



CITY OF CAPE CORAL CHARTER SCHOOL AUTHORITY

PUBLIC NOTICE

The City of Cape Coral Charter School Authority will consider the adoption, amendment, or repeal of the proposed NEOLA Policies listed below at a Regular Governing Board Meeting on Tuesday, June 14, 2022, at 5:30P.M., in Cape Coral Council Chambers, 1015 Cultural Park Blvd., Cape Coral, Florida 33990.

NEOLA Policies – Volume 22, No.2, Mar 2022 Revisions

POLICY NUMBER	TITLE
6320	Purchasing and Contracting for Commodities and Contractual Services
6530	Reemployment Assistance
8405	School Safety and Security
8450.01	Protective Facial Coverings During Pandemic/Epidemic Events
9130	Public Complaints
1120.11	Preference For Veterans in Employment
1216	Dress and Grooming
2260	Nondiscrimination and Access to Equal Educational Opportunity
2410	School Health Services
2520	Selection and Adoption of Instructional Materials
2521	Instructional Materials Program
3120.11	Preference For Veterans in Employment
3216	Staff Dress and Grooming
4120.11	Preference For Veterans in Employment
4216	Staff Dress and Grooming
5511V1	Dress and Grooming
5511V2	Dress and Grooming
5780	Student/Parent Rights
6110	Grant Funds
6114	Cost Principles – Spending Federal Funds

POLICY NUMBER	POLICY SECTION	TITLE
6320	Vol. 22, No. 2, Mar. 2022 Revisions	Purchasing and Contracting for Commodities and Contractual Services
6530	Vol. 22, No. 2, Mar. 2022 Revisions	Reemployment Assistance
8405	Vol. 22, No. 2, Mar. 2022 Revisions	School Safety and Security
8450.01	Vol. 22, No. 2, Mar. 2022 Revisions	Protective Facial Coverings During Pandemic/Epidemic Events
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Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	PREFERENCE FOR VETERANS IN EMPLOYMENT
Code	po1120.11 4/6/22 jc
Status	
Adopted	April 12, 2016

1120.11 - PREFERENCE FOR VETERANS IN EMPLOYMENT

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

Appointment or Retention in Positions of Employment

Preference shall be given **pursuant** to the following:

A. Those disabled veterans:

1. who have served on active duty in any branch of the United States Armed Forces, have received an honorable discharge, and have established the present existence of a service-connected disability that is compensable under public laws administered by the U.S. Department of Veterans' Affairs; or
2. who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense.

B. The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

C. A wartime veteran as defined in F.S. 1.01(14) who has served at least one (1) day during a wartime period. Active duty for training may not be allowed for eligibility under this paragraph.

D. The unremarried widow or widower of a veteran who died of a service-connected disability.

E. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.

F. A veteran as defined in F.S. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.

G. A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

H.

The School Board may waive a postsecondary educational requirement for a position of employment, other than those positions made exempt under F.S. 295.07 for a current member of a reserve component of the U.S. Armed Forces or the Florida National Guard or a veteran who has been honorably discharged if the person is otherwise qualified for the position.

Veterans Preference in employment and retention may be given only to eligible persons who are described above.

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

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

~~performed, the veteran~~ will be subject to the employment policies of the Authority.

Reinstatement or Reemployment

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

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

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

Recruitment Plan

The Board will develop and implement a written veterans recruitment plan that establishes annual goals for the full use of veterans in the Board's workforce. The plan will be designed to meet the established goals. The veterans recruitment plan applies to the preference-eligible persons who are described above.

~~F.S. 110.2135~~

F.S. 295.07

F.S. 295.08

F.S. 295.085

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

Last Modified by Jacquelin Collins on April 7, 2022

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of DRESS AND GROOMING
Code	po1216 4/7/22 jc
Status	
Adopted	April 12, 2016

1216 - **DRESS AND GROOMING**

The Governing Board believes that administrative staff members set an example in dress and grooming for their staff and students to follow. ~~Administrators who understand this precept and adhere to it enlarge the importance of this task, present an image of dignity, and encourage respect for authority. These factors act in a positive manner toward the maintenance of discipline.~~

The Board **authorizes the development of standards for administrator** ~~retains the authority to specify the following~~ dress and grooming **that promote a professional educational atmosphere that gives consideration to the impact on the educational process and the diversity of the District's administrators** ~~procedures for staff that will prevent such matters from having an adverse impact on the educational process. When assigned to Authority duty, all administrative staff members shall:~~

[x] When assigned to District duty, all administrators shall:

- A. be physically clean, neat, and well groomed;
- B. dress in a manner consistent with their administrative responsibilities;
- C. dress in a manner that communicates pride in personal appearance;
- D. be groomed in such a way that their hair style or dress does not disrupt the educational process.

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Last Modified by Jacquelin Collins on April 7, 2022

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Code	po22604/7/22 jc
Status	
Adopted	April 12, 2016
Last Revised	June 8, 2021

2260 - NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY

I. General Statement

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship, and/or personal sense of self-worth. As such, the Governing Board will not discriminate nor tolerate harassment in its educational programs or activities on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), ethnicity, color, national origin, sex (including sexual orientation or gender identity), disability (including HIV, AIDS, or sickle cell trait), marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information, which are classes protected by State and/or Federal law (collectively, "protected classes").

The Board also does not discriminate on the basis of protected classes in its employment policies and practices as they relate to students.

Equal educational opportunities shall be available to all students, without regard to the protected classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the CCCSA, or social or economic background, to learn through the curriculum offered in this CCCSA. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the superintendent shall:

A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based upon the protected classes; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc., toward the development of human society.

B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon the protected classes in all aspects of the program;

C. Student Access

1. review current and proposed programs, activities, facilities, and practices to verify that all students have equal access thereto and are not segregated on the basis of the protected classes in any duty, work, play, classroom or school practice, except as may be permitted under State and Federal laws and regulations.
2. verify that facilities are made available for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group that is officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society, pursuant to Board policy 7510 - Use of CCCSA Facilities;

In accordance with Florida statute, the Board may establish and maintain a single-gender nonvocational class, extra-curricular activity or school for elementary, middle, or high school students.

D. CCCSA Support

verify that like aspects of the CCCSA's program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Assessment

verify that tests, procedures, or guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of the protected classes.

II. **Definitions**

Words used in this policy shall have those meanings defined herein; words not defined herein shall be construed according to their plain and ordinary meanings.

Complainant is the individual who alleges, or is alleged, to have been subjected to unlawful discrimination/retaliation, regardless of whether the person files a formal complaint or is pursuing an informal resolution to the alleged discrimination/retaliation.

Respondent is the individual who has been alleged to have engaged in unlawful discrimination/retaliation, regardless of whether the reporting party files a formal complaint or is seeking an informal resolution to the alleged discrimination/retaliation.

CCCSA community means students and Board employees (i.e., administrators, and professional and classified staff), as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

Third Parties include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off District property).

Day(s): Unless expressly stated otherwise, the term "day" or "days" as used in this policy means business day(s) (i.e., a day(s) that the Board office is open for normal operating hours, Monday – Friday, excluding State-recognized holidays).

III. **CCCSA Compliance Officer**

A. Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinators"); (hereinafter referred to as the "COs").

The COs shall also serve as the District's ADA Coordinator and Title IX Coordinator.

Leisa Orcutt
Human Resources Manager
239-424-6100 X456
3519 Oasis Blvd.
Cape Coral, Florida 33914
leisa.orcutt@capecharterschool.org

B. ADA Coordinator and Title IX Coordinator

The Board designates the following individuals to serve as the ADA Coordinator and Title IX Coordinator.

Leisa Orcutt
Human Resources Manager
239-424-6100
leisa.orcutt@capecharterschool.org

Donnie Hopper
Principal, Oasis Middle School
239-945-1999
Donnie.Hopper@capecharterschools.org

C. Title IX Coordinator

The Board designates the following individuals to serve as the District's Title IX Coordinator.

Leisa Orcutt
Human Resources Manager
239-424-6100
leisa.orcutt@capecharterschool.org

Donnie Hopper
Principal, Oasis Middle School
239-945-1999
Donnie.Hopper@capecharterschools.org

D. Publication

The name(s), title(s), and contact information of this/these individual(s) will be published annually on the CCCSA's website.

E. Duties and Responsibilities

The CO(s), ADA Coordinator(s), and Title IX Coordinator(s) are responsible for coordinating the CCCSA's efforts to comply with applicable Federal and State laws and regulations, including the CCCSA's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination or denial of equal access. The CO(s) shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), the Age Discrimination Act of 1975, the Florida Civil Rights Act of 1992, the Florida Educational Equity Act, and/or their implementing regulations is provided to students, their parents, staff members, and the general public. A copy of each of the acts and regulations on which this notice is based may be found in the CO's office.

F. Students with Disabilities, Limited English Proficiency, or Other Needing Additional Services

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

The Board is committed to educating (or providing for the education of) each qualified person with a disability with persons who are not disabled to the maximum extent appropriate. Generally, the CCCSA will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment, even with the use of supplementary aids and services cannot be achieved satisfactorily. If the Board operates a separate class or facility that is identifiable as being for persons with disabilities, the facility, program, and activities and services must be comparable to the facilities, programs, and activities and services offered to students without a disability.

IV. Reports and Complaints of Unlawful Discrimination and Retaliation

Students and Board employees are required, and all other members of the CCCSA community and Third Parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other CCCSA official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other CCCSA employee or official who receives such a complaint shall file it with the CO within two (2) days.

Members of the CCCSA community, which includes students or Third Parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior, and/or harassment in accordance with Policy 5517.01 – Bullying and Harassment, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a protected class, the Principal shall report the act to one of the COs who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Principal informed of the status of the Policy 2260 investigation and provide the Principal with a copy of the resulting written report.

The CO(s) will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. CO shall accept reports of unlawful discrimination/retaliation directly from any member of the CCCSA community Third Party, or receive reports that are initially filed with another Board employee. Upon receipt of a report of alleged discrimination/retaliation, the CO will contact the Complainant and begin either an informal or formal complaint process (depending on the Complainant's request and the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to the Complainant and the Respondent. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the CCCSA community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the CO within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact Complainant, if age eighteen (18) or older, or the Complainant's parents/guardians if the Complainant is under the age eighteen (18), within two (2) days to advise s/he/them of the Board's intent to investigate the alleged wrongdoing.

Nothing contained in this policy is intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the U.S. Department of Education's Office for Civil Rights ("OCR"), the Florida Commission on Human Relations ("FCHR"), or the Equal Employment Opportunity Commission ("EEOC").

V. Investigation and Complaint Procedure

Except for sex discrimination and/or Sexual Harassment that is covered by Policy 2266 - Nondiscrimination on the Basis of Sex in Education Programs or Activities, any student who alleges to have been subjected to unlawful discrimination or retaliation may seek resolution of the complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims of discrimination/retaliation and a process for rendering a decision regarding whether the charges are substantiated. The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals are encouraged to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

A. Informal Complaint Procedure

The goal of the informal complaint procedure is to promptly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who alleges unlawful discrimination/retaliation. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the Complainant and the Respondent mutually agree to participate in it.

Students who believe that they have been unlawfully discriminated/retaliated and may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a CCCSA employee or any other adult member of the CCCSA community against a student will be formally investigated.

As an initial course of action, if a Complainant feels comfortable and safe doing so, the individual should tell or otherwise inform the Respondent that the allegedly discriminatory/retaliatory conduct is inappropriate and must stop. The Complainant should address the alleged misconduct as soon after it occurs as possible. The CO are available to

support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. A Complainant who is uncomfortable or unwilling to directly approach the Respondent about the inappropriate conduct may file an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination (e.g., sex discrimination), the CO may advise against the use of the informal complaint process.

A Complainant who alleges unlawful discrimination/retaliation may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other CCCSA-level employee; and/or (3) directly to the CO.

All informal complaints must be reported to one of the CO who will either facilitate an informal resolution as described below or appoint another individual to facilitate an informal resolution.

The CCCSA's informal complaint procedure is designed to provide the Complainant with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the Complainant's wishes informal resolution may involve, but not be limited to, one (1) or more of the following:

1. Advising the Complainant about how to communicate concerns to the Respondent.
2. Distributing a copy of Policy 2260 – Nondiscrimination and Access to Equal Educational Opportunity to the individuals in the school building or office where the Respondent works or attends.
3. If both parties agree, the CO may arrange and facilitate a meeting or mediation between the Complainant and the Respondent to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee is directed to attempt to resolve all informal complaints within fifteen (15) days of receiving the informal complaint. If the Complainant is dissatisfied with the informal complaint process, the Complainant may proceed to file a formal complaint. And, as stated above, either party may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the CO in accordance with the Board's records retention policy and/or student records policy. (See Policy 8310 and Policy 8330)

B. Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one (1) of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if Complainant, from the outset, elects to file a formal complaint, or the Compliance Officer(s) determines the allegations are not appropriate for resolution through the informal process, the formal complaint process shall be implemented.

The Complainant may file a formal complaint, either orally or in writing, with a teacher, Principal, or other CCCSA official employee at the student's school, the CO, Superintendent, or another CCCSA official employee who works at another school or at the CCCSA level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a formal complaint within thirty (30) days after the conduct occurs. If a complainant informs a teacher, Principal, or other CCCSA official employee at the student's school, Superintendent, or other CCCSA employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) days.

Throughout the course of the process, the CO should keep the parties reasonably informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent known: the identity of the Respondent a detailed description of the facts upon which the complaint is based (i.e., when where, and what occurred); a list of potential witnesses; and the resolution sought by the complainant.

If the complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the Respondent. In making such a determination, the CO should consult the Complainant to assess whether the individual agrees with the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions deemed appropriate in

consultation with the Superintendent.

Within two (2) days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the complainant has been subjected to unlawful discrimination/retaliation. A Principal will not conduct an investigation unless directed to do so by the Superintendent.

Simultaneously, the CO will inform the Respondent that a formal complaint has been received. The respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

1. interviews with the complainant;
2. interviews with the respondent;
3. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
4. consideration of any documentation or other information presented by the complainant, respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Respondent has engaged in unlawful discrimination/retaliation of the Complainant. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent must either issue a written decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the complainant and the respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

If the Superintendent determines the Respondent engaged in unlawful discrimination/retaliation toward the Complainant, the Superintendent must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

The decision of the Superintendent shall be final.

The parties may be represented, at their own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, the filing of charges with local law enforcement, or the filing of a civil action in court. Use of this internal complaint process is not a prerequisite to the pursuit of other remedies.

V. Privacy/Confidentiality

The CCCSA will employ all reasonable efforts to protect the rights of the complainant, the respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. Additionally, the Respondent must be provided the Complainant's identity.

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the

importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information is learned or provided during the course of the investigation.

All records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Florida's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

VI. Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law. When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies.

Where the Board becomes aware that a prior remedial action has been taken against a member of the CCCSA community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

VII. Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation or participates as a witness in an investigation is prohibited. Neither the Board nor any other person may intimidate, threaten, coerce or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a report, formal complaint, testified, assisted or participated or refused to participate in any manner in an investigation, proceeding, or hearing under those laws and/or this policy, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws and/or this policy.

Retaliation against a person for making a report of discrimination, filing a formal complaint, or participating in an investigation or meeting is a serious violation of this policy that can result in imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

Formal complaints alleging retaliation may be filed according to the internal complaint process set forth above.

The exercise of rights protected under the First Amendment of the United States Constitution does not constitute retaliation prohibited under this policy.

VIII. Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the CCCSA community related to the implementation of this policy and shall provide training for CCCSA students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

IX. Retention of Investigatory Records and Materials

The Compliance Officer(s) is responsible for overseeing retention of all records that must be maintained pursuant to this policy. All individuals charged with conducting investigations under this policy shall retain all information, documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and received as part of an investigation, including, but not limited to:

- A. all written reports/allegations/complaints/statements;
- B. narratives of all verbal reports/allegations/complaints/statements;
- C. a narrative of all actions taken by District personnel;
- D. any written documentation of actions taken by CCCSA personnel or individuals contracted or appointed by the Board to fulfill its responsibilities related to the investigation and/or the District's response to the alleged violation of this

policy;

E. written witness statements;

F. narratives of, notes from, or audio, video, or digital recordings of witness statements;

G. all documentary evidence;

H. e-mails, texts, or social media posts pertaining to the investigation;

I. contemporaneous notes in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.) pertaining to the investigation;

J. written disciplinary sanctions issued to students or employees and a narrative of verbal disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting discrimination or harassment;

K. dated written determinations to the parties;

L. dated written descriptions of verbal notifications to the parties;

M. written documentation of any interim measures offered and/or provided to complainants, including no contact orders issued to both parties, the dates issued, and the dates the parties acknowledged receipt;

N. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;

O. documentation of any supportive measures offered and/or provided to the Complainant and/or the Respondent, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;

P. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student Codes of Conduct and/or Employee Handbooks);

Q. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment, or retaliation;

R. documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy.

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

The information, documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Revised 8/14/18

Revised 10/8/19

Revised 3/9/21

Revised 6/8/21

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Legal

F.S. 553.501 et seq., Florida Americans with Disabilities Accessibility Implementation Act

F.S. 760.021

F.S. 760.08

F.S. 1000.05, Florida Educational Equity Act

F.S. 1002.311

F.A.C. 6A-19.001

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

29 U.S.C. Section 794, Rehabilitation Act of 1973, as amended

42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964

42 U.S.C. 12101 et seq., The Americans with Disabilities Act of 1990, as amended

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

34 C.F.R. Part 110 (7/27/93)

29 C.F.R. Part 1635

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services,
Department of Education, Office of Civil Rights, March 1979

Title III of the No Child Left Behind Act of 2001

Last Modified by Jacquelin Collins on April 7, 2022

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of SCHOOL HEALTH SERVICES
Code	po2410 4/7/22 jc
Status	
Adopted	March 9, 2021
Last Revised	December 14, 2021

2410 - SCHOOL HEALTH SERVICES

School Health Services

The CCCCSA shall cooperate with the School District of Lee County and the Lee County Health Department to address all school health matters as required by the School Health Services Act (F.S. 381.0056). The School District of Lee County, including the school health advisory committee, and the Lee County Health Department shall jointly develop a school health services plan approved by The School Board of Lee County and adopted by the CCCCSA (with exceptions).

