Board premises or have in such person's possession or in such person's vehicle any School Board property, any firearm, weapon or destructive device unless such weapon is required as part of the person's regular job responsibilities.

5. District school board employees shall follow the procedures and limitations in § 1006.062, Florida Statutes, in the administration of medical and health-related services to students.

6. The principal shall inspect the alarm system of the school at weekly intervals. Any malfunction of the alarm system shall be reported immediately by telephone to the Facilities/Construction Specialist who shall make the needed repairs without delay. Any failure to make prompt repairs shall be reported to the Superintendent by the principal.

7. The organization of a school safety patrol shall be encouraged as an aid to safety on and adjacent to the school grounds. The principal may organize a school safety patrol in cooperation with the Police Department or the Sheriff's office depending on the enforcement agency responsible for the school area. No student may be a member of the school patrol without the annual written consent of the student's parent(s) unless the student is eighteen (18) years of age or older. Such written consent shall be on file in the principal's office.

8. The Superintendent shall require that hazardous conditions found on any School Board property be reported immediately and that reported hazards be investigated and corrected or removed, as appropriate.

9. The Superintendent shall develop and present to the School Board for approval appropriate emergency management and emergency preparedness plans.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:** 316.614, 985.401, 1001.43, 1006.062(3), 1006.07, F.S.

**HISTORY:** ADOPTED: 08/18/98
REVISION DATE(S): 11/21/06

## Toxic Substances in School Work Areas 8.02

The Superintendent shall develop and implement a program to ensure School Board employees are provided information concerning the nature of toxic substances which are used in the workplace. The program shall include, but not be limited to:

1. Notification of School Board employees of where to direct requests for information on such substances;
2. An orientation session, within thirty (30) days of employment, for all new School Board employees to advise them of any adverse health effects which may occur as a result of contact with toxic substances; and,
3. Distribution of information regarding the use of any toxic substances in the District school system to the local fire department.

**STATUTORY AUTHORITY:** 230.22(2), F.S.

**LAW(S) IMPLEMENTED:** 442.101, F.S.

**HISTORY:** ADOPTED: 08/18/98
REVISION DATE(S):
FORMERLY: EB @ EMCS

## Facility, Fire Safety and Security Risk Inspections and Assessments 8.03

1. SREF Inspections. All school buildings shall be inspected, as required State Requirements for Educational Facilities ("SREF"), during the school by Florida Statute and fiscal year by a person who is certified by the designated State, county, or municipal agency. Such inspections shall be conducted to determine compliance with State Board of Education rules, Florida Administrative Code, and Florida Fire Prevention Code, and shall include, but not be limited to, wiring, plumbing, structural parts, safety hazards, and general repair needs. A copy of such inspection report(s) shall be submitted to the principal, Superintendent, School Board and appropriate State agencies.

2. Radon Inspection Reporting. The Superintendent shall report to the designated state agency, within one year of occupancy, the results of initial measurements on the level of indoor radon in all District school buildings and any facility housing students in Pre-Kindergarten through Grade 12.

   a. Procedures for determining the level of indoor radon shall conform to measurement procedures established by the designated state agency.

   b. Repeated measurements on the level of indoor radon shall be performed and reported to the designated state agency at five (5) year intervals subsequent to the initial measurement if required.

3. Fire Safety Inspections. The School Board shall require that appropriate fire alarm equipment be provided and installed in all educational facilities. The Superintendent shall be responsible for maintaining the alarm system in good operating condition at all times.

   a. Two annual Fire Safety inspections will be conducted as required by Sections 1013.12(1) & (2), Florida Statutes; one by the county, municipality, or special district that has fire safety enforcement responsibilities, and one by the School District. Inspections shall be conducted by individuals certified by the Division of State Fire Marshal to be eligible to conduct fire safety inspections in public educational and ancillary plants.

   b. When the county, municipality, or special district that has fire safety enforcement responsibilities conducts a fire safety inspection as authorized in 1013.12(2), Florida Statutes, and it is determined that a serious fire safety hazard exists which poses an immediate danger to the public health, safety, or welfare, the State Fire Marshal and Superintendent are authorized to issue a joint order to vacate the facility in question, which order shall be effective immediately. The Superintendent shall immediately notify the School Board members about such an order.

4. Security Risk Assessment. By October 1 of each year, under the auspices of the District School Safety Specialist and in collaboration with the appropriate public safety agencies, the District shall conduct a school security risk assessment at each District school using the Florida Safe Schools Assessment Tool developed by the Department of Education Office of Safe Schools.

5. Recommendations. Based on the security risk assessment findings, the District School Safety Specialist shall submit to the Superintendent and School Board recommendations that identify strategies and activities to address the findings and improve safety and security. The School Board shall receive the findings and recommendations at a public meeting to provide the public an opportunity to hear the School Board hear and take action on the findings and recommendations.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1006.07(6); 1006.1493; 1013.12, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**RENAMED: __/__/19 (fka Facility and Fire Safety Inspections**
**REVISION DATE(S): 11/21/06; 11/12/19**

## Emergency Evacuation Drills 8.04

(1) The Principal shall hold at least the minimum of emergency evaluation drills as specified by the State Board of Education rules and the Florida Fire Prevention Code during each semester. A report of each emergency evacuation drill shall be maintained on site, with a copy provided to the District office.

(2) The principal shall develop a base emergency exit and cover plan for such emergencies as fire, bomb threats, foul weather and regional or national emergencies, designed to familiarize the occupants with all means of exit and appropriate cover areas for emergencies. Special emergency exits that are not generally used during the normal occupancy of the building shall be carefully detailed and outlined. Diagrams shall be posted in each student occupied area clearly indicating fire exits and alternate evacuation routes.

(3) The principal shall plan and assign to staff members the responsibility of the prompt and orderly evacuation of school buildings.

(4) The principal shall identify and report to the Superintendent hazardous areas requiring corrective measures. The Superintendent shall be responsible for informing the School Board of the principal's report.

(5) The Superintendent shall make available to each principal a copy of State Board of Education rules, Florida Fire Prevention Code, and any amendments relating to emergency evacuation drills.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1006.07, F.S.**

**STATE BOARD OF EDUCATION RULES** **6A-2.0111 6A-2.0010**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## Emergency Disaster 8.05

1) In the event of an emergency disaster, school centers shall be available for use as emergency shelters. If it is predicted that a storm or hurricane will hit in or near this geographical area, each school building principal shall be available in order to make the school plan for which he or she is responsible is available as an emergency shelter.

2) Each school building principal shall provide an emergency disaster plan in the event of a hurricane, tornado, or other civil defense emergency. This plan shall be made available to all concerned parents and the school employees as needed and upon request. Each school building principal shall be responsible to instruct and train all employees on the emergency disaster plan.

3) The School District shall cooperate with the St. Johns County Office of Emergency Management or other designated emergency management coordinating groups and shall enter into a Memorandum of Understanding with such groups to facilitate a unified response to emergency disasters. The Memorandum of Understanding shall address the use of school buildings as emergency shelters for residents.

4) In case of an emergency, the Superintendent is authorized to close schools and to dismiss students prior to the regular daily dismissal hour. The principal may dismiss the school when the Superintendent cannot be contacted and an extreme emergency exists endangering the health, safety, or welfare of students. Any such early dismissal made by the principal shall be reported immediately to the Superintendent's office with a statement describing the reasons for early dismissal. The Superintendent shall immediately notify each School Board member of any such early dismissal. Such report shall be formally submitted to the School Board at its next regular meeting unless a special meeting is held relating to the emergency.

   A) In a declared state of emergency, control of students shall be maintained by school personnel until these students are released from school or in the case of transported students, until they depart from the school bus.

   B) The principal shall cooperate with the emergency preparedness authorities during a natural or man-made disaster.

5) In case of an emergency where the St. Johns County Department of Emergency Management requests the opening and operation of one or more shelters, St. Johns County School District employees (exempt and non-exempt) that are approved to work for the purpose of emergency preparedness, response and recovery will be working in separate job positions for emergency management. While performing duties in emergency management positions, non-exempt school district employees will receive premium pay (the same pay as if on overtime status) regardless of their regular work schedule. Those employees who are in non-exempt positions with the school district will be paid at an overtime rate (1.5 times their normal hourly rate) for all hours worked in emergency management positions. This special premium pay will not change the employee's normal base rate for overtime purposes and non-exempt employees working in emergency management positions will not receive any additional overtime pay for hours worked over 40 in a 7 day period. Those who are normally considered exempt employees will be considered reassigned to non-exempt positions and paid at a rate equal to their calculated hourly rate which will be determined by dividing their base salary by 40 hours to determine their hourly rate of pay. Exempt employees will receive overtime pay for any hours worked in their emergency management positions over 40 in a week.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1001.51; 1013.10, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 04/14/09**
**11/21/06**

| **Active Assailant Response Plan** | **8.07** |
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1. Active Assailant Response Plan. The School Board shall develop an active assailant response plan.

