



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	UNIFORM RECORDS AND ACCOUNTS
Code	po6100
Status	From Neola
Legal	<u>F.S. 1001.42</u> <u>F.S. 1001.51</u> <u>F.S. 1010.01</u>

6100 - **UNIFORM RECORDS AND ACCOUNTS**

The School Board and the Superintendent shall provide for keeping or having kept accurate records of all financial transactions and the making of all needed or required reports in the proper form as required by law (Federal and State), Administrative Rules of the State Board, and additional records and reports as approved by the Board. Sound business principles and procedures are to be observed. Additionally, the Board and Superintendent shall establish and maintain internal controls designed to:

- A. prevent and detect fraud, waste, and abuse as defined in F.S. 11.45(1);
- B. promote and encourage compliance with applicable laws, rules, contracts, grant agreements, and best practices;
- C. support economical and efficient operations;
- D. ensure reliability of financial records and reports; and
- E. safeguard assets.

Method of Accounting

The District's system of accounting shall comply with all requirements of the Governmental Accounting Standards Board, Statement No. 54 (GASB 54). In accordance with GASB 54, the District will report its fund balance in the following categories:

- A. *Nonspendable fund balance* - that is, amounts that are not in a spendable form (such as inventory) or are required to be maintained intact (such as the corpus of an endowment fund).
- B. *Restricted fund balance* - amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government), through constitutional provisions, or by enabling legislation.
- C. *Committed fund balance* - amounts constrained to specific purposes by the Board; to be reported as committed, amounts cannot be used for any other purpose unless the Board takes action to remove or change the constraint.
- D. *Assigned fund balance* - amounts the Board intends to use for a specific purpose; intent can be expressed by the Board or by an official or committee to which the Board delegates the authority.

E. *Unassigned fund balance* - amounts that are available for any purpose; these amounts are reported only in the general fund.

The Board authorizes the auditors and directs its administrative staff to take all steps necessary to comply with the requirements of GASB 54. All revenue and funds will be designated to one of the above categories.

Further, the Board delegates the responsibility of assigning funds to certain projects to the Superintendent. Assignments may occur subsequent to fiscal year-end.

The following spending order shall be utilized when assigning funds:

- A. Restricted
- B. Committed
- C. Assigned
- D. Unassigned

Audits

Schools shall be audited at least annually by an internal auditor employed by the Board or an independent CPA firm pursuant to State law and Policy 6830 Audits.

Further, internal funds shall be audited at least annually by an independent auditor.

These audits shall be based on generally accepted auditing standards, Federal and State laws and regulations, District policies, and the *Manual of Internal Accounting* adopted by the Board.

Inventory

All warehouse stock shall be inventoried annually to ensure adequate control and inventory.



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Title AUTHORIZATION TO USE FACSIMILE SIGNATURES

Code po6105

Status From Neola

Legal F.S. 116.34 (Uniform Facsimile Signature of Public Officials Act)
F.S. 1001.32(2)
F.S. 1001.41(1)
F.S. 1001.43(10)

6105 - AUTHORIZATION TO USE FACSIMILE SIGNATURES

The School Board authorizes the Board Chair and/or Superintendent to prepare and utilize a facsimile signature, in lieu of their manual signature, in accordance with State law, and to affix such facsimile signature, after filing with the Department of State his/her manual signature certified by him/her under oath, to the following:

- A. any public security or instrument of conveyance provided that at least one (1) signature required or permitted to be placed thereon shall be manually subscribed;
- B. any instrument of payment; and/or
- C. any official order, proclamation or resolution; provided, however, that this shall not apply to the signing of legislative bills or veto messages.

As set forth in State law, a facsimile signature is defined to include the reproduction by engraving, imprinting, stamping, or other means of the manual signature of an authorized officer.

The individuals specified above may affix their facsimile signature to such instruments, orders, proclamations, or resolutions so long as they continue to act as such officers/employees.

Said instruments of payment include checks, drafts, warrants, or orders for the payment, transfer, or delivery of funds, and shall be drawn on or relate to the accounts of the District with various financial institutions (depositories/banks) with which the District conducts business.

Signatures by hand (i.e., manual) are required for any transactions in the case of emergencies (i.e., hurricanes).

The Board directs that the financial institutions (depositories/banks), with which the District does business, are authorized and requested to accept, honor, cash, pay or transfer, without limit as to the amount or without further inquiry, checks bearing the authorized signature(s) as provided by the immediately preceding paragraph whether tendered in payment of an individual obligation or deposited in the account of the District. The Chief Financial Officer is directed to provide written notice of the adoption of any facsimile signature to the depository from which funds are to be withdrawn, which notice shall include a description of the device to be used, a specimen of such facsimile signature, and a copy of this policy.

Prior to use of the facsimile signature, the written approval of such depository must be obtained.

As further precaution, all checks must be entered in to the check register so that all numbers can be accounted for.

In order to protect the Board and its employees from loss, damage, or expense occasioned by the unauthorized use of a facsimile signature, the Board directs the Chief Financial Officer to procure for the District and for the individuals identified above a surety bond in such amount as approved by its legal advisor.

The actual facsimile signature(s) should be maintained under the care, custody, and control of the Budget Department.

The individuals holding the positions specified in this policy may affix their manual or facsimile signature to the instruments, orders, proclamations, resolutions, and other documents identified herein so long as they continue to act as such officers/employees.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS, TO USE ELECTRONIC SIGNATURE, AND MAKE ELECTRONIC FUND TRANSFERS
Code	po6107
Status	From Neola
Legal	<u>F.S. 668.01 et seq.</u> <u>F.S. 668.50</u> <u>F.S. 1010.11</u> <u>F.A.C. 6A-1.0012</u> <u>15 U.S.C. 7001 et seq.</u>

6107 - AUTHORIZATION TO ACCEPT AND DISTRIBUTE ELECTRONIC RECORDS, TO USE ELECTRONIC SIGNATURE, AND MAKE ELECTRONIC FUND TRANSFERS

Electronic Records and Electronic Signatures

Unless a provision of law specifically prohibits the use of an electronic record for the specified purpose, the School Board hereby authorizes the acceptance and distribution of electronic records and electronic signatures to and from District staff and other persons, as well as between District staff members. Additionally, the Board further authorizes District staff to create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures. The Superintendent shall put in place measures to protect the integrity, security, and accessibility of electronic signatures and electronic records to comply with the mandates of State and Federal agencies or programs, including Medicaid.

All District staff shall comply with all provisions of the Uniform Electronic Transaction Act when creating, generating, sending, communicating, receiving, storing, processing, using, and relying upon electronic records. Further, all District staff and other persons who use electronic signatures when completing transactions with the Board shall do so in compliance with State law.

The Superintendent shall consult with the State of Florida's Department of Management Services (Department) regarding the District's authorized acceptance and distribution of electronic records and electronic signatures. The Department may specify the following:

- A. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored and the systems established for those purposes.
- B. If electronic records must be signed by electronic means, the type of electronic signature that is required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met, by any third party used by a person filing a document to facilitate the process.
- C. Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.
- D. Any other required attributes for electronic records which are specified for nonelectronic records or reasonably necessary under the circumstances.

Electronic Fund Transfers

The Board authorizes electronic fund transfers (EFTs) for any purpose including direct deposit, wire transfer, withdrawal, investment, or payment, provided such EFTs are consistent with the provision of F.S. Chapter 668. Upon the recommendation of the Superintendent, the Board shall approve the financial institutions that are authorized to receive monetary transactions through electronic or other medium.

Upon the recommendation of the Superintendent, the Board shall then approve written agreements with financial institutions with whom EFTs will be made.

Such agreements shall set forth internal controls required by State law and State Board Rule that will provide adequate integrity, security, confidentiality, and auditability of business transactions conducted by electronic commerce, including, but not limited to, the following:

- A. the official title of the bank account(s) subject to the agreement and each type of transaction approved, such as deposits, disbursements or transfers, shall be specified;
- B. the manual signatures of the Board Chairman, Superintendent, and the employees authorized to initiate EFTs shall be contained therein;
- C. a requirement that the District maintain documentation signed by the initiator and authorizer of the EFTs to confirm the authenticity of the EFTs;
- D. a requirement that, when funds are properly delivered to the receiving institution, that institution agrees to become responsible for prompt and diligent processing of the funds;
- E. a requirement that written or printed documentation from the financial institution acknowledging such transactions, including but not limited to deposit slips, debit and credit memos, trust receipts, transfer acknowledgments, or canceled warrants, shall be provided so that it may be kept in the official files of the School District, which shall be maintained in a manner which facilitates easy review and validation of transactions.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	GRANT FUNDS
Code	po6110
Status	From Neola
Legal	34 C.F.R. 75.707 34 C.F.R. 75.563 34 C.F.R. 76.565 34 C.F.R. 76.707 2 C.F.R. 200.56 2 C.F.R. 200.71 2 C.F.R. 200.77 2 C.F.R. 200.80 2 C.F.R. 200.112 2 C.F.R. 200.302 2 C.F.R. 200.307 2 C.F.R. 200.309 2 C.F.R. 200.310 2 C.F.R. 200.313 2 C.F.R. 200.318 2 C.F.R. 200.319 2 C.F.R. 200.320 2 C.F.R. 200.343(b)&(e) Compliance Supplement for Single Audits of State and Local Governments F.S. 1001.42 F.S. 1001.51

6110 - **GRANT FUNDS**

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

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

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

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

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

Grant Proposal Development

- A. All grant proposals must support at least one (1) District initiative.
- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

Grant Proposal Internal Review

- A. Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.
- B. The Superintendent may identify a project director prior to proposal submission.
- C. The Superintendent may accept privately funded or foundation grants for individual schools.

Mandatory Disclosures

The District must promptly disclose whenever they have credible evidence of a violation of Federal criminal law potentially affecting the Federal award including, but not limited to, fraud, embezzlement, bribery, gratuity violations, identity theft, or sexual assault and exploitation, or a violation of the civil False Claims Act (2 C.F.R. 175.105) regarding the obligation to report credible information related to conduct prohibited by the Trafficking Victims Protection Act, 22 U.S.C. 7104c.

The disclosure must be made in writing to the Federal agency, pass-through entity, and the agency's Office of Inspector General.

Whistleblower Protections

An employee of the District may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information to the appropriate agency or individual that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract or grant. See Policy 1211 - *Whistleblower Protection*, Policy 3211 - *Whistleblower Protection*, Policy 4211 - *Whistleblower Protection*, and Policy 8900 - *Anti-Fraud*.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, and grantor rules and regulations, including the terms and conditions of the Federal awards, as well as School District policies and procedures.
- B. The Superintendent and/or Chief Financial Officer are authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.
- C. Written amendments requiring signature shall be promptly presented to the Superintendent for approval.

- D. Employee positions established through the use of grant funding shall terminate if and when the related grant funding ceases.
- E. Program reports including but not limited to audits, site visits, and final reports shall be provided to the Grants Department for review.
- F. The Grants Department will confirm closure of all grants to the Superintendent.
- G. The District, in recognition of its unique combination of staff, facilities, and experience, shall employ internal controls, including the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- H. All Federal funds received by the District will be used in accordance with the applicable Federal law and regulations and the terms and conditions of the Federal award. Each draw of Federal monies shall be aligned with the District's payment process (whether reimbursement, cash advance, or a combination). If funds are permitted to be drawn in advance, all draws will be equal in magnitude as closely as administratively feasible, to the magnitude of the related program expenditures. When restricted, such monies will be used to supplement programs and funding and not to supplant or replace existing programming or current funding.

Maintenance of Effort (MOE) and Maintenance of Equity (MOEquity) requirements of the Federal program will be met in accordance with the requirements of the specific funded program. The District shall maintain appropriate documentation and records to substantiate compliance or to justify allowable exceptions, exemptions, or waivers.

Financial Management

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

The District shall provide for the following:

- A. Identification of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the Assistance Listings title and number, Federal award identification number, year the Federal award was issued, and name of the Federal agency or pass-through entity.
- B. Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements of the grant.

Maintaining records that sufficiently identify the amount, source, and expenditure of Federal funds for Federal awards. These records must contain information necessary to identify Federal awards, authorizations, financial obligations, and unobligated balances, as well as assets, expenditures, income, and interest. All records must be supported by source documentation.