The "school health services plan" will describe the services to be provided, the responsibility for provision of the services, the anticipated expenditures to provide the services, and evidence of cooperative planning by the CCCCSA and district, including the school health advisory committee, and the Lee County Health Department. Each school health advisory committee must, at a minimum, include members who represent the eight (8) component areas of the Coordinated School Health model as defined by the Centers for Disease Control and Prevention.

The School Board of Lee County's superintendent, in addition to the school health advisory committee, shall develop the school health services plan jointly with the Lee County Health Department and submit it to the Board for approval.

The school health services plan will be completed biennially by The School Board of Lee County and approved and signed by The School Board of Lee County's superintendent, The School Board of Lee County's chairperson, Lee County Health Department medical director or administrator, and the Department of Health's district administrator. The school health services plan shall be reviewed each year for the purpose of updating the plan. Amendments shall be signed by The School Board of Lee County's superintendent and the Lee County Health Department medical director or administrator.

The School Board of Lee County health services plan, adopted by the CCCCSA (with exceptions), is to include, at a minimum, provisions for all of the following:

- A. health appraisal;
- B. records review;
- C. nurse assessment;
- D. nutrition assessment;
- E. a preventive dental program;
- F. vision screening;
- G. hearing screening;
- H. scoliosis screening at the appropriate age;
- I. growth and development screening;
- J. health counseling;

- K. referral and follow-up of suspected or confirmed health problems by the Lee County Health Department;
- L. meeting emergency health needs in each school;
- M. county health department personnel to assist school personnel in health education curriculum development;
- N. referral of students to appropriate health treatment, in cooperation with the private health community whenever possible;
- O. consultation with a student's parent or guardian regarding the need for health attention by the family physician, dentist, or other specialist when definitive diagnosis or treatment is indicated;
- P. maintenance of records on incidents of health problems, corrective measures taken, and such other information as may be needed to plan and evaluate health programs; except, however, that provisions in the plan for maintenance of health records of individual students must be in accordance with F.S. 1002.22;
- Q. health information which will be provided by the school health nurses, when necessary, regarding the placement of students in exceptional student programs and the reevaluation at periodic intervals of students placed in such programs;
- R. notification to the local nonpublic schools of the school health services program and the opportunity for representatives of the local nonpublic schools to participate in the development of the cooperative health services plan;
- S. a reasonable attempt to notify a student's parent, guardian, or caregiver if the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to F.S. 394.463; including and subject to the requirements and exceptions established under F.S. 1002.20 (3) and F.S. 1002.33 (9), as applicable.

Reasonable attempt to notify means the exercise of reasonable diligence and care by the principal to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the principal must take the following actions:

1. Use available methods of communication to contact the student's parent, guardian, or other known emergency contact including, but not limited to, telephone calls, text messages, e-mails, and voicemail messages following the decision to initiate an involuntary examination of the student;
2. Document the method and number of attempts made to contact the student's parent, guardian, or other known emergency contact, and the outcome of each attempt.

The principal who successfully notifies any other known emergency contact may share only the information necessary to alert such contact that the parent or caregiver must be contacted. All such information must be in compliance with Federal and State law.

- T. budget and staffing information;
- U. number and levels of public and nonpublic schools and number of students served;
- V. communicable disease policies;
- W. immunization policies;
- X. initial school entry health examination policy;
- Y. health services reporting procedure;
- Z. advisory committee activities and membership; and
- AA. School District and county public health unit personnel responsible for coordinating health services.

The school health services plan will describe employing or contracting for all health-related staff and the supervision of all school health services personnel regardless of funding source.

Protocols for supervision of school health services personnel shall be described in the school health services plan to assure that such services are provided in accordance with statutory and regulatory requirements and professional standards. These shall be kept on file at The School Board of Lee County and the Lee County Health Department.

Decisions regarding medical protocols or standing orders in the delivery of school health services are the responsibility of the Lee County Health Department medical director in conjunction with the Board, school health advisory committee, the District medical consultant, or the student's private physician.

COVID-19 Prohibitions

Neither the Board nor any Board agent or employee may:

- A. **impose a COVID-19 vaccination mandate for students; or**
- B. **prohibit a student from attending school or school-sponsored activities, prohibit a student from being on school property, or subject a student to restrictions or disparate treatment, based on an exposure to COVID-19, so long as the student remains asymptomatic and has not received a positive test for COVID-19.**

Involuntary Examinations of Students

Before a principal contacts a law enforcement officer for possible removal of a student from school for involuntary examination, the principal must verify that the school has used de-escalation strategies and initiated outreach to a mobile response team, unless the principal reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others.

The principal may delay notification for no more than twenty-four (24) hours after a student is removed if the principal deems the delay to be in the student's best interest and (1) if a report has been submitted to the central abuse hotline, pursuant to F.S. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect; or (2) the principal reasonably believes that such delay is necessary to avoid jeopardizing the health and safety of the student.

The Superintendent is required to annually report to the Florida Department of Education the number of involuntary examinations, as defined in F.S. 394.455, which are initiated at a school, on school transportation, or at a school-sponsored activity.

Contact with Mental Health Professionals During a Student Crisis

During a student crisis situation, school or law enforcement personnel must make a reasonable attempt to contact a mental health professional who may initiate an involuntary examination pursuant to F.S. 394.463, unless the child poses an imminent danger to themselves or others, before initiating an involuntary examination pursuant to F.S. 394.463. Such contact may be in person or using telehealth as defined in F.S. 456.467. The mental health professional may be available to the District either by contracts or interagency agreements with the managing entity, one or more local community behavioral health providers, or the local mobile response team or be a direct or contracted District employee.

Mental Health Services

Mental health counseling services, case management services, and human and social services may be provided to students at a school site under mutual agreements with community-based public or private agencies. Each service provided shall be on a case-by-case basis with prior written approval of the student's parent or guardian.

The Superintendent shall work to assist schools in providing information to children and families by providing a directory of referral sources for professional mental health services for children and families in need of such services. All schools should reference the "Referral Sources for Children and Families Manual" for licensed Mental Health Professionals. The following information should be listed in the directory:

- A. the location of a Referral Sources Manual
- B. information on mental health referral
- C. information on substance abuse referrals
- D. phone numbers and addresses of mental health providers
- E. a copy of the District's release letter for obtaining assistance
- F. additional resource for outpatient/inpatient services
- G. inpatient unit services for District children and adolescents
- H. employee assistance programs and contacts

The Superintendent shall develop and update as needed administrative procedures to implement this policy.

Water Safety and Swimming Certification

Beginning with the 2022-2023 school year, each school shall provide information on the important role water safety education courses and swimming lessons play in saving lives to a parent who initially enrolls their child in the school, or the student if the student is eighteen (18) years of age or older. The information will be provided electronically or in hard copy and must include local options for age-appropriate water safety courses and swimming lessons that result in a certificate indicating successful completion, including courses and lessons offered for free or at a reduced price.

Revised 12/14/21
F.S. 39.201
F.S. 381.00319
F.S. 381.0056
F.S. 349.495(7)
F.S. 394.463
F.S. 1002.20
F.S. 1002.22
F.S. 1003.22
F.S. 1003.225
F.S. 1011.62
F.S. 1003.453
F.A.C. 64D-3.011
F.A.C. 64F-6.002

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Legal	F.S. 39.201
	F.S. 381.0056
	F.S. 394.463
	F.S. 349.495(7)
	F.S. 1002.22
	F.S. 1003.22
	F.S. 1003.25
	F.S. 1003.453
	F.S. 1011.62
	F.A.C. 64D-3.011
	F.A.C. 64F-6.002

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS
Code	po25204/7/22 jc
Status	
Adopted	December 14, 2021

2520 - SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS

The **School Board** CCCCSA adopts courses of study pursuant to State law and Policy 2220. When adopting courses of study, State law also requires the Board to adopt and provide adequate instructional materials to students enrolled in the CCCCSA.

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

Furthermore, Federal law requires the Board to provide accessible instructional materials as specified in a student's Individualized Education Program (IEP). Such accessible instructional materials may be of a type or in a format as specified in the definition of adequate instructional materials in this policy.

As required by State law, instructional materials adopted and used in the CCCCSA shall be consistent with the goals and objectives in the CCCCSA's adopted course of study and with the course descriptions established by State Board rule. The Board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school library, or included on a reading list. Upon written request, an individual will be provided access to material or books specified in the written request that are maintained in a CCCCSA library if such material or books are available for review. The school principal shall arrange for a convenient time to provide such access.

The Superintendent shall develop administrative procedures that set forth a process to involve staff in the review and evaluation of instructional materials. The staff involved in this process shall recommend to the Superintendent for submission to the Board for adoption the instructional materials that address the goals and objectives for adopted courses of study and the course descriptions established by State Board rule. The instructional materials shall be from the State-adopted instructional materials list if there has been a State adoption or from publishers and other resources if there has not been a State adoption.

The Superintendent's procedures shall also prescribe the process for the acquisition, management, use, accountability, and reporting requirements of all instructional materials.

Adoption of Instructional Materials

~~Prior to submitting a recommendation to the Board regarding the recommended instructional materials, those materials will be accessible for review online for at least twenty (20) calendar days prior to the open publicly noticed meeting at which a public hearing will be held so that the Board can receive comment, if any, about the instructional material under consideration for adoption. The Superintendent shall establish reasonable safeguards against the unauthorized use, reproduction, and distribution of the instructional material under consideration. Following the public hearing, the Board may act upon the Superintendent's recommendation to adopt the instructional materials.~~

~~At an open publicly noticed meeting following the meeting at which the instructional material is adopted, the Board shall consider a recommendation to approve an annual instructional materials plan that identifies any instructional materials to be purchased pursuant to the instructional materials review process described herein. The Superintendent shall maintain a list of all adopted instructional materials.~~

Purchase of Instructional Materials

Following adoption by the Board, requisitions shall be issued to purchase current instructional materials from the State-adopted instructional materials list so that each student in kindergarten through grade 12 will have a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature. Any materials purchased shall

be free of pornography and material prohibited under F.S. 847.12, suited to student needs and their ability to comprehend the material presented, and appropriate for the grade level and age group for which the materials are used or made available.

Requisitions shall also be issued to purchase instructional materials that will be the major tool of instruction for subjects in the State Course Code Directory for which the Board has adopted courses of study, but for which there are no materials on the State-adopted instructional materials list.

The Superintendent shall approve these purchases.

In any year in which the total instructional materials allocation for CCCCSA has not been expended or obligated prior to June 30th, the unobligated amount shall be carried forward and added to the next year's allocation.

The CCCCSA shall maintain on its website a current list of instructional materials, by grade level, purchased by the CCCCSA

Replacement and Purchase of Instructional Materials by Students/Parents

Students shall be held responsible for the cost of replacing any instructional materials lost, destroyed, or unnecessarily damaged. Failure to provide payment for the damage or loss may result in the suspension of the student from participation in extra-curricular activities, or the debt may be satisfied by the student performing community service activities at the school site as determined by the school principal.

A student or his/her parent(s) may purchase a copy of the designated course instructional materials, regardless of format, for the CCCCSA's purchase price, including shipping.

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

~~Process for Parents and Residents to Contest Adoption of Instructional Materials~~

~~The following individuals may file an objection to the adoption of a specific instructional material:~~

~~A. parents of students in the CCCCSA; and~~

~~B. residents of the county;~~

~~For purposes of this policy, "resident" means a resident of the county who has maintained his/her residence in Florida for the preceding year, has purchased a home that is occupied by him/her as his/her residence, or has established a domicile in Florida pursuant to F.S. 222.17.~~

~~Filing a Petition~~

~~A parent or resident must file a petition with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material, on a form provided by the Board. The petition form shall be publicly available by visiting any school in person or by accessing the link on the Board's website. The petition must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d).~~

~~Timeframe for Hearing~~

~~When the thirty (30) calendar day period following Board adoption of the instructional material in question has expired, the Board will conduct at least one (1) open public hearing before an unbiased and qualified hearing officer for all timely petitions received.~~

~~Hearing Officers~~

~~Hearing officers are not employees or agents of the CCCCSA with the exception of any agreement entered into for purposes of conducting the hearings set forth herein. Hearing officers shall be selected annually by the Board from a list of candidates provided by the Superintendent.~~

~~Procedures for Hearings~~

~~Petitioners will have an adequate and fair opportunity to be heard and present evidence to the hearing officer.~~

~~Hearings shall be conducted as follows:~~

~~A. The petitioner may make an opening statement.~~

~~B. The CCCCSA's representative may make an opening statement.~~

~~C. The petitioner may present evidence (including documents and testimony from witnesses) that instructional material does not meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School CCCCSA but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8, 9, and 11.~~

D. ~~The CCCCSA representative may present evidence (including documents and testimony from witnesses) that the instructional material does meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School CCCCSA but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8, 9, and 11.~~

E. ~~The petitioner may make a closing statement.~~

F. ~~The CCCCSA representative may make a closing statement.~~

~~Within fourteen (14) days of the date of the hearing, the hearing officer shall submit a recommended order to the Board. The Board shall consider the recommended order and enter a final order at a publicly noticed Board meeting. If the petitioner proves that instructional material does not meet the criteria required under F.S. 1006.28, or contains prohibited material under that statute, it shall be removed in accordance with Florida law. The Board's decision is final and not subject to further petition or review.~~

~~Hearings under this policy are not subject to the provisions of F.S. Chapter 120.~~

Parent and Resident Objection to Instructional Material Used in Classrooms, Made Available in a School Library, or Included on a Reading List

Parents and residents of the county may object to the use of a specific instructional material in the classroom, made available in a school library, or included on a reading list based on the criteria set forth in F.S. 1006.28(2)(a)2. or F.S. 1014.05(1)(c).

For purposes of this policy, "resident" means a resident of the county who has maintained their residence in Florida for the preceding year, has purchased a home that is occupied them as their residence, or has established a domicile in Florida pursuant to F.S. 222.17.

[DRAFTING NOTE - F.S. 1006.28 requires school boards to adopt a policy regarding an objection by a parent or a resident of the county to the use of a specific instructional material, which clearly describes a process to handle all objections and provides for resolution. Neola has created three options for consideration by the Board as to how to resolve such objections; however, the Board may elect to create its own process regarding how objections by a parent or a resident must be resolved.]

[OPTION 2]

Parents and residents of the county should make any such objection in writing to the principal identifying the specific instructional material and stating the basis for the objection.

The principal will review the objection and may meet with the teacher and/or parents/resident, or both, in an attempt to resolve the objection, using an alternative instructional material. If the objection is not resolved to the objectors' satisfaction, the principal shall refer the matter to the appropriate **District-level curriculum supervisor Superintendent**.

The **District-level curriculum supervisor Superintendent** will meet with the objector and attempt to resolve the objection. The objector is further permitted to provide any evidence it desires to the **District-level curriculum supervisor Superintendent** to consider as set forth in F.S. 1006.28(2)(a)2. a. and b. If the objection is not resolved to the objector's satisfaction, the matter will be referred to the Board for a public hearing.

The public hearing will be scheduled as soon as practicable to take place during a regularly scheduled Board meeting. Prior to the hearing, the Board will receive and review all evidence submitted by the objector. Additionally, the objector will have an opportunity to make a 5 minute oral presentation to the Board.

If the Board finds that the instructional material does not meet the criteria under F.S. 1006.28(2)(a)2.a. or that any other material contains prohibited content under F.S. 1006.28(2)(a)2.b., the district will discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.

The decision of the Board shall be final.

[END OF OPTION 2]

Parents may object to the use by their child of a specific instructional material in the classroom as set forth in Florida law. Parents should make any such objection in writing to the principal, at least ten (10) days before the intended use of the material, identifying the specific instructional material and stating the basis for the objection. The principal will review the parent objection and may meet with the teacher or parents, or both, in an attempt to resolve the objection, using an alternative instructional material for the child. If the objection is not resolved to the parents' satisfaction, the

~~principal shall refer the matter to the appropriate CCCCSA-level curriculum supervisor. The decision of the CCCCSA-level curriculum supervisor shall be final.~~

Free School-Related Instructional Materials

Free instructional materials may be accepted for classroom and school purposes under conditions that meet all the following criteria:

- A. The initiative for securing the materials should be of the type that teachers seek rather than materials forwarded to them to promote the interests of an outside agency.
- B. The materials should fill a legitimate purpose of the school curriculum.
- C. The advertising feature of the materials should be minimized.
- D. Educational films should contain a minimum amount of commercial advertising.

