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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	TERM
Code	po0144 jc 9/14/22
Status	
Adopted	April 12, 2016

0144 - **TERM**

Governing Board members shall be appointed by the Cape Coral Council for three (3) year terms with no limitation on the number of terms. One City Councilmember will serve on the board for a term of 1 year with no limitation on the number of terms.

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	VISITATION OF SCHOOLS BY INDIVIDUAL SCHOOL BOARD MEMBERS
Code	po0172 jc 9/14/22
Status	
Adopted	August 14, 2018

0172 - VISITATION OF SCHOOLS BY INDIVIDUAL SCHOOL BOARD MEMBERS

An individual School Board member may, on any day and at any time at their ~~his/her~~ pleasure, visit any school in the Authority District. ~~A member of the Legislature may visit any public school in the legislative district of the member. An individual visiting a school pursuant to this policy-~~ ~~The Board member~~ must sign in and sign out at the school's main office and wear his/her Board identification badge at all times while present on school premises. The Board, the school, or any other person or entity, including, but not limited to, the principal of the school, the Superintendent, or any other Board member, may not require an individual visiting the school pursuant to this policy ~~the visiting Board member~~ to provide notice before visiting the school. The school will provide an escort to accompany an individual to the school pursuant to this policy ~~visiting Board member~~ during the visit. ~~unless the Board member has proper clearances~~. Another Board member or an employee, including, but not limited to, the Superintendent, the school principal, or his/her designee, may not limit the duration or scope of the visit or direct of an individual pursuant to this policy ~~a visiting Board member~~ to leave the premises. No policy or practice may prohibit or limit the authority granted to an individual ~~Board member~~ under this policy.

Following a visit to a school, a Board member may have suggestions and feedback regarding the visit. Recognizing that the Superintendent directs the work of staff, pursuant to F.S. 1001.51 and 1012.27(7), the Board member's feedback should be directed to the Superintendent, who will share it with staff, as appropriate. (See Bylaw 0149.3 Board-Staff Communication)

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Book	Policy Manual
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Title	EMPLOYMENT OF ADMINISTRATORS
Code	po1120 jc 9/14/22
Status	
Adopted	April 12, 2016
Last Revised	December 14, 2021

1120 - EMPLOYMENT OF ADMINISTRATORS

The Governing Board recognizes that it is vital to the successful operation of the Authority that administrative positions created by the Board be filled with highly qualified and competent personnel.

Administrators are individuals who supervise the resources, operations, and management of school(s) and/or department(s) and meet established qualifications.

Any administrative staff member's misstatement of fact material to qualifications for employment or the determination of salary shall be considered to constitute grounds for dismissal.

A candidate shall be disqualified from employment in any administrative position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315.

A person is ineligible for educator certification or employment in any position that requires direct contact with students if the person is on the disqualification list maintained by the Florida Department of Education pursuant to F.S. 1001.10(4)(b), is registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C), **would be ineligible for an exemption under F.S. 435.07(4)(c)**, or has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to any of the felony offenses listed in F.S. 1012.315.

To be eligible for employment in an administrative position requiring certification, an individual must be of good moral character and hold a valid certificate issued pursuant to Florida law and the rules of the State Board of Education. A copy of the certificate shall be filed with the Authority.

Pursuant to State law and rules adopted by the State Board of Education, an individual must earn a passing score on the Florida Educational Leadership Examination, document three (3) years of successful teaching experience.

The Superintendent shall also conduct employment history checks of all candidates for administrative positions. The employment history check shall include, but not be limited to, contacting any previous employer and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

F.S. 1012.33 states that "the first ninety-seven (97) days of an initial principal's or supervisor's contract is a probationary period. During the probationary period, the employee may be dismissed without cause or may resign from the contractual position without breach of contract." This statement means that individuals who are appointed into their initial administrative positions in the State of Florida will have a ninety-seven (97) day probationary period.

All administrators shall become familiar with the policies of the Board and other policies, regulations, memoranda, bulletins, and handbooks that pertain to their duties in the Authority. Any administrator employed by the Board who shall be guilty of any willful violation of the policies of the Board shall be guilty of gross insubordination and shall be subject to dismissal or other lesser penalty as the Board may prescribe.

Revised 3/9/21
Revised 12/14/21

Legal

42U.S.C. 9858f

F.S. 1001.10

F.S. 1012.01

F.S. 1012.23

F.S. 1012.315

F.S. 1012.32

F.S. 1012.33

F.S. 1012.55

F.S. 1012.56

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	CRIMINAL BACKGROUND AND EMPLOYMENT HISTORY CHECKS
Code	po1121.01 jc 9/14/22
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1121.01 - CRIMINAL BACKGROUND **SCREENING** AND EMPLOYMENT HISTORY CHECKS

The safety of its students is of paramount importance to the Authority. Consistent with this concern for student safety, and in compliance with Florida law, the Authority requires that, prior to initial employment, or re-employment if there has been a break in service, all candidates for all administrative positions shall be subject to a criminal background **screening check** to determine eligibility for employment.

The application for employment shall inform the applicants that they are subject to criminal background **screening** and employment history check**s**.

The cost of the background screening, with the exception of fingerprinting, related to initial employment or re-employment after a break in service will be borne by the Authority.

Background screenings, including all fingerprint requirements, shall be conducted in accordance with F.S. 435.12 and F.S. 1012.32.

If it is found that a person who is employed as an administrator does not meet the screening requirements, the person shall be immediately suspended from working in that capacity and shall remain suspended until final resolution of any appeals.

~~Fingerprints of candidates for employment or re-employment if there has been a break in service shall be submitted to the Florida Department of Law Enforcement (FDLE) for statewide criminal and juvenile records checks and to the Federal Bureau of Investigation (FBI) for Federal criminal records checks.~~ A person who is found ineligible for employment under F.S. 1012.315, or otherwise found through background screening to have been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or serve in any position that requires direct contact with students. For purposes of this policy, "convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in F.S. 943.0435.

~~Probationary persons subject to this section who are terminated because of their criminal record have the right to appeal such decisions.~~

Individuals whose fingerprints have not been retained by the FDLE must be re-fingerprinted and re-screened upon re-employment or re-engagement to provide services as an administrative staff member in order to comply with the law.

Furthermore, before employing an administrator in any position that requires direct contact with students, the Superintendent shall conduct employment history checks of each of the candidate's previous employer(s), review each affidavit of separation from previous employers pursuant to F.S. 1012.31, screen the candidate through use of the educator screening tools described in F.S. 1001.10(5), and document the findings. If unable to contact a previous employer, the Superintendent shall document efforts to contact the employer (F.S. 1012.27(6)). **Background screenings for these candidates must also comply with the requirements of F.S. 1012.465 or F.S. 1012.56 (whichever is applicable).**

Pursuant to State law, all administrators employed by the Authority must self-report arrests for serious offenses (see AP 1121.01).

Additionally, the fingerprints of all administrators who are employed by the Authority and have no break in service must be re-submitted to the FDLE and to the FBI every five (5) years so that subsequent statewide criminal and juvenile records checks and Federal criminal records checks can be completed as required by law.

The information contained in reports received from the FDLE and the FBI is confidential.

Although permissible by State law, the Authority will not share information received as the result of the criminal background check with other school districts.

Furthermore, if information received as a result of the criminal history records check indicates that a certificated administrator has been convicted of certain crimes enumerated by law, the Superintendent must report this information to the Florida Department of Education per Policy 8141 - Mandatory Reporting of Misconduct by Certificated Employees.

Revised 8/14/18
Revised 12/14/21

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Legal	F.S. 435.09
	F.S. 943.0435
	F.S. 943.0585(4)(a)
	F.S. 943.059(4)(a)
	F.S. 1001.41
	F.S. 1001.42
	F.S. 1012.32
	F.S. 1012.27
	F.S. 1012.315
	F.S. 1012.32
	F.S. 1012.56
	F.A.C. 6A-10.083

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	RECORDS AND REPORTS
Code	po1180 jc 9/14/22
Status	
Adopted	April 12, 2016

1180 - RECORDS AND REPORTS

Administrators shall keep all records and F.S. 1001.51(12), the School Board's policies, and reports as are required by ~~these rules and procedures or~~ as the Superintendent may deem necessary for the effective administration of the schools/departments.

Such records and reports shall include any determination to withhold from a parent information regarding the provision of any services to support the mental, physical, or emotional well-being of the parent's minor child. Any such determination must be based solely on child-specific information personally known to the school personnel and documented and approved by the Principal. Such determination must be annually reviewed and redetermined.

- A. The administrator shall be responsible to the Superintendent for the accurate and prompt submission of all reports, whether developed by the employee or by the administrator.
- B. All reports shall be officially reviewed by the immediate supervisor and brought up to date by the employee before a resigning or retiring administrator receives final pay.

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Legal	F.S. 1001.51
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Title	POLITICAL ACTIVITIES
Code	po1232 jc 9/14/22
Status	
Adopted	April 12, 2016

1232 - POLITICAL ACTIVITIES

Pursuant to State law, administrative staff members who are employed by the Governing Board shall not participate in any political campaign for an elective office while on duty.