- C. Effective control over and accountability for all funds, property, and assets. The District must safeguard all assets and ensure they are used solely for authorized purposes.
- D. Further, the District must:
 - 1. establish and maintain effective internal control over the Federal award that provides reasonable assurance that the District is managing the Federal award in compliance with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal award;
 - 2. comply with the U.S. Constitution Federal statutes, regulations, and the terms and conditions of the Federal award;
 - 3. evaluate and monitor the District's compliance with statutes, regulations, and the terms and conditions of the Federal award; and
 - 4. take prompt action when instances of noncompliance are identified

- E. Take reasonable cybersecurity and other measures to safeguard information including protected personally identifiable information (PII) and other types of information. This also includes information the Federal awarding agency or pass-through entity designates as sensitive or other information the District considers sensitive and is

consistent with applicable Federal, State, local, and tribal laws regarding privacy and obligations of confidentiality.

- F. Actual expenditures or outlays must be compared with budgeted amounts for each Federal award.
- G. Recordkeeping and written procedures to the extent required as may be required by Federal, State, local and grantor rules, and regulations pertaining to the grant award and accountability, including, but not limited to, the following areas:
 - 1. cash management in accordance with 2 C.F.R. 200.305
 - 2. allowability of costs in accordance with subpart E and the terms and conditions of the Federal award
 - 3. conflict of interest
 - 4. procurement
 - 5. equipment management
 - 6. conducting technical evaluations of proposals and selecting recipients
 - 7. compensation and fringe benefits
 - 8. travel
- H. Disclosure of any potential conflict of interest and all mandatory violation disclosures potentially affecting the Federal award/grant to the Federal awarding agency or pass-through agency in accordance with applicable Federal policy.
- I. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.

Audit Requirements for Federal Awards

A single or program-specific audit (2 C.F.R. 200.514, 2 C.F.R. 200.507) is required for any year if the District expends \$1,000,000 or more in Federal awards during the District's fiscal year. When Federal awards expended are less than \$1,000,000, the District may be exempt from Federal audit requirements (2 C.F.R. 200.501) for that year. However, in all instances, the District's records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and the Government Accountability Office (GAO).

The District shall:

- A. arrange for the audit required in accordance with 2 C.F.R. 200.509 and make sure that the audit is properly performed and submitted in accordance with 2 C.F.R. 200.512;
- B. prepare financial statements including the schedule of expenditures of Federal awards in accordance with 2 C.F.R. 200.510;
- C. promptly follow up and take corrective action on audit findings, including preparing a summary schedule of prior audit findings and a corrective action plan (2 C.F.R. 200.511); and
- D. provide the auditor access to personnel, accounts, books, records, supporting documentation, and any other information needed for the auditor to perform the audit.

Certifications and Records Retention

Financial reports must include a certification, signed by an official who is authorized to legally bind the District. The certification should state:

"I certify to the best of my knowledge and belief that the information provided herein is true, complete, and accurate. I am aware that the provision of false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil, or administrative consequences including, but not limited to, violations of U.S. Code Title 18, Sections 2, 1001, 1343 and Title 31, Sections 3729-3730 and 3801-3812."

Each certification must be maintained pursuant to the requirements of 2 C.F.R. 200.334. The District shall retain all Federal award records for three (3) years from the date of submission of the final financial report.

Program Income

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

It includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under Federal awards, the sale of commodities or items fabricated under a Federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with Federal award funds. Interest earned on advances of Federal funds is not program income. Except as otherwise provided in Federal statutes, regulations or the terms and conditions of the Federal award, program income does not include rebates, credits, discounts and interest earned on any of them. Additionally, taxes, special assessments, levies, fines, and similar revenues raised by a recipient are not program income. Proceeds from the sale of real property, equipment, or supplies are not program income. Finally, license fees and royalties for copyrighted material, patents, patent applications, trademarks, and inventions made under the Federal award subject to 37 C.F.R. Part 401 are not program income.

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



Book Policy Project Revised

Section 6000 Finances Cleaned

Title INTERNAL CONTROLS

Code po6111

Status From Neola

Legal 2 C.F.R. 200.1
2 C.F.R. 200.303

6111 - INTERNAL CONTROLS

The Superintendent shall establish, document, and maintain effective internal controls over Federal awards that provide reasonable assurance that the District is managing all awards in compliance with the U.S. Constitution, statutes, regulations, and the terms and conditions of the awards. The District will have a process that provides reasonable assurance regarding the achievement of the following objectives:

- A. effectiveness and efficiency of operations
- B. reliability of reporting for internal and external use
- C. compliance with applicable laws and regulations

These internal controls should comply with the guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States or the "Internal Control-Integrated Framework" issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

The internal controls must provide reasonable assurance that transactions are properly recorded and accounted for in order to permit the preparation of reliable financial statements and Federal reports; maintain accountability over assets; and demonstrate compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. The internal controls must also provide reasonable assurance that these transactions are executed in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award that could have a direct and material effect on a Federal award, as well as any other Federal statutes and regulations that are identified in the compliance supplement. Finally, the District's internal controls must provide reasonable assurance that all Federal funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

The District shall:

- A. comply with the U.S. Constitution, Federal statutes, regulations, and the terms and conditions of the Federal award;
- B. evaluate and monitor its compliance with statutes, regulations, and the terms and conditions of the award;
- C. take prompt action when instances of noncompliance are identified; and
- D. take reasonable cybersecurity and other measures to safeguard protected information including protected "personally identifiable information" (PII) and other types of information. This also includes information the Federal agency or pass-through entity designates as sensitive or other information the District considers sensitive and is consistent with applicable Federal, State, local, and tribal laws regarding privacy and responsibility over confidentiality.

PII is defined at 2 C.F.R. 200.1 as "information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual".

However, the definition of PII is not attached to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified.

Suggested Resources

- A. "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States.
- B. "Internal Control Integrated Framework" (commonly referred to as the Green Book) issued by the Committee of Sponsoring Organizations of the Treadway Commission.
- C. "Compliance Supplement" issued by the U.S. Office of Management and Budget.
- D. Internal control guidance issued by the U.S. Department of Education.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	CASH MANAGEMENT OF GRANTS
Code	po6112
Status	From Neola
Legal	<u>2 C.F.R. 200.305</u>

6112 - CASH MANAGEMENT OF GRANTS

In order to provide reasonable assurance that all assets, including Federal, State, and local funds, are safeguarded against waste, loss, unauthorized use, or misappropriation, the Superintendent shall implement internal controls in the area of cash management.

The District's payment methods shall minimize the time elapsing between the transfer of funds from the Federal agency or the Florida Department of Education (FLDOE) (pass-through entity) and disbursement by the District, regardless of whether the payment is made by electronic fund transfer, or issuance or redemption of checks, warrants, or payment by other means.

The District shall use forms and procedures required by the grantor agency or pass-through entity to request payment. The District shall request grant funds payments in accordance with the provisions of the grant. Additionally, the District's financial management systems shall meet the standards for fund control and accountability as established by the awarding agency.

The Superintendent is authorized to submit payment requests as often as necessary when electronic fund transfers are used or at least monthly when electronic transfers are not used. See Electronic Fund Transfer Act (15 U.S.C. 1693-1693r).

When the District uses a cash advance payment method, the following standards shall apply:

- A. The timing and amount of the advance payment requested must be as close as is administratively feasible to the actual disbursements by the District for direct program or project costs and the proportionate share of any allowable indirect costs.
- B. The District shall make timely payments to contractors in accordance with contract provisions.
- C. Whenever possible, advance payment requests by the District must be consolidated to cover anticipated cash needs for all Federal awards received by the recipient from the awarding Federal agency or FLDOE.
- D. If available, the District shall disburse funds available from program income (including repayments to a revolving fund), rebates, refunds, contract settlements, audit recoveries, and interest earned on Federal funds before requesting additional cash payments.
- E. The District shall account for the receipt, obligation, and expenditure of funds.
- F. Advance payments will be deposited and maintained in insured accounts whenever possible.
- G. Advance payments will be maintained in interest bearing accounts unless the following apply:

1. The District receives less than \$250,000 in Federal funding per year.
 2. The best available interest-bearing account would not reasonably be expected to earn interest in excess of \$500 per year on Federal cash balances.
 3. The depository would require an average or minimum balance so high that it would not be feasible within the expected Federal and non-Federal cash resources.
 4. A foreign government or banking system prohibits or precludes interest bearing accounts.
 5. An interest-bearing account is not readily accessible (for example, due to public or political unrest in a foreign country).
- H. Pursuant to Federal law and regulations, the District may retain interest earned in an amount up to \$500 per year for administrative costs. Any additional interest earned on Federal funds must be returned annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either the Automated Clearing House (ACH) network or a Fedwire Funds Service payment.
- I. All interest in excess of \$500 per year must be returned to PMS regardless of whether the District was paid through PMS. Instructions for returning interest can be found at <https://pms.psc.gov/grant-recipients/returning-funds-interest.html>.
- J. All other Federal funds must be returned to the payment system of the Federal agency. Returns should follow the instructions provided by the Federal agency. All returns to PMS should follow the instructions provided at <https://pms.psc.gov/grant-recipients/returning-funds-interest.html>.



Book Policy Project Revised

Section 6000 Finances Cleaned

Title COST PRINCIPLES - SPENDING FEDERAL FUNDS

Code po6114

Status From Neola

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

6114 - COST PRINCIPLES - SPENDING FEDERAL FUNDS

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

Cost Principles

A cost is reasonable if it does not exceed an amount that a prudent person would incur under the circumstances prevailing when the decision was made to incur the cost. Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

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

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

1. whether a cost is generally recognized as ordinary and necessary for the operation of the District or the proper and efficient performance of the Federal award;
2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal, and other laws and regulations;

3. market prices for comparable goods and services for the geographic area; Please remove and leave goods or services
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the District, its employees, its students or membership (if applicable), the public at large, and the Federal Government; and
5. the degree to which the cost represents a deviation from the School Board's established written policies and procedures for incurring costs.

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

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

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

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

This standard is met if the cost:

1. is incurred specifically for the Federal award;
2. benefits both the Federal award and other work of the District and can be distributed in proportions that may be approximated using reasonable methods; or
3. is necessary to the overall operation of the District and is assignable in part to the Federal award in accordance with the cost principles.

- B. Conform to any limitations or exclusions set forth in the cost principles in 2 C.F.R. Part 200 or in the terms and conditions of the Federal award, including prohibitions regarding costs incurred for telecommunications and video surveillance services or equipment.
- C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the District.
- D. Be accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost under another award.
- E. Be determined in accordance with generally accepted accounting principles.
- F. Be representative of actual cost, net of all applicable credits or offsets.

The term "applicable credits" refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; insurance refunds or rebates, and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the District relating to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

G. Be not included as a match or cost-share requirements of any other Federally-financed program in either the current or a prior period, unless the specific Federal program authorizes Federal costs to be treated as such.

H. Be adequately documented:

1. in the case of personal services, the Superintendent shall implement a system for District personnel to account for time and efforts expended on grant-funded programs to assure that only permissible personnel expenses are allocated;
2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

I. Administrative closeout costs may be incurred until the due date of the final report(s). If incurred, these costs must be liquidated prior to the due date of the final report(s) and charged to the final budget period of the award unless otherwise specified by the Federal agency.

All other costs must be incurred during the approved budget period. At its discretion, the Federal agency is authorized to waive prior written approvals to carry forward unobligated balances to subsequent budget periods.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to incur financial obligations of the funds awarded, including any funds carried forward or other revisions pursuant to 2 C.F.R. 200.308. Prior written approval from the Federal agency or state pass-through entity may be required to carry forward unobligated balances to subsequent budget periods, unless waived.

Selected Items of Cost

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

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

- A. Capital expenditures for general purpose equipment, buildings, and land are allowable as direct charges, but only with the prior written approval of the Federal agency or pass-through entity.
- B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$10,000 or more have the prior written approval of the Federal agency or pass-through entity.
- C. Capital expenditures for improvements to land, buildings, or equipment that materially increase their value or useful life are allowable as a direct cost but only with the prior written approval of the Federal agency or pass-through entity.
- D. All Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.
- E. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 C.F.R. 200.436 and 2 C.F.R. 200.465.
- F. When approved as a direct cost by the Federal awarding agency or pass-through entity, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal agency.
- G. The District may claim the unamortized portion of any equipment written off as a result of a change in capitalization levels by continuing to claim the otherwise allowable depreciation on the equipment, or by amortizing the amount to be written off over a period of years negotiated with the cognizant agency for indirect cost.
- H. If the District is instructed by the Federal agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.
- I. Equipment and other capital expenditures are unallowable as indirect costs.

Statutory requirements may limit the allowability of costs. Any costs that exceed the maximum amount allowed by statute may not be charged to the Federal award. Only the amount allowable by statute may be charged to the Federal award.

Payments made for costs determined to be unallowable by the Federal agency, cognizant agency for indirect costs, or pass-through entity must be refunded (with interest) to the Federal Government.