Equipment or Instructional Materials Vendors

The principal may permit vendors to demonstrate and show only that equipment and instructional materials which can be used to improve the instructional program and which are under consideration for purchase by the school.

New Worlds Reading Initiative

The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to K-5 students who score below a level 3 in the preceding year's statewide English Language Arts Assessment (ELA), or having a substantial reading deficiency. The school CCCCSA must notify parents of eligible students in writing and provide them with the application form, which must allow for the selection of specific book topics or genres for the student. The CCCCSA must coordinate monthly book deliveries with the program administrator beginning no later than October and continuing through at least June. However, for the 2021-2022 school year only, delivery may begin no later than December 31, 2021. The CCCCSA must participate in the initiative by partnering with local nonprofit organizations and raising awareness by using marketing materials provided by the program administrator. A student's eligibility for the initiative continues until promotion to grade 6 or until the parent opts out of the initiative.

The CCCCSA shall coordinate with each charter school it sponsors for the purposes of identifying eligible students, notifying parents, coordinating book deliveries, providing the opportunity to annually select book topics and genres, and raising awareness of the initiative.

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Legal	F.S. 119.071
	F.S. 212.183
	F.S. 1001.215
	F.S. 1002.22
	F.S. 1003.485
	F.S. 1006.28
	F.S. 1006.28 through 1006.42
	F.S. 1008.22
	F.S. 1008.25(5) (a)
	F.S. 1008.25 (5) (c)
	F.S. 1014.05
	F.A.C. 6A-6.03028
	34 C.F.R. Part 300

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
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Code	po2521 5/16/22 jc
Status	
Adopted	April 12, 2016
Last Revised	December 14, 2021

2521 - **INSTRUCTIONAL MATERIALS PROGRAM**

The Governing Board shall provide instructional materials and equipment, within budgetary constraints, to implement the Authority's educational goals and objectives and to meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the school. Instructional materials used in the Authority shall be consistent with the Authority goals and objectives and the course descriptions established by the State Board of Education and the State standards provided for in F.S. 1003.41.

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

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

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

The Board hereby establishes an instructional materials program that includes the review, recommendation, adoption, and purchase of instructional materials. ~~pursuant to procedures established by The School Board of Lee County. The program shall comply with all applicable provisions of F.S. Chapter 1006, Part I, F. Instructional Materials for K-12 Public Education.~~

Compliance with F.S. 1006.32, Relating to Prohibited Acts

In accordance with State law, this policy strictly prohibits any individual or the Board from engaging in any of the prohibited acts set forth in F.S. 1006.32.

Parental Notification of Access to Student's Instructional Materials

The Authority shall notify parents through the Authority's website and in writing annually of their ability to access their children's instructional materials.

Maximization of Student Use of Authority-approved Instructional Materials

In order to maximize student use of authorized instructional materials, the Board shall:

- A. purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12;
- B. by the 2015-2016 fiscal year, use at least fifty percent (50%) of the annual allocation for the purchase of digital or electronic instructional materials included on the State-adopted list, except as otherwise authorized by law or rules of the State Board of Education;
- C. use up to 100% of that portion of the annual allocation designated for the purchase of instructional materials for kindergarten, and up to seventy-five percent (75%) of that portion of the annual allocation designated for the purchase of instructional materials for first grade, to purchase materials not on the State-adopted list, which shall be used for the

purchase of instructional materials or other items having intellectual content which assist in the instruction of a subject or course.

These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools.

The Superintendent shall implement procedures that will assure the maximum use by the students of the authorized instructional materials.

Required Curriculum

Nothing in this policy shall limit or remove the responsibility of the Board to include in its curriculum the required instruction specified in State law including, but not limited to, the following:

- A. The history of the United States; the history of the Holocaust.
- B. The history of African Americans.
- C. The study of Hispanic contributions to the United States.
- D. The study of women's contributions to the United States.
- E. The nature and importance of free enterprise to the United States economy.
- F. The elementary principles of agriculture; and kindness to animals.

Fees Charged to Parents

A student or his/her parent(s) may purchase a copy of the designated course instructional materials, regardless of format, for the Authority's purchase price, including shipping, plus ten percent (10%).

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

Free School-Related Instructional Materials

Free instructional materials may be accepted for classroom and school purposes under conditions that meet all the following criteria:

- A. The initiative for securing the materials should be of the type that teachers seek rather than materials forwarded to them to promote the interests of an outside agency.
- B. The materials should fill a legitimate purpose of the school curriculum.
- C. The advertising feature of the materials should be minimized.
- D. Educational films should contain a minimum amount of commercial advertising.

Equipment or Instructional Materials Vendors

The principal may permit vendors to demonstrate and show only that equipment and instructional materials which can be used to improve the instructional program and which are under consideration for purchase by the school.

Public Inspection of Sample Copies of Instructional Materials

In addition to the requirements for public inspection of sample copies of instructional materials required by this policy, the Board shall make available for public inspection sample copies of all instructional materials that have been purchased by the Board. Members of the public seeking to inspect these materials shall contact the building principal.

Process for Parents and Residents to Contest Adoption of Instructional Materials

~~The following individuals may file an objection to the adoption of a specific instructional material:~~

- ~~A. parents of students in the District; and~~

B. residents of the county:

~~For purposes of this policy, "resident" means a resident of the county who has maintained his/her residence in Florida for the preceding year, has purchased a home that is occupied by him/her as his/her residence, or has established a domicile in Florida pursuant to F.S. 222.17.~~

Filing a Petition

~~A parent or resident must file a petition with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material, on a form provided by the Board. The petition form shall be publicly available by visiting any school in person or by accessing the link on the Board's website. The petition must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d).~~

Timeframe for Hearing

~~When the thirty (30) calendar day period following Board adoption of the instructional material in question has expired, the Board will conduct at least one (1) open public hearing for all timely petitions received.~~

Procedures for Hearings

~~Petitioners will have an adequate and fair opportunity to be heard and present evidence to the hearing officer. Hearings shall be conducted as follows:~~

- ~~A. The petitioner may make an opening statement.~~
- ~~B. The District's representative may make an opening statement.~~
- ~~C. The petitioner may present evidence (including documents and testimony from witnesses) that instructional material does not meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8, 9, and 11.~~
- ~~D. The District representative may present evidence (including documents and testimony from witnesses) that the instructional material does meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8, 9, and 11.~~
- ~~E. The petitioner may make a closing statement.~~
- ~~F. The District representative may make a closing statement.~~

~~Within fourteen (14) days of the date of the hearing, the board shall make a recommendation/order. The Board shall consider the recommended order and enter a final order at a publicly noticed Board meeting. If the petitioner proves that instructional material does not meet the criteria required under F.S. 1006.28, or contains prohibited material under that statute, it shall be removed in accordance with Florida law. The Board's decision is final and not subject to further petition or review.~~

~~Hearings under this policy are not subject to the provisions of F.S. Chapter 120.~~

Parent and Resident Objection to Instructional Material Used in Classrooms, Made Available in a School Library, or Included on a Reading List

Parents and residents of the county may object to the use of a specific instructional material in the classroom, made available in a school library, or included on a reading list based on the criteria set forth in F.S. 1006.28(2)(a)2. or F.S. 1014.05(1)(c).

For purposes of this policy, "resident" means a resident of the county who has maintained their residence in Florida for the preceding year, has purchased a home that is occupied them as their residence, or has established a domicile in Florida pursuant to F.S. 222.17.

[DRAFTING NOTE - F.S. 1006.28 requires school boards to adopt a policy regarding an objection by a parent or a resident of the county to the use of a specific instructional material, which clearly describes a process to handle all objections and provides for resolution. Neola has created three options for consideration by the Board as to how to resolve such objections; however, the Board may elect to create its own process regarding how objections by a parent or a resident must be resolved.]

[x] [OPTION 2]

Parents and residents of the county should make any such objection in writing to the principal identifying the specific instructional material and stating the basis for the objection.

The principal will review the objection and may meet with the teacher and/or parents/resident, or both, in an attempt to resolve the objection, using an alternative instructional material. If the objection is not resolved to the objectors' satisfaction, the principal shall refer the matter to the appropriate ~~District-level curriculum supervisor~~ Superintendent.

The ~~District-level curriculum supervisor~~ Superintendent will meet with the objector and attempt to resolve the objection. The objector is further permitted to provide any evidence it desires to the ~~District-level curriculum supervisor~~ Superintendent to consider as set forth in F.S. 1006.28(2)(a)2. a. and b. If the objection is not resolved to the objector's satisfaction, the matter will be referred to the Board for a public hearing.

The public hearing will be scheduled as soon as practicable to take place during a regularly scheduled Board meeting. Prior to the hearing, the Board will receive and review all evidence submitted by the objector. Additionally, the objector will have an opportunity to make a 5 minute oral presentation to the Board.

If the Board finds that the instructional material does not meet the criteria under F.S. 1006.28(2)(a)2.a or that any other material contains prohibited content under F.S. 1006.28(2)(a)2.b, the district will discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable.

The decision of the Board shall be final.

~~Parents may object to the use by their child of a specific instructional material in the classroom as set forth in Florida law. Parents and residents of the county should make any such objection in writing to the principal, at least ten (10) days before the intended use of the material, identifying the specific instructional material and stating the basis for the objection. The principal will review the parent objection and may meet with the teacher or parents, or both, in an attempt to resolve the objection, which may include using an alternative instructional material for the child. If the objection is not resolved to the parents' satisfaction, the principal shall refer the matter to the appropriate District-level curriculum supervisor. The decision of the District-level curriculum supervisor shall be final.~~

New Worlds Reading Initiative

The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to K-5 students who score below a level 3 in the preceding year's Statewide English Language Arts Assessment (ELA) or having a substantial reading deficiency. The School District must notify parents of eligible students in writing and provide them with the application form, which must allow for the selection of specific book topics or genres for the student. The District must coordinate monthly book deliveries with the program administrator beginning no later than October and continuing through at least June. However, for the 2021-2022 school year only, the delivery may begin no later than December 31, 2021. The District must participate in the initiative by partnering with local nonprofit organizations and raising awareness by using marketing materials provided by the program administrator. A student's eligibility for the initiative continues until promotion to grade 6 or until the parent opts out of the initiative.

The District shall coordinate with each charter school it sponsors for the purposes of identifying eligible students, notifying parents, coordinating book deliveries, providing the opportunity to annually select book topics and genres, and raising awareness of the initiative.

The Statewide ELA is not the sole determiner of promotion. Additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and schools in identifying the reading level of the student. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school begin collecting evidence for a portfolio.

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Legal

F.S. 119.071

F.S. 1001.21

F.S. 1002.22

F.S. 1003.41

F.S.1003.485

F.S. 1006.28 through 1006.42

F.S. 1008.22

F.S. 1008.25 (5) (a)

F.S. 1008.25(5) (c)

F.S. 1014.05

34 C.F.R. Part 300

F.A.C. 6A-6.03028

Last Modified by Jacquelin Collins on May 16, 2022

Book Policy Manual
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Title REVISED POLICY - VOL. 22, NO. 2 - PREFERENCE FOR VETERANS IN EMPLOYMENT
Code po3120.11 5/17/22
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REVISED POLICY - VOL. 22, NO. 2

3120.11 - PREFERENCE FOR VETERANS IN EMPLOYMENT

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

Appointment or Retention in Positions of Employment

Preference shall be given ~~pursuant~~ to the following:

A. Those disabled veterans:

1. who have served on active duty in any branch of the United States Armed Forces, have received an honorable discharge, and have established the present existence of a service-connected disability that is compensable under public laws administered by the U.S. Department of Veterans' Affairs; or
2. who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense.

B. The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

C. A wartime veteran as defined in F.S. 1.01(14) who has served at least one (1) day during a wartime period. Active duty for training may not be allowed for eligibility under this paragraph.

D. The unremarried widow or widower of a veteran who died of a service-connected disability.

E. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.

F. A veteran as defined in F.S. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.

G. A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

The School Board may waive a postsecondary educational requirement for a position of employment, other than those positions made exempt under F.S. 295.07 for a current member of a reserve component of the U.S. Armed Forces or the Florida National Guard or a veteran who has been honorably discharged if the person is otherwise qualified for the position.

Veterans ~~p~~P Preference in employment and retention may be given only to eligible persons who are described above.

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

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

~~satisfactorily performed, the veteran~~ will be subject to the employment policies of the District.

[NOTE: If reinstatement and reemployment is addressed in detail in the CBA, then the next section could be omitted from this policy ... that is, provided the CBA language provides, at a minimum, the preference granted such veterans as provided by State law and described in the section below.]

[X] Reinstatement or Reemployment

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

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

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

~~{NOTE: Choose the option below if the section entitled "Reemployment and Reinstatement" is to be included in the policy, and if the CBA provides benefits for bargaining unit members that exceed those described in State law and this section.}~~

~~{ } Instructional staff members in bargaining units should refer to the collective bargaining agreement for additional provisions in this regard. [END OF OPTION]~~

[NOTE: To the extent that this policy changes terms and conditions of employment of bargaining unit members, the certified bargaining agent would have the right to negotiate concerning these changes.]

Recruitment Plan

The Board will develop and implement a written veterans recruitment plan that establishes annual goals for the full use of veterans in the Board's workforce. The plan will be designed to meet the established goals. The veterans recruitment plan applies to the preference-eligible persons who are described above.

~~F.S. 110.2135~~

F.S. 295.07

F.S. 295.08

F.S. 295.085

F.S. 295.09

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Legal	F.S. 295.07
	F.S. 295.08
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3216 - **STAFF DRESS AND GROOMING**

The Governing Board believes that instructional staff members set an example in dress and grooming for their students to follow. ~~An instructional staff member who understands this precept and adheres to it enlarges the importance of this task, presents an image of dignity, and encourages respect for authority. These factors act in a positive manner toward the maintenance of discipline.~~

The Board, **subject to any collective bargaining agreement, authorizes the development of standards for staff**~~retains the authority to specify the following~~ dress and grooming **that promotes a professional educational atmosphere that gives consideration to the impact on the educational process and the diversity of the District's staff** ~~procedures for staff that will prevent such matters from having an adverse impact on the educational process. When assigned to Authority duty, all instructional staff members shall:~~

[x] When assigned to District duty, all staff members shall:

- A. be physically clean, neat, and well groomed;
- B. dress in a manner consistent with their instructional responsibilities;
- C. dress in a manner that communicates to students a pride in personal appearance;
- D.
- (x) dress in a manner that does not cause damage to District property;**
- E. be groomed in such a way that ~~their hair style or dress~~ does not disrupt the educational process.

[] The Board recognizes instructional staff members' right to dress in accordance with their gender identity, within the constraints of the preceding dress and grooming guidelines.

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REVISED POLICY - VOL. 22, NO. 2

4120.11 - PREFERENCE FOR VETERANS IN EMPLOYMENT

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

Appointment or Retention in Positions of Employment

Preference shall be given ~~pursuant~~ to the following:

A. Those disabled veterans:

1. who have served on active duty in any branch of the United States Armed Forces, have received an honorable discharge, and have established the present existence of a service-connected disability that is compensable under public laws administered by the U.S. Department of Veterans' Affairs; or
2. who are receiving compensation, disability retirement benefits, or pension by reason of public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense.

B. The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of this disability, cannot qualify for employment, and the spouse of a person missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

C. A wartime veteran as defined in F.S. 1.01(14) who has served at least one (1) day during a wartime period to be eligible for veterans' preference. Active duty for training may not be allowed for eligibility under this paragraph.

D. The unremarried widow or widower of a veteran who died of a service-connected disability.

E. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense.

F. A veteran as defined in F.S. 1.01(14). Active duty for training may not be allowed for eligibility under this paragraph.

G. A current member of any reserve component of the United States Armed Forces or the Florida National Guard.

The School Board may waive a postsecondary educational requirement for a position of employment, other than those positions made exempt under F.S. 295.07 for a current member of a reserve component of the U.S. Armed Forces or the Florida National Guard or a veteran who has been honorably discharged if the person is otherwise qualified for the position.

Veterans pPreference in employment and retention may be given only to eligible persons who are described above.

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

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

~~performed, the veteran~~ will be subject to the employment policies of the District.

[NOTE: If reinstatement and reemployment is addressed in detail in the CBA, then the next section could be omitted from this policy ... that is, provided the CBA language provides, at a minimum, the preference granted such veterans as provided by State law and described in the section below.]

[X] Reinstatement or Reemployment

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

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

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

~~[NOTE: Choose the option below if the section entitled "Reemployment and Reinstatement" is to be included in the policy, and if the CBA provides benefits for bargaining unit members that exceed those described in State law and this section.]~~

~~[] Educational support staff members in bargaining units should refer to the collective bargaining agreement for additional provisions in this regard. [END OF OPTION]~~

~~[NOTE: To the extent that this policy changes the terms and conditions of employment of bargaining unit members, the certified bargaining agent would have the right to negotiate concerning these changes.]~~

Recruitment Plan

The Board will develop and implement a written veterans recruitment plan that establishes annual goals for the full use of veterans in the Board's workforce. The plan will be designed to meet the established goals. The veterans recruitment plan applies to the preference-eligible persons who are described above.