Pursuant to State law and Board Policy 6480, administrative staff members may not expend public funds (that is, any funds under the jurisdiction or control of the Authority) for a political advertisement or any other electioneering communication sent to electors concerning an issue, referendum, or amendment, including State questions that are subject to a vote of the electors.

Pursuant to F.S. 106.011:

- A. "Political advertisement" means a paid expression in a "communications medium," whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:
1. a statement by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization;
 2. editorial endorsements by a newspaper, a radio or television station, or any other recognized news medium.
- B. "Communications medium" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, printers, direct mail, advertising agencies, the Internet, and telephone companies; but with respect to telephones, an expenditure is deemed to be an expenditure for the use of communications media only if made for the costs of telephones, paid telephonists, or automatic telephone equipment to be used by a candidate or a political committee to communicate with potential voters but excluding the costs of telephones incurred by a volunteer for use of telephones by such volunteer; however, with respect to the Internet, an expenditure is deemed an expenditure for use of communications media only if made for the cost of creating or disseminating a message on a computer information system accessible by more than one person but excluding internal communications of a campaign or of any group.

~~Pursuant to F.S. 106.011, "electioneering communication" shall mean any communication that is publicly distributed by a television station, radio station, cable television station, satellite system, newspaper, magazine, direct mail, or telephone. In order to qualify as an electioneering communication, the communication must also be characterized by the following:~~

- ~~A. refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate, but is susceptible to no reasonable interpretation other than an appeal or against a specific candidate;~~
- ~~B. is made within thirty (30) days before a primary or special primary election or sixty (60) days before any other election for the office sought by the candidate; and~~
- ~~C. is targeted to the relevant electorate in the geographic area the candidate would represent if elected.~~

Administrative staff who declare themselves candidates for an elective office shall notify the Superintendent immediately upon qualifying for election. They shall submit to the Superintendent a written explanation of how they will conduct their campaign so that it will be in accord with the requirements of State law and this policy.

All candidates for public office may be granted personal leave without pay. The administrative staff member's request for leave shall be submitted according to the established procedure.

Such candidates shall adhere strictly to Florida statutes governing political activity on the part of public official and public employees.

An administrative staff member who is a successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

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Legal	F.S. 104.31, 110.233
	F.A.C. 60L-36.002

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Book Policy Manual

Section Vol.23, No. 1 June 2022 REVISIONS

Title New Policy - Vol. 23, No. 1, June 2022 - REMOTE WORK

Code po1500 jc 9/14/22

Status

New Policy - Vol. 23, No. 1

[DRAFTING NOTE: This is not a required policy under Florida law. However, if the School Board is desirous of permitting and/or requiring employees to work remotely, this policy template may be considered]

1500 - REMOTE WORK

School Board employees are required to work at their assigned District building, District site, or school building. However, the Board recognizes that

☐ certain positions allow for remote work.

☒ certain District-declared emergencies require remote work.

~~Subject to any applicable bargaining agreement,~~ Eligible employees are only authorized to work remotely in accordance with this policy and procedures developed by the Superintendent.

Remote working can be considered when it provides an operational benefit to the Board; the responsibilities and duties of the position can be accomplished successfully from a remote environment; and the employee demonstrates the skills and abilities needed to effectively work remotely.

Employees are not permitted to work remotely unless approved in advance by the Superintendent.

Definitions

- A. Remote Work/Working – a temporary work or work arrangement during which an employee performs their assigned job duties in an alternate work location away from their assigned ~~District~~ CCCCSA building, ~~District~~ site, or school building.
- B. Alternate Work Location(s) - approved locations, other than the employee's normal assigned workplace, where official ~~District~~-business is performed. The most common alternate work location is the home of an employee. Alternate work locations must be approved in advance by the Superintendent.
- C. Remote Working Agreement - Remote work arrangements are approved by the Superintendent and documented in writing in a remote working agreement. Remote working agreements include specific terms such as employee hours, employee responsibilities, employee expectations, and confidentiality. Remote working agreements may not exceed a

☐ contract year

☐ semester

☐ school year

☒ a determined number of days, determined by the Superintendent, as the emergency situation dictates

but may be renewed by the Superintendent.

Eligible Positions

Positions for which remote work may be authorized are

[] those positions in which the job description specifically permits remote work.

[x] determined at the discretion of the Superintendent during a District-declared emergency.

Termination of Remote Working Agreements

Remote working agreements are approved at the discretion of the Superintendent and may be revoked/terminated at any time.

Nothing in this policy is intended to interfere with, or supplant, any rights afforded to employees under the Americans with Disabilities Act, as amended, or Section 504 of the Rehabilitation Act of 1973.

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	CURRICULUM DEVELOPMENT
Code	po2210 jc 9/14/22
Status	
Adopted	April 12, 2016

Revised Policy - Vol. 23, No. 1

2210 - CURRICULUM DEVELOPMENT

The School Board recognizes its responsibility for the quality of the educational program of the schools. As the educational leader of the **Authority District**, the Superintendent shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study. The appropriate personnel, materials, and supplies for curriculum exploration, development, and implementation shall be coordinated by the Superintendent. Necessary funds shall be budgeted for accomplishing these tasks.

For purposes of this policy and consistent communication throughout the **CCCCSA District**, curriculum shall be defined as:

- A. ☒ the courses of study, subjects, classes, and organized activities provided by the school;
- B. ~~() all the planned activities of the schools, including formal classroom instruction and out-of-class activity, both individual and group;~~
- C. ~~() learning activities approved by the Board for individuals or groups of students and expressed in terms of specific instructional objectives or class periods;~~
- D. ☒ the plan for learning necessary to accomplish the educational goals of the **Authority District**;
- E. ~~() all the planned activities of the schools, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the District.~~

The Board directs that the curriculum of ~~the Authority is District~~:

- A. ☒ provides instruction in courses required by statute and State Department of Education regulations;
- B. ☒ be consistent with the District's philosophy and goals and ensure the possibility of their achievement;
- C. ☒ allows for the development of individual talents and interests as well as recognize that the learning styles of students may differ;
- D. ☒ provides for continuous and cumulative learning through effective articulation at all levels;
- E. ☒ utilizes a variety of learning resources to accomplish the educational goals;
- F. ☒ encourages students to utilize guidance and counseling services in their academic and career planning.

The Superintendent shall make progress reports to the Board ~~() annually~~ ☒ periodically.

~~Annually, by a date determined by the Florida Department of Education May 1st, the District shall submit a Board approved K-12 comprehensive reading plan to the Department for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis for review and approval by the Just Read, Florida! Office.~~

The Superintendent may conduct such innovative programs as are deemed to be necessary to the continuing growth of the instructional program and to better ensure the accomplishment of the **Authority's District's** educational goals.

The Superintendent shall report each such innovative program to the Board along with its objectives, evaluative criteria, and costs.

[x] The Board encourages, where it is feasible and in the best interest of the District, participation in programs of educational research.

~~[] The Board encourages the Superintendent to consider State or Federally developed programs for meeting local needs. This may also include consideration of outstanding programs from other districts in the State. The Board directs the Superintendent to pursue actively State and Federal aid in support of the District's innovative activities.~~

F.S. 1001.215

F.S. 1001.41

F.S. 1001.42

F.S. 1001.51

~~F.S. 1004.64~~

F.S. 1008.22

F.S. 1008.34

F.S. 1011.62

Chapter I of Education Consolidation and Improvement Act of 1981

P.L. 97-35

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Legal

F.S. 1001.215

F.S. 1001.41

F.S. 1001.42

F.S. 1001.51

F.S. 1008.22

F.S. 1008.34

F.S. 1011.62

Chapter I of Education Consolidation and Improvement Act of 1981

P.L. 97-35

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	VIRTUAL INSTRUCTION
Code	po2370.01 REJECTED jc 9/14/22
Status	

~~Revised Policy — Vol. 23, No. 1~~

~~2370.01 — VIRTUAL INSTRUCTION~~

~~The following options are available to students residing within the District for part-time or full-time participation in virtual instruction, Kindergarten through Grade 12:~~

- ~~A. through courses delivered in the traditional school setting by instructional staff providing direct instruction through either virtual instruction or by blending traditional and online instruction;~~
- ~~B. through full-time virtual charter school instruction authorized under F.S. 1002.33;~~
- ~~C. through enrollment in the Florida Virtual School;~~
- ~~D. through enrollment with Virtual Instruction Providers approved by the Florida Department of Education (FLDOE);~~
- ~~E. through enrollment in an online course offered by any other Florida school district;~~
- ~~F. through virtual courses offered in the virtual course code directory;~~
- ~~G. [] through participation in the District-operated part-time or full-time virtual instruction programs (VIP) organized under F.S. 1002.45(1);~~

~~The District shall provide access to enroll in courses available through one of the District options for virtual instruction, and shall award credit for successful completion. Access to online courses is available to students during and after the normal school day and through summer school enrollment. A District student will not be required to take an online course outside of the regular school day in addition to the student's courses for a given semester or on school grounds. The purposes of the options above is to make instruction available to District students using online and distance education technology in either a traditional classroom or a nontraditional classroom (i.e., primarily outside of public school buildings). If the student and his/her parents select part-time or full-time instruction delivered by providers approved by the FLDOE, they will have the right to select from the list of approved providers. The District may offer a full-time or part-time program for grade 9–12 students enrolled in dropout prevention, academic intervention, Department of Juvenile Justice (DJJ), core courses to meet class size requirements, or community colleges.~~