2. Public Records Status. The District's active assailant response plan, security plans and documents pertaining to its security systems and procedures are exempt from public disclosure under the Florida Public Records Law.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1006.07(6)(c), F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**RENAMED; __/__/19 (f/k/a Security Plan)**
**REVISION DATE(S): 11/21/06; 11/12/19**

## School Threat Assessment Teams 8.08

1. Establishment of Threat Assessment Teams. Pursuant to Florida Statute 1006.07, Threat Assessment Teams shall be established at each District school. Threat Assessment Team duties include the coordination of resources and assessment and intervention with students whose behavior may pose a threat to the safety of school staff or students consistent with the policies developed by the Office of Safe Schools.

2. Composition. Threat Assessment Teams shall include persons with expertise in counseling, instruction, school administration and law enforcement.

3. Threat Determination. Upon a preliminary determination that a student poses a threat of violence or physical harm to himself or herself or others, the Threat Assessment Team shall immediately report its determination to the Superintendent or the Superintendent's designee. The Superintendent or designee shall immediately attempt to notify the student's parent or legal guardian. Nothing in this subsection shall preclude District staff from acting immediately to address an imminent threat.

4. Access to Criminal History. Upon a preliminary determination by the Team that a student poses a threat of violence to himself or herself or others, or exhibits significantly disruptive behavior or need of assistance, the Team may obtain criminal history record information, as provided in Florida Statute 985.047. Members of the Threat Assessment Team may not disclose any criminal history record information obtained pursuant to this section or otherwise beyond the purpose for which such disclosure was made to the Team.

5. Mental Health or Substance Abuse Issues. If an immediate mental health or substance abuse crisis is suspected, school staff shall follow District guidelines to engage behavioral health crisis resources. Pursuant to Florida Statute 1006.07(7)(d), behavioral health crisis resources, including, but not limited to, mobile crisis teams and school resource officers trained in crisis intervention, shall provide emergency intervention and assessment, make recommendations and refer the student for appropriate services. Onsite school personnel shall report all such situations and actions taken to the Threat Assessment Team, which shall contact other agencies involved with the student and any known student providers to share information and coordinate any necessary follow up actions.

6. Reporting. Each Threat Assessment Team shall report quantitative data on its activities to the Office of Safe Schools in accordance with guidance from that office.

7. Superintendent and Principals' Compliance. The Superintendent and school principals shall be responsible for compliance with the requirements of this rule.

8. Procedures and Guidelines. Authority is delegated to the Superintendent to enact procedures and guidelines to implement this rule and the underlying statutory requirements.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAW(S) IMPLEMENTED:** **1006.07, 1006.13, F.S.**

**HISTORY:** **Adopted: 8/14/18**

## MAINTENANCE 8.09

(1) The Board shall strive to provide well-maintained schools and facilities which are safe from hazards, are sanitary, and are properly equipped and adequately lighted and ventilated. The Superintendent shall be responsible for maintenance and upkeep of school plants.

(2) The principal shall report, in writing, to the Facilities Department, any needed repairs to any buildings or the grounds. Any emergency repairs shall be reported to the Department by telephone and confirmed in writing.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S):**

| Sanitation | 8.10 |
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The school principal shall be responsible for maintaining satisfactory standards of sanitation and housekeeping. The principal shall make a formal monthly inspection of all buildings, including but not limited to, all toilet areas, food service areas, storage rooms, and other student or staff occupied areas.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.42; 1001.43, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## CHAPTER 8.00 - AUXILIARY SERVICES

| **Infection Control Guidelines** | **8.11** |
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School Board employees who handle students' bodily secretions shall adhere to procedures that emphasize avoidance of direct contact of employees' skin and mucous membranes with blood and other bodily secretions or wastes of persons who may have a communicable disease.

The Superintendent shall adopt such procedures as are necessary to implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.42, F.S.** |
| **LAW(S) IMPLEMENTED:** | **1001.43, 1012.23, F.S.** |
| **STATE DEPARTMENT OF HEALTH ~~AND~~** | **64E-16** |
| **HISTORY:** | **ADOPTED: 08/18/98**<br>**REVISION DATE(S): 08/14/07** |

## Student Transportation 8.13

(1) The transportation program shall be administered to provide safe and efficient services at the lowest possible cost. Transportation funds shall be used primarily to provide transportation of students to the student's assigned school as determined by the School Board and in accordance with Florida Statutes.

(2) The Superintendent shall direct the development and maintenance of a comprehensive transportation manual which shall set forth objectives, guidelines, and procedures for the School District's transportation services, and which shall be available for reference and review by interested parties.

(3) Any student who resides two (2) or more miles from the student's assigned designated school by the most direct traveled route is eligible to ride the school bus to and from that school. These students shall be reported for funding purposes. Under the following conditions, students who reside within two (2) miles of the designated school may be eligible to ride the school bus.

(a) Special authorization is granted by the Superintendent and may include Hazardous Walking Area students who are eligible for State funding and Courtesy Rider students who are not eligible for State funding.

(b) An exceptional student may ride a school bus regardless of distance from home to school upon furnishing a statement from the Superintendent certifying that the student is handicapped and is unable to walk to school.

(4) A student who is eligible for transportation and resides beyond the accessibility of a school bus may be provided transportation by payment from the School Board to the parent(s) or legal guardian for use of a private automobile or other conveyance for this purpose.

(5) The School Board may cooperate with other school districts to provide transportation for students.

(a) When it is practical to extend a school bus route to serve any territory located in another school district, the School Board shall enter into an agreement with the School Board of the other school district to provide transportation services to students residing in the adjacent school district. Any such agreement shall be recorded in

the official School Board minutes of each school board. The agreement shall state in detail the responsibility of each school board for operating the school bus and maintaining a daily schedule.

(b) Whenever a school bus crosses a school district line, all Rules of the School Board shall apply to students transported by the said school board unless otherwise stated in the agreement between the school boards.

(6) Only a student who is regularly enrolled as a transported student and whose name appears in the bus driver's handbook for that bus shall be permitted to ride such bus while it is being operated on a regular school bus route except upon the written request of the Transportation Supervisor. Such approval may be granted only when the student's welfare is involved due to an emergency condition in the home. When an emergency condition exceeds five (5) school days, the Superintendent's approval shall be required. Approval shall not be allowed for:

(a) Student visitation, unless duly authorized; and

(b) A student to obtain transportation to the student's regular place of employment.

(7) No person shall be eligible for transportation on a field trip or extracurricular school trip unless authorized by the principal.

(8) Maximum regard for the safety of students and due consideration for the protection of health of all students transported shall be primary requirements in the routing of buses, establishing student stops, appointing drivers, and in providing and operating transportation equipment.

(9) A student who arrives early or remains late because of transportation service shall be under school supervision at all times and shall, if practicable, have a planned schedule of activities. The principal shall be responsible for providing such supervision.

(10) Each route shall be planned and adjusted as nearly as possible to the bus capacity. Travel time each morning and afternoon shall be considered in planning and establishing bus routes and, so far as practical, not exceed fifty (50) minutes for elementary students and sixty (60) minutes for secondary students. Travel time is defined as the period of time each individual student spends on the bus while the bus is in motion.

(11) Each student who is transported shall be entitled to free transportation provided the student abides by the rules of safety and behavior necessary to operate the School District's transportation system and the Code of Student Conduct. Serious infraction of these rules may result in the loss of the student's privilege. The student's parent(s) shall be responsible for making sure the student abides by the rules or for providing the student's transportation. Suspension from a bus shall not affect the attendance laws and rules. Penalties for violation of these rules shall be uniformly applied throughout the School District as outlined in the Code of Student Conduct.

(12) Specific permission shall be obtained from the Superintendent for non-bus students to be permitted regularly to ride a scheduled bus. Emergency permission for bus services of a short duration may be granted by a principal. No student shall exit the school bus on the student's way to or from school without the student's parent(s) and the principal's written authorization except at the student's assigned school or the student's assigned bus stop.

(13) Periodically student transportation routes and student walking conditions shall be reviewed to determine whether hazardous conditions exist. Appropriate requests for designation of hazardous conditions shall be provided as required by state law or State Board of Education rules.