F.S. 110.2135

F.S. 295.07

F.S. 295.08

F.S. 295.085

F.S. 295.09

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4216 - **STAFF DRESS AND GROOMING**

The Governing Board believes that support staff members, like instructional staff members, set an example in dress and grooming for students to follow. ~~Staff members who understand this precept and adhere to it enlarge the importance of this task and present an image of dignity and professionalism.~~

The Board **authorizes the development of standards for staff** ~~retains the authority to specify the following~~ dress and grooming **that promote a professional educational atmosphere that gives consideration to the impact on the educational process and the diversity of the District's staff** ~~procedures for staff that will prevent such matters from having an adverse impact on the educational process. When assigned to Authority duty, all support staff members shall:~~

[x] When assigned to District duty, all staff members shall:

- A. be physically clean, neat, and well groomed;
- B. dress in a manner consistent with their assigned responsibilities;
- C. dress in a manner that communicates to students a pride in personal appearance;

D.(x) dress in a manner that does not cause damage to District property;

E be groomed in such a way that ~~their hair style or dress~~ **does not disrupt the educational process** ~~nor~~ **or cause a health or safety hazard.**

- A. **[] The Board recognizes employees' right to dress in accordance with their gender identity, within the constraints of the preceding dress and grooming guidelines.**

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Version #1

5511V1 - DRESS AND GROOMING

The School Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, however, the standards of appearance for students shall ensure that the student be clean, neat, and properly dressed. They shall observe modes of dress and standards of personal grooming which are in conformity with the studious atmosphere and good personal hygiene necessary in schools. Furthermore, it is the responsibility of the principal to see that the dress or appearance of no student shall be extreme to the point of creating a disturbance or is hazardous to oneself, others, or school property. The dress code shall be incorporated into the Student Code of Conduct.

[x] Students have the right to dress in accordance with their gender identity, within the constraints of the dress code promulgated by the school.

A committee of six (6) members of the student body, chosen by the student government; three (3) members of the faculty, chosen by the faculty; and three (3) parents chosen by the principal; with the principal acting as chairman, shall have the responsibility of preparing a dress code for the school which they represent.

As a minimum, the dress code shall include provisions for the appropriateness of clothing, clothing accessories, and footwear, which will maintain adequate standards of safety, health, and welfare for all students. Beachwear and see-through or otherwise revealing apparel is not considered to be appropriate. Students shall not be permitted to wear clothing which contains printed profanity as defined in Policy 5500.

The following procedures are established to promote discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. These procedures should not be used to replace the specificity that schools currently have in place in their school site dress codes:

A. Head

1. No hats, curlers, bandanas, or sunglasses (unless prescribed by a physician) are to be worn in the school building or hallways.
2. Extreme hair styles or hair colors are prohibited.

B. Upper Garments

1. Garments must be of a length and fit that are suitable to the build and stature of the student. The cut of sleeveless garments must not expose undergarments or be otherwise immodest.
2. Strapless garments are prohibited. Straps of permitted garments must be a minimum of 1 1/2 inches in width. (Tube tops and halter tops are prohibited.)
3. Necklines of all upper garments must be modest. Low cut necklines are prohibited.
4. Excessively large or baggy clothes, which may conceal dangerous items or be a safety hazard, shall not be worn.
5. Upper garments must adequately cover the waistline and must not expose the midriff while the student is performing normal school-related activities (studying, retrieving books, raising hands, etc.).

C. Lower Garments

1. Pants shall conform to the build and stature of the student, shall be worn at the waist, and shall not extend below the heel of the shoe in length. Pants shall have no holes or rips. (Tights, spandex, leggings, bike shorts, etc., are not permitted.)
2. Undergarments shall not be visible. (Sports bras are considered undergarments.)
3. Dresses and skirts must reach mid thigh or below in length with the waistband of skirts worn at waist level.
4. Shorts must have clearly discernable inseams of reasonable length and cover the buttocks. Short shorts are prohibited.
5. Garments must be of a length and fit that are suitable to the build and stature of the student.

D. Footwear

Students must wear shoes that are safe and appropriate for the learning environment. Footwear commonly considered as beachwear is prohibited (for example: flip flops, thongs, etc.).

E. Accessories

1. Clothing, jewelry, and accessories shall not convey messages that are crude; vulgar/profane; violent/death-oriented (Gothic); gang-related; sexually suggestive; and/or promoting alcohol, drugs, or tobacco.
2. Pierced jewelry shall be limited to the ear. Dog collars, tongue rings, wallet chains, large hair picks, chains that connect one part of the body to another, or other jewelry/accessories that pose a safety concern for the student or others shall be prohibited.

[x] District staff shall enforce the school's dress code in a nondiscriminatory and uniform manner.

~~The Superintendent shall develop administrative procedures to implement this policy which:~~

- ~~A. designate the principal as the arbiter of student dress and grooming in his/her building;~~
- ~~B. instruct staff members to demonstrate by example and precept wholesome attitudes toward neatness, cleanliness, propriety, modesty, and good sense in attire and appearance;~~
- ~~C. ensure that all rules implementing this policy impose only minimum and necessary restrictions on the exercise of the student's taste and individuality.~~

Students who violate the dress code will not be admitted to class and may be suspended from school.

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Legal F.S. 1001.43
 F.S. 1006.07

Cross References po5500 - STUDENTCONDUCT
 ap5511 - DRESS AND GROOMING

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Version #2

5511V2 - DRESS AND GROOMING

The School Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the schools. The Board authorizes the Superintendent to establish

☒ a reasonable dress code

~~☐ a school uniform after six (6) month's notice to parents~~

in order to promote a safe and healthy school setting and enhance the educational environment. The ~~☐ dress code~~ ☒ school uniform shall be incorporated into the Student Code of Conduct or Discipline Code.

Accordingly, the Superintendent shall establish such grooming procedures as are necessary to promote discipline, maintain order, secure the safety of students, and provide a healthy environment conducive to academic purposes. Such procedures shall prohibit student dress or grooming practices which:

- A. ☒ present a hazard to the health or safety of the student ~~himself/herself~~ or to others in the school; **, including by way of communicating threats of harm or depictions of harmful conduct directed at others**
- B. ~~materially~~ interfere with school work, create disorder, or disrupt the educational program; **, including dress that promotes or depicts illegal activity, such as illegal drug use, underage alcohol consumption, or similar activities;**
- C. ☒ cause excessive wear or damage to school property;
- D. ☒ prevent the student from achieving their own educational objectives because of blocked vision or restricted movement.

Such procedures shall establish the dress requirements for members of the athletic teams, bands, and other school groups when representing the District at a public event. **Where appropriate, a uniform or specific dress requirement shall be used for students when representing the District as described.**

The Superintendent shall develop administrative procedures to implement this policy which:

- A. ☒ designate the principal as the arbiter of student dress and grooming in his/her building;
- B. ~~☐ invite the participation of ☐ staff ☐ parents ☐ students in the preparation of a dress code which may specify prescribed dress and grooming practices, but may not amplify the rationale for prohibition established by Board policy;~~
- C. ~~☒ instruct staff members to demonstrate by example and precept wholesome attitudes toward neatness, cleanliness, propriety, modesty, and good sense in attire and appearance;~~
- D. ~~☐ ensure that all rules implementing this policy impose only minimum and necessary restrictions on the exercise of the student's taste and individuality.~~

☒ Students who violate the foregoing rules will not be admitted to class and may be suspended from school.

~~☐ SELECT THIS OPTION IF THE DISTRICT IS INTERESTED IN ATTEMPTING TO PURSUE THE ANNUAL \$10 PER STUDENT AWARD FOR IMPLEMENTING A STANDARD STUDENT ATTIRE POLICY (SEE F.S. 1011.78)~~

The Board is desirous of adopting a standard student attire policy for all students in kindergarten through grade 8-12 regardless of individual school grade configurations. Such a policy will further foster learning and provide a safer educational environment by:

- A. ~~encouraging students to express their individuality through personality and academic achievements, rather than outward appearance;~~
- B. ~~enabling students to focus on academics, rather than fashion, because they are able to convey a neat, serious, and studious image;~~
- C. ~~minimizing disciplinary problems because students are not distracted by clothing;~~
- D. ~~reducing the time needed to correct dress code violations through a readily available inventory of compliant attire;~~
- E. ~~minimizing visible differences between students and eliminating social pressures to wear brand name clothing or colors to show gang affiliation, thereby easing financial pressures on parents and enhancing school safety;~~
- F. ~~creating a sense of school pride and belonging;~~

Pursuant to the District's CCCCSA's standard student attire policy, the following types or styles of clothing are prohibited:

A. ~~(x) Lower Garments~~

- 1. ~~Pants shall conform to the build and stature of the student, shall be worn at the waist, and shall not extend below the heel of the shoe in length. Pants shall have no holes or rips. (Tights, spandex, leggings, bike shorts, etc., are not permitted.)~~
- 2. ~~Undergarments shall not be visible. (Sports bras are considered undergarments.)~~
- 3. ~~Dresses and skirts must reach mid-thigh or below in length with the waistband of skirts worn at waist level;~~
- 4. ~~Shorts must have clearly discernable inseams of reasonable length and cover the buttocks. Short shorts are prohibited;~~
- 5. ~~Garments must be of a length and fit that are suitable to the build and stature of the student;~~

B. ~~(x) Footwear~~

~~Students must wear shoes that are safe and appropriate for the learning environment. Footwear commonly considered as beachwear is prohibited (for example: flip-flops, thongs, etc.).~~

C. ~~(x) Accessories~~

- 1. ~~Clothing, jewelry, and accessories shall not convey messages that are crude, vulgar/profane, violent/death-oriented (Gothic), gang-related, sexually suggestive, and/or promoting alcohol, drugs, or tobacco;~~
- 2. ~~Pierced jewelry shall be limited to the ear. Dog collars, tongue rings, wallet chains, large hair picks, chains that connect one part of the body to another, or other jewelry/accessories that pose a safety concern for the student or others shall be prohibited.~~

The District is cognizant that students' religions, disabilities, or medical conditions may impact their ability to comply with the standard student attire policy. Reasonable accommodations based on religion, disability, or medical condition shall be permitted on an individual basis.

No later than September 1st of each year, the Superintendent shall certify to the Florida Commissioner of Education that the District has implemented the standard student attire policy in accordance with Florida law.

The Superintendent shall develop administrative procedures to implement this policy which:

- A. ~~designate the principal as the arbiter of student dress and grooming in his/her building;~~
- B. ~~instruct staff members to demonstrate by example and precept wholesome attitudes toward neatness, cleanliness, propriety, modesty, and good sense in attire and appearance;~~

- C. ensure that all rules implementing this policy impose only minimum and necessary restrictions on the exercise of the student's taste and individuality.

Legal

[F.S. 1001.43](#)

[F.S. 1006.07](#)

[F.S. 1011.78](#)

Last Modified by Jacquelin Collins on April 13, 2022

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of STUDENT/PARENT RIGHTS
Code	po5780 jc 4/13/22
Status	
Adopted	April 12, 2016
Last Revised	September 14, 2021

5780 - STUDENT/PARENT RIGHTS

The Governing Board recognizes that students possess not only the right to an education but the rights of citizenship as well. Federal and State law prohibit the Board from adopting any policy or rule, or from entering into any agreement, that infringes upon or waives the rights of freedoms afforded to students by the United States Constitution.

In providing students the opportunity for an education to which they are entitled, the Authority shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. The Authority shall, at the same time, guarantee that no student is deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant to the rights guaranteed to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the procedures and rules of the Authority.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

Since a student who has reached the age of majority possesses the full rights of an adult, s/he may authorize those school matters previously handled by his/her parents, but s/he also assumes the responsibility for his/her performance in school, attendance, and compliance with school rules.

All K-12 students in Florida are entitled to a uniform, safe, secure, efficient, and high quality system of education, one that allows students the opportunity to obtain a high quality education. Parents are responsible to ready their children for school; however, neither the State of Florida nor the Authority can be a guarantor of any individual student's success.

Parental Access at School

Each parent has the right to pick-up, visit, and meet with his/her student at school, without interference of or the need for consent from the other parent, unless the school has received a certified copy of an enforceable court order that provides to the contrary. The Principal may restrict the times, location, frequency, and length of parent visitations at school, based on legitimate pedagogical or scheduling reasons. The Authority will abide by enforceable "no contact orders" which have been provided to the school.

Educational Decisions

Both parents have an equal right to make decisions about the education and welfare of their student, unless the school has received a certified copy of an enforceable court order that specifies that one of the parents, or someone else, has the sole right to make educational and/or general welfare decisions for the student.

If the parents cannot agree on a significant decision about the student's education or on matters affecting the health, safety, or welfare of the student, the school will take action based on what it considers to be in the best interests of the child.

Attendance

A. Termination of Enrollment

A student who attains the age of sixteen (16) years during the school year has the right to file a formal declaration of intent

to terminate school enrollment if the declaration is signed by the parent. The parent has the right to be notified by the Authority of its receipt of the student's declaration of intent to terminate school enrollment. (see also Policy 5130 - Withdrawal from School)

B. Married or Pregnant

Students who become or have become married or who are pregnant and parenting have the right to attend school and receive the same or equivalent educational instruction as other students. (see also Policy 5751 - Parental-Married Status of Students)

C. Compulsory Attendance

Parents of students who have attained the age of six (6) years by February 1st of any school year but who have not attained the age of sixteen (16) years must comply with the compulsory school attendance laws. Parents have the option to comply with the school attendance laws by attendance of the student in a public school; a parochial, religious, or denominational school; a private school; a home education program; or a private tutoring program. (see also Policy 5112 - Entrance Requirements and Policy 5200 - Attendance)

D. Absence for Religious Purposes

A parent of a student may request and be granted permission for absence of the student from school for religious instruction or religious holidays. (see also Policy 5223 - Absences for Religious Instruction and Policy 5225 - Absences for Religious Holidays)

E. Dropout Prevention and Academic Intervention Programs

The parent of a student has the right to receive written notice by certified mail prior to placement of the student in a dropout prevention and academic intervention program. The parent will be notified in writing and entitled to an administrative review of any action by school personnel relating to the student's placement.

F. Absence for Treatment of Autism Spectrum Disorder

A parent of a student may request and be granted permission for absence of the student from school for an appointment scheduled to receive a therapy service provided by a licensed health care practitioner or behavior analyst certified pursuant to Florida law for the treatment of autism spectrum disorder including, but not limited to, applied behavioral analysis, speech therapy, and occupational therapy.

Health Issues

A. School-Entry Health Examinations

The parent of any student shall be exempt from the requirement of a health examination upon written request stating objections on religious grounds. (see also Policy 5112 - Entrance Requirements)

B. Immunizations

The parent of any student shall be exempt from the school immunization requirements upon meeting any of the specified exemptions. (see also Policy 5320 - Immunization and Health Examination and Policy 5112 - Entrance Requirements)

C. Biological Experiments

Parents may request that their child be excused from performing surgery or dissection in biological science classes.

D. Reproductive Health and Disease Education

A public school student whose parent makes written request to the school principal shall be exempted from the teaching of reproductive health or any disease, including HIV/AIDS. (see also Policy 2417 - Comprehensive Health Education)

E. Contraceptive Services to Students

Students may not be referred to or offered contraceptive services at school facilities without the parent's consent.

F. Career Education Courses Involving Hazardous Substances

High school students must be given plano safety glasses or devices in career education courses involving the use of

hazardous substances likely to cause eye injury.

G. Substance Abuse Reports

The parent of a student must be timely notified of any verified report of a substance abuse violation by the student.

H. Inhaler Use

Asthmatic students whose parent and physician provide their approval to the school Principal may carry a metered dose inhaler on their person while in school. The school Principal shall be provided a copy of the parent's and physician's approval. (see also Policy 5330.01 - Self-Administered Medication and Epinephrine Use)

I. Epinephrine Use and Supply

A student who has experienced or is at risk for life-threatening allergic reactions may carry an epinephrine auto-injector and self-administer epinephrine by auto-injector while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, if the school has been provided with written parental and physician authorization.

The Authority shall be indemnified by the parent of a student who is authorized to carry an epinephrine auto-injector for any and all liability with respect to the student's use of an epinephrine auto-injector pursuant to this policy.

The Authority and its employees and agents, including the physician who provides the standing protocol for school epinephrine auto-injectors, are not liable for any injury arising from the use of an epinephrine auto-injector administered by trained school personnel who follow the adopted protocol and whose professional opinion is that the student is having an anaphylactic reaction:

1. unless the trained school personnel's action is willful and wanton;
2. notwithstanding that the parents or guardians of the student to whom the epinephrine is administered have not been provided notice or have not signed a statement acknowledging that the Authority is not liable; and
3. regardless of whether authorization has been given by the student's parents or guardians or by the student's physician, physician's assistant, or advanced registered nurse practitioner.

(see also Policy 5330.01 - Self-Administered Medication and Epinephrine Use)

J. Diabetes Management

The Authority may not assign a student who has diabetes to a particular school on the basis that the student has diabetes, that the school does not have a full-time school nurse, or that the school does not have trained diabetes personnel.

Diabetic students whose parent and physician provide their written authorization to the school Principal may carry diabetic supplies and equipment on their person and attend to the management and care of their diabetes while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, to the extent authorized by the parent and physician and within the parameters set forth by State Board of Education rule. The written authorization shall identify the diabetic supplies and equipment that the student is authorized to carry and shall describe the activities the child is capable of performing without assistance, such as performing blood-glucose level checks and urine ketone testing, administering insulin through the insulin-delivery system used by the student, and treating hypoglycemia and hyperglycemia.

The Authority and its employees and volunteers shall be indemnified by the parent of a student who is authorized to carry diabetic supplies or equipment for any and all liability with respect to the student's use of such supplies and equipment pursuant to this policy.