~~Student Participation Requirements~~

~~Students participating in a virtual instruction program must take Statewide standardized assessments pursuant to F.S. 1008.22 and participate in the coordinated screening and progress monitoring system under F.S. 1008.25.~~

~~Open Enrollment~~

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

~~Notification of Virtual Instruction Program to Parents and Students~~

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

~~Online Course Requirements for Graduation~~

~~Online course requirements for graduation are set forth in Policy 5460—Graduation Requirements.~~

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Legal

F.S. 1000.04
F.S. 1001.20
F.S. 1001.42
F.S. 1002.20
F.S. 1002.321
F.S. 1002.37
F.S. 1002.45
F.S. 1002.455
F.S. 1003.02
F.S. 1003.32(1)
F.S. 1003.4282
F.S. 1003.498
F.S. 1003.499
F.S. 1006.29
F.S. 1007.27
F.S. 1011.62
F.A.C. 6A-6.0981

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Title	STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION
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2416 - STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION

The Governing Board respects the privacy rights of parents and their children. No student shall be required, as a part of the school program or the Authority's curriculum, without prior written consent of the student (if an adult or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning:

- A. political affiliations or beliefs of the student or his/her parents;
- B. mental or psychological problems of the student or his/her family;
- C. sex behavior or attitudes;
- D. illegal, anti-social, self-incriminating, or demeaning behavior;
- E. critical appraisals of other individuals with whom respondents have close family relationships;
- F. legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
- G. religious practices, affiliations, or beliefs of the student or his/her parents; or
- H. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The Superintendent shall establish procedures whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation.

Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building principal.

Before administering a student well-being questionnaire or health screening form to a student in kindergarten through grade 3, the ~~Authority District~~ will provide the questionnaire or form to the parent and obtain the permission of the parent.

Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student or used in a research or experimentation program in which the student is engaged. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building principal. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments.

The Board will not allow the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

The Superintendent is directed to provide notice directly to parents of students enrolled in the Authority of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent is directed to notify parents of students in the Authority, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the items described in A through H above are scheduled or expected to be scheduled.

Parents have the right to inspect, upon request, any instrument used in the collection of personal information before the instrument is administered or distributed to the student. The parent will have access to the instrument within a reasonable period of time after the request is received by the building principal.

The term "personal information" means individually identifiable information including: a student or parent's first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; and a Social Security identification number.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following: (1) college or other postsecondary education recruitment, or military recruitment; (2) book clubs, magazines, and programs providing access to low-cost literary products; (3) curricular and instructional materials used by elementary and secondary schools; (4) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments; (5) the sale by students of products or services to raise funds for school-related or education-related activities; and (6) student recognition programs.

For purposes of this policy, the term "parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).

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Legal	F.S. 1002.22
	20 U.S.C. 1232g, 20 U.S.C. 1232h
	34 C.F.R. Part 98

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	EXCEPTIONAL STUDENT EDUCATION
Code	po2460 jc 9/14/22
Status	
Adopted	April 12, 2016

2460 - EXCEPTIONAL STUDENT EDUCATION

The Governing Board, as in accordance with its [Charter agreement with the School District of Lee County, and its](#) commitment to provide a free, appropriate, public education for students with disabilities in accordance with State and Federal laws, rules, and regulations, shall implement The ~~School Board of~~ [School District of](#) Lee County's Plan for Exceptional Student Education.

~~District~~ [Additionally, Authority](#) personnel will collaborate with private instructional personnel who are hired or contracted by parents in compliance with F.S. 1003.572. "Private instructional personnel" include only the following:

1. individuals certified under F.S. 393.17 or licensed under Chapter 490 or Chapter 491 for applied behavior analysis services as defined in F.S. 627.6686 and 641.31098;
2. [registered behavior technicians who have a nationally recognized paraprofessional certification in behavior analysis and who practice under the supervision of individuals licensed under F.S. 393.17 or licensed under F.S. Chapter 490 or Chapter 491 by assisting such individuals in the provision of applied behavior analysis services;](#)

[To provide services under this paragraph, a registered behavior technician must be employed by an enrolled Medicaid provider.](#)

3. speech-language pathologists licensed under F.S. 468.1185;
4. occupational therapists licensed under part III of 379 Chapter 468;
5. physical therapists licensed under Chapter 486;
6. psychologists licensed under Chapter 490; and
7. clinical social workers licensed under Chapter 491.

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

1. the student's public instructional personnel and principal consent to the time and place; and
2. the private instructional personnel satisfies the requirements of F.S. 1012.32 or 1012.321.

Legal

Statewide Assessment for Students with Disabilities, F.A.C. 6A-1.0943

Florida Alternate Assessment Requirements, F.A.C. 6A-1.09430

Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities, F.A.C. 6A-6.03311

Procedural Safeguards for Exceptional Students Who Are Gifted, F.A.C. 6A-6.03313

Definitions, ESE Policies and Procedures, and ESE Administrators, F.A.C. 6A-6.03411

20 U.S.C. 1400 et seq.

F.S. 1001.41, 1001.42, 1002.20, 1003.01(3), 1003.4156, 1003.428, 1003.57

F.S. 1003.5715, 1003.572, 1008.212, 1008.22, 1008.24

Surrogate Parents, F.A.C. 6A-6.0333

20 U.S.C. 1401 et seq.

34 C.F.R. Part 300

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2623 - STUDENT ASSESSMENT

The ~~School Governing Board~~ Governing Board shall assess student achievement and needs in all program areas in compliance with the law and rules of the State Governing Board of Education. The purpose will be to determine the progress of students and to assist them in attaining student performance objectives and the educational achievement goals of this CCCCSA. Each student must participate in the Statewide, standardized assessment program and the local assessment program as required by law.

Student performance data shall be used in developing objectives for ~~the a~~ school improvement plan, evaluating instructional personnel and administrative personnel, assigning staff, allocating resources, acquiring instructional materials and technology, implementing performance-based budgeting, and promoting and assigning students to educational programs. The analysis of student performance data will identify strengths and needs in the educational program and trends over time, and be used in conjunction with budgetary planning and development of remediation programs.

The Governing Governing Board shall require the following:

- A. mandatory participation by all eligible students as defined by State Governing Board of Education rules;
- B. ~~industry certification examinations, national assessments, and Statewide assessments offered by the CCCCSA be made available to all Florida Virtual School students in the CCCCSA;~~
- C. industry certification examinations, national assessments, and Statewide assessments be taken at the student's regularly assigned school ~~unless an alternative site is mutually agreed to by the CCCCSA and the Florida Virtual School or authorized contractor;~~
The CCCCSA will notify students of the date and time of the administration of each examination or assessment.
- D. parents will be informed of the testing program of the schools and of the Statewide, standardized tests or the local assessments that are to be administered to their children;
- E. data regarding individual test scores on either the Statewide, standardized tests or the local assessments be entered on the student's cumulative record, where it will be subject to the policy of this Governing Board regarding student records;
- F. school and CCCCSA test results will be reported to the public annually;
- G. the Superintendent shall develop procedures for the annual assessment of first, second, third, and fourth grade students on their reading proficiency and identify those students who are reading below grade level. S/He shall ensure that each student's teacher is involved in the assessment and in the identification of those students who are reading below grade level.

The CCCCSA will notify the parent of each student who exhibits a deficiency in reading, shall consult with the parent in the development of a progress monitoring plan, and will provide intensive reading instruction to the student until the deficiency is corrected.

Statewide Standardized Assessment

The Governing Board shall administer the Statewide, standardized tests to students at the grade levels and for the subjects at the times designated by the Florida Commissioner of Education. The Statewide, standardized assessment program consists of Statewide, standardized comprehensive assessments, end-of-course (EOC) assessments, ~~and the Florida Alternate Assessment.~~

A Statewide, standardized EOC assessment must be used as the final cumulative examination for its associated course. No additional final assessment may be administered in a course with a Statewide, standardized EOC assessment. A CCCCSA-required local assessment may be used as the final cumulative examination for its associated course in accordance with Governing Board policy.

Local Assessments

The CCCCSA shall administer a local assessment that measures student mastery of course content at the necessary level of rigor for the grade levels/subjects that are not included in the subjects and grade levels measured under the Statewide, standardized assessment program. The course content that will be measured by the local assessments is set forth in the State standards that are required by F.S. 1003.41 and in the course description.

The ~~CCCCSA~~ Through the School District of Lee County, the CCCCSA will provide a student's performance results ~~on CCCCSA-required local assessments~~ to the student's teachers and ~~parent within one (1) week parents no later than thirty (30) days~~ after administering such assessments unless the School District of Lee County's superintendent determines in writing that extenuating circumstances exist, ~~and report the extenuating circumstances to the Governing Board.~~ Results will be made available through a web-based portal as part of the CCCCSA's School District of Lee County's student information system and in a printed format upon request by a student's parent.