(14) The transportation of students in privately-owned motor vehicles for educational field trips or school-sponsored or school-related events shall be approved by the Superintendent on a case-by-case basis pursuant to Florida Statutes, except in an emergency situation. Drivers of such vehicles shall be required to show proof of insurance coverage at the minimum limits required by Florida Statutes and at other limits that may be required by the School Board. Vehicles shall not transport numbers beyond their rated capacity. Appropriate safety measures such as use of seat belts shall be observed.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.31; 1001.43; 1006.21; 1006.22; 1006.23; 1006.24; 1011.68, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-3.001; 6A-3.017**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(s): 11/21/06**

## Automotive Equipment 8.14

(1) All automotive equipment owned by the School Board shall be assigned to the Superintendent for proper care and maintenance.

(2) Automotive equipment shall be used exclusively for authorized school purposes.

(a) The Superintendent shall report any unauthorized equipment usage to the School Board.

(b) Violation of this rule shall be cause for disciplinary action.

(3) Failure of the operator to notify the Director of Transportation as to any mechanical defect of any piece of automotive equipment may be cause for disciplinary action.

(4) All mechanical defects of equipment, where repairs are needed, shall be the Superintendent's responsibility and repairs shall be made immediately. The School Board shall not assume any financial responsibility for purchases or contract for repairs unless prior approval is obtained from the Superintendent.

(5) The Superintendent shall ensure that all equipment is inspected at regular intervals.

(6) The person who is assigned a vehicle on a full-time basis shall be responsible for delivering the vehicle to the School District's garage for inspection as scheduled.

(7) The person assigned a vehicle will fill out a fringe benefit work sheet to pay tax on the commuting mileage.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1006.21; 1006.22, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-3.017**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## CHAPTER 8.00 - AUXILIARY SERVICES

| **Bus Routes** | **8.15** |
|---|---|

1. The Superintendent shall recommend to the School Board for approval the route to be traveled regularly by each school bus. Each such route shall be planned to ensure safety, economy, and efficiency in the operation of all buses and shall meet the following requirements:

   A. The route shall be planned, scheduled, and adjusted to the capacity of the bus to serve students whose homes are beyond a reasonable walking distance from the school to which they are assigned, except as otherwise provided by Florida Statutes and State Board of Education rules.

   B. School bus routes shall, insofar as possible, be restricted to main roads and county-maintained roads.

   C. <u>The location of each bus stop will conform to the requirements of Florida Statutes.</u>

2. School bus drivers shall not discontinue stops, begin new stops, or otherwise change a route without prior approval of the Superintendent..

3. Students who are approved to attend a District school which is not located in their assigned attendance area shall be ineligible for bus transportation except as permitted by the School Board.

4. After considering the Superintendent's recommendations, the School Board shall designate, by map or otherwise, non-transportation zones. These represent areas in the District where transportation services are unnecessary or impracticable. Non-transportation zones shall be designated annually prior to the opening of school and prior to the designation of bus routes for the ensuing school year.

**STATUTORY AUTHORITY:** **1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:** **947.1405, 1001.43, 1006.21, F.S.**

**STATE BOARD OF EDUCATION RULE(S):** **6A-3.0171**

**HISTORY:** **ADOPTED:08/18/98**
**REVISION DATE(S): 11/21/06**

## Bus Emergency Evacuation Drills 8.16*

(1) In coordination with the Superintendent's office, each school principal shall provide instruction at least twice each year for all transported students in safe practices to board and depart from the school bus including two emergency evacuations conducted annually; one within the fist six (6) weeks of the semester and one during the first six (6) weeks of the second semester.

(2) Each school principal shall monitor the bus drivers serving the principal's school in the procedures to be followed while conducting a bus emergency evacuation drill. Appropriate training for bus drivers shall be provided pursuant to Florida Statutes.

(3) The principal shall inform the bus drivers by written notice as to the day on which any practice emergency evacuation drill is to be conducted. The bus driver shall hold the drill as directed and report in writing to the principal the results of the drill.

(4) A practice emergency evacuation drill shall be held at a point at which the least possible danger will exist from traffic.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1006.21, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-3.017**

**HISTORY:** **ADOPTED: 08/18/05**
**REVISION DATE(S): 11/21/06**

## License of School Bus Driver 8.18

Each school bus driver shall possess the minimum qualifications prescribed in the Florida Statutes and the State Board of Education Rules.

**STATUTORY AUTHORITY:** 1001.42, F.S.

**LAWS IMPLEMENTED:** 1012.45, F.S.

**STATE BOARD OF EDUCATION RULES:** 6A-3.0141; 6A-3.017

**HISTORY:** ADOPTED: 08/18/98
REVISION DATE(S): 11/21/06

## Vehicle Maintenance Program 8.19

(1) The Director of Transportation shall be responsible for a planned program of maintenance to keep all vehicles running safely and efficiently. This program shall include the following:

(a) Instructing bus drivers in methods of anticipating and noting maintenance problems.

(b) Inspecting and servicing all vehicles as prescribed in State Board of Education rules on a periodic basis.

(c) Maintaining service and repair records on each vehicle as required by State Board of Education rules. A checklist shall be devised for use in recording the results of the safety inspection.

(d) Planning and scheduling preventive maintenance, through major overhaul and repair of all equipment.

(e) Training through in-service activities for apprentice mechanics.

(2) The mechanical condition of each school bus shall be determined at least once each twenty-eight (28) working days that the bus is in operation. Any school bus which does not comply with the requirements of Florida Statutes and State Board of Education rules shall be withdrawn immediately from use until it meets such requirements.

(3) Only School Board or government owned vehicles may be repaired or serviced in the school bus garage.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **1006.21; 1006.22; 1006.25, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-3.017; 6A-3.018, F.A.C.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## Use of School Buses for Field Trips and Extracurricular Activities 8.211

(1) In addition to the transportation of students to and from school, school buses may be used for authorized field trips or for extracurricular provided any such trip is approved by the principal and is under the supervision of an instructional staff member of the school.

(2) Authorized field trips may be requested for a weekend, a holiday, or on any school day. Trips shall not be made during the last five (5) days of any school year without prior approval.

(3) School buses, when available, may be used for extracurricular trips. Any request for such a trip shall be filed by the principal on the proper form.

(4) The Director of Transportation, immediately following any such trip, shall send a statement of the cost to the Chief Financial Officer with a copy to the principal of the school.

(5) To assist in scheduling, the request for the use of buses for athletic trips shall be submitted to the Director of Transportation no later than seven (7) days prior to the opening event for each sport.

(6) The expenses for any extracurricular trip as provided in Subsection (3) herein shall be the sole responsibility of the school and shall be paid from the school's internal account funds.

(7) Transportation for summer school programs shall be provided upon the Superintendent's approval. Buses and drivers shall be assigned to school by the Director of Transportation. School buses, when available, may be used for approved trips on the basis of a cost to be paid in the same manner as for extracurricular trips during the regular school term.

(8) No individual school shall be permitted to own and operate a bus. However, the Superintendent may assign a bus to an individual school for a specific, limited purpose. All school buses shall be operated by District school bus drivers or a driver duly approved by the School Board and properly qualified to operate a bus.

(9) A vehicle operated by a commercial line may be used for a field trip or extracurricular trip pursuant to procedures adopted by the Superintendent.

**STATUTORY AUTHORITY:** 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED:** 1001.42; 1006.21; 1006.22; 1006.24, F.S.

**HISTORY:** ADOPTED: 08/18/98
REVISION DATE(S): 11/21/06

## Use of School Buses By Non-School Groups 8.212

When not needed to transport students, the School Board may contract with non-school groups pursuant to procedures adopted by the Superintendent.

**STATUTORY AUTHORITY:** 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED:** 1001.43; 1006.21; 1006.261, F.S.

**HISTORY:** ADOPTED: 08/18/98
REVISION DATE(S): 11/21/06

| Safety Belts | 8.22 |
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(1) Each school bus that is purchased new after December 31, 2000, and used to transport students in grades pre-K through 12 must be equipped with safety belts or with any other restraint system approved by the Federal Government in a number sufficient to allow each student who is being transported to use a separate safety belt or restraint system.

(2) A school bus that was purchased prior to December 31, 2000, is not required to be equipped with safety belts.

(3) All safety belts on a school bus must meet the standards required under 316.614, Florida Statutes.

(4) All passengers of a school bus which was purchased after December 31, 2000, and who are under the age of eighteen (18), must be restrained by a safety belt.