Prior Written Approval

To avoid subsequent disallowance or dispute based on unreasonableness or nonallocability, the District may seek the prior written approval of the Federal agency (or, for indirect costs, the cognizant agency for indirect costs) before incurring the cost. The absence of prior written approval on any element of cost will not, in itself, affect the reasonableness or allocability of that cost unless prior approval is specifically required for allowability.

Cost Compliance

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

Determining Whether a Cost is Direct or Indirect:

The association of costs with a Federal award (rather than the nature of the procurement transaction) determines whether costs are direct or indirect. Costs incurred for the same purpose in like circumstances must be treated consistently as direct or indirect.

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

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long distance telephone calls specific to the program, etc.). Direct costs may also include capital expenditures if approved by the Federal agency or pass-through entity, as well as capital expenditures for special purpose equipment with a unit cost of less than \$10,000.

If a cost benefits two (2) or more projects or activities in proportions that can be determined without undue effort or cost, the cost must be allocated to the projects based on the proportional benefit.

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

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

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

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

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal agency.

4. The costs are not also recovered as indirect costs.

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

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

Timely Obligation of Funds

Financial obligations are orders placed for property and services, contracts and subawards made, and similar transactions that require payment under a Federal award that will result in expenditures by a recipient or subrecipient under a Federal award.

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

If the obligation is for:

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

Period of Performance

All financial obligations must occur during the period of performance. Period of performance means the time interval between the start and end date of a Federal award, which may include one (1) or more budget periods. Identification of the period of performance shall be specific to the Federal award and consistent with 2 C.F.R. 200.211 and does not commit the Federal agency to fund the award beyond the currently approved budget period. The period of performance is dictated by statute and will be indicated in the grant award notification ("GAN"). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN. Note, however, that certain Federal awards have specific requirements that restrict the use of funds beyond the initial period of performance.

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

If a Federal agency or pass-through entity approves an extension, or if the District extends under C.F.R. 200.308(e)(2), the Period of Performance will be amended to end at the completion of the extension. If a termination occurs, the Period of Performance will be amended to end upon the effective date of termination. If a renewal is issued, a distinct Period of Performance will begin.

For both State-administered and direct grants, regardless of the period of availability, the District shall liquidate all financial obligations incurred under the award not later than ninety (90) calendar days after the conclusion of the period of performance of the award (or an earlier date as agreed upon by FLDOE and the District). Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the agency. Consequently, the District shall closely monitor grant spending throughout the grant cycle.

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Book Policy Project Revised

Section 6000 Finances Cleaned

Title TIME AND EFFORT REPORTING

Code po6116

Status From Neola

Legal 2 C.F.R. 200.430
2 C.F.R. 200.431

6116 - TIME AND EFFORT REPORTING

As a recipient of Federal funds, the District shall comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Section 200.430 of the Code of Federal Regulations requires certification of effort to document salary expenses charged directly or indirectly against Federally-sponsored projects. This process is intended to verify that compensation for employment services, including salaries and wages, is allocable and properly expended, and that any variances from the budget are reconciled.

Compensation for employment services includes all remuneration, paid currently or accrued, for services of employees rendered during the period of performance under the Federal award, including but not necessarily limited to wages and salaries. Compensation for personal services may also include fringe benefits, which are addressed in 2 C.F.R. 200.431 Compensation—fringe benefits. Costs of compensation are allowable to the extent that they satisfy the specific requirements of these regulations, and that the total compensation for individual employees:

- A. is reasonable for the services rendered, conforms to the District's established written policy, and is consistently applied to both Federal and non-Federal activities; and
- B. follows an appointment made in accordance with the District's written policies and meets the requirements of Federal statute, where applicable.

Time and Effort Reports

The reports:

- A. are supported by a system of internal controls which provide reasonable assurance that the charges are accurate, allowable, and properly allocated;
- B. are incorporated into the official records of the District;
- C. reasonably reflect the total activity for which the employee is compensated by the District, not exceeding 100% of the compensated activities;
- D. encompass both Federally assisted and other activities compensated by the District on an integrated basis;
- E. comply with the District's established accounting policies and practices;
- F. support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one (1) Federal award, a Federal award and non-Federal award, an indirect cost activity and a direct cost activity, two or more indirect activities which are allocated using different allocation bases,

or an unallowable activity and a direct or indirect cost activity.

The District will also follow any time and effort requirements imposed by the pass-through entity to the extent that they are more restrictive than the Federal requirements. The project administrator/grant manager is responsible for the distribution, collection, and retention of all employee effort reports. Individually reported data will be made available only to authorized auditors.

Reconciliations

Budget estimates are not used as support for charges to Federal awards. However, the District may use budget estimates for interim accounting purposes. The system used by the District to establish budget estimates produces reasonable approximations of the activity actually performed. Any significant changes in the corresponding work activity are identified by the District and entered into the District's records in a timely manner.

The District's internal controls include a process to review after-the-fact interim charges made to a Federal award based on budget estimates and ensure that all necessary adjustments are made so that the final amount charged to the Federal award is accurate, allowable, and properly allocated.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	PUBLIC DEPOSITORY
Code	po6140
Status	From Neola
Legal	<u>F.S. 136.01</u> <u>F.S. 1011.18</u> <u>F.A.C. 6A-1.0012</u>

6140 - **PUBLIC DEPOSITORY**

All public funds shall be deposited in a qualified public depository, unless exempt under the laws of the State.

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Book Policy Project Revised

Section 6000 Finances Cleaned

Title INVESTMENTS

Code po6144

Status From Neola

Legal F.S. 163.01
F.S. 215.472
F.S. 218.415
F.S. Chapter 280
F.S. 1001.41
F.S. 1001.42
F.S. 1001.43
F.S. 1011.18
F.A.C. 6A-1.0012

6144 - INVESTMENTS

PURPOSE

The purpose of this policy is to set forth the investment objectives and parameters for the management of public funds of the School Board. These policies are designed to enable the prudent management of public funds, the availability of operating and capital funds when needed, and an investment return competitive with comparable funds and financial market indices.

SCOPE

In accordance with F.S. 218.415, this investment policy applies to all cash and investments held or controlled by the Board with the exception of pension funds, trust funds, and funds related to the issuance of debt where there are other existing policies or indentures in effect for such funds. Funds held by State agencies (e.g., Department of Education) are not subject to the provisions of this policy.

DEFINITIONS

For purposes of this policy, the following definitions shall apply:

- A. "Available monies" means all monies available for investment exclusive of debt proceeds.
- B. "CFO" means the Chief Financial Officer (the "CFO") of the School District, or other District authorized representative of a different title acting in an equivalent professional capacity.
- C. "Core funds" means reserves, cash designated for projects and other operating purposes which are not debt proceeds and are not expected to be expended within the immediately succeeding twelve (12) months.

- D. "Debt proceeds" means monies that are the proceeds of an issuance of a debt or lease financing.
- E. "Fund" means a pooled investment operated by a professional investment company.
- F. "Money fund index" means weighted average return on nation's largest money funds as reported by iMoneyNet, Crane Data, Standard & Poor's, or other nationally recognized money fund ranking service.
- G. "Monies" means cash and deposits available to the Board.
- H. "Pecuniary factor" means a factor that the Board prudently determines is expected to have a material effect on the risk or returns of an investment based on appropriate investment horizons consistent with applicable investment objectives and funding policy. The term does not include the consideration of the furtherance of any social, political, or ideological interests.
- I. "Portfolio" means investments held by the Board.
- J. "Qualified public depository" means a bank, credit union, savings bank, or savings association meeting the criteria outlined in F.S. Chapter 280.
- K. "Rating agency" means S&P, Moody's or Fitch.
- L. "Self-insurance funds" means monies set aside to pay for specific needs in the future based on actuarial assumptions.
- M. "Short-term funds" means operating funds or other monies designated to be spent within twelve (12) months.
- N. "Superintendent" means the District Superintendent.
- O. "Superintendent's designee" means the CFO.

INVESTMENT OBJECTIVES

The investment objectives of the Board, in order of priority, are as follows:

A. Safety of Principal

The foremost objective of this investment program is the safety of the principal of those funds within the portfolios. Investment transactions shall seek to keep capital losses at a minimum, whether they are from securities defaults or erosion of market value. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

B. Maintenance of Liquidity

The portfolios shall be managed in such a manner that funds are available to meet reasonably anticipated cash flow requirements in an orderly manner. Periodical cash flow analyses will be completed in order to ensure that the portfolios are positioned to provide sufficient liquidity.

C. Diversification of Risk

The investment of Board funds shall be diversified whenever possible without negatively affecting the safety of principal and liquidity characteristics. Investment transactions shall seek to keep capital losses at a minimum, whether they are from securities defaults or erosion of market value. To attain this objective, diversification is a requirement so potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

RETURN OF INVESTMENT

Investment portfolios shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low-risk securities in anticipation of earning a fair return relative to the risk being assumed. When deciding whether and when to invest, the Board, the Superintendent, and the Superintendent's designee must make decisions based solely on

pecuniary factors and may not subordinate such factors to other objectives, including sacrificing investment return or undertaking additional investment risk to promote any nonpecuniary factor. The weight given to any pecuniary factor must appropriately reflect a prudent assessment of its impact on risk or returns in accordance with F.S. 218.415(24).

DELEGATION OF AUTHORITY

The Superintendent is authorized to make transfers from a financial institution to a financial institution or within a financial institution for the purpose of investing or divesting District funds. For the purposes of this policy, the term "financial institution" has the same definition of F.S. 280.02(13).

The Superintendent is authorized and empowered for and on behalf of the Board, to conduct investment transactions in accounts at financial institutions as provided under Authorized Investment Institutions and Dealers, and conduct other banking/financial transactions in financial institutions designated as Qualified Public Depositories (QPD) in accordance with F.S. 280.02(26).

Accounts at said institutions shall be established by signatures of both the superintendent and the CFO with subsequent notification to the Board. These transactions may be facilitated by electronic fund transfers pursuant to Policy 6107 - Authorization to Accept and Distribute Electronic Records, to Use Electronic Signature, and to Make Electronic Fund Transfers.

Appropriate fidelity bonding will be maintained by the District to cover the Superintendent and other designated staff members who are in any way involved in the movement of District funds from one (1) financial institution account to another.

The Superintendent may employ an investment manager/advisor to assist in the management of the District's investments.

STANDARDS OF PRUDENCE

The standard of prudence to be used by investment officials shall be the "Prudent Person" standard and shall be applied in the context of managing the overall investment program. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectation are reported to the Chief Financial Officer and Director of Finance in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy. The "Prudent Person" rule states the following:

"Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived from the investment."

While the standard of prudence to be used by investment officials who are officers or employees is the "Prudent Person" standard, any person or firm hired or retained to invest, monitor, or advise concerning these assets shall be held to the higher standard of "Prudent Expert". The standard shall be that in investing and reinvesting moneys and in acquiring, retaining, managing, and disposing of investments of these funds, the contractor shall exercise: the judgment, care, skill, prudence, and diligence under the circumstances then prevailing, which persons of prudence, discretion, and intelligence, acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the funds, so as to minimize the risk, considering the probable income as well as the probable safety of their capital.

ETHICS AND CONFLICTS OF INTEREST

Employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Also, employees involved in the investment process shall disclose to the Board any material financial interests in financial institutions that conduct business with the Board, and they shall further disclose any material personal financial/investment positions that could be related to the performance of the Board's investment program.

INTERNAL CONTROLS AND INVESTMENT PROCEDURES

The Chief Financial Officer and Director of Finance shall establish a system of internal controls and operational procedures that are in writing and made a part of the Board's operational procedures. The internal controls should be designed to prevent losses of funds, which might arise from fraud, employee error, and misrepresentation, by third parties, or imprudent actions by employees. The written procedures should include reference to safekeeping, repurchase agreements,

separation of transaction authority from accounting and recordkeeping, wire transfer agreements, banking service contracts, and collateral/depository agreements. No person may engage in an investment transaction except as authorized under the terms of this policy.

Independent auditors as a normal part of the annual financial audit to the Board shall conduct a review of the system of internal controls to ensure compliance with policies and procedures.

CONTINUING EDUCATION

The Chief Financial Officer and the Finance Director and other appropriate staff shall annually complete eight (8) hours of continuing education in subjects or courses of study related to cash management and/or investment practices and products.

AUTHORIZED INVESTMENT INSTITUTIONS AND DEALERS

Authorized Board staff and investment advisors shall only purchase securities from financial institutions, which are qualified as public depositories by the Treasurer of the State of Florida, institutions designated as "Primary Securities Dealers" by the Federal Reserve Bank of New York, or such other financial institutions recommended by the CFO and approved by the Superintendent with appropriate subsequent notification to the Board.

Investments authorized under the Authorized Investments and Portfolio Composition section below are an exception to this requirement.