Local Assessment Committees

~~The Superintendent is authorized to convene local assessment committees comprised of at least _____ teachers, () a school principal () _____ school principal(s), and CCCCSA-based instructional administrators to evaluate the assessments that are available to measure the performance of the CCCCSA's students in all subjects and grade levels not measured by Statewide, standardized assessments, and to recommend to the Superintendent the assessment that would be most appropriate for the purpose required by State law. In so doing, these committees shall consider item banks, facilitating the sharing of developed tests with other school CCCCSAs, acquiring assessments from State and national curriculum area organizations, and providing technical assistance in best professional practices of test development based upon State-adopted curriculum standards, as well as established protocols for Statewide, standardized assessments concerning administration, scoring, and security. Upon approval of the Superintendent of the specific type of assessment to be used at each grade level and for each subject not measured by a Statewide, standardized assessment, these committees shall then be responsible for the selection and/or development of each specific assessment, the development of the protocols that will govern the administration of the assessment, the protocols to be used in the scoring of each local assessment, and any protocols necessary for test security. The committee shall also be responsible for recommending to the Superintendent the method for collecting assessment results. During the development of the local assessment program, progress reports shall be made to the Governing Board about the work of the local assessment committees, and when development of the local assessment program for each grade level and subject area not has been completed. [] The Superintendent shall also charge the local assessment committees with the responsibility of annually reviewing and analyzing the performance results of the students at each grade level or subject for which they developed the local assessment instrument. The local assessment committee will also be responsible for analyzing the reliability and validity of the assessment instrument, and making revisions to the instrument, if need be. The Superintendent shall provide technical assistance to the committees in determining the reliability and validity of the assessment instrument. [END-OF OPTION]~~

Scheduling of Assessments

- A. The Governing Board School District of Lee County will establish schedules for the administration of any Statewide, standardized assessments and ~~CCCCSA-District~~ required assessments. ~~and approve the schedules as an agenda item at a Governing Board meeting. The Governing Board will publish the testing schedules on its website using the Department of Education's uniform calendar with () the information required by State law. OR () the following information:~~
 1. ~~Whether the assessment is a CCCCSA-required assessment or a State-required assessment;~~
 2. ~~The specific date or dates that each assessment will be administered;~~
 3. ~~The time allotted to administer each assessment;~~

4. ~~Whether the assessment is a computer-based assessment or a paper-based assessment;~~
 5. ~~The grade level or subject area associated with the assessment;~~
 6. ~~The date that the assessment results are expected to be available to teachers and parents;~~
 7. ~~The type of assessment, the purpose of the assessment, and the use of the assessment results;~~
 8. ~~A glossary of assessment terminology;~~
 9. ~~Estimates of average time for administering State required and CCCCSA required assessments, by grade level.~~
- ~~The Governing Board will submit the schedules to the Department of Education by October 1st of each year. Each CCCCSA school will publish the schedules for Statewide, standardized assessments and CCCCSA required assessments on its website using the uniform calendar.~~

Assessment Preparation

No school in this CCCCSA may suspend the regular program of curricula to administer practice assessments or engage in other assessment-preparation activities for a Statewide, standardized assessment. However, the Governing Board authorizes schools to:

- A. distribute to students sample assessment books and answer keys that are published by the Florida Department of Education;
- B. provide individual instruction in assessment taking strategies without suspending the school's regular program of curricula for a student who scores at Level 1 or Level 2 on a prior administration of the Statewide assessment;
- C. provide individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curriculum for a student who scores at Level 1 or Level 2 on a prior administration of the Statewide assessment or a student who, through a diagnostic assessment administered by the CCCCSA is identified as having a deficiency in the content knowledge and skills assessed; and
- D. administer a practice assessment or engage in other assessment preparation activities for the statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the assessment items, and the assessment directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Governing Board of Education.

Students with Disabilities

A. Participation in Statewide Standardized Assessments with or without Accommodations

All students with disabilities will participate in the Statewide standardized assessment program based on State standards, pursuant to F.A.C. 6A-1.09401, without accommodations unless the student's individual educational plan (IEP) team, or the team that develops the plan required under Section 504 of the Rehabilitation Act, determines and documents that the student requires allowable accommodations during instruction and for participation in a Statewide standardized assessment.

"Accommodations" are defined as adjustments to the presentation of the Statewide standardized assessment questions, methods of recording examinee responses to the questions, scheduling for the administration of a Statewide standardized assessment to include amount of time for administration, settings for administration of a Statewide standardized assessment, and the use of assistive technology or devices to facilitate the student's participation in a Statewide standardized assessment.

Accommodations that negate the validity of a Statewide standardized assessment are not allowable.

The provision of accommodations for students with disabilities shall be provided by the School District of Lee County, in accordance with [NOTE: Choose one (1) of the following three (3) statements to conclude the sentence above: () State Governing Board rule. () F.A.C. 6A-1.0943 and applicable State and Federal laws. () section 4(a) through (e) of F.A.C. 6A-1.0943 and applicable State and Federal laws.]

B. Florida Alternate Assessment

~~A student with a disability, as defined in F.S. 1007.02(2), for whom the IEP Team determines that the Statewide standardized assessments cannot accurately measure the student's abilities, taking into consideration all allowable accommodations, shall have assessment results waived for the purpose of receiving a course grade and a standard high school diploma. Such a waiver shall be designated on the student's transcript. The statement of waiver shall be limited to a statement that performance on an assessment was waived for the purpose of receiving a course grade or a standard high school diploma, as applicable.~~

~~The alternative assessment program is designed for a student with a significant cognitive disability and includes the Florida Standards Alternate Assessment (FSAA)—Performance Task and the FSAA—datafolio assessments. The decisions of whether a student is eligible to participate in the alternative assessment program and whether the student should participate in the FSAA—Performance Task or FSAA—datafolio assessments is determined by the student's IEP team and delineated on the student's IEP. Such determinations must be in accordance with the criteria set forth in Florida law including, but not limited to, F.A.C. 6A-1.0943 and 6A-1.09430.~~

C. Extraordinary Exemptions

~~A student with a disability for whom the IEP team determines is prevented by a circumstance or condition, as those terms are defined in F.S. 1008.212, from physically demonstrating the mastery of skills that have been acquired and are measured by the Statewide standardized assessment, a Statewide standardized end-of-course assessment, or an alternate assessment pursuant to F.S. 1008.22(3)(c) shall be granted an extraordinary exemption from the administration of the assessment. A learning, emotional, behavioral, or significant cognitive disability or the receipt of services through the homebound or hospitalized program is not, in and of itself, an adequate criterion for the granting of an extraordinary exemption.~~

~~Once an IEP Team determines that a student with a disability is prevented by a "circumstance" or "condition" as defined in F.S. 1008.212 from physically demonstrating the mastery of skills that have been acquired and are measured by the Statewide standardized assessment, a Statewide standardized end-of-course assessment, or an alternate assessment under F.S. 1008.22(3)(c), the IEP Team, which must include the parent, may submit to the superintendent a written request for an extraordinary exemption from the administration of the assessment pursuant to F.S. 1008.212.~~

~~The written request for an extraordinary exemption may be made at any time during the school year but not later than sixty (60) days before the first day of the administration window of the assessment for which the request is made. The request must include the following information:~~

1. ~~A written description of the student's disabilities, including a specific description of the student's impaired sensory, manual, or speaking skills;~~
 2. ~~Written documentation of the most recent evaluation data;~~
 3. ~~Written documentation, if available, of the most recent administration of Statewide standardized assessments;~~
 4. ~~A written description of the circumstances' or conditions', as defined above, effect on the student's participation in Statewide standardized assessments;~~
 5. ~~Written evidence that the student has had an opportunity to learn the skills being tested;~~
 6. ~~Written evidence that the student has been provided with appropriate instructional accommodations;~~
 7. ~~Written evidence as to whether the student has had the opportunity to be assessed using the instructional accommodations on the student's IEP which are allowable in the administration of a Statewide standardized assessment;~~
 8. ~~Written evidence of the circumstance or condition as defined above;~~
 9. ~~The name, address, and phone number of the student's parent.~~
- ~~The superintendent will recommend to the Commissioner of Education whether the request should be granted or denied, and the Commissioner will grant or deny the requested exemption within thirty (30) calendar days of receipt of the superintendent's request. A copy of the CCCCSA's procedural safeguards as required in F.A.C. 6A-6.03311 shall be provided to the parent. If the parent disagrees with the IEP Team's recommendation, the dispute resolution methods described in the procedural safeguards shall be made available to the parent.~~

D. Exemption Options for Students with a Medical Complexity

~~In addition to the exemption option available under F.S. 1008.212, a student with a medical complexity as defined in F.S. 1008.22 may be exempt from participating in Statewide standardized assessments, including the Florida Alternate Assessment. If a parent consents in writing and the student's IEP team determines that the student should not be assessed based on medical documentation that confirms that the student meets the criteria of medical complexity, the parent may select from the assessment exemption options set forth in F.S. 1008.22.~~

~~If a student who resides in the CCCCSA and qualifies for a Florida Tax Credit Scholarship attends an eligible private school, pursuant to State law, that has chosen not to administer the Statewide, standardized assessments, the CCCCSA shall designate, upon the request of the parent, an assessment site where the student can participate in the Statewide, standardized assessment. The parent is responsible for providing transportation to the assessment site.~~
~~[END OF OPTION]~~

Test Administration and Security

~~The CCCCSA may contract with qualified contractors to administer and proctor Statewide standardized assessments or local assessments required under State law. Assessments may be administered or proctored by qualified contractors at sites that meet criteria established by rules of the State Governing Board of Education and adopted pursuant to State law to implement these contracting requirements.~~

The CCCCSA may use CCCCSA employees, such as education paraprofessionals, to administer and proctor Statewide, standardized assessments or assessments associated with Florida approved course under F.S. 1003.499. CCCCSA employees will be trained according to rules of the State Governing Board of Education before performing such duties.