(5) School bus drivers shall wear a seat belt when operating a school bus.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1006.21, 316.003, 316.614, 316.6145, F.S., 49 CFR § 571.208**

**STATE BOARD OF EDUCATION RULES:** **6A-3.0171**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## General Food Service Requirements 8.23

1. The Food and Nutrition Service program shall operate according to requirements of and meet the standards for food service and sanitation and safety set forth in Florida Statutes, Florida Department of Education and Department of Health rules. The school food service program may include the federally reimbursed breakfast, lunch, snack and summer programs, ala carte food programs, child care food programs, and sale of food and beverage items offered through vending machines or other methods to students at all schools during the school day.

2. All schools with grades Pre-K-12 may participate in the National School Lunch Program and/or The School Breakfast Program according to meal patterns established by the United States Department of Agriculture.

3. The Food and Nutrition Service program shall be an integral part of the District's educational program, offering nutritional and educational opportunities to students as appropriate.

4. Foods and beverages available in schools shall be only those which meet the nutritional needs of students and contribute to the development of desirable health habits except as authorized by the School Board.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42, F.S.; 7 CFR 210, et. seq.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06; 6/13/17**

| Free and Reduced Price Meals | 8.25 |
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Free or reduced price meals shall be served to all students who qualify based on eligibility criteria provided by the Florida Department of Education as adopted by the State Board of Education based upon income guidelines prescribed by the United States Secretary of Agriculture..

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1006.06; 1001.42, F.S.**

**STATE BOARD OF EDUCATION RULES:** **6A-7.0421, F.A.C.;**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

| **Competitive Food Sales** | **8.251** |
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1. Except as provided herein, food and beverages which are available to students, shall be provided during the school day exclusively by the Food and Nutrition Service program or approved vendors.

2. For the purposes of this policy, “competitive foods” is defined as any foods or beverages made available for sale to students other than those foods or beverages sold by the Food and Nutrition Service program or by approved vendors.

3. The School Board recognizes certain school groups desire to sell food and beverages during the school day as a fundraising activity.

4. Elementary schools may not sell any competitive food or beverages during the school day.

5. Subject to the principal's approval, competitive food and beverage items may be sold one hour past the scheduled lunch period. Those organizations selling such items may retain the proceeds.

6. The School Board may allow the sale of carbonated beverages as long as 100% real fruit juice is also sold at each location where carbonated beverages are sold.

7. Each school principal shall be responsible for enforcement of this rule.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.42, F.S.** |
| **LAW(S) IMPLEMENTED:** | **1001.41; 1001.42, F.S.** |
| **STATE BOARD OF EDUCATION:** | **7 CFR 210, et. seq.** |
| **HISTORY:** | **ADOPTED: 11/21/06**<br>**REVISED: 06/13/17** |

| Records Retention and Disposal | 8.26 |
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The Superintendent shall prepare procedures for the retention and destruction of District school records in accordance with Florida Statutes, including but not limited to public records laws, and guidelines established by the State Library and Archives of Florida of the Department of State.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **119.01; 119.041; 1001.52; 257.37, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## School Construction Bids 8.27

(1) All school construction bids shall be the immediate responsibility of the Superintendent. All applicable Florida Statutes, State Board of Education rules, and School Board rules shall be observed in school construction bid procedures.

(2) The Superintendent shall be responsible for preparing the legal notice for bids and shall determine that such notice meets the requirements of Florida Statutes and State Board of Education rules and contains the information needed by the prospective bidders to include the following:

(a) Date, time and place relating to submission of bids;

(b) Pre-qualifications of bidder;

(c) Procedures for presenting bids;

(d) Conditions and terms for receiving bids;

(e) Procedures to be followed in opening and presenting bids to the School Board; and,

(f) Conditions for awarding contracts based on bids.

(3) These provisions shall be followed for construction bids:

(a) The bid time and date shall be established by the Superintendent.

(b) Bids shall be opened at the designated time in the invitation to bid. At the designated time, the person presiding shall inquire if all bids have been received; no other bids shall be accepted and no bid may be withdrawn after the deadline. Negligence on the part of the bidder in preparing the bid shall confer no right for withdrawal after the designated time for opening of bids. Bids by telegram shall not be accepted nor shall any other type of bid be accepted which cannot be classified as a sealed bid. Bids received by mail shall be stamped with the time and date received by the District office.

(c) All bids shall be opened publicly, read aloud, and recorded in the presence of all persons.

(d) Unless all bids are rejected by the School Board for valid reasons, the contract shall be awarded to the lowest responsible bidder meeting all requirements and specifications.

(e) The Superintendent shall develop guidelines for payment to contractors during construction of all capital outlay projects. The guidelines shall include a Schedule of Values, Monthly Request for Payment, Payment for Stored Materials and / or equipment, Waiver of Lien, Retainage and Final Payment.

(4) For all projects greater than $200,000, a bid bond in the amount of 5% of the base bid shall be required.

(5) The specifications for construction bids may not be written to limit any purchase of systems or materials to a specific brand or a single source of supply, unless the School Board, after consideration of all available alternative materials and system, determines that the specifications of a sole material or system is justifiable.

(6) All bid requests shall include a notification to bidders that failure to file a bid protest within the time and in the manner prescribed by School Board rule shall constitute a waiver of any further right to protest such bid award.

(7) The Superintendent may recommend to the School Board the award of a contract or the purchase of materials, for the construction, modification, alteration, or repair of a District-owned facility from a sole source supplier under the following conditions:

(a) It is determined that the specification of a sole material or system is justifiable based on its cost interchangeability, compatibility and / or franchise or patent, or other limitations after considering all available alternative materials and systems.

(b) The sole source specification has been recommended by the architect or engineer of record.

(c) The Superintendent documents in writing all action taken on such purchases or contracts and files it in the project file.

**STATUTORY AUTHORITY:** 1001.42, F.S.

**LAWS IMPLEMENTED:** 255.04; 287.055; 287.057; 1001.43; 1013.46 - .48, F.S.

**HISTORY:** ADOPTED: 08/18/98
REVISION DATE(S): 11/21/06

## Construction Bid Protest 8.271

These procedures shall govern protests arising out of the contract bidding process for School Board construction projects.

(1) Notice of Protest. Any person who is adversely affected by the decision of the School Board or intended decision shall file, with the Board, a notice of protest in writing within seventy-two (72) hours after the posting of the bid tabulation or after receipt of the notice of the Board decision or intended decision. Such person shall file a formal written protest within ten (10) days after filing the initial notice of protest. With respect to a protest of the specifications contained in an invitation to bid or in a request for proposals, the notice of protest shall be filed in writing within seventy-two (72) hours after the receipt of notice of the project plans and specifications or intended project plans and specifications in an invitation to bid or request for proposals.

(2) Formal Written Protest. A formal written protest shall be filed, with the Board, within ten (10) days after filing the initial notice of protest. The formal written protest shall state with particularity the facts and law upon which the protest is based. Failure to timely file a notice of protest or a formal written protest shall constitute a waiver of the right to protest. The Board may require the protestor to post a bond in accordance with Section 255.0516, Florida Statutes.

(3) Continuation of the Bid Process. Upon the timely filing of a written protest, the bid solicitation or contract award process shall be suspended until the protest is resolved, unless, in the judgment of the Board, it is necessary to continue the process without delay in order to avoid an immediate and serious danger to the public health, safety or welfare. In that event, the Board shall notify the affected persons in writing, setting forth the facts and circumstances necessitating the continuation of the process.

(4) Informal Resolution. The Board shall provide an opportunity to resolve the protest by mutual agreement between the parties within seven (7) days, excluding Saturdays, Sundays, and legal holidays, after receipt of a formal written protest.

(5) Section 120.57(2) Proceeding. If the protest is not resolved by mutual agreement within seven (7) days, excluding Saturdays, Sundays, and legal holidays, after receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to Chapter 120, Florida Statute before a hearing officer engaged by the Board. The hearing officer shall be an attorney who has been a member of the Florida Bar in good standing for at least seven (7) years.

(6) Section 120.57(1) Proceeding. If the subject of a protest is not resolved by mutual agreement within seven (7) days, excluding Saturdays, Sundays, and legal holidays, after receipt of the formal written protest, and if there is a disputed issue of material fact, the protest shall be referred to the Florida Division of Administrative Hearings for proceedings pursuant to Chapter 120, Florida Statute.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **120.53(5), 337.11(5)(A), 1001.43, 1013.02, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## Prequalification of Contractors for Educational Facilities Construction 8.272

The School Board shall prequalify contractors for a one (1) year period or for a specific project in accordance with the following:

I. Criteria - Contractors shall be prequalified on the basis of the following criteria and any additional criteria specific to the project under consideration:

A. Proof that the contractor holds a contractor's license which authorizes the contractor to supervise work within the scope of the construction project.