Authorized Board staff and investment advisors shall only enter into repurchase agreements with financial institutions that are State qualified public depositories and primary securities dealers as designated by the Federal Reserve Bank of New York.

MATURITY AND LIQUIDITY REQUIREMENTS

To the extent possible, an attempt will be made to match investment maturities with known cash needs and anticipated cash flow requirements. The maximum maturity listed for individual securities under Authorized Investment in Portfolio Composition below notwithstanding, the maximum maturity of investments shall be limited as follows:

- A. Investments of current operating short-term funds shall have maturities of no longer than twenty-four (24) months.
- B. Investments of bond reserves, construction funds, and other non-operating funds ("core funds") shall have a term appropriate to the need for funds and in accordance with debt covenants, but in no event shall exceed five (5) years without prior authorization of the Board.
- C. In the case of monies that are construction proceeds of tax-exempt debt issues, such investments shall not exceed the shorter of three (3) years or the projected project completion date for which they are invested and may be invested in accordance with the governing legal documents for the particular bond issue for which such funds are held. Bond proceeds held as debt service reserve funds may be invested in accordance with the governing legal documents for the particular bond issue for which such funds are held.

The maturities of the underlying securities of a repurchase agreement will follow the requirements of the master repurchase agreement.

LIMITATION ON CONCENTRATION

Notwithstanding anything herein to the contrary, at no time shall the Board's investment in any individual fund or pool permitted under Authorized Investment and Portfolio Composition exceed ten percent (10%) of the total net asset value of such fund or pool. Such limitations do not apply to demand deposits with financial institutions designated as qualified public depositories as described in F.S. Chapter 280 Security for Public Deposits.

COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS

When appropriate, feasible, and practicable, the purchase and sale of investment securities shall be competitively bid. Documentation will be retained for all bids, with the winning bid clearly identified. The competitive bid requirement does not apply to investments authorized under Authorized Investments and Portfolio Composition below, or to the purchase of specific investment securities held by a limited number of dealers, or in situations where a competitive bid will not result in a lower price to the District.

After the Chief Financial Officer or the Director of Finance has determined the approximate maturity date based on cash flow needs and market conditions and has analyzed and selected one or more optimal types of investments, a minimum of three (3) qualified banks and/or approved broker/dealers must be contacted and asked to provide bids/offers on securities in questions. Bids will be held in confidence until the bid deemed to best meet the investment objectives is determined and selected.

However, if obtaining bids/offers are not feasible and appropriate, securities may be purchased utilizing the comparison to current market price method on an exception basis. Acceptable current market price providers include, but are not limited to:

- A. Telerate Information System
- B. Bloomberg Information Systems
- C. LSEG-Refinitiv
- D. Wall Street Journal or a comparable nationally recognized financial publication providing daily market pricing
- E. Daily market pricing provided by the Board's custodian or their correspondent institutions

The Chief Financial Officer or the Finance Director shall utilize the competitive bid process to select the securities to be purchased or sold. Selection by comparison to a current market price, as indicated above, shall only be utilized when, in judgment of the CFO or the investment advisor, competitive bidding would inhibit the selection process.

Examples of when this method may be used include:

- A. When time constraints due to unusual circumstances preclude the use of the competitive bidding process
- B. When no active market exists for the issue being traded due to the age or depth of the issue
- C. When a security is unique to a single dealer, for example, a private placement
- D. When the transaction involves new issues or issues in the "when issued" market

Overnight sweep repurchase agreements will not be bid but may be placed with the Board's depository bank relating to the demand account for which the repurchase agreement was purchased.

AUTHORIZED INVESTMENTS AND PORTFOLIO COMPOSITION

Investments should be made subject to the cash flow needs, such cash flows are subject to revisions as market conditions, and the Board's needs change. However, when the invested funds are needed in whole or in part for the purpose originally intended or for more optimal investments, the Chief Financial Officer or the Director of Finance may sell the investment at the then-prevailing market price and place the proceeds into the proper account at the Board's custodian.

The following are the investment requirements and allocation limits on security types, issuers, and maturities as established by the Board. The Chief Financial Officer or the Director of Finance shall have the option to further restrict investment percentages from time to time based on market conditions, risk, and diversification investment strategies. The percentage allocations requirements for investment types and issuers are calculated based on the original cost of each investment and the amount of available monies at the time investments are entered into. Investments not listed in this policy are prohibited without prior approval of the Board. In no event shall the Board approve the use of any investment vehicle not authorized under F.S. 281.415 or prohibited under F.S. 215.472.

The following limitations shall not restrict the Board's ability to place short-term funds on deposit in demand deposit accounts with banks organized under the laws of this State and/or in National banks organized under the laws of the United States and doing business and situated in the State of Florida, provided that any such demand deposits are secured by the Florida Security for Public Deposits Act, F.S. Chapter 280.

A. The Florida Local Government Surplus Funds Trust Fund ("Florida Prime") and Other Intergovernmental Investment Pools

1. Investment Authorization

The Chief Financial Officer and Director of Finance may invest in the Florida Prime and other

intergovernmental investment pools authorized pursuant to the Florida Interlocal Cooperation Act, as provided in F.S. 163.01.

2. Portfolio Composition

A maximum portfolio concentration of fifty percent (50%) of available monies may be invested in intergovernmental investment pools, with no more than thirty percent (30%) being invested in any one (1) pool.

3. Rating Requirements

Eligible pools shall be rated "AAAm" or "AAAm-G" or better by the Standard & Poor's, or the equivalent by another rating agency.

B. United States Treasury Securities

1. Purchase Authorization

The Chief Financial Officer and Director of Finance may invest in negotiable direct obligations, or obligations the principal and interest of which are unconditionally guaranteed by the United States Government. Such securities will include, but not be limited to the following:

- Cash Management Bills
- Treasury Securities
- Treasury Bills
- Treasury Notes
- Treasury Bonds
- Treasury Strips

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum portfolio concentration of 100% of available monies.

3. Maturity Limitations

The maximum length to maturity of any direct investment in the United States Government Securities is five (5) years from the date of purchase.

C. United States Government Agency Securities

1. Purchase Authorization

The Chief Financial Officer and Director of Finance may invest in bonds, debentures, notes, or callables issued or guaranteed by the United States Governments agencies, provided such obligations are backed by the full faith and credit of the United States Government. Such securities will include, but not be limited to the following:

- United States Export - Import Bank
 - Direct obligations or fully guaranteed certificates of beneficial ownership
- Farmer Home Administration ("FmHA")
 - Certificates of beneficial ownership
- Federal Financing Bank
 - Discount notes and bonds
- Federal Housing Administration Debentures
- General Services Administration
- United States Maritime Administration Guaranteed
 - Title XI Financing
- New Communities Debentures
 - United States Government guaranteed debentures
- United States Public Housing Notes and Bonds
 - United States Government guaranteed public housing notes and bonds
- United States Department of Housing and Urban Development

- Project notes and local authority bonds

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum portfolio concentration of fifty percent (50%) of available monies. The maximum concentration for any one (1) agency is twenty-five percent (25%), with a maximum portfolio concentration of ten percent (10%) in any one (1) issue.

3. Maturity Limitations

The maximum length to maturity for an investment in any United States Government agency security is five (5) years from the date of settlement.

D. Federal Instrumentalities (United States Government sponsored agencies).

1. Purchase Authorization

The Chief Financial Officer and Director of Finance may invest in bonds, debentures, notes or callables issued or guaranteed by United States Government-sponsored agencies (Federal instrumentalities) which are non-full faith and credit agencies limited to the following:

Federal Farm Credit Bank (FFCB)
Federal Home Loan Bank or its district banks (FHLB)
Federal National Mortgage Association (FNMA)
Federal Home Loan Mortgage Corporation (Freddie-Macs) including Federal - Home Loan Mortgage Corporation participation certificates

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum combined portfolio concentration of thirty percent (30%) of available monies in all such investments with a maximum of twenty percent (20%) in any one (1) agency and a maximum of ten percent (10%) in any one (1) issue.

3. Maturity Limitations

The maximum length to maturity for an investment in any Federal instrumentality security is five (5) years from the date of purchase.

E. Corporate Note

1. Purchase Authorization

The CFO may invest in notes or bonds issued by corporations rated at least "Aa" by Moody's and "AA" by Standard & Poor's, provided that such corporations are not on negative credit watch or negative outlook by the rating agencies at the time of purchase.

2. Portfolio Composition

A maximum of twenty percent (20%) may be invested in corporate securities. No more than five percent (5%) of available funds may be invested with any one (1) issuer of such notes.

3. Maturity Limitations

The maximum weighted average life on any certificate shall be no greater than three (3) years plus two (2) weeks from date of purchase.

F. Interest Bearing Time Deposit or Saving Accounts

1. Purchase Authorization

The Chief Financial Officer and Director of Finance may invest in non-negotiable interest-bearing time

certificates of deposit or savings accounts in financial institutions organized under the laws of this State and/or in national banks organized under the laws of the United States and doing business and situated in the State of Florida, provided that any such deposits are secured by the Florida Security for Public Deposits Act, F.S. Chapter 280. Additionally, the financial institution shall not be listed with any recognized credit watch information service.

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum portfolio concentration of forty percent (40%) of available monies.

3. Limitation on Individual Issuers

A maximum of twenty-five percent (25%) of available funds may be deposited with any one (1) depository.

4. Purchase Authorization

The maximum maturity on any certificate shall be no greater than eighteen (18) months from the date of purchase without prior approval of the Board.

G. Qualified Public Deposits

1. Purchase Authorization

The CFO may place monies in demand deposit accounts with financial institutions organized under the laws of this State and/or in National financial institutions organized under the laws of the United States and doing business and situated in the State of Florida, provided that any such deposits are secured by the Florida Security for Public Deposits Act, F.S. Chapter 280.

2. Limitation on Concentration

This policy does not limit the amount the CFO may deposit in such financial institutions, provided that the institution shall not be listed with any recognized credit watch information service and shall have a collateral requirement not higher than fifty percent (50%) as determined by the Florida Treasury's Bureau of Collateral Management.

H. FDIC Insured Deposits

1. Purchase Authorization

The CFO may invest in depository products that are fully guaranteed by FDIC insurance and meet the requirements set forth in F.S. 218.415(23).

2. Limitation on Concentration

A maximum of fifty percent (50%) may be placed in FDIC insured deposits as described in F.S. 218.415(23).

I. Repurchase Agreements

1. Purchase Authorization

- a. The Chief Financial Officer and Director of Finance may invest in repurchase agreements composed of only those investments based on the requirements set forth by the District's master repurchase agreement. All firms are required to sign the master repurchase agreement prior to the execution of a repurchase agreement transaction.
- b. A third party custodian with whom the District has a current custodial agreement shall hold the collateral for all repurchase agreements with a term longer than one (1) business day. A clearly marked receipt that shows evidence of ownership must be supplied to the CFO and retained.
- c. Securities authorized for collateral are negotiable direct obligations of the United States Government, Government Agencies, and Federal instrumentalities with maturities under five (5) years and must have a market value for the principal and accrued interest of 102% of the value and for the term of the repurchase agreement. Immaterial short-term deviations from 102% requirement are permissible

only upon the approval of the CFO.

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum portfolio concentration of fifty percent (50%) without prior approval of the Board.

3. Limits on Individual Issuers

No more than twenty-five percent (25%) of available funds may be invested with any one issuer.

4. Limits on Maturities

The maximum length to maturity of any repurchase agreement is ninety (90) days from the date of purchase.

5. Exception for Debt Proceeds

For repurchase agreements used for debt issue proceeds that do not contain authorized investment language in the governing legal documents for such issue different from those contained in this policy, the above requirements may be modified for the investment of such proceeds upon prior approval of the Board.

J. Commercial Paper

1. Purchase Authorization

The Chief Financial Officer and Director of Finance may invest in commercial paper of any United States company that is rated, at the time of purchase, "Prime-1" by Moody's and "A-1" by Standard & Poor's (prime commercial paper). If the commercial paper is backed by a letter of credit ("LOC"), the long-term debt of the LOC provider must be rated "A" or better by at least two (2) nationally recognized rating agencies.

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum portfolio concentration of twenty-five percent (25%) without prior approval of the Board.

3. Limits on Individual Issuers

A maximum of ten percent (10%) of available funds may be invested with any one issuer.

4. Maturity Limitations

The maximum length to maturity for prime commercial paper shall be 270 days from the date of purchase.

K. Bankers' Acceptances

1. Purchase Authorization

The Chief Financial Officer and Director of Finance may invest in bankers' acceptances issued by a domestic bank or a federally chartered domestic office of a foreign bank, which are eligible for purchase by the Federal Reserve System, at the time of purchase, the short-term paper is rated, at a minimum, "P-1" by Moody's Investors Services and "A-1" Standard & Poor's.