The Governing Board shall take appropriate and necessary actions against any employee who knowingly and willfully violates test security rules adopted by the FLDOE for any Statewide standardized assessments.

~~The Superintendent shall develop administrative procedures for test security that will maintain and ensure the integrity of CCCCSA and State assessments.~~

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Legal

F.S. 1002.37
F.S. 1002.395
F.S. 1003.4282
F.S. 1008.212
F.S. 1008.22
F.S. 1008.23
F.S. 1008.24
F.S. 1008.25
F.A.C. 6A-1.09422
F.A.C. 6A-1.0943
F.A.C. 6A-1.09430
F.A.C. 6A-1.09431
F.A.C. 6A-1.09432

Legal

Florida Alternate Assessment Requirements, F.A.C. 6A-1.09430
Florida Comprehensive Assessment Test and End-of-Course Assessment Requirements, F.A.C. 6A-1.09422
Procedures for Special Exemption from Graduation Test Requirement for Students with Disabilities Seeking a Standard High School Diploma, F.A.C. 6A-1.09431
F.S. 1002.37, 1002.395, 1003.4282, 1008.212, 1008.22, 1008.24
F.S. 1008.25
Statewide Assessment for Students with Disabilities, F.A.C. 6A-1.0943
Assessment of English Language Learners, F.A.C. 6A-1.09432

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Book	Policy Manual
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3120 - EMPLOYMENT OF INSTRUCTIONAL STAFF

The Governing Board recognizes that it is vital to the successful operation of the Authority that positions created by the Board be filled with highly qualified and competent personnel.

The Board may establish reciprocal certification agreements with other Florida school districts whose employment and/or certification requirements are comparable to those of The School Board of Lee County.

For purposes of this policy, instructional staff includes: classroom teachers, librarians/media specialists, guidance counselors, social workers, career specialists, school psychologists, other instructional staff (such as: primary specialists, learning resource specialists, instructional trainers, and adjunct educators), and additional Authority defined positions including, registered nurses, audiologists, and speech pathologists.

The Board shall require a candidate for employment with an out-of-district certificate not comparable to The School Board of Lee County certification to complete all requirements for initial employment and certification.

The Superintendent shall also conduct employment history checks of all candidates for instructional staff positions. The employment history check shall include, but not be limited to, contacting any previous, reviewing each affidavit of separation from previous employers pursuant to FS 1012.31, employer and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

Any instructional staff member's misstatement of fact material to qualification for employment or the determination of salary shall be considered to constitute grounds for dismissal.

A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315, or if the candidate has been terminated or resigned in lieu of termination for sexual misconduct with a student.

A person is ineligible for educator certification or employment in any position that requires direct contact with students if the person is on the disqualification list maintained by the department pursuant to F.S. 1001.10(4)(b), is registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C), **would be ineligible for an exemption under F.S. 435.07(4)(c)**, or has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to any of the felony offenses listed in F.S. 1012.315.

The Board shall approve employment, upon the recommendation of the Superintendent.

Upon Board approval of employment, each instructional staff member shall execute a written contract as required by State law and Policy 3128 - Contracts: Instructional Personnel

INSTRUCTIONAL PERSONNEL

Qualifications of instructional personnel shall be as required by law and Florida Administrative Code. To be eligible for appointment in any position in the Authority, a person must be of good moral character; must have attained the age of eighteen (18) years; and must, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to F.S. 1012.55 or under the emergency provisions of F.S. 1012.24. Previous residence in this State shall not be required in any school of the State as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

Any employee who does not achieve a passing score on any subtest of the general knowledge examination will be provided information regarding the availability of State-level and Authority-level supports and instruction to assist him/her in achieving a passing score. Such information will include, but is not limited to, State-level test information guides, Authority preparation resources, and preparation courses offered by State universities and Florida college system institutions.

CERTIFICATION

A. State Certification

For purposes of this policy, "primary instructor" refers to any instructional employee of a Florida public school district who provides direct support in the learning process by planning, delivering, and evaluating instruction, including through virtual or blended environments, for all students during the entire class period.

Teachers who teach in classes for which FEFP funds are earned shall be certified teachers as defined in F.S. 1012.56 and the Florida State Board of Education Administrative Rule, F.A.C. 6A-1.0503 and 6A-1.0502.

B. In-Field

To be considered "in-field", a primary instructor must meet one of the following qualifications:

1. the teacher is assigned to a course covering subject matter for which the teacher holds a certificate per F.S. 1012.55;
or
2. demonstrates sufficient subject matter expertise as determined by F.A.C. 6A-1.0503, (2)(a)-(h).

F.S. 1012.42

C. Authority Certification

It is the intent of the Board that nondegreed vocational instructional personnel possess the credentials, knowledge, and/or expertise necessary to provide quality education in The School Board of Lee County. The purpose of Authority certification is to provide evidence of instructional qualifications in order to protect the interest of students, parents, and the public. The requirements for Authority certification may be found in The School Board of Lee County Nondegreed Vocational Employment and Certification Procedures.

The Board may revoke an Authority certificate for cause. The application fee for the Authority Vocational Certificate shall be the same as a State issued Educator's Certificate.

NONCERTIFICATED INSTRUCTIONAL PERSONNEL

The Superintendent is hereby authorized to select and recommend noncertificated instructional personnel for appointment, pursuant to State Board of Education Rule F.A.C. 6A-1.0502, in a critical teacher shortage area, as identified by the Board. To be eligible for employment under this provision, such individuals must hold a Bachelor's or higher degree and possess expert skill in or knowledge of a particular subject or talent, but not hold a Florida teaching certificate. Instructional personnel employed under this policy will not be entitled to receive a contract and shall be governed by the criteria found in The School Board of Lee County Noncertificated Instructional Personnel Procedures.

CERTIFICATED PERSONNEL

Any person employed in a position requiring certification shall possess a valid certificate issued pursuant to Florida law or issued by The School Board of Lee County and shall file said certificate with the Superintendent.

ALTERNATIVE CERTIFICATION

The alternative certification program is a competency-based program designed to expand the pool of educators to include non-education majors committed to making a positive impact on student achievement. The procedures for this program may be found in The School Board of Lee County Alternative Certification Program.

LICENSED PERSONNEL

Speech pathologists, occupational therapists, physical therapists, and audiologists will receive contracts, salary, and benefits. To be eligible for employment these individuals must hold a license to practice in the State of Florida.

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Revised 12/14/21

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Legal

F.S. 1012.01
F.S. 1012.22
F.S. 1012.24
F.S. 1012.27
F.S. 1012.315
F.S. 1012.32
F.S. 1012.33
F.S. 1012.42
F.S. 1012.55
F.S. 1012.56
F.S. 1012.57
F.A.C. 6A-1.0502
F.A.C. 6A-1.0503
20 U.S.C. 6301
20 U.S.C. 7801

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3121.01 - CRIMINAL BACKGROUND SCREENING AND EMPLOYMENT HISTORY CHECKS

The safety of its students is of paramount importance to the Authority. Consistent with this concern for student safety, and in compliance with Florida law, the Authority requires that, prior to initial employment or re-employment if there has been a break in service, all candidates for all positions shall be subject to a criminal screening ~~background~~ check to determine eligibility for employment.

The application for employment shall inform the applicants that they are subject to criminal background screening and employment history check~~s~~.

The cost of the background screening, with the exception of fingerprinting, related to initial employment or re-employment after a break in service will be borne by the Authority.

Background screenings, including all fingerprint requirements, shall be conducted in accordance with F.S. 435.12 and F.S. 1012.32.

~~[] If it is found that an individual who is employed as an instructional staff member does not meet the screening requirements, the individual shall be [OPTION 1] [] immediately suspended from working in that capacity and shall remain suspended [END OF OPTION 1] [OPTION 2] [] reassigned to a position for which the individual is still eligible based on the results of the background screening [END OF OPTION 2] until final resolution of any appeal.~~

~~Fingerprints of candidates for employment or re-employment if there has been a break in service shall be submitted to the Florida Department of Law Enforcement (FDLE) for Statewide criminal and juvenile records checks and to the Federal Bureau of Investigation (FBI) for Federal criminal records checks.~~ A person who is found ineligible for employment under F.S. 1012.315, or otherwise found through background screening to have been convicted of any crime involving moral turpitude as defined by rule of the State Board of Education, shall not be employed, engaged to provide services, or serve in any position that requires direct contact with students. For purposes of this policy, "convicted" means that there has been a determination of guilt as a result of a trial or the entry of a plea of guilty or nolo contendere, regardless of whether adjudication is withheld, and includes an adjudication of delinquency of a juvenile as specified in F.S. 943.0435.