B. Evidence that the applicant has financial resources to start up and follow through on projects and to respond to damages in case of default as shown by written verification of bonding capacity equal to or exceeding the amount of any project for which the contractor seeks prequalification. The written verification must be submitted by a licensed surety company rated excellent ("A-"or better) in the current A.M. Best Guide and qualified to do business within the state. In the absence of such written verification, the Board may require the applicant to submit any audited financial information necessary to evaluate an applicant's financial ability to perform the project and to respond to damages in the event of default.

C. Evidence of experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects, and building codes for similar or less cost or scope projects of similar size within the past five (5) years.

D. Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or similar size within the five (5) years preceding the submission of the application. Any claim against a contractor shall be deemed to have been satisfactorily resolved if final judgment is rendered in favor of the contractor or any final judgment rendered against the contractor is satisfied within ninety (90) days of the date the judgment becomes final.

E. Type of work for which the contractor is licensed.

II. Procedures

A. The Board shall hold a public hearing to discuss the Board's intent to pre-qualify contractors and the proposed policies, procedures and rules.[1]

B. The Board shall publish two (2) notices of the public hearing in a local newspaper having general circulation throughout the District at least thirty (30) days and again seven (7) days prior to the hearing. The notice shall contain at least the purpose, date, time, and place of the hearing.

C. It is the policy and procedure of the Board to provide for open competition which shall not prevent the submission of a bid nor prohibit the consideration of a bid submitted by a prequalified contractor. Those standards which the Board applies when soliciting bids for goods and services generally shall be applied equally to the solicitation of bids from prequalified contractors.

D. It is the policy of the Board to allow for prequalification of any responsible contractor who, through its submittal to the Board, meets the uniform criteria established by the State Requirements for Educational Facilities and incorporated in section I. of this policy whether such contractor is a resident or nonresident of the geographical area served by the Board.

E. It is the policy of the Board to allow those contractors seeking prequalification to submit all required company financial information separate and apart from the other required submittals, as specifically outlined in the Prequalification Submittals section of the Request for Qualifications, in order to endeavor to protect privileged company information from public disclosure.

F. The Board shall appoint a Contractor Prequalification Review Committee to review and evaluate the submissions and to make recommendations to the Board as to which contractors should be prequalified to bid for type of project, dollar volume and limits allowed within the scope of the prequalification.

G. These prequalification procedures shall not supersede any small business, woman-owned, or minority-owned business enterprise preference program adopted by the Board.

[1] The public hearing requirement is upon the initial adoption of a rule to begin a prequalification process. Once requirements are established, contractors who meet those requirements are placed on a prequalification list and approved as a consent item. A public hearing is not required for the prequalification of each contractor. The School Board has already held it public hearing upon the initial adoption of this rule.

H. Notwithstanding anything contained herein, the Board may reject any proposals which, in the Board's sole opinion, contain inaccurate information. In addition, the Board shall have the sole discretion to declare a contractor delinquent and to suspend or revoke a prequalification certificate.

I. The Board shall receive and either approve or reject each application for prequalification within sixty (60) days after receipt by the Board's administrator. Approval shall be based on the criteria and procedures established in this policy.

III. Application - Each contractor, firm, or person requesting prequalification shall submit separate applications that include the following:

A. Detailed information on Board prescribed forms setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a Public Entity Crimes Statement, and references.

B. Audited financial information current within the past twelve (12) months, such as a balance sheet and statement of operations, and bonding capacity. The requirement for financial information may be satisfied by the contractor providing written verification of the contractor's bonding capacity.

C. General information about the contractor company, its principals, and its history, including state and date of incorporation.

D. Contractor trade categories and information regarding the state and local license and license numbers held by the applicant.

E. A list of projects completed within the past five (5) years, including dates, clients, approximate dollar value, and size.

F. Certificates of insurance confirming current workers' compensation, public liability and property damage insurance as required by law.

G. A list of all pending litigation and all litigation within the past five (5) years, including an explanation of each. Litigation initiated by the contractor to protect the contractor's legal rights shall not be used as a basis for rejecting prequalification.

H. The completed application and financial information shall be attested to and signed by an authorized officer of the company, the owner, or sole proprietor, as appropriate. The signature shall be notarized.

I. Exception - When two (2) or more prequalified contractors wish to combine their assets for a specific project, they may do so by filling an affidavit of joint venture. Such affidavit shall be valid only for that specific project.

IV. Issuance of Certificate - The Board shall issue to all prequalified contractors a certificate valid for one (1) year or for the specific project. That certificate shall include the following:

A. A statement indicating that the contractor may bid for projects during the time period specified.

B. A statement establishing the type of work the contractor will be permitted to provide.

C. A statement establishing the total dollar value of work the contractor will be permitted to have under contract with the Board at any one time as determined by the contractor's bonding capacity or ten (10) times the net quick assets.

D. A statement establishing the maximum dollar value of each individual project the contractor will be permitted to have under contract with the Board at any one time. The maximum value of each project may be up to twice the value of the largest project previously completed, but shall not exceed the contractor's bonding capacity or ten (10) times the net quick assets.

E. The expiration date of the certificate.

V. Renewal of Certificate - Certificates not for a specific project shall be renewed annually.

A. Financial statements or written verification of bonding capacity on file with the Board shall be updated annually. Failure to submit a new statement or verification of bonding capacity, after at least thirty (30) days written notice by the Board, shall automatically revoke a prequalification certificate.

B. Prequalified contractors may request a revision of their prequalifications status at any time they believe the dollar volume of work under contract or

the size or complexity of the projects should be increased if experience, staff size, staff qualifications, and other pertinent data justify the action.

VI. Delinquency - The decision to declare a contractor delinquent may only be made by the Superintendent and must be ratified by the Board at its next regular meeting following the decision by the Superintendent. Should the contractor be determined to be delinquent, after notice and an opportunity for a fair hearing, the Board shall notify the contractor and his surety, in writing, that the contractor is disqualified from bidding work with the Board as long as the delinquent status exists. A delinquent condition may be determined to be in effect when one (1) or more of the following conditions occur without justifiable cause:

A. A substantial or repeated failure to comply with contract documents after written notice of such noncompliance.

B. A substantial or repeated failure to provide supervision and coordination of subcontractor's work after written notice of such failure.

C. Substantial deviation from project time schedules after written notice of noncompliance.

D. Substantial or repeated failure to pay subcontractors after the Board has paid the contractor for the work performed by the subcontractors and in accordance with approved requisitions for payment.

E. Substantial or repeated failure to provide the quality of workmanship compatible with the trades standards for the community after written notice of such failure.

F. Substantial or repeated failure to comply with the warranty requirements of previous contracts after written notice of such failure.

G. Failure to maintain the required insurance coverage after written notice of such failure.

VII. Suspension or Revocation - The Board may, for good cause, suspend a contractor for a specified period of time or revoke the prequalification certificate. Causes for suspension or revocation shall include, but not be limited to, one or more of the following:

A. Inaccurate or misleading statements included in the application.

B. Declared in default by the Board.

C. Adjudged to be bankrupt.

D. Performance, in connection with contract work, becomes unsatisfactory to the Board, based on the Board asserting and recovering liquidated damages in an action against the contractor.

E. Payment record, in connection with contract work, becomes unsatisfactory to the Board, based on the contractor's failure to comply with the Construction Prompt Pay Act (Section 715.12, F.S.).

F. Becomes delinquent on a construction project pursuant to section VI. above.

G. Contractor's license becomes suspended or is revoked.

H. No longer meets the uniform prequalification criteria established in this policy.

VIII. Appeal - A contractor whose application has been rejected or whose certificate has been suspended or revoked by the Board shall be given the benefit of reconsideration and appeal as follows:

A. The aggrieved contractor may, within ten (10) days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of appeal.

B. The Board shall act upon the contractor's request within thirty (30) calendar days after the filing and shall notify the contractor of its action to adhere to, modify, or reverse its original action. The Board may require additional information to justify the reconsideration.

**STATUTORY AUTHORITY:** 1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 1001.43, F.S.

**HISTORY:** ADOPTED: 11/21/06
REVISION DATE(S): _____

## Change Orders 8.28

(1) The Superintendent is authorized to approve and execute any construction contract Change Order which will decrease the construction contract amount or which will increase the construction contract amount by twenty-five thousand dollars ($25,000.00) or less, provided the approval is in the best interest of the Board. To assure that the Board receives quality work and maximum value, changes in the work shall be placed out for bid whenever practical or feasible. Each approval shall be reported by the Superintendent to the Board and entered in the official minutes at the next regular Board meeting.