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum portfolio concentration of ten percent (10%) without prior approval of the Board.

3. Maturity Limitations

The maximum length to maturity for bankers' acceptances shall be 180 days from the date of purchase.

L. State and/or Local Government Taxable and/or Tax-Exempt Debt

1. Purchase Authorization

The Chief Financial Officer and Director of Finance may invest in State and/or local government taxable and/or tax-exempt debt, general obligation and/or revenue bonds, rated at least "A2" by Moody's and "A" by Standard & Poor's for long-term debt, or rated at least "MIG-1" by Moody's and "SP-1" by Standard & Poor's for short-term debt or the equivalent by another Nationally Recognized Statistical Rating Organization ("NRSRO").

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum portfolio concentration of twenty percent (20%) without prior approval of the Board.

3. Limits on Individual Issuers

A maximum of ten percent (10%) of available funds may be invested with any one (1) issuer.

4. Maturity Limitations

A maximum length to maturity for an investment in any State or local government debt security is three (3) years from the date of purchase.

M. Registered Investment Companies (Mutual Funds)

1. Investment Authorization

The Chief Financial Officer and Director of Finance may invest in shares in open-end, no-load provided such funds are registered under the Federal Investment Company Act of 1940 and operated in accordance with 17 C.F.R. 270.2a-7.

2. Portfolio Composition

The Chief Financial Officer and Director of Finance will determine the composition of this portfolio for this type of investment up to a maximum portfolio concentration of fifty percent (50%) for such funds invested in United States Treasury securities and overnight repurchase agreements collateralized by United States Treasury securities. Other eligible funds are limited to a maximum of twenty-five percent (25%) without prior approval of the Board.

3. Limits of Individual Issuers

A maximum of twenty-five percent (25%) of available funds may be invested with any one fund.

4. Rating Requirements

The mutual funds shall be rated "AAam" or "AAm-G" or better by Standard & Poor's, or the equivalent by another rating agency.

5. Due Diligence Requirements

A thorough review of any investment mutual fund is required prior to investing, and on a continual basis.

DERIVATIVES AND REVERSE REPURCHASE AGREEMENTS

Investment in any derivative products or the use of reverse repurchase agreements requires specific Board approval prior to their use. If the Board approves the use of derivative products, the Chief Financial Officer and the Director of Finance shall develop sufficient understanding of the derivative products and have the expertise to manage them. A "derivative" is defined as a financial instrument the value of which depends on, or is derived from, the value of one or more underlying

assets or indices or asset values. If the Board approves the use of reverse repurchase agreements or other forms of leverage, the investment shall be limited to transactions in which the proceeds are intended to provide liquidity and for which the Chief Financial Officer and the Director of Finance have sufficient resources and expertise to manage them.

PERFORMANCE MEASUREMENTS

In order to assist in the evaluation of the portfolio's performance, the Board will use performance benchmarks for short-term and long-term portfolios. The use of benchmarks will allow the Board to measure its returns against other investors in the same markets.

- A. Investment performance of funds designated as short-term funds and other funds that must maintain a high degree of liquidity will be compared to the return of the Florida State Board of Administration Local Government Investment Pool (Florida Prime), or the S&P Rated GIP Index Government 30-Day Yield (gross of fees), or other comparable money fund index, such as those provided by iMoney.net and/or Crane Data.
- B. Investment performance of funds designated as core funds and other non-operating funds that have a longer-term investment horizon will be compared to an index comprised of U.S. Treasury, agency, or U.S. Government securities. The appropriate index will have a duration and asset mix that approximates the portfolios and will be utilized as a benchmark to be compared to the portfolios total rate of return.
- C. Investment advisors will report performance on both book value and total rate of return basis and compare results to the above-stated benchmarks.

REPORTING

The Chief Financial Officer and Director of Finance shall provide the Board with summary quarterly investment reports. The reports shall provide an overview of invested monies, the types of investments/securities in use, amounts invested, market value of investments, and the return on such investments.

On an annual basis, the Chief Financial Officer and Director of Finance shall prepare and submit to the Board a written report on all invested funds, as a part of the Superintendent's annual financial report. The annual report shall provide all, but not limited to, the following: a complete list of all invested funds, name or type of security in which the funds are invested, the amount invested, the maturity date, earned income, the book value, the market value and the yield on each investment.

The annual report will show performance on both a book value and total rate of return basis and will compare the results to the above-stated performance benchmarks. All investments shall be reported at fair value per GASB standards. Investment reports shall be available to the public.

THIRD-PARTY CUSTODIAL AGREEMENTS

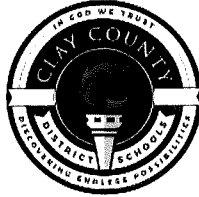
Securities, with the exception of certificates of deposits, shall be held with a third party custodian; and all securities purchase by, and all collateral obtained by, the Board should be properly designated as an asset of the Board. The securities must be held in an account separate and apart from the assets of the financial institution. A third party custodian is defined as any bank depository chartered by the Federal government, the State of Florida, or any other State or territory of the United States which has a branch or principal place of business in the State of Florida as defined in F.S. 658.12, or by a national association organized and existing under the laws of the United States which is authorized to accept and execute trusts and which is doing business in the State of Florida. Certificates of deposits will be placed in the provider's safekeeping department for the term of the deposit.

The custodian shall accept transaction instructions only from those persons who have been duly authorized by the Superintendent and which authorization has been provided, in writing, to the custodian. No withdrawal of securities, in whole or in part, shall be made from safekeeping, shall be permitted unless by such a duly authorized person.

The custodian shall provide the Chief Financial Officer and Director of Finance with safekeeping receipts that provide detail information on the securities held by the custodian. Security transactions between a broker/dealer and the custodian involving the purchase or sale of securities by transfer of money or securities must be made on a "delivery vs. payment" basis, if applicable, to ensure that the custodian will have the security or money, as appropriate, in hand at the conclusion of the transaction. Securities held as collateral shall be held free and clear of any liens.

INVESTMENT POLICY ADOPTION

The investment policy shall be adopted by Board resolution. The Chief Financial Officer and the Finance Director shall review the policy annually in November and the Board shall approve any modification made thereto.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	BORROWING
Code	po6145
Status	From Neola
Legal	<u>F.S. 1011.12</u> <u>F.S. 1011.13</u>

6145 - **BORROWING**

Upon the initiative of the School Board, the Chief Financial Officer shall prepare the data and applications regarding the borrowing of revenue anticipation notes, tax anticipation notes, and other such debt instruments. Once prepared, a recommendation shall be made to the Board for approval.

Funds shall be borrowed from the responsible organization offering the most favorable terms, as approved by the Board.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	BAD CHECKS
Code	po6151
Status	From Neola
Legal	<u>F.S. 832.10</u>

6151 - **BAD CHECKS**

When the District receives a check from a student or parent that, when deposited, is returned marked "insufficient funds", the Director of Finance shall provide an opportunity for the payer to make proper payment or to arrange for a satisfactory payment schedule. If payment is not received within thirty (30) days, the payment schedule is not adhered to, or the monies do not appear to be collectible, the School Board authorizes the Director of Finance to remove the fee or charge from the District's accounts receivable and to take appropriate action against the student and/or the parents.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	STUDENT FEES, FINES, AND CHARGES
Code	po6152
Status	From Neola
Legal	<u>F.S. 1001.41</u> <u>F.S. 1001.43</u> <u>F.S. 1006.28</u> <u>F.S. 1006.40</u>

6152 - STUDENT FEES, FINES, AND CHARGES

The School Board will provide the necessary textbooks and/or electronic textbooks required by the course of study free of charge for its students. The Board may need to levy certain charges to students to facilitate the utilization of other appropriate materials for curricular as well as co-curricular and extra-curricular, noncredit activities. Such charges would be made on expendable items such as magazines, workbook materials, paperback selections, and laboratory supplies, and materials, for clubs, independent study or special projects, and District-sponsored trips.

Fees

For the purposes of this policy, "school fees" or "fees" means any monetary charge collected by the District from a student or the parent(s) or guardian of a student as a prerequisite for the student's participation in any curricular or extra-curricular program of the District.

A. "School fees" include, but are not limited to, the following:

1. all charges for required workbooks and instructional materials
2. all charges and deposits collected by a school for use of school property (e.g., locks, towels, laboratory equipment)
3. charges for field trips made during school hours, or made after school hours if the field trip is a required or customary part of a class or extra-curricular activity
4. charges or rental fees for uniforms or equipment related to varsity and intramural sports, or to fine arts programs
5. charges to participate in extra-curricular activities
6. charges for supplies required for a particular class or for gym uniforms
7. graduation fees
8. school records fees

9. school health service fees

10. library fines and other charges made for the loss, misuse, or destruction of school property

B. "School fees" do not include:

1. charges for the purchase of class rings, yearbooks, pictures, diploma covers, or similar items;
2. charges for optional travel undertaken by a school club or group of students outside of school hours;
3. charges for admission to school dances, athletic events, or other social events;
4. optional community service programs for which fees are charged (e.g., preschool before and after-school child care, recreation programs).

A charge shall not exceed the combined cost of the outside service provided or material used, freight, and/or handling charges. Money received from the resale of such material, if any, shall be remitted to the School Business Office with an accurate accounting of all transactions.

Fines

When school property, equipment, or supplies are damaged, lost, or taken by a student, a fine will be assessed. The fine will be reasonable, seeking only to compensate the school for the expense or loss incurred.

The late return of borrowed books or materials from the school libraries will be subject to appropriate fines.

Any fees, fines, and/or other charges collected by members of the staff shall be remitted to the School Business Office within one (1) business day after collection.

For convenience to families, the Board may enter into an agreement with one or more credit card/online payment processing vendors to facilitate online payment of fees, fines, and charges. Parents/guardians or students may elect but are not required to make payments online. Vendors will comply with all Board policies and procedures related to confidentiality and security of information transmitted electronically. Payees will be notified of any processing or other nominal fees that may be charged for use of an online payment system before the transaction is completed.

Failure to pay fees and fines may result in the denial of participation in the graduation ceremony. In the event the above course of action does not result in the fee being collected, the Board authorizes the Superintendent to take the student and/or his/her parents to Small Claims Court for collection.

Students Experiencing Homelessness - McKinney-Vento Act

No fine or fee shall be charged to a student identified as a student experiencing homelessness unless it is determined that the student has the ability to pay the fee or fine and that its imposition does not create a barrier to the student's ability to enroll, attend school, achieve academic success, or be identified as experiencing homelessness. Any dispute regarding a fine or a fee that is imposed shall not delay the student's enrollment or serve as a barrier to enrollment by delaying the transfer of student records to another school or school district if applicable.

Immediate enrollment notwithstanding fines or fees shall be extended to extra-curricular and co-curricular activities as well as to academic programming.

Students experiencing homelessness who are able to pay fees or fines and refuse to do so may be prohibited from participating in graduation ceremonies until paid. No such student shall be prevented from receiving his/her student records, including diploma if earned, and final transcripts.

Nothing in this policy restricts the right of access of a parent or student to school records or to receive copies of such records, as required by Federal and State laws.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	FISCAL PLANNING
Code	po6210
Status	From Neola
Legal	<u>F.S. 11.45</u> <u>F.S. 218.39</u> <u>F.S. 1001.42</u> <u>F.S. 1010.30</u> <u>F.S. 1013.35</u>

6210 - **FISCAL PLANNING**

The School Board shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the School District and to plan for the financial needs of the educational program. The Board shall also maintain both short and long-range projections of District financial requirements.

Pursuant to Florida statutes and Policy 6220, the Board shall develop, advertise, and then approve a budget for each fiscal year.

The Board will advertise its intent to adopt a tentative budget on a publicly accessible website as provided in F.S. 50.0311, which may include the District's official website, or in a newspaper of general circulation, pursuant to F.S. 200.065(3).

A summary of the tentative budget, including the proposed millage levies as provided by law, the tentative budget, and the official budget of the Board shall be posted on the District's official website or on a publicly accessible website.

In addition, the Board shall also develop a Five (5) Year Capital Work Program and a Five (5) Year Long-Range Budget Projection.

Costs shall be contained, where possible, so that annual expenditures do not exceed the annual resources. Furthermore, the Board shall strive to maintain a fund balance in its operating funds and that exceeds the minimum fund balance below which the Superintendent is required by State law and Board Policy 6233 to notify the Board and the Commissioner of Education.