~~Probationary persons subject to this section who are terminated because of their criminal record have the right to appeal such decisions.~~

~~Individuals whose fingerprints have not been retained by the FDLE must be re-fingerprinted and re-screened upon re-employment or re-engagement to provide services as an instructional staff member in order to comply with the law.~~

Furthermore, before employing instructional personnel in any position that requires direct contact with students, the **Superintendent Principal or designee** shall conduct employment history checks of each of the candidate's previous employer(s), review each affidavit of separation from previous employers pursuant to F.S. 1012.31, screen the candidate through use of the educator screening tools described in F.S. 1001.10(5), and document the findings. If unable to contact a previous employer, the **Superintendent Principal or designee** shall document efforts to contact the employer (F.S. 1012.27(6)). **Background screenings for these candidates must also comply with the requirements of F.S. 1012.465 or F.S. 1012.56 (whichever is applicable).**

Pursuant to State law, all instructional staff members employed by the Authority must self-report arrests for serious offenses (see AP 3121.01).

Additionally, the fingerprints of all instructional staff members who are employed by the Authority and have no break in service must be re-submitted to the FDLE and to the FBI every five (5) years so that subsequent Statewide criminal and juvenile records checks and Federal criminal records checks can be completed as required by law.

The information contained in reports received from the FDLE and the FBI is confidential.

Although permissible by State law, the Authority will not share information received as the result of the criminal history background check with other school districts.

Furthermore, if information received as a result of the criminal history records check indicates that a certificated instructional staff member has been convicted of certain crimes enumerated by law, the Superintendent must report this information to the Florida Department of Education per Policy 8141 - Mandatory Reporting of Misconduct by Certificated Employees.

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Revised 12/14/21

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Legal	F.S. 435.09
	F.S. 943.0435
	F.S. 943.0585(4)(a)
	F.S. 943.059(4)(a)
	F.S. 1001.10(5)
	F.S. 1001.41
	F.S. 1001.42
	F.S. 1012.23
	F.S. 1012.27(6)
	F.S. 1012.315
	F.S. 1012.32
	F.S. 1012.56
	F.A.C. 6A-10.083

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3129 - CONFLICT OF INTEREST – PRIVATE PRACTICE

The proper performance of school business is dependent upon high standards of honesty, integrity, impartiality, and professional conduct by Governing Board employees. Further, such characteristics are essential to the Board's commitment to earn and keep the public's confidence. For these reasons, the Board adopts the following procedures to assure that conflicts of interest do not occur. These procedures are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees.

- A. No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts with the employee's job duties and responsibilities in the school system.
- B. Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the Authority.

Included, by way of illustration rather than limitation are the following:

- 1. the provision of any private lessons or services for a fee;
 - 2. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through access to Authority records;
 - 3. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals;
 - 4. the requirement of students or clients to purchase any private goods or services provided by an employee or any business, or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations.
- C. Employees shall not make use of materials, equipment, or facilities of the Authority in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

Notwithstanding parts A through C of this policy, the District does not prohibit instructional personnel from providing New World Reading Scholarship Account services as outlined in F.S. 1002.411 on the instructional personnel member's school campus outside regular work hours. Such services are subject to Board policies related to the safety and security operations to protect students, instructional personnel, and educational facilities.

Employees, officers, or agents may not participate in the selection, award, or administration of a contract supported by a Federal grant/award if s/he has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, any member of his/her immediate family, his/her partner, or an organization which employs or is about to employ any of the parties described in this section, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Employees, officers, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

To the extent that the District has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the School District may not conduct a procurement action involving the parent, affiliate, or subsidiary organization if the School District is unable, or appears to be unable, to be impartial.

Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	TUTORING
Code	po3129.01 jc 9/15/22
Status	
Adopted	April 12, 2016

3129.01 - **TUTORING**

No instructional staff member shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her duties in the public interest.

Instructional staff members who tutor students within their school unit and receive compensation for this work shall have prior approval of their principal.

Staff members may not accept fees for remedial tutoring of students currently enrolled in one (1) or more of their classes for which a grade is given.

For purposes of this policy, "remedial tutoring" does not include New Worlds Reading Scholarship Account services permitted under Policy 3129.

In accordance with this policy, Governing Board facilities and materials shall not be utilized for such tutoring.

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Last Modified by Jacquelin Collins on September 23, 2022

Employees, officers, and agents must disclose any potential conflict of interest which may lead to a violation of this policy to the School District. Upon discovery of any potential conflict of interest, the School District will disclose, in writing, the potential conflict of interest to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

The District will also disclose, in a timely manner, all violations of Federal criminal law involving fraud, bribery, or gratuity that affect a Federal award to the appropriate Federal awarding agency or, if applicable, the pass-through entity.

Employees, officers and agents found to be in violation of this conflict of interest policy will be subject to disciplinary action up to and including termination, consistent with substantive and procedural due process and as permitted by applicable Board policy, State law,

Exceptions to this policy shall be approved by the Superintendent consistent with State law.

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Legal F.S. 112.313, 1006.32

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	POLITICAL ACTIVITIES
Code	po3232 jc 9/15/22
Status	
Adopted	April 12, 2016

3232 - POLITICAL ACTIVITIES

Pursuant to State law, instructional staff members who are employed by the Governing Board shall not participate in any political campaign for an elective office while on duty.

Pursuant to State law and Board Policy 6480, instructional staff members may not expend public funds (that is, any funds under the jurisdiction or control of the Authority) for a political advertisement or **or other electioneering** communication **sent to electors** concerning an issue, referendum, or amendment, including State questions that are subject to a vote of the electors.

Pursuant to F.S. 106.011:

- A. "Political advertisement" means a paid expression in a "communications medium," whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:
 1. a statement by an organization, in existence before the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization;
 2. editorial endorsements by a newspaper, a radio or television station, or any other recognized news medium.
- B. "Communications medium" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, printers, direct mail, advertising agencies, the Internet, and telephone companies; but with respect to telephones, an expenditure is deemed to be an expenditure for the use of communications media only if made for the costs of telephones, paid telephonists, or automatic telephone equipment to be used by a candidate or a political committee to communicate with potential voters but excluding the costs of telephones incurred by a volunteer for use of telephones by such volunteer; however, with respect to the Internet, an expenditure is deemed an expenditure for use of communications media only if made for the cost of creating or disseminating a message on a computer information system accessible by more than one person but excluding internal communications of a campaign or of any group.

~~Pursuant to F.S. 106.011, "electioneering communication" shall mean any communication that is publicly distributed by a television station, radio station, cable television station, satellite system, newspaper, magazine, direct mail, or telephone. In order to qualify as an electioneering communication, the communication must also be characterized by the following:~~

- ~~A. refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate, but is susceptible to no reasonable interpretation other than an appeal or against a specific candidate;~~
- ~~B. is made within thirty (30) days before a primary or special primary election or sixty (60) days before any other election for the office sought by the candidate; and~~
- ~~C. is targeted to the relevant electorate in the geographic area the candidate would represent if elected.~~

[x] Therefore, instructional staff members who engage in political activities or hold public office shall not use time, facilities, or personnel of the school system to engage in such activities. Specifically, the use of copy reproduction equipment or other machinery or supplies, the use of secretarial help, or any other school facilities or personnel is strictly prohibited. Telephone use for such political activities during duty hours shall be confined to an emergency only, and then only in such a manner as shall not conflict with the instructional staff member's school-related duties. Additionally, instructional staff members who engage in political activities or

hold public office are expected to discourage constituents or other persons with whom they are associated within their political capacities, from making telephone calls to them during duty hours.

Instructional staff who declare themselves candidates for public office for an elective office shall notify the Superintendent immediately upon qualifying for election. They shall submit to the Superintendent a written explanation of how they will conduct their campaign so that it will be in accord with the requirements of State law and this policy.

All candidates for public office may take personal leave without pay. The instructional staff member's request for leave shall be submitted according to the established procedure.

Such candidates shall adhere strictly to Florida statutes governing political activity on the part of public officials and public employees.

An instructional staff member who is a successful candidate for an office requiring a part-time responsibility shall report immediately to the Superintendent after the election and thereafter, when deemed necessary by the Superintendent or Board, to evaluate the compatibility of the dual responsibility and the need for personal leave without pay.

F.S. 106.113

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Legal F.S. 104.31, 110.233
 F.A.C. 60L-36.002

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	Revised Policy - Vol. 23, No. 1, June 2022 - COMPENSATION
Code	po3410 jc 9/19/22
Status	

Revised Policy - Vol. 23, No. 1

3410 - COMPENSATION

Salaries of all instructional staff members shall be determined by the **School Governing** Board and shall be authorized by the following salary schedules adopted by the Board upon the recommendation of the Superintendent:

- A. ~~grandfathered salary schedule for instructional staff who have continuing contracts or professional service contracts and were hired before July 1, 2014; or~~
- B. **A.** The performance salary schedule for instructional staff who were hired after July 1, 2014, or who held annual contracts as of July 1, 2014.