(see also Policy 5330.01 - Self-Administered Medication and Epinephrine Use)

K. Use of Prescribed Pancreatic Enzyme Supplements

A student who has experienced or is at risk for pancreatic insufficiency or who has been diagnosed as having cystic fibrosis may carry and self-administer a prescribed pancreatic enzyme supplement while in school, participating in school-sponsored activities, or in transit to or from school or school-sponsored activities, IF the school has been provided with written authorization from the student's parent and prescribing practitioner.

The Authority and its employees and volunteers shall be indemnified by the parent of a student who is authorized to use prescribed pancreatic enzyme supplements for any and all liability with respect to the student's use of the supplements under

this policy.

(see also Policy 5330.01 - Self-Administered Medication and Epinephrine Use)

L. Involuntary Examinations of Students

Before a Principal contacts a law enforcement officer for possible removal of a student from school for involuntary examination, the Principal must verify that the school has used de-escalation strategies and initiated outreach to a mobile response team, unless the Principal reasonably believes that any delay in removing the student will increase the likelihood of harm to the student or others.

The Principal shall make a reasonable attempt to notify a parent of a student before the student is removed from school, school transportation, or a school-sponsored activity to be taken to a receiving facility for an involuntary examination pursuant to F.S. 394.463. Reasonable attempt to notify means the exercise of reasonable diligence and care by the Principal to make contact with the student's parent, guardian, or other known emergency contact whom the student's parent or guardian has authorized to receive notification of an involuntary examination. At a minimum, the Principal must take the following actions:

1. Use available methods of communication to contact the student's parent, guardian, or other known emergency contact including, but not limited to, telephone calls, text messages, e-mails, and voicemail messages following the decision to initiate an involuntary examination of the student;
2. Document the method and number of attempts made to contact the student's parent, guardian, or other known emergency contact, and the outcome of each attempt.

The Principal who successfully notifies any other known emergency contact may share only the information necessary to alert such contact that the parent or caregiver must be contacted. All such information must be in compliance with Federal and State law.

The Principal may delay the required notification for no more than twenty-four (24) hours after a student is removed if:

1. the Principal deems the delay to be in the student's best interest and if a report has been submitted to the central abuse hotline, pursuant to F.S. 39.201, based upon knowledge or suspicion of abuse, abandonment, or neglect. (see also Policy 2410 - School Health Services); or
2. the Principal reasonably believes that such delay is necessary to avoid jeopardizing the health and safety of the student.

(see also Policy 2410 - School Health Services)

M. Sun-protective Measures in School

A student may possess and use a topical sunscreen product while on school property or at a school-sponsored event or activity without a physician's note or prescription if the product is regulated by the United States Food and Drug Administration for over-the-counter use to limit ultraviolet light-induced skin damage.

N. Face Covering and Quarantine Mandates in Response to COVID-19

1. require a student to wear a face mask, a face shield, or any other facial covering that fits over the mouth or nose. However, a parent, at the parent's sole discretion, may allow his/her child to wear a face mask, a face shield, or any other facial covering that fits over the mouth or nose;

This prohibition does not apply to safety equipment required as part of a course of study consistent with occupational or laboratory safety requirements. See Policy 8450.01, *Protective Facial Coverings During Pandemic/Epidemic Events*.

2. prohibit a student from attending school or school-sponsored activities, prohibit a student being on school property, or subject a student to restrictions or disparate treatment, based on an exposure to COVID-19, so long as the student remains asymptomatic and has not received a positive test for COVID-19.

Discipline

A. Suspension

A student may be suspended only as provided by policy of the Authority. A good faith effort must be made to immediately

A. Suspension

A student may be suspended only as provided by policy of the Authority. A good faith effort must be made to immediately inform the parent by telephone of the student's suspension and the reason. Each suspension and the reason must be reported in writing within twenty-four (24) hours to the parent by United States mail. A good faith effort must be made to use parental assistance before suspension unless the situation requires immediate suspension. (see also Policy 5610 - Removal, Out-of-School Suspension, and Expulsion of Students)

A student with a disability may only be recommended for suspension or expulsion in accordance with State Board of Education rules.

B. Expulsion

Public school students and their parents have the right to written notice of a recommendation of expulsion, including the charges against the student and a statement of the right of the student to due process. (see also Policy 5610 - Removal, Out-of-School Suspension, and Expulsion of Students)

Safety

Students who have been victims of certain felony offenses by other students, as well as the siblings of the student victims, have the right to be kept separated from the student offender, both at school and during school transportation.

Nondiscrimination

All education programs, activities, and opportunities offered by the Authority are available without discrimination on the basis of race (including anti-Semitism [as defined in Bylaw 0100]), color, ethnicity, national origin, sex (including sexual orientation, transgender status, or gender identity), disability (including HIV, AIDS, or sickle cell trait), pregnancy, marital status, age (except as authorized by law), religion, military status, ancestry, or genetic information, which are classes protected by State and/or Federal law (collectively, "protected classes"). (see also Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity and Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability)

Students with Disabilities

A. Notice and Due Process

Parents of students with disabilities and parents of students in residential care facilities are entitled to notice and due process. (see also Policy 2460 - Exceptional Student Education)

B. Graduation

Students with disabilities are provided the opportunity to meet the graduation requirements for a standard high school diploma. (see also Policy 2623 - Student Assessment)

C. Meetings with Authority Personnel

Parents of students with disabilities, or eligible students with disabilities, may be accompanied by another person of their choice at any meeting with Authority personnel.

Authority personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means, parents or an eligible student, from inviting another person of their choice to attend any meeting. Parents, eligible students, or other individuals invited to attend such meetings by parents or eligible students on school grounds shall sign-in at the front office of such school as a guest.

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

Blind Students

Students who are blind have the right to an individualized written education program and appropriate instructional materials to attain literacy.

Limited English Proficient Students

Limited English proficient students have the right to receive English for Speakers of Other Languages (ESOL) instruction designed to develop the student's mastery of listening, speaking, reading, and writing in English as rapidly as possible. The students' parents have the right of parental involvement in the ESOL program.

Students with Reading Deficiencies

Each elementary school shall regularly assess the reading ability of each K-3 student. The parent of any K-3 student who exhibits a reading deficiency shall be immediately notified of the student's deficiency with a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading; shall be consulted in the development of a progress monitoring plan; and shall be informed that the student will be given intensive reading instruction until the deficiency is corrected.

Pledge of Allegiance

A student will be excused from reciting the pledge of allegiance, or the Declaration of Independence upon written request by the student's parent, in accordance with State law. See also Policy 8800, Religious/Patriotic Ceremonies and Observances.

Student Records

- A. Each parent has an equal right of access, right to waive access, right to challenge and hearing and right of privacy in the education records of his or her student who is a minor or a dependent adult pursuant to law, unless the school has received a certified copy of an enforceable court order that provides to the contrary. (see also Policy 8330 - Student Records)
- B. A student is not required to provide his/her social security number as a condition for enrollment or graduation. (see also Policy 8330 - Student Records)
- C. The school will not collect, obtain or retain information on the political affiliation, voting history, religious affiliation or biometric information of a student, parent or siblings.

Student Report Cards

Students and their parents have the right to receive student report cards on a regular basis that clearly depict and grade the student's academic performance in each class or course, the student's conduct, and the student's attendance.

Student Progress Reports

Parents shall be informed at regular intervals of the academic progress and other needed information regarding their child, including ways they can help their child to succeed in school. (see also Policy 5420 - Reporting Student Progress)

Student Accountability and School Improvement Rating Reports

Parents of public school students are entitled to an easy-to-read report card about the school's grade designation or, if applicable, school's improvement rating, and the school's accountability report, including the school financial report.

High School Athletics

A. Eligibility

A student is eligible in the school in which s/he first enrolls each school year, the school in which the student makes himself/herself a candidate for an athletic team by engaging in practice before enrolling, or the school to which the student has transferred with approval of the Board, in accordance with State law. (see also Policy 2431 - Interscholastic Athletics)

B. Medical Evaluation

Students must satisfactorily pass a medical evaluation each year before participating in athletics, unless the parent objects in writing based on religious tenets or practices, in accordance with State law. (see also Policy 2431 - Interscholastic Athletics)

Extra-Curricular Activities

A. Eligibility

Students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities. (see also Policy 2430 - Authority-Sponsored Clubs and Activities)

B. Home Education Students

Home education students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the public school to which the student would be assigned or could choose to attend according to Board policies, or may develop an agreement to participate at a private school.

C. Charter School Students

Charter school students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the school to which the student would be assigned or could choose to attend according to Board policies, unless such activity is provided by the student's charter school.

D. Florida Virtual School Full-Time Students

Florida Virtual School full-time students who meet specified academic and conduct requirements are eligible to participate in extra-curricular activities at the public school to which the student would be assigned or could choose to attend according to Board policies.

Instructional Materials

A. Core Courses

Each student is entitled to sufficient instructional materials in the core courses of mathematics, language arts, social studies, science, reading, and literature.

B. Curricular Objectives

The parent of each student has the right to receive effective communication from the school Principal as to the manner in which instructional materials are used to implement the school's curricular objectives.

C. Sale of Instructional Materials

Upon request of the parent of a student, the Principal will sell to the parent any instructional materials used in the school.

D. Dual Enrollment Students

Instructional materials purchased by the Authority or a Florida College System institution board of trustees on behalf of dual enrollment students is available to the dual enrollment students free of charge.

E. Parents have the ability to access their child's instructional materials and may object to the use of a specific instructional material or contest the adoption of instructional material (See Policy 2520, Selection and Adoption of Instructional Materials).

ACCEL Options

Parents may request student participation in Academically Challenging Curriculum to Enhance Learning (ACCEL) options, including whole grade promotion, midyear promotion or subject matter acceleration. If the parent selects one of these ACCEL options and the student meets eligibility and procedural requirements in the student progression plan, the student will have the opportunity to participate in the ACCEL option.

Parental Input and Meetings

A. Meetings with Authority Personnel

Parents may be accompanied by another adult of their choice at a meeting with Authority personnel.

B. Authority Educational Facilities Program

Parents and other members of the public have the right to receive proper public notice and opportunity for public comment regarding the Authority's educational facilities work program, in accordance with State law.

C. Parent-Teacher Associations and Organizations

Parents have the right to participate in parent-teacher associations and organizations that are sanctioned by the Board or by the Florida Department of Education.

Transportation

A. Transportation to School

Students are provided transportation to school in accordance with the provisions of State law. (see also Policy 8600 - Transportation)

B. Hazardous Walking Conditions

Students in grades K-6 are provided transportation if they are subjected to hazardous walking conditions, in accordance with State law.

C. Parental Consent

Each parent of a public school student must be notified in writing and give written consent before the student may be transported in a privately owned motor vehicle to a school function in accordance with State law. (see also Policy 8660 - Transporting Students by Private Vehicles)

Orderly, Disciplined Classrooms

Students will be in orderly, disciplined classrooms conducive to learning without the distraction caused by disobedient, disrespectful, violent, abusive, uncontrollable, or disruptive students. (see also Policy 5600 - Student Discipline)

Safe Schools

Parents of CCCSA students will be timely notified pursuant to procedures adopted by the Superintendent of threats and the following unlawful acts or significant emergencies that occur on school grounds, during school transportation, or during school-sponsored activities:

- A. Weapons possession or use when there is intended harm toward another person;
- B. Murder, homicide, or manslaughter;
- C. Sex offenses, including rape, sexual assault or sexual misconduct with a student by school personnel;
- D. Natural emergencies, including hurricanes, tornadoes, and severe storms.
- E. Exposure as a result of a manmade emergency.

Parents of CCCSA students have a right to access school safety and discipline incidents as reported pursuant to F.S. 1006.07 (9).

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Legal	F.S. 39.201
	F.S. 381.0056
	F.S. 394.463
	F.S. 1000.05
	F.S. 1002.20
	F.S. 1002.22
	F.S. 1002.385
	F.S. 1002.39
	F.S. 1002.395
	F.S. 1002.41
	F.S. 1002.43

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F.S. 1003.02
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F.S. 1003.22
F.S. 1003.3101
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F.S. 1003.47
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6110 - **GRANT FUNDS**

It is the objective of the Governing Board to provide equal educational opportunities for all students within the Authority. Government agencies, as well as foundations, businesses, and individuals, periodically offer to the Authority both human and material resources that would be of benefit to the students in this school system. Therefore, it is the intent of the Board to revise and evaluate grant proposals and applications, for their potential to enhance the educational opportunities, the educational environment, and the physical and mental growth for each student.

The Board regards available grant funds provided to the Authority as a public trust. It forbids the use of public monies for partisan political activities and any use that would not be in accordance Federal regulations and guidelines.

No Federal funds received by the ~~District~~ Authority shall be used to:

- A. develop or distribute materials or operate programs or courses of instruction directed at youths that are designed to promote or encourage sexual activity whether homosexual or heterosexual;
- B. distribute or aid in the distribution by any organization of legally obscene materials to minors on school grounds;
- C. provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or
- D. operate a program of contraceptive distribution in schools.

The Superintendent shall review grant opportunities and authorize development of proposals.

Grant Proposal Development

For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

Grant Proposal Internal Review

- A. Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.
- B. The Superintendent may identify a project director prior to proposal submission.
- C. The Superintendent shall promptly present the following proposals to the Board for approval:
 - 1. government-funded proposals, exceeding \$25,000;
 - 2. multi-school or Authority-wide proposals.
- D. The Superintendent may accept private funded or foundation grants ~~of less than \$25,000~~ for individual schools, subject to notification to the Board.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, and grantor rules and regulations, including the terms and conditions of the Federal awards, as well as Authority policies and procedures.
- B. The Superintendent and/or Board Chairman are authorized to sign related documents for **grant administration, including documents required for** submittal of grant proposals.
- C. Written amendments requiring signature shall be promptly presented to the **Board Superintendent** for approval **and the forwarded to the Lee County School Board**.
- D. Employee positions established through the use of grant funding shall terminate if and when the related grant funding ceases.
- E. Program reports including but not limited to audit, site visits, and final reports shall be provided to the **Lee County School District** Grants Department for review.
- F. The Principal(s) will confirm closure of all grants to the Superintendent.
- G. All Federal funds received by the Authority will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. Each draw of Federal monies shall be aligned with the District's payment process (whether reimbursement, cash advance, or a combination). If funds are permitted to be drawn in advance, all draws will be equal in magnitude as closely as administratively feasible, to the magnitude of the related program expenditures. When restricted, such monies will be used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Financial Management

~~The financial management of grant funds shall be in compliance with all applicable Federal, State, local and grantor rules, regulations, and assurances as well as District policies and administrative procedures.~~

~~The District shall provide for the following:~~

- A. ~~Identification, in District accounts, of all grant awards received and expended and the programs under which they were received. For Federal programs and awards, identification shall include the Catalog of Federal Domestic Assistance (CFDA) title and number, Federal award identification number and year, name of the Federal agency and name of the pass-through entity, as applicable.~~
- B. ~~Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.~~
- C. ~~Records that identify adequately the source and application of funds provided for Federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.~~
- D. ~~Effective control over, and accountability for, all funds, property, and other assets. The District must adequately safeguard all assets and assure that they are used solely for authorized purposes.~~

~~Further, the District must:~~

- 1. ~~establish and maintain effective internal control over the Federal award that provides reasonable assurance that the District is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award;~~
- 2. ~~comply with Federal statutes, regulations, and the terms and conditions of the Federal award;~~
- 3. ~~evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of the Federal award;~~
- 4. ~~take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings;~~
- 5. ~~take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.~~
- E. ~~Comparison of expenditures with budget amounts for each Federal award.~~
- F. ~~Recordkeeping and written procedures to the extent required as may be required by Federal, State, local and grantor rules, and regulations pertaining to the grant award and accountability, including, but not limited to, the following areas:~~

1. ~~cash management~~
2. ~~allowability~~
3. ~~conflict of interest~~
4. ~~procurement~~
5. ~~equipment management~~
6. ~~conducting technical evaluations of proposals and selecting recipients~~
7. ~~compensation and fringe benefits~~
8. ~~travel~~

G. ~~Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass-through agency in accordance with applicable Federal policy.~~

H. ~~Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.~~

Program Income

~~Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the Federal award during the grant's period of performance.~~

~~It includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in Federal statutes, regulations or the terms and conditions of the Federal award, program income does not include rebates, credits, discounts and interest earned on any of them. Additionally, taxes, special assessments, levies, fines and other such revenues raised by a recipient are not program income unless the revenues are specifically identified in the Federal award or Federal awarding agency regulations as program income. Finally, proceeds from the sale of real property, equipment, or supplies are not program income.~~

~~Unless it has received prior approval to use a different method or the terms and conditions of the grant authorize a different method, the District uses the deduction method of accounting for program income. Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless the District is otherwise directed by the Federal awarding agency or pass-through entity.~~

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34 C.F.R. 75.707

34 C.F.R. 76.563

34 C.F.R. 76.565

34 C.F.R. 76.707

2 C.F.R. 200.56

2 C.F.R. 200.71

2 C.F.R. 200.77

2 C.F.R. 200.80

2 C.F.R. 200.112

2 C.F.R. 200.302

2 C.F.R. 200.307

2 C.F.R. 200.309

2 C.F.R. 200.310

2 C.F.R. 200.313

2 C.F.R. 200.318

2 C.F.R. 200.319

2 C.F.R. 200.320

2 C.F.R. 200.343(b)&(e)

Compliance Supplement for Single Audits of State and Local Governments

F.S. 1001.42

F.S. 1001.51

Last Modified by Jacquelin Collins on April 14, 2022

Book	Policy Manual
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6114 - **COST PRINCIPLES - SPENDING FEDERAL FUNDS**

The **Superintendent** is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives, and the specific terms and conditions of the grant award.