Any use of such funds to satisfy projected District obligations, such as funding provisions of a union contract or supplementing the capital work program, shall be approved by the Board. Therefore, recurring revenue estimates from existing sources shall serve as the ceiling for the Superintendent's recommended annual budget. Capital expenditures shall be funded from a local millage levy of one and one-half (1 1/2) mills, the local impact fees, and State capital outlay sources, unless the Board specifically directs otherwise in advance of drafting the budget.

As required by Florida statutes and Board Policy 8310 - *Public Records*, all records related to the annual budget, the Five (5) Year Capital Work Program, and the Five (5) Year Long Range Budget Projection shall be open to the public for inspection.

It is understood that the District's records and financial statements shall be audited by the Auditor General, State of Florida, or, in those years not audited by the State Auditor General, by a contracted certified public accounting firm. The auditor shall prepare and submit to the Board an annual review and opinion of said records.

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Book Policy Project Revised

Section 6000 Finances Cleaned

Title BUDGET PREPARATION

Code po6220

Status From Neola

Legal F.S. 1001.42
F.S. 1011.01
F.A.C. 6A-1.002
F.A.C. 6A-1.006

6220 - BUDGET PREPARATION

The Superintendent shall present the budget for review and adoption in accordance with the Truth in Millage (TRIM) calendar.

The budget recommended by the Superintendent shall include budgeted reserves in assigned and unassigned funds of at least (3%) of the General Fund. If the budgeted reserves in assigned and unassigned funds are less than three percent (3%) of projected General Fund revenues, the Superintendent shall develop and submit a plan to restore the budgeted reserves in assigned and unassigned fund balance to three percent (3%) of projected General Fund revenues.

The adopted annual employee health self-insurance fund budget shall include a fund balance reserve at least equal to the average of sixty (60) days of the claims incurred in the prior fiscal year. If the budgeted reserve is less than the average of sixty (60) days of the claims incurred in the prior year, the superintendent shall develop and submit a plan to restore the budgeted reserves.

The adopted annual employee risk management fund budget shall include a fund balance reserve at least equal to the average of sixty (60) days of the claims incurred in the prior fiscal year. If the budgeted reserve is less than the average of sixty (60) days of the claims incurred in the prior year, the superintendent shall develop and submit a plan to restore the budgeted reserves.

The School Board shall adopt an annual budget, as required by an in conformance with State law and the rules of the State Board of Education, and submit it to the Florida Department of Education.

Adjustments to the approved budget shall be made in accordance with Florida statutes and the rules of the State Board of Education.

The financial activities of the District shall be carried out in accordance with the budget recommended by the Superintendent and adopted by the Board.

The School Food Services Fund shall be operated on a self-supporting basis utilizing Federal and State revenues, as well as customer revenues. The prices for meals shall, therefore, be maintained at a level adequate to sustain a balanced budget.

The Board shall adhere to a policy of full and open public disclosure of its financial activities.



Book Policy Project Revised
Section 6000 Finances Cleaned
Title DISTRICT BUDGET
Code po6233
Status From Neola
Legal F.S. 1001.42
F.S. 1001.43
F.S. 1011.01
F.S. 1011.035
F.S. 1011.051
F.S. 1011.62

6233 - **DISTRICT BUDGET**

A. Preparation

The budget shall be prepared and administered in accordance with Florida statutes and in accordance with Policy 6220.

B. Implementation of Budget

Implementation of the official District budget shall give appropriations and reserves therein the force and effect of fixed appropriations and reserves, and the same shall not be altered, amended, or exceeded except as authorized.

The School Board shall monitor the budget on a monthly basis.

Expenditures may exceed the amount budgeted by function or object provided the Board approves the expenditures and amends the budget no later than the annual due date established by the State Department of Education for submitting the District's annual financial report.

Pursuant to State law, if the Board finds and declares in a resolution adopted at a regular meeting of the Board that the funds received for any of the following categorical appropriations are urgently needed to maintain Board specified academic classroom instruction or improve school safety, the Board may consider and approve an amendment to the School District operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. funds for student transportation;
2. funds for instructional materials if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1st;

Funds available after March 1st may be used to purchase computers and device hardware for student

instruction that comply with the requirements of F.S. 1001.20(4)(a)1.b.

3. funds for the guaranteed allocation related to exceptional education students as provided in F.S. 1011.62(1)(e)2;
4. funds for the supplemental academic instruction allocation as provided in F.S. 1011.62(1)(f);
5. funds for the Federally connected student supplement as provided in F.S. 1011.62(10); and
6. funds for the class size reduction as provided in F.S. 1001.685.

C. General Fund Ending Fund Balance

The Constitution of the State of Florida requires that the District operate under a balanced budget. The Board understands that there may be unforeseen circumstances that can result in increases or decreases in revenue and/or expenditures. These circumstances would thereby impact the financial stability of the District.

As required by Florida statute, the Board shall maintain a General Fund ending fund balance not classified as restricted, committed, or nonspendable in the District's approved operating budget that is sufficient to address normal contingencies.

1. Any time the portion of the General Fund's ending fund balance not classified as restricted, committed, or nonspendable in the District's approved operating budget is projected to fall below three (3%) or five percent (5%) of projected General Fund revenues during the current fiscal year, the Superintendent shall develop and submit to the Board for approval a plan to restore the ending fund balance to three (3%) or five percent (5%) of projected General Fund revenues.
2. The Superintendent shall provide written notification to the Board and the Commission or Education any time the portion of the General Fund's ending fund balance not classified as restricted, committed, or nonspendable in the District's approved operating budget is projected to fall below three percent (3%) of projected General Fund revenues during the current fiscal year.

The Superintendent shall submit to the Board for approval a plan to avoid a financial emergency as determined pursuant to F.S. 218.503.

If such a financial condition exists for two (2) consecutive fiscal years, the Superintendent will reduce the District's administrative expenditures reported pursuant to F.S. 1010.215 in proportion to the reduction in the general fund's ending balance or the reduction in student enrollment, whichever is greater, as part of the plan submitted to the Board to avoid a financial emergency as determined pursuant to F.S. 218.503.

The Superintendent shall provide written notification to the Board and the Commission of Education any time the portion of the General Fund's ending fund balance not classified as restricted, committed, or nonspendable in the District's approved operating budget is projected to fall below two percent (2%) of projected General Fund revenues during the current fiscal year.

The Superintendent shall also submit to the Commissioner of Education the Board-approved plan to avoid a financial emergency as determined pursuant to F.S. 218.503.

D. School-based Management

The Board encourages individual school centers to be the principal planning unit and to integrate planning and budgeting at the school level.

E. Loans to Schools

The Board may authorize loans from the General Fund to schools subject to the following provisions:

1. The purpose for which loans are made shall be for valid public education purposes.
2. Such loans shall be for the direct benefit of students.
3. All requests for loans must be made by the Principal and approved by the Assistant Superintendent of Business Affairs and Superintendent.

4. The Principal shall be directly responsible for the expenditure and repayment of such loans. If a payment is missed, the principal shall be given a period of one (1) calendar year from the date the payment is due to make said payment plus six percent (6%) interest on the amount due. No more than one (1) such annual payment may be allowed to be in arrears at one time.
5. The expenditure of loan proceeds shall be in accordance with all applicable laws, rules, regulations, and procedures.



Book Policy Project Revised
Section 6000 Finances Cleaned
Title FUND BALANCE
Code po6235
Status From Neola
Legal Constitution of the State of Florida
F.S. 1011.051
Government Accounting Standards Board Statement 54

6235 - FUND BALANCE

The Superintendent has the responsibility of administering the budget, once adopted by the School Board. The Superintendent shall monitor the fund balances and shall report the balances to the Board monthly. As required by State law and Board Policy 6233 – *District Budget*, the Board shall maintain a general fund ending fund balance that is sufficient to address normal contingencies.

Fund balances will be reported in the categories established by the Government Accounting Standards Board Statement 54 (GASB 54). Upon the recommendation of the Superintendent, the Board will impose constraints on any funds placed in the committed and assigned classifications.

The applicable categories for fund balance designations are:

- A. Nonspendable Fund Balance
- B. Restricted Fund Balance
- C. Committed Fund Balance
- D. Assigned Fund Balance
- E. Unassigned Fund Balance

If during the fiscal year, it appears to the Superintendent that the fund balance will be less than estimated, the Superintendent will bring forward for Board consideration recommendations that will protect the fund balances. Such recommendations shall be in accordance with the requirements of the law.

If at any time during the school year, the portion of the general fund's ending fund balance not classified as restricted, committed, or non-spendable in the District's operating budget is projected to fall below projected revenues as prescribed by State law, the Superintendent shall provide written notification to the Board and the Commissioner of Education, as required by State law and Policy 6233 – *District Budget*.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	PURCHASING AND CONTRACTING FOR COMMODITIES AND CONTRACTUAL SERVICES
Code	po6320
Status	
Legal	F.S. 50.0311 F.S. 119.0701 F.S. 255.05 F.S. 255.0516 F.S. 255.0518 F.S. 282.0041 F.S. 287.056 F.S. 287.084 F.S. 287.087 F.S. 287.132 F.S. 287.133 F.S. 295.187 F.S. 1001.43 F.S. 1001.451 F.S. 1010.04 F.S. 1010.07(2) F.S. 1010.48 F.A.C. 6A-1.012, Purchasing Policies F.A.C. 5P-1.003, Responsibilities for the School Food Service Program

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

The School Board recognizes that maximum economy and efficiency are best achieved through a centralized purchasing function. All purchases that are paid from School District funds shall be the responsibility of the Superintendent except to the extent expressly noted hereinafter.

The Superintendent or designee is authorized to approve the procurements of commodities and contractual services, including those that are exempt from competition, where the total contract value does not exceed an amount prescribed by the Board and does not exceed the applicable appropriation in the District budget.

The Supervisor of Purchasing will be responsible for organizing and administering acquisitions for the District in accordance with responsibility and authority delegated by the Superintendent, Board, and resultant policies.

The Superintendent shall publish a purchasing handbook defining guidelines and procedures for conducting the functions of purchasing in accordance with the policy stated herein and consistent with all applicable Federal regulations, Florida statutes, State Board of Education rules, State Requirements for Educational Facilities (SREF), Board policies and administrative procedures. The Board purchasing handbook will be used by the District Purchasing Department in its conduct of business.

All District employees shall comply with the following principles and standards for ethical behavior in business dealings:

- A. To comply with the letter and spirit of the laws governing the purchasing function including applicable Federal and State rules and regulations and Board policy and remain alert to the legal ramifications of purchasing decisions.
- B. To represent the Board in an exemplary manner by diligently following the lawful instructions of the Board, using reasonable care and only the authority granted, and avoiding the intent and appearance of unethical or compromising practices in relationship, actions, and communications.
- C. To be fair and equitably to all. This shall reduce the appearance and opportunity for favoritism and inspires public confidence that contracts are awarded equitably and economically; and that documentation of the acts taken and effective monitoring mechanisms are important means of curbing any improprieties and establishing public confidence in the process by which commodities and contractual services are procured.
- D. To handle information that may be considered confidential or proprietary to the Board and/or its suppliers with due care and proper consideration of ethical and legal ramifications and government regulations.
- E. To prohibit soliciting or accepting gifts and gratuities from present or potential suppliers which might influence or appear to influence purchasing decisions; to subscribe to and work for honesty and truth in buying and selling; and to denounce all forms and manifestations of commercial bribery.
- F. To refrain from any private business or professional activity that may present a conflict of interest in carrying out the purchasing duties assigned by the Board.
- G. No person, unless authorized to do so under this policy, may make any purchase or enter into any contract involving the use of District funds.

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

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

Purchases may be made through an online procurement system, an electronic auction service, or other efficient procurement tool.

Scope

This policy shall generally apply to the District's purchase of commodities and contractual services, except it shall not apply to:

- A. employment contracts;
- B. acquisition of architectural, engineering, landscape architectural, construction management at risk, registered surveying and mapping, or other services pursuant to Policy 6330 - *Acquisition of Professional Architectural, Engineering, Landscape Architectural, or Land Surveying Services*;
- C. acquisition of auditing services pursuant to F.S. 218.391;
- D. acquisition of professional consultant services, including but not limited to services of lawyers, accountants, financial consultants, and other business or operational consultants, which shall be governed by Policy 6540 - *Consultant Agreements*;
- E. contracts which are exempted, in whole or in part, from this policy's requirements, as set forth below;
- F. proposals and agreements for public-private partnerships with private entities for qualifying projects pursuant to F.S. 255.065 and F.S. 287.057(12).