~~The base salary set forth in these salary schedules, as well as the amounts provided for adjustments and supplements, shall be subject to collective bargaining.~~

If budget constraints in any given year limit the Board's ability to fully fund all adopted salary schedules, the performance salary schedule shall not be reduced on the basis of total cost or the value of individual awards in a manner that is proportionally greater than reductions to any other salary schedules adopted by the ~~Authority~~ **District**. Any compensation for longevity of service awarded to instructional personnel who are on any other salary schedule must be included in calculating the salary adjustments required by, and in accordance with, F.S. 1012.22.

~~Grandfathered Salary Schedule for Instructional Staff~~

~~The grandfathered salary schedule for instructional staff shall be used as the basis for paying instructional personnel hired before July 1, 2014, who have a continuing contract or a professional service contract. Each year instructional staff members who were hired before July 1, 2014 and who have a continuing contract or a professional service contract will have the opportunity to move from this salary schedule to the performance salary schedule for instructional staff.~~

~~A portion of each employee's compensation paid pursuant to the grandfathered salary schedule for instructional staff shall be based on demonstrated performance as evaluated in accordance with State law and Policy 3220, Evaluation of Instructional Personnel.~~

~~Pursuant to statutory requirements and subject to negotiation, the grandfathered salary schedule for instructional staff shall provide for differentiated pay for based upon the following District determined factors:~~

- A. ~~additional responsibilities;~~
~~The list of additional responsibilities for which instructional staff members shall receive differentiated pay is set forth in the collective bargaining agreement.~~
~~By _____ (date), the _____ (title) shall submit to the Superintendent a list of staff members who are assigned one (1) or more of the additional responsibilities on the list that is set forth in the collective bargaining agreement.~~
~~By _____ (date), the Superintendent will authorize payment of the salary adjustment specified in the Board adopted annual salary schedule for instructional staff to the instructional staff members who are assigned these additional responsibilities.~~

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

- B. ~~school demographics;~~
~~The list of school demographics for which instructional staff members shall receive differentiated pay is set forth in the collective bargaining agreement.~~
~~By _____ (date), the _____ (title) shall submit to the Superintendent a list of instructional staff members who are assigned to schools that have the demographics that were approved by the Board for the current school year.~~

By _____ (date), the Superintendent will authorize payment of the amount specified in the Board-adopted salary schedule for instructional staff as a salary adjustment for assignment to a school that has the demographics listed above.

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

C. ~~critical shortage areas;~~

By _____ (date), upon the recommendation of the Superintendent, the Board shall approve any instructional staff positions that the District has identified as critical shortage areas.

By _____ (date), the _____ (title) shall submit to the Superintendent a list of staff members assigned to positions that have been identified as critical shortage areas by the State Board of Education or the District.

By _____ (date), the Superintendent will authorize payment of the amount specified in the annual salary schedule for instructional staff as an adjustment to the compensation of the staff members assigned in critical shortage areas.

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

D. ~~level of job performance difficulties;~~

The list of job performance difficulties for which instructional staff members shall receive differentiated pay are set forth in the collective bargaining agreement.

By _____ (date), the _____ (title) shall submit to the Superintendent a list of instructional staff members whose assignment is characterized by the job performance difficulties set forth in the collective bargaining agreement.

By _____ (date), the Superintendent shall authorize payment of the amount specified in the grandfathered salary schedule for instructional staff as a salary adjustment to the instructional staff members eligible as a result of these job performance difficulties inherent in their assignment.

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

~~The amount paid for each of these District-determined factors shall be subject to collective bargaining.~~

~~[] The grandfathered salary schedule for instructional staff shall provide a cost-of-living adjustment that does not discriminate among comparable classes of employees based on the salary schedule under which they are compensated and does not exceed fifty percent (50%) of the annual adjustment provided to instructional staff rated as effective. Further, as provided by law, these annual salary adjustments become part of the instructional staff member's base salary for the next school year.~~

Salary Supplements

~~In addition to the annual salary adjustments described above~~, the Board shall also award salary supplements that are annual additions to the instructional staff member's salary. Salary supplements shall be paid to all instructional staff members who were hired before July 1, 2011 for any advanced degree held, and to all instructional staff members hired after July 1, 2011 but before July 1, 2014 for advanced degrees earned in their area of responsibility.

- A. ~~By _____ (date), the _____ (title) shall submit to the Superintendent a list of instructional staff members who are eligible for the additional compensation provided by the annual salary schedule for all instructional staff members who were hired before July 1, 2011 for any advanced degree held, and to all instructional staff members hired after July 1, 2011 but before July 1, 2014 for advanced degrees earned in their area of responsibility.~~
- B. ~~By _____ (date), the Superintendent will authorize payment of the amount specified in the grandfathered salary schedule for instructional staff as a salary adjustment to the instructional staff members eligible for advanced degrees held.~~
- C. ~~At a subsequent regular meeting, the list of instructional staff members who will receive this supplement shall be provided to the Board.~~

As provided by law, these annual salary supplements shall not become part of the instructional staff member's permanent base salary.

Performance Salary Schedule for Instructional Staff

Beginning July 1, 2014, the performance salary schedule shall be the basis for paying instructional staff members new to the Authority District, returning to the Authority District after a break in service without an authorized leave of absence, or appointed for their first time to an instructional staff position in the Authority District.

The performance salary schedule shall also be the basis for paying instructional staff members on annual contract as of July 1, 2014.

~~Additionally, the performance salary schedule shall be the basis for paying instructional staff members with a continuing contract or a professional service contract who opt out of the grandfathered annual salary schedule and into the performance salary schedule.~~

~~The base salary for instructional staff members who opt into the performance salary schedule or who are required by State law to move to the performance salary schedule must be the salary paid in the prior year, including adjustments only.~~

The annual salary adjustment under the performance salary schedule for an instructional staff member rated as "highly effective" must be greater than the highest annual salary adjustment available to an instructional staff member of the same classification through any other salary schedule adopted by the Board.

~~[-x] The performance salary schedule for instructional staff shall provide a cost-of-living adjustment that does not discriminate among comparable classes of employees based on the salary schedule under which they are compensated and does not exceed fifty percent (50%) of the annual adjustment provided to instructional staff rated as effective.~~

The performance salary schedule must not provide an annual salary adjustment for an instructional staff member who receives a rating other than highly effective or effective for the year.

Salary Supplements

The performance salary schedule for instructional staff shall provide for the following salary supplements:

A. ~~assignment to a Title I eligible school;~~

~~By _____ (date), the _____ (title) will submit to the Superintendent a list of staff members who are assigned to a Title I school.~~

~~The Superintendent will authorize payment of the supplement specified in the collective bargaining contract for assignment to a Title I school.~~

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

B. ~~assignment to a school that received an "F" or three (3) consecutive grades of "D" pursuant to the school grading system established by State law;~~

~~By _____ (date), the _____ (title) will submit to the Superintendent a list of staff members who were assigned to a school that improved by at least one grade level for the previous school year.~~

~~By _____ (date), the Superintendent will authorize payment of the supplement specified in the collective bargaining contract for one (1) year following improved performance in the school regardless of whether or not the teacher assignment is at the school that improved.~~

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

~~By _____ (date), upon the recommendation of the Superintendent, the Board shall approve any instructional staff positions that the District has identified as critical shortage areas.~~

~~By _____ (date), the _____ (title) shall submit to the Superintendent a list of staff members assigned to positions that have been identified as critical shortage areas by the State Board of Education or District.~~

~~By _____ (date), the Superintendent will authorize payment of the supplement specified in the collective bargaining contract for the staff members assigned in critical shortage areas.~~

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

D. B. assignment of additional academic responsibilities;

The list of additional academic responsibilities for which instructional staff members shall receive salary supplements are set forth in the CCCCSA add pay list, collective bargaining agreement.

~~By _____ (date), each Principal shall submit to the Superintendent a list of staff members assigned additional academic responsibilities.~~

~~By _____ (date), the Superintendent will authorize payment of the supplement specified in the collective bargaining contract for the staff members assigned additional academic responsibilities. At a subsequent regular meeting, the list of staff members who will receive this supplement shall be provided to the Board.~~

E. advanced degree in the area of certification.

By _____ (date), the Principal (title) shall submit to the Superintendent a list of instructional staff members who have earned advanced degrees in their area of certification.

By _____ (date), the Superintendent will authorize payment of the supplement ~~specified in the collective bargaining contract~~ for the staff members who have earned advanced degrees in their area of certification.