Cost Principles

Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

- A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the CCCCSA or the proper and efficient performance of the Federal award;
2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal and other laws and regulations;
3. market prices for comparable goods or services for the geographic area;
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and
5. whether the cost represents any significant deviation from the established practices or Board of Education policy which may unjustifiably increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the "necessary" element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the CCCCSA can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

1. the cost is needed for the proper and efficient performance of the grant program;
2. the cost is identified in the approved budget or application;
3. there is an educational benefit associated with the cost;
4. the cost aligns with identified needs based on results and findings from a needs assessment;
5. the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received.

This standard is met if the cost:

1. is incurred specifically for the Federal award;
 2. benefits both the Federal award and other work of the CCCCSA and can be distributed in proportions that may be approximated using reasonable methods; and
 3. is necessary to the overall operation of the CCCCSA and is assignable to the Federal award in accordance with cost principles mentioned here.
- B. Conform to any limitations or exclusions set forth in the cost principles in Part 200 or in the terms and conditions of the Federal award , including prohibitions regarding costs incurred for telecommunications and video surveillance services or equipment..
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the CCCCSA.
- D. Be accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits or offsets.
- The term "applicable credits" refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relating to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.
- G. Be not included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.
- H. Be adequately documented:
1. in the case of personal services, the Director shall implement a system for CCCCSA personnel to account for time and efforts expended on grant funded programs to assure that only permissible personnel expenses are allocated;
 2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.
- I. Be incurred during the approved budget period.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to carry out authorized work and expend the funds awarded, including any funds carried forward or other revisions pursuant to the law. Prior written approval from the Federal awarding agency or state pass-through entity may be required to carry forward unobligated balances to subsequent budget periods, unless waived.

Selected Items of Cost

The CCCCSA shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, CCCCSA staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, CCCCSA, and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and CCCCSA personnel shall follow those rules as well.

The following rules of allowability must apply to equipment and other capital expenditures:

- A. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the Federal awarding agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the Federal awarding agency, or pass-through entity.

- D. All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.
- E. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR 200.436 and 2 CFR 200.465.
- F. When approved as a direct cost by the Federal awarding agency or pass-through entity, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.
- G. If the ~~District~~ CCCCSA is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.

Cost Compliance

The Director shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs, but may not be double charged or inconsistently charged as both.

Determining Whether a Cost is Direct or Indirect:

- A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long distance telephone calls specific to the program, etc.).

- B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one component of the CCCCSA, the governing body of the CCCCSA, compensation of the Director, compensation of the chief executive officer of any component of the CCCCSA, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Florida Department of Education (FLDOE) or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

Timely Obligation of Funds

Financial obligations are orders placed for property and services, contracts and subawards made, and similar transactions that require payment.

The term "financial obligations" is used when referencing a recipient's or subrecipient's use of funds under a Federal award.

The following table illustrates when funds are determined to be obligated under the U.S. Department of Education regulations:

If the obligation is for:

- A. Acquisition of property - on the date which the CCCCSA makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the CCCCSA - when the services are performed.
- C. Personal services by a contractor who is not an employee of the CCCCSA - on the date which the CCCCSA makes a binding written commitment to obtain the services.
- D. Performance of work other than personal services - on the date when the CCCCSA makes a binding written commitment to obtain the work.
- E. Public utility services - when the CCCCSA receives the services.
- F. Travel - when the travel is taken.
- G. Rental of property - when the CCCCSA uses the property.
- H. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

Period of Performance

All financial obligations must occur during the period of performance. Period of performance means the total estimated time interval between the start of an initial Federal award when the CCCCSA is permitted to carry out the work authorized by the grant and the planned end date. The period of performance may include one or more funded portions or budget periods. The period of performance is dictated by statute and will be indicated in the grant award notification ("GAN"). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, financial obligations under a grant may not be made until the application is approved or is in substantially approvable form, whichever is later. In the case of a direct grant, a grantee may use grant funds only for obligations it makes during the grant period, unless an agreement exists with the awarding agency or the pass-through entity (e.g., FLDOE) to reimburse for pre-approval expenses.

For both State-administered and direct grants, regardless of the period of availability, the CCCCSA shall liquidate all financial obligations incurred under the award not later than ninety (90) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the CCCCSA shall closely monitor grant spending throughout the grant cycle.

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2 C.F.R. 200.344(b)
2 C.F.R. 200.403
2 C.F.R. 200.404
2 C.F.R. 200.405
2 C.F.R. 200.406
2 C.F.R. 200.413(a)-(c)
2 C.F.R. 200.430(a)
2 C.F.R. 200.431(a)
2 C.F.R. 200.458
34 C.F.R. 75.703
34 C.F.R. 76.707
34 C.F.R. 76.708(a)

Last Modified by Jacquelin Collins on April 14, 2022

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of PURCHASING AND CONTRACTING FOR COMMODITIES AND CONTRACTUAL SERVICES
Code	po6320 jc 4/14/22
Status	
Adopted	April 12, 2016

6320 - **PURCHASING AND CONTRACTING FOR COMMODITIES AND CONTRACTUAL SERVICES**

Any Governing Board employee who has purchasing authority shall consider first the interests of the Board in all purchases and seek to obtain the maximum value for each dollar expended; not solicit or accept any gifts or gratuities from present or potential suppliers which might influence or appear to influence purchasing decisions; and refrain from any private business or professional activity that might present a conflict of interest in making purchasing decisions on behalf of the Board.

No person, unless authorized to do so under this policy, may make any purchase or enter into any contract involving the use of school funds. The Board will not approve any expenditure for an unauthorized purchase or contract.

Standards and Specifications

Before making any purchase of commodities or contractual services which the Superintendent is authorized by the Board to make or before recommending any purchase to the Board, the Superintendent shall, insofar as possible, propose standards and specifications. S/He shall see that the commodities or contractual services conform to those standards and specifications, and shall take such other steps as are necessary to see that the maximum value is being received for any money expended.

Competitive Solicitation Requirements for Commodities and Contractual Services Other Than Construction Contracting

Except as authorized by law or policy, competitive solicitations shall be requested from three (3) or more sources for the purchase of any authorized commodities or contractual services in an amount greater than ~~\$5,000~~ ~~\$2,500~~.

The procurement of commodities or contractual services may not be divided so as to avoid this monetary threshold requirement. All procurement for commodities and contractual services greater than the threshold requirement is pursuant to the City of Cape Coral administrative procedures for procurement.

Contract

Each Board contract for services must include a provision that requires the contractor to comply with public records laws, specifically to:

- A. keep and maintain public records that ordinarily and necessarily would be required by the Board in order to perform the service under the contract;
- B. provide the public with access to its public records on the same terms and conditions as the Board would provide the records, and at a cost that does not exceed the cost provided in Policy 8310 - Public Records;
- C. ensure that any of its public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law;
- D. meet all requirements for retaining public record and, upon termination of the contract, transfer to the Board, at no cost, all public records in its possession and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the Board in a format that is compatible with the Board's information technology systems;
- E. the contractor shall furnish a copy of any public records request or request for records in any way relating to the Authority, immediately upon receipt to the Authority's Director of Purchasing.

Contracts shall be approved and executed as follows:

- A. **Superintendent/Designee Authority**

The Superintendent is authorized to approve and execute contracts on behalf of the Authority involving expenditure of public funds in an amount no greater than ~~\$50,000~~ \$100,000, so long as the obligation created does not exceed the applicable appropriation within the Authority budget and the contract is otherwise in compliance with applicable Authority procedures, policies, and law. For purposes of this policy, any group of contracts purchase orders to the same provider which are connected in terms of time, location and services such that a reasonable person would view them as a single contract shall be deemed to be a single contract. The Superintendent shall not divide the procurement of commodities or contractual services so as to avoid the monetary cap imposed by this policy. Designations of contracting authority by the Superintendent shall be in writing and shall specify the maximum obligation permitted up to ~~\$50,000~~ \$100,000.

B. Emergency Purchases

Notwithstanding the general limit on the Superintendent's authority to enter into contracts involving expenditure of public funds in an amount no greater than ~~\$50,000~~ \$100,000, the Superintendent is authorized to approve and execute contracts on behalf of the Authority involving expenditure of public funds in an amount greater than ~~\$50,000~~ \$100,000 when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the Authority requires emergency action.

C. Board Approval

Except as expressly provided herein, the Board shall approve and execute all contracts on behalf of the Authority involving expenditure of public funds in an amount greater than ~~\$50,000~~ \$100,000.

Purchase Order Approval

Contracts

The approval of a contract in accordance with this policy authorizes the Superintendent to approve and issue any purchase order required to fulfill the Authority's obligation under the approved contract without further action of the Board. The Superintendent shall inform the Board of the approval of all purchase orders greater than ~~\$50,000~~ \$100,000, as soon as reasonably possible by a written report issued to the Board at a public meeting. This section shall not be construed to require Board approval of purchase orders.

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Legal F.S. 119.0701, 255.05, 255.0516, 255.0518, 287.084, 287.087, 287.132, 287.133
 F.S. 295.187, 1001.43, 1010.04, 1010.07(2), 1010.48
 F.A.C. 6A-1.012, Purchasing Policies
 F.A.C. 5P-1.003, Responsibilities for the School Food Service Program

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Book	Policy Manual
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Title	Copy of CONSTRUCTION CONTRACTING AND BIDDING
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Last Revised	March 9, 2021

~~6322—CONSTRUCTION CONTRACTING AND BIDDING~~

~~All school construction bids shall be the responsibility of the Superintendent. Bidding and contracting for construction, remodeling, and renovation shall comply with all applicable provisions of the most recent version of the State Requirements for Educational Facilities (SREF).~~

~~This policy shall generally apply to contracts for construction projects that shall be funded with capital outlay funds or capital grants that relate to new construction, additions, remodeling, renovations, maintenance, or repairs to existing facilities.~~

~~This policy shall not apply to the acquisition of architectural, engineering, landscape architectural, construction management at risk, design-build, total program management, or surveying and mapping services, which shall be acquired pursuant to Policy 6330—Acquisition of Professional Architectural, Engineering, Landscape Architectural or Land Surveying Services.~~

~~The Governing Board may contract for construction of new facilities, or for additions, remodeling, renovation, maintenance, or repairs to existing facilities, through means including, but not be limited to:~~

- ~~A. competitive bids;~~
- ~~B. design-build pursuant to F.S. 287.055;~~
- ~~C. selecting a construction management entity, pursuant to F.S. 255.103 or 287.055, that would be responsible for all scheduling and coordination of both the design and construction phases and would be responsible for the successful, timely, and economical completion of the construction project;~~
- ~~D. selecting a program management entity, pursuant to F.S. 255.103 or 287.055, that would act as the agent of the Board and would be responsible for schedule control, cost control, and coordination in providing or procuring planning, design, and construction services;~~
- ~~E. proposals to enter into a public-private partnership with a private entity for the acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of a qualifying project pursuant to F.S. 255.065;~~
~~The Superintendent shall be responsible for submitting proposed public-private partnership agreements to the Board for consideration, including unsolicited proposals from private entities. The Board shall evaluate and consider all proposed public-private partnership agreements pursuant to the guidelines set forth in F.S. 255.065.~~
- ~~F. day-labor contracts not exceeding \$280,000 for construction, renovation, remodeling, or maintenance of existing facilities.~~

~~Beginning January 2009, this amount shall be adjusted annually based upon changes in the Consumer Price Index.~~

~~For purposes of this policy, "day-labor contract" means a project constructed using persons employed directly by the Board or by contracted labor.~~

~~Bonds~~

~~A. For Projects Costing Less than \$200,000~~

~~In order to encourage participation in construction, remodeling, and renovation projects by small, woman-owned, and minority-owned businesses, no bid security or performance or payment bond shall be required for bids in an amount less than \$200,000, unless it is determined necessary by the Superintendent. If bonds are required, the information will be specified in the project documentation and the provisions of subsection B below will apply.~~

~~B. For Projects Costing \$200,000 or Greater~~

Bonds may be required as specified in the bids for construction, remodeling, and renovation of Authority facilities must be accompanied by a bid security meeting the following requirements, for bids \$200,000 or greater:

1. Bid security shall be a certified check, cashier's check, Treasurer's check, bank draft, or bid bond acceptable to the Board in a form and manner that is acceptable to the Board;
2. Should the accepted bidder refuse to enter into the contract or fail to furnish performance and materials and payment bonds, the amount of the bid security may be forfeited to the Authority;

The accepted bidder must deliver performance and payment bonds equal to the contract price, no later than the date of execution of the contract or the first request for payment under the contract, whichever is first. Bonds must be issued by surety companies admitted to do business in the State of Florida and listed in the Federal Register of the U.S. Department of Treasury for Surety Companies Acceptable on Federal Bonds.

Notice and Terms

The Superintendent or designee 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 including the following:

- A. date, time, and place relating to submitting of bids;
- B. procedures for presenting bids;
- C. conditions and terms for receiving bids;
- D. procedures to be followed in the opening and presenting bids to the Board; and
- E. conditions for awarding contracts based on bids.

These provisions shall be followed for construction bids:

- A. The bid time and date shall be established by the Superintendent or designee;
- B. Bids by telegram or facsimile 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 Authority officer;
- C. 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 the opening of bids;
- D. All bids shall be opened, read aloud, and recorded;
- E. Unless all bids are rejected by the Board for valid reasons, the contract shall be awarded to the lowest responsible bidder meeting all requirements and specifications;

The specifications for construction bids may not be written to limit any purchase of systems or materials to a specific brand or a single course of supply, unless the Board, after consideration of all available alternative materials and systems, determines that the specifications of a sole material or system is justifiable.

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 Florida statutes and Policy 6320—*Purchasing and Contracting for Commodities and Contractual Services*, shall constitute a waiver of any further right to protest such bid award.

Competitive Solicitation Requirements for Construction Contracting

Contracts governed by this policy shall be approved and executed as set forth below. A "construction project" shall be deemed to include a single contract or group of contracts with the same provider which is directly connected in terms of time, location, or services, such that a reasonable person would consider the services to be provided as a single project.

A. Construction Projects Involving Expenditures of \$0.00—\$25,000.00

Contracts for construction projects involving expenditures of \$0.00—\$25,000.00 shall be approved and executed as follows:

1. Architect/Engineer Services

Unless otherwise deemed appropriate by the Director of Facilities, contracts governed by this subsection do not require the assistance and services of a registered architect/engineer.

2. Direct Negotiations Authorized

~~Unless otherwise deemed appropriate by the Director of Facilities, contracts governed by this subsection do not require solicitation of formal bids. The CCGCSA may negotiate directly with potential service providers for contracts governed by this subsection. In order to secure the most efficient and effective contracts, the Authority is encouraged to secure multiple quotes or to negotiate with multiple providers before entering into contracts hereunder.~~

B. Construction Projects Involving Expenditures of \$25,000.01—\$75,000.00

~~Contracts for construction projects involving expenditures of \$25,000.01—\$75,000.00 shall be approved and executed as follows:~~

1. Architect/Engineer Services

~~Unless otherwise deemed appropriate by the Director of Facilities, contracts governed by this subsection do not require the assistance and services of a registered architect/engineer.~~

2. Three (3) Quotations Required

~~Unless otherwise deemed appropriate by the Director of Facilities, contracts governed by this subsection do not require solicitation of formal bids. The CCGCSA may approve and enter into contracts governed by this subsection after securing three (3) written quotes and conducting any further negotiations that may be deemed appropriate, the Superintendent shall recommend that the Board approve a purchase order or execute a contract with the most efficient and effective proposer.~~

C. Construction Projects, Other Than Electrical Projects, Involving Expenditures of \$75,000.01—\$200,000.00

~~Contracts for construction projects, other than electrical projects, involving expenditures of \$75,000.01—\$200,000.00 shall be approved and executed as follows:~~

1. Architect/Engineer Services

~~Contracts governed by this subsection shall require the assistance and services of a registered architect/engineer.~~

2. Three (3) Quotations Required

~~Unless otherwise deemed appropriate by the Director of Facilities, contracts governed by this subsection do not require solicitation of formal bids. The CCGCSA may approve and enter into contracts governed by this subsection after securing three (3) written quotes from qualified providers. After securing the quotes and conducting any further negotiations that may be deemed appropriate, the Superintendent shall recommend that the Board approve a purchase order or execute a contract with the most efficient and effective proposer.~~

D. Electrical Projects Involving Expenditures of \$75,000.01—\$200,000.00

~~Contracts for electrical projects involving expenditures of \$75,000.01—\$200,000.00 shall be approved and executed as follows:~~

1. Architect/Engineer Services

~~Contracts governed by this subsection shall require the assistance and services of a registered architect/engineer.~~

2. Bid Solicitation Required

~~Contracts governed by this subsection shall be advertised in conformance with the procedures outlined in this section.~~

a. Legal Notice

~~The CCGCSA shall publish notice of projects governed by this section in a local newspaper with general circulation throughout the CCGCSA for a minimum of once per week for three (3) consecutive weeks with the last publication appearing at least seven (7) days prior to bid opening.~~

b. Rejection of Bids/Waiver of Technicalities

~~The Board reserves the right in its sole discretion to reject all bids and to waive technicalities in any and all bids.~~