(2) Any Change Order which will increase the construction contract amount by more than twenty-five thousand dollars ($25,000.00) shall be submitted by the Superintendent to the Board for review and action thereon. No such Change Order shall be binding until it is approved and executed by the Board.

(3) Requested Change Orders concerning the same subject shall not be split in the event that the sum total of the initial requested change increases the contract amount by more than twenty-five thousand dollars ($25,000.00).

(4) With all requested Change Orders the Contractor shall provide, prior to commencing the work involved, accurate cost data in sufficient detail to enable any architect or engineer to evaluate and confirm its accuracy and the fair market value of all labor, materials, equipment, and incidentals required to accomplish the change.

(5) With all requested Change Orders the Architect of Record for the project shall certify in writing to the Superintendent and the Board that the cost of the requested change is fair, reasonable, and in proper proportion to the cost of the original work of the contract and shall recommend action thereon.

(6) The cumulative total of all approved Change Orders on any project shall not increase the original construction contract amount by more than eight percent (8%) or one-hundred thousand dollars ($100,000.00), whichever is less, without prior Board approval.

(7) The Director of Facilities shall serve in the Superintendent's capacity for Change Order authorization whenever the Superintendent is absent from St. Johns County or is ill. It is the intent of the Board that this provision be used sparingly. When construction changes can wait for the

Superintendent's return, without undue harm or project delay, the approval shall wait for the Superintendent's personal review and signature.

(8) All Change Orders shall be in compliance with Florida Statutes; the Florida Department of Education publication titled "State Requirements for Educational Facilities, 1999"; or any successor statute or rule.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **1001.43; 1013.48, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## Renovations or Remodeling of Facilities 8.30

The Superintendent, when recommending the preliminary District budget, or any amendments thereto relating to capital outlay projects, may, after evaluation, recommend to the School Board that suitable projects costing two hundred thousand dollars ($200,000.00) or less be provided on a temporary labor basis. In addition, the Superintendent may recommend any projects authorized by the School Board and costing over two hundred thousand dollars ($200,000.00), , be completed on a day labor basis when no acceptable bid has been received, provided all other requirements for projects costing over two hundred thousand dollars ($200,000.00) are met.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **CH. 553; 1001.43; 1013.01; 1013.35; 1013.45, F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-2.0010, F.A.C.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## Technology Plan 8.33

The Superintendent shall develop a comprehensive Technology Plan subject to School Board approval for administrative and instructional purposes. The plan shall advance and promote public education consistent with technology advances and availability of resources. In addition, the plan shall provide standardization and promote technology integration across the District.

The Superintendent shall be responsible for establishing and providing telecommunications services, computer services and networks in keeping with the Technology Plan. The Technology Plan shall be updated as needed to keep up with advances in technology and to ensure compliance with Department of Education regulations.

The Superintendent shall prepare Acceptable Use Procedures which shall govern the use of the Digital Network to ensure the safety and security of District employees, students and District resources.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **386.201 – 386.209, 1001.43, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## Information Technology 8.34

(1) The Superintendent shall develop and maintain an integrated information system for educational management.

(2) The Superintendent shall comply with all State System Interoperability and Reporting Requirements.

(3) The Superintendent shall develop procedures and costs associated with providing directory and other data requests to outside agencies and organizations. The support of data requests shall not interfere with regular duties and responsibilities of District staff. Any fees or charges for data requests shall be established to recover all direct and indirect costs. Data request funds generated shall be recorded and disbursed as part of the normal operating funds.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAWS IMPLEMENTED:** **386.201 - 386.209; 1001.11; 1008.385, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S): 11/21/06**

## Energy Management Conservation 8.35

It is the policy of the School Board of the St. Johns County School District to make every effort to conserve energy and natural resources while exercising sound financial management. The board members, administrators, teachers, students and support personnel are jointly responsible for implementing this policy. Its success will require cooperation at all levels.

1. The District will maintain accurate records of energy consumption and cost of energy and will provide information to the local media on the goals and progress of the energy conservation program.

2. Principals will be accountable for energy management on their campuses, and will be responsible for conducting energy audits and updating conservation program outlines. The principal and maintenance managers of each school will be jointly responsible for the judicious use of the various energy systems of their campus and for ensuring that an efficient energy posture is maintained on a daily basis.

3. To ensure the overall success of the energy management program, the following specific areas of emphasis will be adopted:

   a) All District personnel will be expected to contribute to energy efficiency in our district. Every person will be expected to be an "energy saver" as well as an "energy consumer."

   b) Each principal shall receive an annual evaluation of energy management on his/her campus.

   c) Within sixty (60) days, the Superintendent will adopt Energy Guidelines that will be the "rules of the game" in implementing the District's energy program.

4. In order to maintain a safe and healthy learning environment and to complement the energy management program, the District shall continue to implement and enhance its preventative maintenance and monitoring plan for its facilities and systems, including HVAC, building envelope, and moisture management.

5. The Superintendent shall develop short and long range energy conservation strategies in the areas of facilities management and preventive maintenance.

**STATUTORY AUTHORITY**: **1001.41**

**LAWS IMPLEMENTED:** **1001.41; 1001.42; 1001.43; 1008.35, F.S.**

**HISTORY** **DATE ADOPTED: 12-09-08**

## WORKPLACE SAFETY 8.36

Recognizing that workplace safety is of paramount importance, the St. Johns County School Board directs the Superintendent to adopt and implement a workplace safety program, including a written safety policy and rules, provisions for safety inspection, preventative maintenance, safety training, first aid, accident investigation and necessary recordkeeping.

**STATUTORY AUTHORITY:** **1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:** **440.625, F.S.; 69L-5.216, F.A.C.**

**HISTORY:** **ADOPTED: 06/14/2011**

| Safety and Security Best Practices | 8.37 |
|---|---|

1. Introduction. Florida Statute 1006.07(6) requires the School Board to establish policies and procedures for the prevention of violence on school grounds, including the assessment and intervention with students and other individuals whose behavior poses a threat to the safety of the school community.

2. Preventive Measures. The policy and procedures adopted by the School Board for the prevention of violence on school grounds include:

   a. The Student Code of Conduct annually adopted by the School Board, which establishes standards of acceptable student conduct, enumerates disciplinary consequences for acts of violence and other misconduct, and provides the process due students who are charged with acts of misconduct. At the beginning of the school year, the Code of Conduct is distributed electronically or by hand to all District students and parents.

   b. The School Board's Zero Tolerance for Crimes and Victimization policy and procedures are codified in Rule 5.13. The rule requires that acts that pose a threat to student or school safety shall be reported to the principal and law enforcement agencies, provides for protection of students who have been victims of violent crime, lists violent offenses for which expulsion is mandatory, and lists alternative responses to acts that threaten school safety.

   c. Rule 3.06, prohibiting campus disorders and trespassing.

   d. Rule 3.15, prohibiting the possession, use or distribution of alcohol or drugs on school property or at school functions.

   e. Rule 3.21, prohibiting bullying and harassment and providing procedures for the investigation and disposition of complaints of bullying and harassment.

   f. Rule 5.11, establishing procedures for student detention, search and seizure.

   g. Rule 5.12, authorizing the expulsion of students for acts of violence and other serious acts of misconduct.

   h. The assignment of a school safety officer to each District school.

   i. Rule 5.26, prohibiting dating violence.

j. Rule 5.27, prohibiting hazing.

k. Rules 6.104 and 7.142, providing for background screening of District employees and contractors.

l. Rule 6.40, prohibiting District employees from violating the law and providing for the processing and disposition of any such violation of law.

m. Rule 8.01, prohibiting possession of firearms on school property except when required by employment duties.

n. Rule 8.03, requiring District to conduct annual security risk assessments at each District school.

o. Rule 8.07, requiring the adoption of an active assailant response plan.

p. Rule 8.08, providing for school-based threat assessment teams.

q. The District will include Alyssa's Alert Mobile Panic Alarm policies and procedures in its Emergency Operations Plan.

3. School Safety Specialist. The Superintendent shall designate a school safety specialist for the District. The school safety specialist must be a school administrator employed by the District or a law enforcement officer employed by the St. Johns County Sheriff's Office ("SJCSO"). The District shall comply with applicable statutory requirements in regard to the designation of any school safety specialist from the sheriff's office. The school safety specialist shall:

a. Review District policies and procedures for compliance with state law and rules, including the District's timely and accurate submission of school environmental safety incident reports to the Department of Education pursuant to Florida Statute 1001.212(8).

b. Provide the necessary training and resources to District students and staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security.

c. Serve as the District liaison with local public safety agencies and national, state, and community agencies and organizations in matters of school safety and security.

d. Conduct the annual risk assessment at each public school as required by School Board Rule 8.03(4).