~~The amount paid for each of these salary supplements shall be subject to collective bargaining.~~

[OPTIONAL]

☒ Credit for Previous Experience

~~The salary established for instructional personnel under the grandfathered salary schedule, and~~ the base salary established under the performance salary schedule, will include a credit for previous experience earned in a position with similar responsibilities, as follows:

- A. ~~The minimum time that will be recognized as a year of service is full-time actual service rendered for more than one-half (1/2) of the number of days or more than one-half (1/2) of the number of hours for the normal contractual period of service for the position held. In determining such service, sick leave and paid holidays shall be counted, but all other types of leave and holidays will be excluded.~~
- B. ~~Credit for service in another state or as otherwise allowed under the adopted salary schedule shall be determined by using the minimum service required in this District for a comparable position and in accordance with provisions of the applicable collective bargaining agreement. In determining the number of days that must be served to constitute a full year of out-of-state teaching experience, the existing regulations of the State or District in which the contract was executed shall be used as the criteria.~~
- C. ~~Transfer of previous experience in a position with similar responsibilities:~~
 1. ~~will include all previous experience with this District;~~
 2. ~~may not exceed twelve (12) years of experience from other employers;~~
 3. ~~must have been earned in a position that contributed to a State retirement system or at a school that was, at the time the experience was earned, fully accredited by one (1) of the six (6) regional accrediting bodies listed below:~~
 - a. ~~Southern Association of Colleges and Schools~~
 - b. ~~Western Association of Schools and Colleges~~
 - c. ~~Northwest Association of Accredited Schools~~
 - d. ~~North Central Association of Colleges and Schools~~
 - e. ~~New England Association of Schools and Colleges~~
 - f. ~~Middle States Association of Colleges and Schools~~
- D. An employee who claims credit for previous experience must complete and submit to the Human Resources Department the Experience Verification Form (Form 3410 F1) within the first fourteen (14) days of employment, in order to receive credit for years of service.

[END OF OPTION]

Bonuses and/or Severance Pay

If the Board provides bonuses ~~and/or severance pay~~ to instructional staff that are not included in an individual employment contract ~~and/or pursuant to a collective bargaining contract~~, those bonuses ~~and/or severance pay are subject to negotiations, but~~ must strictly comply with the provisions of F.S. 215.425 that pertain to such bonuses and/or severance pay.

x] , as follows:

- A. Any bonus plan must be based on the award of a bonus on work performance, describe the performance standards and evaluation process by which a bonus will be awarded, notify all instructional staff of the bonus policy before the beginning of the evaluation period on which a bonus will be based, and consider all instructional staff for the bonus.
- B. ~~On or after July 1, 2011, an instructional staff member may receive severance pay that is not provided for in a contract or employment agreement if the severance pay represents the settlement of an employment dispute. Such severance pay may not exceed an amount greater than six (6) weeks of compensation. The settlement may not include provisions that limit the ability of any party to the settlement to discuss the dispute or settlement. Instructional staff members should refer to the current collective bargaining agreement for more information regarding compensation.~~

Legal

[F.S. 215.425](#)

[F.S. 1001.42](#)

[F.S. 1001.43](#)

[F.S. 1011.60](#)

[F.S. 1012.01](#)

[F.S. 1012.22](#)

[F.S. 1012.32](#)

[F.S. 1012.33](#)

[F.S. 1012.335](#)

[F.S. 1012.34](#)

[F.S. 1012.56](#)

[F.A.C. 6A-1.052, Salary Schedules to be Adopted for All Personnel](#)

[F.A.C. 6A-1.064, Forms for Contracts for Instructional and Professional Administrative Personnel, and Other Personnel](#)

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Book Policy Manual

Section Vol.23, No. 1 June 2022 REVISIONS

Title New Policy - Vol. 23, No. 1, June 2022 - REMOTE WORK

Code po3500 jc 9/19/22

Status

New Policy - Vol. 23, No. 1

[DRAFTING NOTE: This is not a required policy under Florida law. However, if the School Board is desirous of permitting and/or requiring employees to work remotely, this policy template may be considered]

3500 - REMOTE WORK

School Board employees are required to work at their assigned District building, District site, or school building. However, the Board recognizes that

☐ certain positions allow for remote work.

☒ certain District-declared emergencies require remote work.

~~Subject to any applicable bargaining agreement,~~ eligible employees are only authorized to work remotely in accordance with this policy and procedures developed by the Superintendent.

Remote working can be considered when it provides an operational benefit to the Board; the responsibilities and duties of the position can be accomplished successfully from a remote environment; and the employee demonstrates the skills and abilities needed to effectively work remotely.

Employees are not permitted to work remotely unless approved in advance by the Superintendent.

Definitions

- A. Remote Work/Working – a temporary work or work arrangement during which an employee performs their assigned job duties in an alternate work location away from their assigned District building, District site, or school building.
- B. Alternate Work Location(s) - approved locations, other than the employee's normal assigned workplace, where official District business is performed. The most common alternate work location is the home of an employee. Alternate work locations must be approved in advance by the Superintendent.
- C. Remote Working Agreement - Remote work arrangements are approved by the Superintendent and documented in writing in a remote working agreement. Remote working agreements include specific terms such as employee hours, employee responsibilities, employee expectations, and confidentiality. Remote working agreements may not exceed a

☐ contract year

☐ semester

☐ school year

☒ A specified number of work days, determined by the Superintendent, as the emergency situation dictates

but may be renewed by the Superintendent.

Eligible Positions

Positions for which remote work may be authorized are

[] those positions in which the job description specifically permits remote work.

[☒] determined at the discretion of the Superintendent during a District-declared emergency.

Termination of Remote Working Agreements

Remote working agreements are approved at the discretion of the Superintendent and may be revoked/terminated at any time.

Nothing in this policy is intended to interfere with, or supplant, any rights afforded to employees under the Americans with Disabilities Act, as amended, or Section 504 of the Rehabilitation Act of 1973.

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Book	Policy Manual
Section	Vol.23, No. 1 June 2022 REVISIONS
Title	EMPLOYMENT OF SUPPORT STAFF
Code	po4120 jc 9/19/22
Status	
Adopted	April 12, 2016
Last Revised	December 14, 2021

4120 - EMPLOYMENT OF SUPPORT STAFF

Support employees include all those employees who work in nonadministrative, noninstructional, noncontracted roles and serve at the pleasure of the Governing Board.

All support staff are at-will employees and may be dismissed or terminated at any time, with or without cause.

The Superintendent shall conduct employment history checks of all candidates for educational support staff positions. The employment history check shall include, but not be limited to, contacting any previous employer and reviewing each affidavit of separation from previous employers pursuant to F.S. 1012.31, and screening the candidate through the use of the screening tools described in Florida law. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

Any educational support staff member's misstatement of fact material to qualification for employment or the determination of salary shall be considered to constitute grounds for dismissal.

A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315, or if the candidate has been terminated or resigned in lieu of termination for sexual misconduct with a student.

A person is ineligible for employment in any position that requires direct contact with students if the person is on the disqualification list maintained by the Florida Department of Education pursuant to F.S. 1001.10(4)(b), is registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C), **would be ineligible for an exemption under F.S. 435.07(4)(c)**, or has been convicted or found guilty of, has had adjudication withheld for, or has pled guilty or nolo contendere to any of the felony offenses listed in F.S. 1012.315.

The employment of support staff members prior to approval by the Board is authorized when their employment is required to maintain continuity in Authority operations. Employment shall be recommended to the Board no later than the month following employment.

The Superintendent shall also conduct employment history checks of all candidates for support staff positions. The employment history check shall include, but not be limited to, contacting any previous employer. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S. 1012.315.

The Board shall approve employment, upon recommendation of the Superintendent.

Any support staff member's misstatement of fact material to qualifications for employment or the determination of salary shall be considered to constitute grounds for dismissal.

All support personnel shall become familiar with the policies of the Board and other such policies, regulations, memoranda, bulletins, and handbooks that pertain to their duties in the Authority. Any support staff member employed by the Board who shall be guilty of any willful violation of the policies of the Board shall be guilty of gross insubordination and shall be subject to dismissal or such other lesser penalty as the Board may prescribe.

REQUIREMENTS FOR INSTRUCTIONAL PARAPROFESSIONALS

All paraprofessionals employed by the Authority to provide instructional support services in Title I schoolwide programs and instructional paraprofessionals paid with Title I, Part A funds in targeted assistance programs shall be "highly qualified".

The requirements to be considered a "highly qualified" instructional paraprofessional are established by the Florida Department of Education. Accordingly, one of the following requirements must be met:

- A. an associate's or higher degree;
- B. two (2) years of study at an institution of higher education; or
- C. a rigorous State or local assessment of knowledge of and the ability to perform the following duties
 - 1. assist in instruction in reading, writing, and mathematics or reading, writing, and mathematics; or
 - 2. assist in instructing reading readiness, writing readiness, and mathematics readiness, as appropriate.

Instructional paraprofessionals working for a Title I supported program may be assigned to duties as follows:

- A. providing one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;
- B. assisting with classroom management, such as organizing instructional and other materials.

AUTHORIZED ACTIVITIES FOR NON-INSTRUCTIONAL PARAPROFESSIONALS

The activities to which non-instructional paraprofessional may be assigned include the following:

- A. personal care services;
- B. parent involvement activities;
- C. food service;
- D. playground/cafeteria supervision;
- E. bus aides/bus attendants;
- F. clerical duties
- G. non-instructional computer assistance;
- H. non-instructional media center/library supervision;
- I. translators (not providing instructional support).

Revised 3/9/21

Revised 12/14/21

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Legal	F.S. 1012.01
	F.S. 1012.37
	F.S. 1012.40
	F.S. 1012.56
	F.A.C. 6A-1.0502(11)
	20 U.S.C. 6301