Definitions

- A. "Competitive solicitation" means purchasing made through the issuance of an invitation to bid, request for proposals, and invitation to negotiate. Competitive solicitations are not required for purchases made through the pool purchase provisions of F.S. 1006.27.
- B. "Invitation to bid" means a written or electronic solicitation for competitive sealed bids. The invitation to bid is used when the Board is capable of specifically defining the scope of work for which a contractual service is required or when the Board is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is publicly posted.
- C. "Invitation to negotiate" means a written or electronically posted solicitation for competitive sealed replies to select one (1) or more vendors with which to commence negotiations for the procurement of commodities or contractual services. The invitation to negotiate is used when the Board determines that negotiations may be necessary for it to receive the best value. A written solicitation includes a solicitation that is publicly posted.
- D. "Proposer" means those vendors submitting bids or responses to a competitive solicitation.
- E. "Request for proposals" means a written or electronically posted solicitation for competitive sealed proposals. The request for proposals is used when it is not practicable for the Board to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the Board is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. A written solicitation includes a solicitation that is publicly posted.
- F. "Superintendent" means the "Superintendent or designee".
- G. "Request for Quotations" means an informal process to solicit three (3) or more price quotes on commodities or contractual services with standard specifications and valued under the threshold requiring formal competitive solicitations. Quotations may be obtained in writing (e.g.: email, facsimile, full website screenshot).

Standards and Specifications

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

Pre-Purchasing Review of Available Purchasing Agreements and State Term Contracts for Nonacademic Commodities and Contractual Services

Before purchasing nonacademic commodities and contractual services, the Board authorizes the Superintendent to review the purchasing agreements and State term contracts available under F.S. 287.056 to determine whether it is in the Board's economic advantage to use the agreements and contracts.

Each bid specification for nonacademic commodities and contractual services must include a statement indicating that the purchasing agreements and State term contracts available under F.S. 287.056 have been reviewed. The Board may use the cooperative State purchasing programs managed through the regional consortium service organizations pursuant to F.S. 1001.451. This policy does not apply to services that are eligible for reimbursement under the Federal E-rate program administered by the Universal Service Administrative Company.

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

Except as authorized by law or policy, competitive solicitations shall be requested from three (3) or more sources for the purchase of any authorized commodities or contractual services as follows:

- A. \$10,000-\$24,999 – informal quotes (e.g., documented telephone quotes or web search from two (2) or more qualified sources
- B. \$25,000-\$49,999 - written quotes from three (3) or more qualified sources
- C. \$50,000.00 and greater during a fiscal year requires a competitive solicitation as defined in A above.

The Board may not divide the procurement of commodities or contractual services to avoid monetary threshold requirements.

The procurement of commodities or contractual services may not be divided so as to avoid this monetary threshold requirement.

A. Bid Solicitation

The Superintendent is authorized to issue invitations for bids. Any solicitation for the procurement of commodities, contractual services, or leases must include a provision notifying vendors that the Board will not request documentation of, consider, or give any preference based on, the vendor's social, political, or ideological interests.

B. Bid Publication

Notice of the invitation for bids or requests for proposals shall be published on the publicly accessible District website and may be otherwise issued electronically, direct delivery, or other means which are appropriate under the circumstances. The required bid return date is to be announced at the time of the bid offering and shall not be less than five (5) working days from the bid offering date.

All advertisements and public notices published on a website as provided in F.S. Chapter 50 must be in a searchable form and indicate the date on which the advertisement or public notice first appeared on the website.

C. Bid Responses

The invitations to bid must be responded to by three (3) or more qualified vendors/bidders. Exceptions must be approved by the Board.

D. Bid Opening

Bids will be opened in the office designated in the bid advertisement with the Superintendent's designee and at least one (1) other District employee present.

E. Bid Rejection

The Board may reject any or all bids and request new bids.

F. Bid Award

In acceptance of responses to invitations to bid, the Board may accept the proposal of the lowest responsive, responsible proposer. The Board may also choose to award contracts to the lowest responsive, responsible bidder as the primary awardee of a contract and to the next lowest responsive, responsible bidder(s) as alternate awardees, from whom commodities or contractual services would be purchased, should the primary awardee become unable to provide all of the commodities or contractual services required by the Board during the term of the contract. Nothing herein is meant to prevent multiple awards to the lowest responsive and responsible bidders, when such multiple awards are clearly stated in the bid solicitation documents.

G. Responsive/Responsible Bidders

For a bidder to be considered responsive, the proposal must respond to all bid specifications in all material respects and contain no irregularities or deviations from the bid specifications which would affect the amount of the bid or otherwise provide a competitive advantage.

For a bidder to be deemed responsible, the Board may request evidence from the bidder concerning:

1. the experience (type of product or service being purchased, etc.) of the bidder;
2. the financial condition;
3. the conduct and performance on previous contracts (with the District or other agencies);
4. the bidder's facilities;
5. management skills;

6. the ability to execute the contract properly;

7. a signed affidavit ensuring that neither the bidder nor any subcontractor has entered into an agreement with any labor organization regarding the public improvement project.

The Board will not request documentation of or consider a vendor's social, political, or ideological interests when determining if the vendor is a responsible vendor. Nor will the Board give any preference to a vendor based on the vendor's social, political, or ideological interests.

Award of a bid by the Board shall only represent an indication by the Board that a bid represents the lowest responsive bid from a responsible and responsive bidder meeting the requirements and criteria set forth in the invitation to bid. Award of a bid shall not create a binding obligation on the Board, and no obligation shall be created or imposed on the District until such time as the Board Chair/designee executes a contract and/or bid award letter and/or purchase order.

Identical/Tie Low Bids

The procedure below will be followed after the Florida State Preference, if any, is applied. (F.S. 287.084)

When identical low bids are received from an out-of-District vendor and a local vendor, the local vendor shall be recommended for award. The term "local vendor" means a vendor who has an established business presence in the District indicated by the following:

- A. has a physical business location within the District for at least six (6) months immediately prior to issuance of the competitive solicitation.
- B. provides customer access at the business location.
- C. holds any required business license through a jurisdiction in the District.
- D. employs one (1) full-time or two (2) part-time employees in the District, or if the business has no employees, is at least fifty percent (50%) owned by one (1) or more persons whose primary residence(s) is located within the District.

When two (2) or more local vendors present tie low bids on the same items, the company receiving the larger dollar award of the total bid shall be recommended for tie items.

In the event two (2) or more local vendors present exact tie low bids and the dollar award is not a criterion, the successful bidder shall be selected by applying the following criteria in order:

- A. drug-free workplace program in accordance with Florida law
- B. by lot or other method the Board may select

Exception to Competitive Bidding Requirements

Notwithstanding anything in this policy to the contrary, the Board may make certain purchases without the requirement for competitive solicitations, under the following conditions:

- A. In lieu of requesting competitive solicitations from three (3) or more sources, the Board may make purchases at or below the unit prices in contracts awarded by other Federal, State, city, or county governmental agencies, other school boards, community colleges, or State university system cooperative bid agreements when the proposer awarded a contract by another entity will permit purchases by the Board at the same terms, conditions, and unit prices (or below such prices) awarded in such contract, and such purchases are to the economic advantage of the Board.
- B. The Superintendent is authorized to purchase commodities and contractual services under the Department of Management Services State term contracts.
- C. Competitive solicitations are not required for pool purchases made as provided in F.S. 1006.27.
- D. The State Board has waived the requirement for requesting competitive solicitations from three (3) or more sources for purchases by the Board of:

1. Professional services which shall include, without limitation, artistic services; academic program reviews; lectures by individuals; auditing services not subject to F.S. 218.391; legal services, including attorney, paralegal, expert witness, court reporting, appraisal or mediator services; and health services involving examination, diagnosis, treatment, prevention, medical consultation or administration; provided nothing herein shall be deemed to authorize the superintendent to acquire professional consultant services without Board approval as required by Board Policy 6540;
2. Educational services and any type of copyrighted materials including, without limitation, educational tests, textbooks, printed instructional materials, computer software, films, filmstrips, videotapes, DVDs, disc or tape recordings, digital recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where such materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or a recognized educational institution;
3. Commodities and contractual services when:
 - a. competitive solicitations have been requested in the manner prescribed by this policy; and
 - b. the Board has made a finding that no valid or acceptable firm proposal has been received within the prescribed time.

When such a finding has been officially made, the Board may enter into negotiations with suppliers of such commodities and contractual services and may execute contracts with such vendors under whatever terms and conditions as the Board determines to be in its best interests.

4. Commodities and contractual services when fewer than two (2) responsive proposals are received. The Board may then negotiate on the best terms and conditions or decide to reject all proposals. The Board will document the reasons that negotiating terms and conditions with the sole proposer is in the best interest of the District in lieu of re-soliciting proposals.
- E. Information technology resources, whether by purchase, lease, lease with option to purchase, rental, or otherwise as defined in F.S. 282.0041(19), may be acquired by competitive solicitation or by direct negotiation and contract with a vendor or supplier, as best fits the needs of the District as determined by the Board.
- F. Purchases of insurance, risk management programs, or contracting with third party administrators for insurance-related services may be through competitive solicitation or by direct negotiation and contract with a vendor or supplier
- G. The Board may dispense with requirements for competitive solicitation for the emergency purchase of commodities or contractual services when the Superintendent determines in writing that an immediate danger to the public health, safety, or welfare or other substantial loss to the District requires emergency action. After the Superintendent makes such a written determination, the Board may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without requesting competitive solicitations. However, such an emergency purchase shall be made by obtaining pricing information from at least two (2) prospective vendors, which must be retained in the contract file, unless the Superintendent determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the District.
- H. Commodities or contractual services available only from a single source may be exempted from the competitive solicitation requirements. When the Board believes that commodities or contractual services are available only from a single source, the Board will electronically post a description of the commodities or contractual services sought for a period of at least seven (7) business days. The description will include a request that prospective vendors provide information about their ability to supply the commodities or contractual services described. If it is determined in writing by the Board, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the Board shall provide notice of its intended decision to enter a single source contract in the manner specified in Policy 6326 - *Bid Protests*, and may negotiate on the best terms and conditions with the single source vendor.
- I. The Board may make purchases of construction project materials directly from vendors, on behalf of the awarded construction contractor/manager, to take advantage of the District's "sales tax" exempt status.
- J. A contract for commodities or contractual services may be awarded without competitive solicitations if State or Federal law, a grant or a State or Federal agency contract prescribes with whom the Board must contract or if the

rate of payment is established during the appropriations process.

- K. A contract for regulated utilities or government franchised services may be awarded without competitive solicitations.

Purchase Order

Each purchase shall be based upon a purchase order requisition originating from the principal or District department head. Each requisition shall be properly financed, budgeted, encumbered, and approved by Purchasing prior to good and/or services being procured.

- A. Only the Superintendent may grant permission for a purchase without a purchase order request. A purchase shall not precede a valid purchase order except as authorized by the Superintendent.
- B. No requests shall split a purchase order request into two (2) or more requests to avoid bid, quotation, or Board approval requirements.
- C. No obligation shall be created unless the contract, purchase order, maintenance agreement, lease-purchase agreement, lease agreement, other instrument is subject to a Non-appropriation clause.
- D. Internal Accounts: All purchase orders and contracts made at the school level from internal accounts shall follow the same procedures as required in this policy and Policy 6610.

Purchase orders will be executed by the Supervisor of Purchasing. A properly completed purchase order form is to be considered a contract for goods, services, supplies, or equipment between the School Board and a qualified vendor. The purchase order form is to be approved and signed by the Supervisor of Purchasing or Superintendent. Purchase orders are not required for salaries, utilities, and other similar items that are exempt by law or regulation.

Purchase orders will be used to procure items and services of a competitive and non-competitive nature. A purchase order is a contract which designates one company as a supplier for items frequently needed by a particular school/department. The purchase order in whole or in part, defines the terms, conditions, persons or departments authorized to use the purchase order, delivery instructions and total dollar value for a specified period of time. The Superintendent is authorized to issue purchase orders where the total amount does not exceed \$500,000 that is in compliance with the purchasing policy and procedures and does not exceed the applicable appropriation in the District budget:

- A. In accordance with, but not limited to, F.A.C. 6A-1.012, Federal Code 2 C.F.R., State contracts, government contracts, cooperative agreements;
- B. District and State adopted textbooks and/or instructional materials when such purchase is made in support or student instruction;
- C. Technology items such as but not limited to, desktops, laptops, tablets, and other devices when such purchase is made in accordance with District technology standards;
- D. To fulfill the District's obligation of an approved contract in accordance with the contract policy herein;

Contract

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

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

- E. the contractor shall furnish a copy of any public records request or request for records in any way relating to the District, immediately upon receipt to the District's Supervisor of Purchasing.

Each contract must also include the following statement, in substantially the following form, identifying the contact information of the District's custodian of public records in at least fourteen (14) point boldface type: "IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF F.S. CHAPTER 119 TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 900 WALNUT STREET, GREEN COVE SPRINGS, FLORIDA 32043, OR AT 904-336-6500, OR AT: PRR@myoneclay.net."