4. Non-compliance. Any instance of non-compliance found by the school safety specialist in the course of his or her compliance review under subsection 8.37(3)(a) or otherwise brought to his or her attention shall be resolved as follows:

   a. Deficiencies relating to safe-school officer coverage must be resolved by the following school day.

   b. The Office of Safe Schools at safeschools@fldoe.org must be notified within 24 hours of any deficiencies relating to safe-school officer coverage and any instance of non-compliance that is determined to be an imminent threat to the health, safety, or welfare of students or staff.

   c. Other deficiencies that are not corrected within 60 days shall be reported to the Office of Safes schools within three days.

5. Coordination With Public Safety Agencies. The school safety specialist must coordinate with public safety agencies that are designated first responders to a schools campus to tour each school's campus once every three years and to provide recommendations related to school safety. The completion of such tours and any recommendations must be documented in each school's security risk assessment. The agencies' safety recommendations shall be included in the school safety specialist's report to the Superintendent and the school board

6. Charter School Safety Requirements. The school safety specialist is responsible for monitoring charter school safety requirements. To ensure that the school safety specialist is able to monitor and report on school safety and security at a charter school, each charter school must comply with charter school safety requirements set forth in Rule 6A-1.0018, FAC.

7. Supplemental Law Enforcement Coverage. The principal or designee shall determine whether it is necessary to arrange for law enforcement officers to provide security at school activities and events that take place outside of regular school hours. The principal or designee shall coordinate with the appropriate law enforcement agencies to secure such supplemental law enforcement coverage.

8. Superintendent. The Superintendent is authorized to adopt procedures and guidelines to implement this rule.

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| **STATUTORY AUTHORITY:** | **1001.41; 1001.48, F.S.** |
| **LAWS IMPLEMENTED:** | **1006.07(6)(c), F.S.; 6A-1.0018, F.A.C.** |
| **HISTORY:** | **ADOPTION: 11/12/19**<br>**REVISED: 06/14/22** |

## CHAPTER 9.00 – SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

| PARENT ORGANIZATIONS AND SCHOOL SUPPORT GROUPS | 9.01 |
|---|---|

The active involvement of parents and community members in support of public schools is very important and beneficial to schools. Principals shall encourage, support, and facilitate appropriate parent and school support groups that support the District's Strategic Plan. The Superintendent shall prepare procedures establishing the requirements for such organizations and their relationship with the District and individual schools.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISED: 03/08/05**

## PUBLIC INFORMATION 9.02

The Superintendent shall recommend procedures to the School Board whereby the general public can be adequately informed of the educational programs, needs, and objectives of public education within the District.

**STATUTORY AUTHORITY:** 1001.41, F.S.

**LAWS IMPLEMENTED:** 1001.42; 1001.51, F.S.

**HISTORY:** ADOPTED: 08/18/05
REVISED: 03/08/05

| **Civility** | **9.021** |
|---|---|

The School Board has adopted Character Counts! and its Six Pillars of Character as the framework for meaningful communication for St. Johns County School District staff to follow in dealing with their fellow employees and members of the public. The Six Pillars of Trustworthiness, Respect, Responsibility, Fairness, Caring and Citizenship form the foundation of the expectations the District holds for its employees as they conduct School District business. The School Board also expects District Staff to be responsive and to provide quality customer service to all stakeholders. All employees are expected to:

a) Be trustworthy and honest in their communications. They should share information as appropriate and return calls within the expected timeframe.
b) Treat others with courtesy and respect at all times, including listening to differences of opinions. Communication should never involve loud or offensive language, gestures or profanity.
c) Take responsibility for their own actions. This includes refraining from displays of temper and not disrupting classroom activities or office functions.
d) Be fair in dealings with others. Everyone should be treated fairly without regard for their status or position.
e) Be kind and considerate of others. Staff members should treat others as they would like to be treated.
f) Be good citizens and foster an attitude of cooperation. This includes obeying school and district rules, sharing information for the common good and providing a timely response when asked for assistance.

Employees shall respond promptly and professionally to inquiries of the public, with an expected response time of no more than 48 hours after the request is made.

Employees shall treat all members of the public with professionalism and courtesy. Further, employees have a reasonable expectation that they will also be treated civilly by members of the public. Procedures will be developed that will provide employees with appropriate responses to individuals who are abusive, threatening and discourteous and strategies for dealing with such individuals.

**STATUTORY AUTHORITY**: **1001.41**

**LAWS IMPLEMENTED:** **1001.41; 1001.42 F.S.**

**HISTORY** **DATE ADOPTED: 09/09/2008**

## CHAPTER 9.00 – SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

| ANNUAL SCHOOL REPORT | 9.03 |
|---|---|

1. Each school shall develop and distribute the school's annual school report each year. Reports must be distributed to all parents, guardians, and adult students and made available to the general community upon request.
2. Reports shall follow a uniform District-wide format that is easy to read and understand. Each report shall include the elements required by Florida Statutes and State Board of Education rules. Reports may include other information as approved by the Superintendent.
3. Schools may include other information in the report about the school's progress and other related school information determined by the school improvement team.

**STATUTORY AUTHORITY:** **230.22(2), F.S.**

**LAWS IMPLEMENTED:** **229.592; 230.23(15), F.S.**

**STATE BOARD OF EDUCATION RULE:** **6A-1.0998**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISION DATE(S):**
**FORMERLY: NEW @ EMCS**

## CHAPTER 9.00 – SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

| COMMUNITY USE OF SCHOOL BOARD PROPERTY | 9.04 |
|---|---|

School Board property, facilities, and equipment are intended primarily for school educational purposes and no other use shall interfere with this purpose. However, the School Board may permit the use of School Board property by community groups. The principal shall be responsible for the safeguarding of such property, that the School Board rules and procedures for the use of the property are followed, and observing fire department regulations.

1. School Board property may be used for the following purposes or by the following groups without charge upon approval of the school principal or administrator in charge pursuant to these provisions:

    a. Any student or school-related educational purpose necessary or useful for the accomplishment of the full scope of educational instruction;

    b. National youth groups which operate under a county organization and are properly supervised and sponsored by some educational organization;

    c. National, State, County and City Emergency Management and natural disaster, including hurricanes, use upon notification of the School Board through the Superintendent's office and the principal of the affected school;

    d. The Board of County Commissioners for voting places in any primary, regular, or special election upon due notice to the principal who shall make arrangements so that the election will not interfere with the operation of the school; and,

    e. Any governmental function during out-of-school hours. Any time the school food service kitchens are used, the principal shall see that such use of the facility is supervised or operated by qualified school personnel. No food service supplies or food shall be used.

    f. County, city, or community-organized recreation groups as requested by the St. Johns County Recreation Department and with the approval of the School Board.

2. School facilities such as auditoriums, cafeterias, classrooms, and stadiums may be made available to organizations which are civic or community connected for specific, temporary, short-term purposes upon payment of the fees established by the School Board, or upon providing in-kind services of a value equal to or exceeding the applicable fee as determined by the principal or administrator in charge of a particular facility, and upon satisfaction of the requirements of this

rule. The school principal or administrator in charge shall be responsible for determining that the facility is under sufficient supervision and that adequate custodial service is provided.

3. School Board property shall not be used for any illegal or immoral purposes. There shall be no possession or consumption of alcoholic beverages on school property, nor shall there be allowed any gambling or any other activity prohibited by Florida Statutes or Florida State Board of Education rules.

    a. School Board property may not be used when there appears to be a possibility that such use will result in damage to such property beyond normal wear and tear, interference with regular school function, or bodily injury or property damage or to any person or individual.

    b. Notwithstanding prohibitions stated above, possession and use of alcoholic beverages solely and exclusively for purposes of advanced or adult food preparation classes shall not be considered in violation of this policy.

4. Fees and deposits paid for the use of any School Board facility, buildings, property, or grounds shall be paid in advance in accordance with the rate schedule adopted by the School Board and in effect at the time of such use.

5. At least fourteen (14) days prior to the use of School Board facilities by any party except those under Subsections (1)(a) through (f) herein, the user shall provide a current policy or certification of general liability insurance specifying the School Board as a named insured and having policy limits of at least one million dollars ($1,000,000.00) for aggregate damages in any one occurrence. The description of operations must state that the certificate holder (the school board with address) is a named insured and should identify the host school and the date(s) and a description of the activity/event.