E. Construction Projects Involving Expenditures in Excess of \$200,000.00

~~Contracts for projects involving expenditures in excess of \$200,000.00 shall be approved and executed as follows:~~

1. Architect/Engineer Services

~~Contracts governed by this subsection shall require the assistance and services of a registered architect/engineer.~~

2. Bid Solicitation Required

~~Contracts governed by this subsection shall be advertised in conformance with the procedures outlined in this section.~~

a. Legal Notice

~~The CCCCSEA will publish notice of projects governed by this section in a local newspaper with general circulation throughout the Authority for a minimum of once per week for three (3) consecutive weeks with the last publication appearing at least seven (7) days prior to bid opening.~~

b. Rejection of Bids/Waiver of Technicalities

~~The Board reserves the right in its sole discretion to reject all bids and to waive technicalities in any and all bids.~~

F. Construction Projects Involving Fifty Percent (50%) or More State Appropriated Funds

~~For a competitive solicitation for construction services in which fifty percent (50%) or more of the cost will be paid from State appropriated funds which have been appropriated at the time of the competitive solicitation, the Board will not use a policy that provides a preference based upon the contractor's:~~

- ~~1. maintaining an office or place of business within a particular local jurisdiction;~~
- ~~2. hiring employees or subcontractors from within a particular local jurisdiction; or~~
- ~~3. prior payment of local taxes, assessments, or duties within a particular local jurisdiction.~~

~~For any such competitive solicitation, the Board will disclose in the solicitation document that any applicable local policy does not include any of the preferences listed above.~~

Exception to Construction Requirements

~~The Board may, with a majority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one (1) or more of the exceptions to the educational facilities construction requirements described below. The Board's resolution may propose the implementation of exceptions to requirements of the uniform Statewide building code for the planning and construction of public educational and ancillary plants relating to the following:~~

- A. ~~Interior non-load bearing walls by approving the use of fire-rated wood stud walls in new construction or remodeling for interior non-load bearing wall assemblies that will not be exposed to water or located in wet areas.~~
- B. ~~Walkways, roadways, driveways, and parking areas by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.~~
- C. ~~Standards for relocatables used as classroom space by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.~~
- D. ~~Site lighting by approving construction specifications for site lighting that:~~
 - ~~1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.~~
 - ~~2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through the installation of a timer that is~~

~~set to provide lighting only during periods when the site is occupied.~~

3. ~~Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than one (1) foot-candle.~~

- E. ~~Any other provisions that limit the ability of a school to operate in a facility on the same basis as a charter school pursuant to F.S. 1002.33(18) so long as the regional planning council determines that there is sufficient shelter capacity within the CCCCSA as documented in the Statewide Emergency Shelter Plan.~~

~~Opening of Competitive Bids~~

~~Notwithstanding F.S. 119.071(1)(b), in any competitive solicitation for construction or repairs on a Board building or facility, the Superintendent will:~~

- A. ~~open the sealed bid, or the portion of the sealed bid that includes the price submitted, at a public meeting conducted in compliance with F.S. 286.011 and Board Bylaw 0164—Notice of Meetings, and Bylaw 0168—Minutes;~~
- B. ~~announce the name of each bidder and the price submitted in the bid at that meeting; and~~
- C. ~~make available the name of each bidder and the price submitted in the bid, upon request.~~

~~Receipt of Less than Two (2) Responsive Proposals for Commodities and Contractual Services~~

~~In the event the Board receives less than the two (2) responsive proposals for commodities and contractual services, the Board may negotiate on the best terms and conditions or decide to reject all proposals. The Board shall document the reasons for the decision to negotiate terms and conditions with the sole proposer in lieu of resoliciting proposals.~~

~~Contract Execution~~

~~Contracts governed by this policy shall be awarded to the lowest responsive and responsible bidder, considering base bid and accepted alternatives, and be executed pursuant to Policy 6320—Purchasing and Contracting for Commodities and Contractual Services. Award of bid by the Board shall only represent an identification by the Board that a bid represents the lowest responsible bid received by the CCCCSA. Award of bid shall not create a binding obligation on the Board, and no obligation shall be created or imposed on the CCCCSA until such time as the Board Chair/designee executes a contract in a form satisfactory to the CCCCSA.~~

~~Each Board contract for services must include a provision that requires the contractor to comply with public records laws, specifically to:~~

- A. ~~keep and maintain public records that ordinarily and necessarily would be required by the Board in order to perform the service under the contract;~~
- B. ~~provide the public with access to its public records on the same terms and conditions as the Board would provide the records, and at a cost that does not exceed the cost provided in Policy 8310—Public Records;~~
- C. ~~ensure that any of its public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law;~~
- D. ~~meet all requirements for retaining public record and, upon termination of the contract, transfer to the Board, at no cost, all public records in its possession and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the Board in a format that is compatible with the Board's information technology systems.~~

~~Certified Copy of Recorded Bond~~

~~Before commencing the work or before recommencing the work after a default or abandonment, the contractor shall provide to the Board a certified copy of the recorded bond. Notwithstanding the terms of the contract or any other law governing prompt payment for construction services, the Board may not make a payment to the contractor until the contractor has complied with this paragraph. This paragraph applies to contracts entered into on or after October 1, 2012.~~

Revised 3/9/21

Legal

F.S. 255.05

F.S. 255.0516

F.S. 255.0518

F.S. 255.065

F.S. 255.0991

F.S. 287.055

F.S. 1001.43

F.S. 1010.04

F.S. 1010.07(2)

F.S. 1010.48

F.S. 1013.385

F.S. 1013.45

F.S. 1013.46

F.S. 1013.47

Purchasing Policies, F.A.C. 6A-1.012

Educational Facilities, F.A.C. 6A-2.0010

Last Modified by Jacquelin Collins on May 13, 2022

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of REEMPLOYMENT ASSISTANCE
Code	po6530 jc 4/14/22
Status	
Adopted	April 12, 2016

6530 - REEMPLOYMENT ASSISTANCE

The Governing Board recognizes that it has a responsibility to comply fully with statutes pertaining to the State of Florida's **Reemployment Unemployment** Compensation Tax. Accordingly, the required quarterly reports shall be submitted to the Internal Revenue Service, Social Security Administration, and the State of Florida Department of Economic Opportunity to ensure said statutory compliance by the City of Cape Coral **Hhuman Resources Department**.

When an employee applies for **reemployment unemployment** compensation, the City of Cape Coral human resources department may investigate and provide documentation to the Florida Department of Economic Opportunity that will enable the Department to approve or deny the benefit.

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Legal	F.S. 443.036, 443.191
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Last Modified by Jacquelin Collins on April 14, 2022

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of SCHOOL SAFETY AND SECURITY
Code	po8405 jc 5/13/22
Status	
Adopted	April 12, 2016
Last Revised	September 14, 2021

8405 - **SCHOOL SAFETY AND SECURITY**

The Governing Board is committed to maintaining a safe, secure, and drug-free environment in all of the Authority's schools.

School crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of Authority personnel, law enforcement agencies, first responders, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school.

The Superintendent, in conjunction with the School Safety Specialist, shall develop a School Safety and Security Plan with input from representatives of the local law enforcement agencies; the local Fire Marshall(s) or his/her designee(s); representative(s) from emergency medical services;

- A. members of the Board;
- B. building administrators;
- C. representative(s) from the local emergency management agency;
- D. School Resource Officer(s);
- E. security guards;
- F. local mental health agencies.

Included within the Authority's School Safety and Security Plan shall be an **Authority** Active Assailant Response Plan (**AARP**). The **AARP** shall include, at a minimum, procedures addressing the following:

- A. security assessments;
- B. roles and responsibilities of Authority personnel;
- C. roles and responsibilities of Safe-School Officers (Policy 8407 - Safe-School Officers);
- D. information sharing;
- E. training of Authority personnel and exercises/drills, including training standards;
- F. identification of Safe Spaces and Command Posts;
- G. response to the threat of an active assailant , including the following three (3) strategies: evading or evacuating, taking cover or hiding, and responding to or fighting back;
- H. response to the presence of an active assailant on school grounds;
- I. communication with law enforcement prior to and after law Enforcement arrives on school grounds;

- J. responsibilities prior to law enforcement arrival;
- K. responsibilities when law enforcement arrives on school grounds;
- L. communication with the public; and
- M. post-incident recovery.

The Authority will adopt its ~~D~~AARP annually by October 1.

Further, by October 1st of each year, the Superintendent of the School Board of Lee County shall certify to the Office of Safe Schools and document in the Florida Safe Schools Assessment Tool that all school personnel has received annual training on the procedures contained in the Authority's ~~D~~AARP.

School Safety Specialist

The Superintendent of The School Board of Lee County is responsible for designating ~~the Authority's~~ a School Safety Specialist. The School Safety Specialist must be employed by The School Board of Lee County.

By August 1 of each year, the District will submit the School Safety Specialist's name, phone number, and email address to the Office of Safe Schools at SafeSchools@fldoe.org. The District will notify the Office of Safe Schools within one (1) school day whenever there is a change related to the contact information for the School Safety Specialist.

A. Training

~~Within thirty (30) calendar days of appointment, the District's School Safety Specialist must complete and thereafter maintain certificates of completion of the following online Federal Emergency Management Agency Independent Study courses: Multi-Hazard Planning for Childcare; Introduction to the Incident Command System; ICS-100; Preparing for Mass Casualty Incidents: A Guide for Schools, Higher Education, and Houses of Worship; Multi-Hazard Emergency Planning for Schools; and Planning for the Needs of Children in Disasters.~~

~~Within one (1) year of appointment, and annually thereafter, the District School Safety Specialist must earn a certificate of completion of school safety specialist training provided by the Office of Safe Schools.~~

~~The District's School Safety Specialist shall earn, or designate one (1) or more individuals to earn, certification as a youth mental health awareness and assistance trainer as set forth in F.S. 1012.584.~~

B. Responsibilities

The School Safety Specialist is responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the Authority. The School Safety Specialist's responsibilities include, but are not limited to, the following:

1. reviewing at least annually Authority policies and procedures for compliance with Florida law and applicable rules, including the Authority's timely and accurate submission of school environmental safety incident reports to the Department pursuant to F.S. 1001.212;
2. providing necessary training and resources to students and staff in matters relating to youth mental health awareness and assistance; emergency procedures, including active shooter training; and school safety and security;
3. serving as the Authority liaison with local public safety agencies and national, State, and community agencies and organizations in matters of school safety and security;
4. conduct annually, on or before October 1 in collaboration with the appropriate public safety agencies, a school security risk assessment at each Authority school using the Florida Safe Schools Assessment Tool developed by the Office of Safe Schools;

The ~~Authority~~ School District of Lee County will report to FLDOE by October 15th of each year that all public schools within the ~~Authority~~ District have completed the assessment using the Florida Safe Schools Assessment Tool. For purposes of this section, "public safety agencies" means a functional division of a public agency which provides firefighting, law enforcement, medical, or other emergency services.

5. coordinating with appropriate public safety agencies, as defined in F.S. 365.171, that are designated as first responders to a school's campus to conduct a tour of such campus once every three (3) years and to provide recommendations related to school safety. Completion of such tours and any recommendations must be documented

in each school's security risk assessment within the Florida Safe Schools Assessment Tool;

Any changes related to school safety, emergency issues, and recommendations provided by the public safety agencies will be considered as part of the recommendations by the School Safety Specialist to the Board.

6. providing, or arranging for the provision of, youth mental health awareness and assistance training to all school personnel as set forth in F.S. 1012.584;

The training program shall include, but is not limited to, the following:

- a. an overview of mental illnesses and substance abuse disorders and the need to reduce the stigma of mental illness;
 - b. information on the potential risk factors and warning signs of emotional disturbance, mental illness, or substance use disorders, including, but not limited to, depression, anxiety, psychosis, eating disorders, and self-injury, as well as common treatments for those conditions and how to assess those risks; and
 - c. information on how to engage at-risk students with skills, resources, and knowledge required to assess the situation, and how to identify and encourage the student to use appropriate professional help and other support strategies, including, but not limited to, peer, social, or self-help care.
7. coordinating with charter schools to address charter school safety requirements as set forth under Florida law and F.A.C. 6A-1.0018;

The School Safety Specialist must coordinate with charter school personnel to allow input access to the Florida Safe Schools Assessment Tool. Where input access is restricted to District personnel, the School Safety Specialist is responsible for gathering information from charter schools so that Florida Safe Schools Assessment Tool reporting requirements, including those for FortifyFL, threat assessment teams and active assailant response plans, include data from charter schools.

8. completing surveys provided by the Office of Safe Schools regarding Safe-School officer assignment;
9. investigating and responding to notices from the Office of Safe Schools containing suspected deficiencies at a District school and at or by a charter school.

C. Identification of and Corrections to Instances of Noncompliance with Florida Laws and Rules Relating to Safety

The School Safety Specialist is responsible for identifying and correcting instances of noncompliance with F.A.C. 6A-1.0018 or any other Florida laws or rules relating to safety at any District school. Such actions may include, but are not limited to, the following:

1. resolving deficiencies relating to Safe-School officer coverage by no later than the next school day;
2. notifying the Office of Safe Schools within twenty-four (24) hours at SafeSchools@fldoe.org of any deficiencies relating to Safe-School officer coverage and any instance of noncompliance that is determined to be an imminent threat to the health, safety, or welfare of students or staff. The notification must contain particularized facts beyond noncompliance with rules or Florida Statutes that explain the imminent threat;
3. notifying the Office of Safe Schools within three (3) days at SafeSchools@fldoe.org of any instance of noncompliance not corrected within sixty (60) days.
4. **the School Safety Specialist shall identify any instances of noncompliance through their duties identified throughout this policy;**

[x] Additionally, if and when any employee of the District becomes aware of an instance of noncompliance at a school with a requirement of this policy or other State law or rules relating to student safety must notify the School Safety Specialist within twenty-four (24) hours, unless such noncompliance involves an imminent threat to the health, safety, or welfare of students or staff. In such instances, notice must be provided immediately. [END OF OPTION]

D. Response to Notice of Suspected Deficiency from the Office of Safe Schools

The School Safety Specialist is responsible for notifying the Superintendent within twenty-four (24) hours of any notice of suspected deficiency the School Safety Specialist receives from the Office of Safe Schools.

When the notice of suspected deficiency concerns a failure to have a Safe-School officer established or assigned at each school facility, as required by F.S. 1006.12, the School Safety Specialist must respond in writing and verify to the Office of Safe Schools that the school(s) identified in the notice have a Safe-School officer on site by the next school day. In all other

cases, the School Safety Specialist must respond in writing to the Office of Safe Schools within five (5) school days and verify that the District or school has corrected the suspected deficiency, or within that same time period, submit a written plan describing how the District will bring the identified school(s) into compliance. The plan must include an estimated date of completion and an explanation of alternate security measures designed to maintain a safe learning environment.

Recommendations of the School Safety Specialist

Based on the findings of the school security risk assessment, the School Safety Specialist's designee, the Superintendent will update the Board with identified strategies and activities that the Board should implement in order to address the findings and improve school safety and security. The Superintendent's report to the Board shall also include school safety recommendations made by public safety agencies. The Board will review the school security risk assessment findings and the recommendations of the Superintendent at a publicly noticed Board meeting to provide the public an opportunity to hear the Board members discuss and take action. The School Safety and Security Plan is, however, confidential and is not subject to review or release as a public record.

The School Safety Specialist shall report the school security risk assessment finding and recommendations and the Board's action(s) to the Office of Safe Schools no later than thirty (30) days after the Board meeting and prior to November 1 of each year. The School Safety Specialist shall also submit a best-practices assessment in the Florida Safe Schools Assessment Tool.

As a part of the School Safety and Security Plan, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include (see also, Form 8330 F15 entitled Checklist of Policies and Guidelines Addressing No Child Left Behind Act of 2001):

- A. safety and security best practices;
- B. appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;
- C. security procedures at school and while students are on the way to and from school;
- D. prevention activities that are designed to maintain safe, disciplined, and drug-free environments;
- E. a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:
 - 1. allows a teacher to communicate effectively to all students in the class;
 - 2. allows all students in the class the opportunity to learn;
 - 3. has consequences that are fair, and developmentally appropriate;
 - 4. considers the student and the circumstances of the situation; and
 - 5. is enforced accordingly.

Safety and Security Best Practices

The Superintendent shall develop administrative procedures for the prevention of violence on school grounds, including the assessment and intervention with individuals whose behavior poses a threat to the safety of the school community.

Persistently Dangerous Schools

The Board has set forth the rules with regard to expected behavior in Policy 5500 - Student Conduct and has established the consequences for violating the policy on student conduct in Policy 5600 - Student Discipline. The Board recognizes that not only Federal, but also State law requires that the Authority report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity, as well as those incidents that would be a Gun-Free Schools Act violation. It is further understood that the Florida Department of Education will then use the data for the offenses identified in the Department's Unsafe School Choice Option Policy to determine whether or not a school is considered "persistently dangerous".

Pursuant to the Board's stated intent to provide a safe school environment, school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceeds the threshold number established in State law, the Superintendent shall discuss this at the annual meeting for the purpose of reviewing the School Safety and Security Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year and/or convene a meeting of the building administrator, representative(s) of the local law enforcement

agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, the Superintendent shall offer parents and eligible students the opportunity to transfer to another school within the Authority that serves the same grades. If there is another school within the Authority serving the same grades, the transfer shall be completed in a timely manner. If there is not another school within the Authority that serves the same grades, then parents and eligible students will be advised that, although Federal and State law provides for an opportunity to transfer, they will be unable to do so.