6. Athletic fields which are constructed and maintained for the use of public schools may be used by other agencies and organizations listed in Subsections (1)(a) through (f) herein provided such agencies share in the maintenance of the field. All other users shall pay the established rental charges as established in the schedule adopted by the School Board. Any stadium tax charged on tickets shall be paid into the stadium fund for renovation and / or future expansion.

7. The Superintendent shall prepare procedures to implement this rule.

# CHAPTER 9.00 – SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

**STATUTORY AUTHORITY:** 1001.41, F.S.

**LAWS IMPLEMENTED:** 106.15; 1001.42; 1001.51; 1001.33; 1013.10; 509.032; 509.232, F.S.

**HISTORY:** ADOPTED: 08/18/98
REVISED: 07/07/09
03/08/05

## TOBACCO AND TOBACCO PRODUCTS 9.041

1. Introduction. The St. Johns County School Board recognizes that the use of tobacco products is a health, safety, and environmental hazard for students, employees, parents, visitors, and school facilities. Accordingly, the School Board prohibits the use of any form of tobacco products at District schools, on District property, or at any school or District activity.

2. Definitions. For the purpose of this rule, the following definitions apply:

   a. "Tobacco product" means any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff. "Tobacco product" also encompasses any electronic smoking device that delivers nicotine or other substances to the person inhaling from the device, including, but not limited to an electronic cigarette, cigar, pipe, or hookah, and includes any component, part, or accessory of a tobacco product.

   b. "Tobacco use" means smoking, chewing, dipping, or any other use of tobacco products, including electronic smoking devices.

   c. "District property" includes any portion of any land or building owned by, or leased to, the School Board.

3. Use of Tobacco Products Prohibited. It is prohibited to use tobacco products in any form at District schools, on District property, in District school buses or vehicles, or at school or District activities. Employees, visitors, volunteers, and contractors must comply with this rule.

4. Student Possession of Tobacco Products. Students are prohibited from possessing tobacco products at District schools, on District property, in District school buses or vehicles, or at school or District activities.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **386.201–.209, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**RENUMBERED: (formerly 9.0411) 1/12/16**
**REVISED: 3/08/05; 1/12/16; 8/10/21**

## POLITICAL ACTIVITY IN THE SCHOOLS 9.043

1. Subject to Board policy and State law, the Board encourages all students and employees to become involved in the political processes of our democratic form of government.
2. The Superintendent shall prepare and the School Board shall adopt, guidelines governing the political activities of students and employees when on duty, in school or in any School Board facility or property.
3. Minimally, the administrative guidelines shall:
    a. Provide employees and students rules for political activity.
    b. Prohibit the use of Board property or facilities for any political fund raising or rallies.
    c. Prohibit any single candidate from appearing in any facility for the expressed or unexpressed purpose of campaigning or discussing any related issues.
    d. Provide specific administrative guidelines for political forums.
    e. Prohibit the distribution of campaign materials, posting of signs on any property of the Board, solicitation of students or employees, and personal appearances of candidates or their representatives before student groups, except as part of an approved course of study with equal opportunity afforded to all candidates.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **106.15; 1001.42; 1001.51; 1013.10; 509.032; 509.232, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISED: 03/08/05**

## ADVERTISING IN SCHOOLS 9.05

School Board property including equipment and buses shall not be used for advertising or otherwise promoting the interests of any commercial, political, or private interest nor shall School Board employees or students be employed in such a manner. The following are exceptions:

1. School officials, with the Superintendent's approval, may cooperate with any governmental agency in promoting activities in the general public's interest or may cooperate in furthering the work of any non-profit community-wide social service agency, provided that such cooperation does not restrict or interfere with the educational program of the school and is non-partisan and deemed non-controversial.

2. A school may use film or other educational materials which contain advertising. The film or material shall be carefully evaluated by the school principal to determine whether the film or material has educational value.

3. The Superintendent may announce or authorize to be announced any lecture or community activity of particular educational merit.

4. Demonstrations of educational materials and equipment shall be permitted with the principal's approval.

5. A school group(s), when scheduling permits, may participate in or perform for a political function by parading or playing, provided it is a community rally and the service is available upon request to all candidates, scheduling permitted.

6. Schools may utilize athletic fields and facilitiies, gymnasiums, cafeterias, auditoriums and other common areas for commercial advertising to support school programs. The content and form of such advertising shall be subject to the prior approval of the principal. Approved advertising must be in good taste, appropriate for family viewing in a school environment, and compatible with community standards, as determined by the principal in the exercise of his or her judgment and discretion. Advertising shall not be allowed if:

   (a) It contains obscene material or is inappropriate for family viewing in a school environment;

   (b) It promotes products that are unlawful for minors to purchase or use, or businesses that are unlawful for minors to patronize;

   (c) It is political or proselytizing;

   (d) It would be inconsistent with School District policies or contrary to law; or

   (e) It would tend to disrupt the school environment.

In no event shall the approval of advertising constitute the school or School District's endorsement of any advertiser, product or activity. Money collected from these commercial advertisements shall be deposited into the proper internal account. Signage shall be erected pursuant to the applicable building code.

7. For signs erected at athletic fields, the area of the sign face shall not exceed 640 square feet, and for signs and message boards in gymnasiums, the area of the sign or board face shall not exceed 60 square feet.

8. A school, with the principal's approval, may give credit to business partners, organizations, or individuals for providing support for school functions or publications through small, business-card style advertisements.

9. The sale of advertisements in school newspapers, yearbooks, sports programs, planners, and websites, or similar publications, shall be permitted.

10. The Superintendent may adopt procedures and guidelines for the application of this rule.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1001.42, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISED: 09/14/10**
**03/08/05**

## Broadcast Rights 9.051

1. The School reserves the right to grant exclusive rights to broadcasts for contests and events to network providers. In these cases, there may be additional network fees which must be paid. "Broadcast" includes television, radio, or internet broadcast or reproduction of the contest or event.

2. An outlet that broadcasts a contest or event shall agree to hold the School District, the School and its employees, agents, and assigns harmless because of any injury to person or property on the premises. The outlet shall further agree to assume all responsibility for any damages, including those caused by negligence, which are a direct result of the activities of the broadcast. The outlet shall also agree to defend all claims made against the School or its member schools for damages occasioned by the outlet of whatever nature, known or unknown, present or future.

3. When the event or contest is between two District schools, the home school controls the broadcast rights for the contest or event.

4. An outlet wishing to broadcast a contest or event must request and be granted rights by the School prior to originating or accepting feed of such a broadcast and make payment to the School Office of the appropriate rights fee. Such rights are not exclusive.

5. An outlet granted broadcast rights may not feed its broadcast to any other outlet(s) without written permission from the School. For the purposes of television, a videotape of a School contest or event is considered a “feed.” Therefore, an over-the air or cable television station, even if granted broadcast rights by the School, may not share a videotape of a contest or event without express written permission from the School and payment of appropriate rights fees.

6. Radio broadcast rights must be secured from the School for both live and tape-delay broadcasts. Telecast rights, in general, are for tape-delay telecasts only.

7. The approved outlet must make all arrangements for seating and equipment set-up with the Principal. The outlet shall assume all expenses in connection with the broadcast and must provide all equipment necessary for the broadcast. This includes arranging for broadcast lines with the appropriate telephone company. The School is not liable for any damages whatsoever for the disruption in service of utilities.

8. In facilities where seating is limited in the press box or broadcast

booth, the Principal has absolute discretion in the seating arrangements based upon priority.

9. The Superintendent shall create procedures consistent with this rule.

**STATUTORY AUTHORITY**: **1001.41**

**LAWS IMPLEMENTED:** **1001.41; 1001.42 F.S.**

**HISTORY** **DATE ADOPTED: 09/09/2008**

## CHAPTER 9.00 – SCHOOL-COMMUNITY RELATIONS AND INTERLOCAL AGREEMENTS

| DISTRIBUTION OF LITERATURE AND MATERIALS | 9.06 |
|---|---|

1. Materials including but not limited to printed material and recordings which originate from sources outside the District School system shall not be distributed through the schools unless such distribution is authorized by the Superintendent.
2. Religious literature may be distributed in schools provided organizations have been granted permission by the Superintendent. Such literature shall only be distributed through "passive" means which means the material shall be delivered to the school by the donor organization. The literature shall be placed in an accessible area designated for such purposes, where students may take the material if they so desire.
3. This rule is not applicable to the distribution of literature and material by students.

**STATUTORY AUTHORITY:** **1001.41, F.S.**

**LAWS IMPLEMENTED:** **1006.08, F.S.**

**HISTORY:** **ADOPTED: 08/18/98**
**REVISED: 03/08/05**