In addition, the Superintendent shall discuss this at the annual meeting for the purpose of reviewing the School Safety and Security Plan so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year and/or convene a meeting of the building administrator, representative(s) of the local law enforcement agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.

If a school in a neighboring Authority is identified as persistently dangerous and there is not another school or public school academy in that Authority, the Authority will admit students from that school in accordance with Board Policy 5113.

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State laws, the parents or the eligible student shall be offered the opportunity to transfer to another school within the Authority that serves the same grades. If there is another school serving the same grades, the transfer shall be completed in a timely manner. If there is not another school serving the same grades, the parents or eligible student will be advised that, although they have the right to transfer, they will be unable to do so.

Threat Assessment Teams

The purpose of the threat assessment team is to establish a process focusing on behaviors that pose a threat to school safety while serving as a preventative measure to identify needs and provide support to students. This process is also known as a care assessment. Threat assessment teams are responsible for the coordination of resources and assessment and intervention with individuals whose behavior may pose a threat to the safety of school staff or students consistent with the model policies and procedures developed by the Office of Safe Schools which addresses early identification, evaluation, early intervention, and student support.

Each school-based threat assessment team must meet as often as needed to fulfill its duties of assessing and intervening with persons whose behavior may pose a threat to school staff or students, but no less than monthly. Threat assessment teams shall maintain documentation of their meetings, including meeting dates and times, team members in attendance, cases discussed, and actions taken.

A. Location and Membership

1. Threat assessment teams are located at each school in the Authority and composed of individuals with expertise in counseling, instruction, school administration, and law enforcement.
 - a. The counseling team member must be a school-based mental health services provider who is able to access student mental health records.
 - b. The law enforcement team member must be a sworn law enforcement officer, as defined by F.S. 943.10, including a School Resource Officer, school-safety officer, or other active law enforcement officer. At a minimum, a law enforcement officer serving on a threat assessment team must have access to local Records Management System information, the Criminal Justice Information System, and the Florida Crime Information Center and National Crime Information Center databases. Officers serving on school-based threat assessment teams must also have clearance to review Criminal Justice Information and Criminal History Record Information.
2. The Board authorizes the Superintendent to create procedures for the purpose of:
 - a. identifying team participants by position and role;

- b. designating the individuals (by position) who are responsible for gathering and investigating information; and
- c. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

B. Responsibilities and Activities of Threat Assessment Teams

The responsibilities and activities of threat assessment teams include, but are not limited to, the following:

1. identification of individuals in the school community to whom threatening behavior should be reported and provide guidance to students, faculty, and staff regarding recognition of threatening or aberrant behavior that may represent a threat to the community, school, or self;
2. utilizing the Department's behavior threat assessment instrument developed pursuant to F.S. 1001.212;
3. consult with law enforcement when a student exhibits a pattern of behavior, based upon previous acts or the severity of an act, that would pose a threat to school safety;
4. consult with law enforcement when a student commits more than one (1) misdemeanor to determine if the act should be reported to law enforcement;
5. if a preliminary determination is made by the threat assessment team that a student poses a threat of violence or physical harm to himself/herself or others, the threat assessment team will report its determination to the Superintendent;

The Superintendent shall immediately attempt to notify the student's parent or legal guardian. However, nothing in this paragraph shall preclude Authority personnel from acting immediately to address an imminent threat.

6. if a preliminary determination is made by the threat assessment team that a student poses a threat of violence to himself/herself or others or exhibits significantly disruptive behavior or need for assistance, authorized members of the threat assessment team may obtain criminal history record information pursuant to F.S. 985.04(1);

Members of the threat assessment team may not disclose any criminal history record information obtained pursuant to this paragraph or otherwise use any record of an individual beyond the purpose for which such disclosure was made to the threat assessment team.

7. create procedures related to engaging behavioral health crisis resources.

C. Sharing of Information

The Authority and other agencies and individuals that provide services to students experiencing, or at risk of, an emotional disturbance or a mental illness and any service or support provider contracting with such agencies may share with each other records or information that are confidential or exempt from disclosure under F.S. Chapter 119 if the records or information are reasonably necessary to ensure access to appropriate services for the student or to ensure the safety of the student or others.

D. Immediate Mental Health or Substance Abuse Crisis

If an immediate mental health or substance abuse crisis is suspected, school personnel shall follow policies established by the threat assessment team to engage behavioral health crisis resources. 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 the other agencies involved with the student and any known service providers to share information and coordinate any necessary follow-up actions. Upon the student's transfer to a different school, the threat assessment team shall verify that any intervention services provided to the student remain in place until the threat assessment team of the receiving school independently determines the need for intervention services.

E. Behavior Threat Assessment Instrument Training

All threat assessment team members must be trained on the Department's behavior threat assessment instrument in accordance with Florida law.

F. Office of Safe Schools Reporting

Each threat assessment team shall report quantitative data on its activities to the Office of Safe Schools, including all activities during the previous school year, and shall utilize the threat assessment database developed pursuant to F.S. 1001.212.

The School Safety Specialist will report this information to the Office of Safe Schools. Additionally, the School Safety Specialist must report the following information utilizing the Florida Safe Schools Assessment Tool by October 1 of each year:

1. For the 2021-2022 school year, the total number of threat assessments conducted, the number of transient threats, and the number of substantive threats; and,
2. Beginning in the 2022-2023 school year, the number of threat assessments conducted, the number of transient threats, and the number of substantive threats as well as the gender, race, and grade level of all students assessed by the threat assessment team.

Referral to Mental Health Services

All school personnel who receive training pursuant to F.S. 1012.584 shall be notified of the mental health services that are available in the Authority.

School Environmental Safety Incident Reporting

The superintendent is responsible for ensuring the accurate and timely reporting of incidents related to school safety and discipline in accordance with Florida law and rules promulgated by FL DOE.

Parents of Authority students have a right to access school safety and discipline incidents as reported pursuant to F.S. 1006.07 (9) and will be timely notified of threats, unlawful acts, and significant emergencies pursuant to F.S. 1006.07 (4) and (7).

Student Crime Watch Program

The Board shall implement a Student Crime Watch Program to promote responsibility among students and improve school safety. Through a Board resolution, the Board will require each school principal to distribute information (including a reference to Policy 8406) at their respective schools notifying students and the community as to how they can anonymously relay information concerning unsafe and potentially harmful, dangerous, violent, or criminal activities, or the threat of these activities, to appropriate public safety agencies and school officials.

Promotion of School Safety Awareness

In furtherance of Policy 8406 (Reports of Suspicious Activity and Potential Threats to Schools), the Board shall promote the use of the Florida Department of Education's mobile suspicious reporting tool ("FortifyFL") on the Authority's website, in newsletters, on school campuses, and in school publications. FortifyFL shall also be installed on all mobile devices issued to students and bookmarked on all computer devices issued to students.

Records Related to Compliance with F.A.C. 6A-1.0018

The Authority and all school staff will retain records demonstrating that the requirements of F.A.C. 6A-1.008 are met and provide such records to the Office of Safe Schools upon request.

Revised 5/14/19

Revised 12/8/20

Revised 9/14/21

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Legal

[F.S. 1006.07](#)

[F.S. 1006.13](#)

[F.S. 1006.1493](#)

Florida Safe Schools Assessment Tool

[Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates \(U.S. Secret Service and U.S. Department of Education\)](#)

[F.A.C. 6A-1.0018](#)

Book	Policy Manual
Section	Vol.22, No.2, Mar. 2022 Revisions
Title	Copy of PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS
Code	po8450.01 jc 5/13/22
Status	
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8450.01 - **PROTECTIVE FACIAL COVERINGS DURING PANDEMIC/EPIDEMIC EVENTS**

During times of elevated communicable disease community spread (pandemic or epidemic), the Superintendent will issue periodic guidance through School Board plans/resolution(s) in alignment with applicable rules adopted by the Florida Departments of Health and Education, public health officials and/or in accordance with government edicts and including any Pandemic Plan developed by the District's Pandemic Response Team.

School settings can be a source of community spread. Wearing face masks/coverings is especially important during these times and can help mitigate the risk of exposure from person to person.

Staff, Volunteers, and Visitors

As such, during times of elevated communicable disease community spread, the Superintendent may activate this policy by notifying the school community, requiring all school staff, volunteers and visitors (including vendors) to wear appropriate face masks/coverings on school grounds unless it is unsafe to do so or where doing so would significantly interfere with the ~~District's~~ Authority's educational or operational processes.

Use of Mask/Face Covering

Face coverings/masks should:

- A. fully cover the mouth, nose, and chin;
- B. fit snugly against the side of the face so there are no gaps;
- C. not create difficulty breathing while worn; and
- D. be held securely through either a tie, elastic, etc. to prevent slipping.

Facial masks/coverings generally should not include surgical masks or respirators unless medically indicated (as those should be reserved for healthcare workers) or masks designed to be worn for costume purposes.

All employee facial masks/coverings shall meet the requirements of the appropriate dress/staff grooming policies (Policy 3216/Policy 4216). All student facial masks/coverings shall meet the requirements of the appropriate Student Code of Conduct/Student Discipline Code and Policy 5511 Dress and Grooming.

Any person may be required to temporarily remove a face mask or covering when instructed to do so for identification or security purposes. Failure to comply with such a request violates this policy and may lead to disciplinary or other action.

Removal of face ~~Exceptions to the use of~~ masks/face coverings may be considered when:

- A. facial masks/coverings in the school setting are prohibited by law or regulation;
- B. facial masks/coverings are in violation of documented industry standards;

- C. facial masks/coverings are not advisable based on a health issue as documented by a licensed Florida physician, D.O. or PA or ARNP;
- D. facial masks/coverings are in violation of the school's documented safety policies;
- E. to assist with communications for hearing impaired students.

Use of Face Shields

Face shields that wrap around the face and extend below the chin may be permitted as an alternative to face masks/coverings with permission of the Superintendent as the Board recognizes that face shields may be useful in some situations, including:

- A. when interacting with students, such as those with disabilities, where communication could be impacted;
- B. when interacting with English-language learners or when teaching a foreign language;
- C. settings where face masks/coverings might present a safety hazard (i.e. science labs); or
- D. for individuals who have difficulty wearing a face mask/covering.

If employees receive approval from the District administration after discussing their request not to wear a face mask/covering/shield due to a physical, mental or developmental health condition, and/or if wearing a mask/covering/shield would lead to a medical emergency or would introduce significant safety concerns, the District administration may also discuss other possible accommodations for the staff member. Such discussion shall follow Board policies and guidelines under the ADA.

School nurses or staff who care for individuals with symptoms consistent with those of a communicable disease must use appropriate personal protective equipment (PPE), provided by the school, in accordance with OSHA standards.

When facial masks/coverings are required by the Board, and no exception has been applied, staff members who violate this policy shall be subject to disciplinary action in accordance with policies of the Board.

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Book	Policy Manual
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Title	Copy of PUBLIC COMPLAINTS
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Status	
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9130 - **PUBLIC COMPLAINTS**

Any person or group, having an interest in the operations of this Authority shall have the right to present a request, suggestion, or complaint concerning Authority personnel, the program, or the operations of the Authority. At the same time, the Governing Board has a duty to protect its staff from unnecessary harassment. It is the intent of this policy to provide the means for judging each public complaint in a fair and impartial manner and to seek a remedy where appropriate.

It is the desire of the Board to rectify any misunderstandings between the public and the Authority by direct discussions of an informal type among the interested parties. It is only when such informal meetings fail to resolve the differences shall more formal procedures be employed.

Any requests, suggestions, or complaints reaching the Board, Board members, and the administration shall be referred to the Superintendent for consideration according to the applicable policies.

Matters Regarding a Staff Member

A. First Level

If it is a matter specifically directed toward an instructional or support staff member or an administrator, the matter should be addressed, initially, to the concerned staff member who shall discuss it promptly with the complainant and make every effort to provide a reasoned explanation or take appropriate action within the staff member's authority and Authority policies or administrative procedures.

B. Second Level

If the matter cannot be satisfactorily resolved at the First Level, it shall be discussed by the complainant with the staff member's supervisor.

C. Third Level

If a satisfactory solution is not achieved by discussion with the supervisor, a written request for a conference shall be submitted to the Superintendent. This request should include:

1. the specific nature of the complaint and a brief statement of the facts giving rise to it;
2. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
3. the action which the complainant wishes taken and the reasons why it is felt that such action be taken.

D. Fourth Level

1. Should the matter still not be resolved, or if it is one beyond the Superintendent's authority and requires a Board decision or action, the complainant shall request, in writing, a meeting by the Board.
2. The board, after reviewing all material relating to the case, shall provide the complainant with its written decision no more than 5 business days following the meeting. The Board's decision will be final on the matter, and it will not provide a meeting to other complainants on the same issue.

If the complainant contacts an individual Board member to discuss the matter, the Board member shall inform the complainant that s/he has no authority to act in his/her individual capacity and that the complainant must follow the procedure described in this

policy.

Matters Involving Suspected Child Abuse, Substance Abuse, or Affects the Health, Welfare, and Safety of a Student

Alleged misconduct by Authority employees that involves suspected child abuse or substance abuse or affects the health, safety, or welfare of a student shall be reported to appropriate authorities and to the Superintendent. The matter shall be investigated and, if necessary, appropriate action taken.

Matters Regarding the Superintendent

Should the matter be a concern regarding the Superintendent that cannot be resolved through discussion with the Superintendent, the complainant may submit a written request to the Board Chairman for a conference with the Board. This request shall include:

- A. the specific nature of the complaint and a brief statement of the facts giving rise to it;
- B. the respect in which it is alleged that the complainant (or child of the complainant) has been affected adversely;
- C. the reason that the matter was not able to be resolved with the Superintendent;
- D. the action which the complainant wishes taken and the reasons why it is felt that such action should be taken.

The Board, after reviewing the request, may grant a meeting before the Board, or a committee of the Board, or refer the matter, if permitted by State law, to an executive session.

The complainant shall be advised, in writing, of the Board's decision within thirty (30) business days.

Matters Regarding Authority Services or Operations

If the request, suggestion, or complaint relates to a matter of Authority procedure or operation, it should be addressed, initially, to the person in charge and then brought, in turn, to higher levels of authority in the manner prescribed in "Matters Regarding an Instructional Staff Member".

Matters Regarding the Educational Program

If the request, suggestion, or complaint relates to a matter of Authority program, it should be addressed to the Superintendent.

Challenges to Material Used in a Classroom, Made Available in a School Library, or Included on a Reading List (not Including Instructional Materials) Matters Regarding Instructional Materials

See Policy 2520 - Selection and Adoption of Instructional Materials

~~The Board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school library, or included on a reading list. Upon written request, an individual will be provided access to material or books specified in the written request that are maintained in an Authority library if such material or books are available for review. The school principal shall arrange for a convenient time to provide such access. The parents of students may file an objection to any material used in a classroom, made available in a school library, or included on a reading list.~~

~~All challenges under this policy shall be addressed as follows:~~

- A. ~~The complaint is to be addressed to the Superintendent, in writing, and shall include:~~
 1. ~~author;~~
 2. ~~title;~~
 3. ~~publisher;~~
 4. ~~the complainant's familiarity with the material challenged;~~
 5. ~~sections challenged, by page and item;~~
 6. ~~whether the challenged material contains content that is pornographic or prohibited under F.S. 847.012, is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.~~
- B. ~~Upon receipt of the information, the Superintendent may appoint a review committee which may consist of two (2) or more instructional staff members.~~

- C. ~~The material in question may be withdrawn from use pending the committee's recommendation to the Superintendent.~~
- D. ~~The committee's recommendation shall be reported to the Superintendent in writing within ten (10) business days following the formation of the committee. The Superintendent will advise the complainant, in writing, of the committee's recommendation and advise the Board of the action taken or recommended.~~
- E. ~~The complainant may appeal this decision, within thirty (30) business days, to the Board through a written request to the Superintendent, who shall forward the request and all written material relating to the matter to the Board.~~
- F. ~~The Board shall review the case and advise the complainant, in writing.~~

~~No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Superintendent, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some.~~

~~The Board shall discontinue use of any material challenged under this policy if it contains content that is pornographic or prohibited under F.S. 847.012, is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.~~

~~For challenges to or complaints regarding instructional materials, please see Policy 2520—Selection and Adoption of Instructional.~~

Confidentiality

Pursuant to State law, a complaint of misconduct against an Authority employee, and all information obtained pursuant to an investigation by the Authority of the complaint of misconduct, are confidential and exempt from inspection or copying until the investigation ceases to be active, or until the Authority provides written notice to the employee who is the subject of the complaint, in the manner set forth below, that the Authority has either:

- A. concluded the investigation with a finding not to proceed with disciplinary action or file charges, or
- B. concluded the investigation with a finding to proceed with disciplinary action and/or to file charges. If the investigation results in such a finding, the Authority shall also file a legally sufficient complaint regarding the misconduct as required by State law and Policy 8141 - Mandatory Reporting of Misconduct by Certificated Employees.

Any material that is derogatory to an employee shall not be open to inspection for an additional ten (10) days after the employee has been notified either:

- A. by certified mail, return receipt requested, to his/her address of record; or
- B. 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.

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