Contractual Authority

The Board shall constitute the contracting agent from the District school system (F.S. 1001.41). This policy defines the mandatory requirements for review, approval, and execution of agreements or contracts between the Board and vendors and/or service providers.

A. Definition

A contract is defined as an agreement between two or more parties that is intended to have legal effect. Contracts document the mutual understanding between the parties as to the terms and conditions of their agreement, contain mutual obligations, and clearly state the agreement's consideration. The term consideration includes the cost of the services and/or products to be provided by second party (vendor or service provider) and any non-monetary performance. No school, department, or other organizational unit has authority to contract in its own name. All Board contracts must be made in the legal name of the Board, "The School Board of Clay County, Florida". The School or Department may extend this name to include the school or department as follows, "The School Board of Clay County, Florida o/b/o _____ (insert the school or department name)" where o/b/o means "on behalf of".

1. Contracts for goods and/or services that are not part of a solicitation for an educational facility pursuant to F.S. Chapter 255 or Chapter 1013 must be in compliance with the competitive solicitation guidelines and procedures referenced herein.
2. Contracts for the construction and professional, construction management, or design-build services under F.S. 287.055 or Chapter 1013 must be in compliance with the competitive solicitation guidelines and procedures referenced in Policy 6322.

B. Contract Review

All agreements, MOUs, interlocal agreements, service agreements, and contracts have mandatory requirements for review, approval, and execution; to include those with non-monetary performance/consideration.

Board employees with contractual/signature authority shall ensure terms and conditions of those contracts for which they are responsible are in-line with Board Policy, and said terms and conditions are not-binding for those items that are not in the best interest of the District. All contracts shall be reviewed and approved by the Board Attorney and/or the Supervisor of Purchasing to ensure legality, compliance with Board policy, and to ensure the Board interests are protected before the authorized signatory may execute the contract.

C. Board Authorized Contracts

All contracts having a value of \$100,000 or more shall be authorized by the Board at a regular or special meeting and signed by the Board Chairman.

D. Delegated Authority

All approved contracts having a value of less than \$100,000 and contracts described in Board Authorized Contracts above that are exempt from requirement for Board authorization, may be executed by the Superintendent or appropriate District administrator based on the value of the contract.

1. All approved contracts having a value of \$50,000 or more, but less than \$100,000 shall be signed by the superintendent, or the person who has been designated, in writing by the Superintendent, as the Superintendent's designee at the time of the contract signing. All contracts executed pursuant to this subparagraph shall be reported to the Board in a separate entry as part of the monthly financial report.
2. All approved contracts having a value of \$25,000 or more, but less than \$50,000, shall be signed by the Superintendent, an assistant superintendent, or a chief officer.
3. All approved contracts having a value of less than \$25,000, may be signed by the Superintendent, an assistant superintendent, a chief officer, director, supervisor, or Principal.
4. The Superintendent is authorized to approve contract amendments or change orders for the purchase of commodities and services up to the amount of ten (10) percent or \$50,000, whichever is less, of the original

contract amount that was previously approved by the Board.

5. The Board will not recognize a contract or agreement as binding unless executed by an authorized employee in accordance with this policy. Vendors that enter into a contract are required to determine if the person purporting to execute a contract on behalf of the Board or the Board on behalf of a school or department is authorized to do so. Employees who enter into agreements without authority may be personally liable for such agreements, whether oral or written. Employees who enter into unauthorized agreements may be subject to disciplinary action.

Debarment

The Supervisor of Purchasing shall have the authority to debar a person/corporation, for cause, from consideration or award of further contracts. The debarment shall be for a period commensurate with the seriousness of the cause, generally not to exceed three (3) years. If a suspension precedes a debarment, the suspension period shall not be considered in determining the debarment period. When the offense is willful or blatant, a longer term of debarment may be imposed, up to an indefinite period.

A. Cause of Debarment

The term "debar" or "debarment" means to remove a vendor from bidding on District work. Causes for debarment include, but are not limited to the following:

1. conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or sub-contract, or in performance of such contract
2. conviction under State or Federal statutes for embezzlement, theft, forgery, bribery, falsification or destruction of records, or receiving stolen property, or any other offense indicating lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a vendor
3. conviction under State or Federal anti-trust statutes arising out of submission of bids or proposals
4. violation of contract provisions, including:
 - a. deliberate failure, without good cause, to perform in accordance with specifications or within the time limits provided in the contract(s); and
 - b. a recent record of failure to perform, or of unsatisfactory performance, in accordance with the terms of one (1) or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment
5. refutation of an offer by failure to provide bonds, insurance, or other required certificates within the time period as specified in bid/RFP response
6. refusal to accept a purchase order, agreement, or contract, or to perform thereon, provided such order was issued timely and in conformance with the offer received
7. presence of principals or corporate officers in the business of concern who were principals within another business at the time when the other business was suspended within the last three (3) years under the provisions of this section
8. violation of the ethical standards set forth in State law
9. providing or offering to provide anything of value, including, but not limited to, a gift, loan, reward, promise of future employment, favor, or service to any employee to influence the award of contract or purchase items from a contractor
10. existence of unresolved disputes between the contractor and the District arising out of or relating to prior contracts between the District and the contractor, work performed by the contractor, or services or products delivered
11. any other cause the Supervisor of Purchasing determines to be so serious and compelling as to affect credibility as a District vendor, including debarment by another governmental entity for any cause listed in this policy

B. Notice of Recommended Decision

The Supervisor of Purchasing or designee shall issue a notice letter that advises the party that it is debarred or suspended. The letter shall:

1. state the reason(s) for the action taken; and
2. inform the vendor of its right to petition the Board for reconsideration.

C. Right to Request a Hearing

Any person who is dissatisfied or aggrieved with the notification of the determination to debar or suspend must, within ten (10) calendar days of such notification, appeal such determination to the Board.

D. Hearing Date

The Board shall schedule a hearing at which time the person shall be given the opportunity to demonstrate why the debarment/suspension by the Supervisor of Purchasing should be overturned. All parties shall be given notice of the hearing date.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	CONSTRUCTION CONTRACTING AND BIDDING
Code	po6322
Status	From Neola
Legal	<u>F.S. 255.05</u> <u>F.S. 255.0516</u> <u>F.S. 255.0518</u> <u>F.S. 255.065</u> <u>F.S. 255.0991</u> <u>F.S. 287.055</u> <u>F.S. 1001.43</u> <u>F.S. 1010.04</u> <u>F.S. 1010.07(2)</u> <u>F.S. 1010.48</u> <u>F.S. 1013.385</u> <u>F.S. 1013.45</u> <u>F.S. 1013.46</u> <u>F.S. 1013.47</u> <u>Purchasing Policies, F.A.C. 6A-1.012</u> <u>Educational Facilities, F.A.C. 6A-2.0010</u>

6322 - CONSTRUCTION CONTRACTING AND BIDDING

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

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

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

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

- A. competitive bids;
- B. design-build pursuant to F.S. 287.055;
- C. selecting a construction management entity, pursuant to F.S. 255.103 or 287.055, that would be responsible for all scheduling and coordination of both the design and construction phases and would be responsible for the successful, timely, and economical completion of the construction project;
- D. selecting a program management entity, pursuant to F.S. 255.103 or 287.055, that would act as the agent of the Board and would be responsible for schedule control, cost control, and coordination in providing or procuring planning, design, and construction services;
- E. proposals to enter into a public-private partnership with a private entity for the acquisition, design, construction, improvement, renovation, expansion, equipping, maintenance, or operation of a qualifying project pursuant to F.S. 255.065;

The Superintendent shall be responsible for submitting proposed public-private partnership agreements to the Board for consideration, including unsolicited proposals from private entities. The Board shall evaluate and consider all proposed public-private partnership agreements pursuant to the guidelines set forth in F.S. 255.065.

- F. day-labor contracts not exceeding \$600,000 (said amount may be adjusted annually based on changes in the Consumer Price Index) for construction, renovation, remodeling, or maintenance of existing facilities.

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

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

Bonds

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

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

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

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

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

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

Notice and Terms

The Superintendent or designee shall be responsible for preparing the legal notice for bids and shall determine that such notice meets the requirements of Florida statutes and State Board of Education Rules and contains the information needed by the prospective bidders, to include the following:

- A. date, time, and place relating to submitting of bids;

- B. procedures for presenting bids;
- C. conditions and terms for receiving bids;
- D. procedures to be followed in the opening and presenting bids to the Board; and
- E. conditions for awarding contracts based on bids.

These provisions shall be followed for construction bids:

- A. The bid time and date shall be established by the Superintendent or designee.
- B. Bids by telegram or facsimile shall not be accepted nor shall any other type of bid be accepted which cannot be classified as a sealed bid. Bids received by mail shall be stamped with the time and date received by the District office.
- C. Bids shall be opened at the designated time in the invitation to bid. At the designated time, the person presiding shall inquire if all bids have been received; no other bids shall be accepted and no bid may be withdrawn after the deadline. Negligence on the part of the bidder in preparing the bid shall confer no right for withdrawal after the designated time for the opening of bids.
- D. All bids shall be opened, read aloud, and recorded.
- E. Unless all bids are rejected by the Board for valid reasons, the contract shall be awarded to the lowest responsible bidder meeting all requirements and specifications.

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

Any solicitation for the procurement of commodities, contractual services, or leases will include a provision notifying vendors that the Board will not request documentation of, consider, or give a preference based on, the vendor's social, political, or ideological interests.

All bid requests shall include a notification to bidders that failure to file a bid protest within the time and in the manner prescribed by Florida statutes, shall constitute a waiver of any further right to protest such bid award.

Competitive Solicitation Requirements for Construction Contracting

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

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

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

1. Architect/Engineer Services

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

2. Direct Negotiations Authorized

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

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

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

1. Architect/Engineer Services

Unless otherwise deemed appropriate by the Director of Facilities or as otherwise provided in F.S. 481.229 and 1013.45, contracts for which the construction costs is less than \$50,000 or for the placement or hookup of relocatable educational facilities that conform with standards adopted under F.S. 1013.37 do not require the assistance and services of a registered architect/engineer. Contracts for which the construction cost exceeds \$50,000 shall require the assistance and services of a registered architect/engineer.

2. Three (3) Quotations Required

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

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

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

1. Architect/Engineer Services

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

2. Three (3) Quotations Required

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

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

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

1. Architect/Engineer Services

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

2. Bid Solicitation Required

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

a. Legal Notice

The District shall publish notice of projects governed by this section per F.S. 50.031 by either of the following methods:

1. in a local newspaper with general circulation throughout the District for a minimum of once per week for three (3) consecutive weeks with the last publication appearing at least seven (7) days prior to bid opening,
2. on a publicly accessible website.

b. Rejection of Bids/Waiver of Technicalities

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

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

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

1. Architect/Engineer Services

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

2. Bid Solicitation Required

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

a. Legal Notice

The District shall publish notice of projects governed by this section per F.S. 50.0311 by either of the following methods:

1. in a local newspaper with general circulation throughout the District for a minimum of once per week for three (3) consecutive weeks with the last publication appearing at least seven (7) days prior to bid opening,
2. on a publicly accessible website.

b. Rejection of Bids/Waiver of Technicalities

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

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

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

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

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

Exception to Construction Requirements

The Board may, with a majority vote at a public meeting that begins no earlier than 5 p.m., adopt a resolution to implement one (1) or more of the exceptions to the educational facilities construction requirements described below.

The Board's resolution may propose the implementation of exceptions to requirements of the uniform Statewide building code for the planning and construction of public educational and ancillary plants relating to the following:

- A. Walkways, roadways, driveways, and parking areas by approving the use of designated, stabilized, and well-drained gravel or grassed student parking areas.
- B. Standards for relocatables used as classroom space by approving construction specifications for installation of relocatable buildings that do not have covered walkways leading to the permanent buildings onsite.

C. Site lighting by approving construction specifications for site lighting that:

1. Do not provide for lighting of gravel or grassed auxiliary or student parking areas.
2. Provide lighting for walkways, roadways, driveways, paved parking lots, exterior stairs, ramps, and walkways from the exterior of the building to a public walkway through the installation of a timer that is set to provide lighting only during periods when the site is occupied.
3. Allow lighting for building entrances and exits to be installed with a timer that is set to provide lighting only during periods in which the building is occupied. The minimum illumination level at single-door exits may be reduced to no less than one (1) foot-candle.

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

Opening of Competitive Bids

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

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

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

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

Contract Execution

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

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

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

Certified Copy of Recorded Bond

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

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Section 6000 Finances Cleaned
Title CONE OF SILENCE
Code po6324
Status From Neola

6324 - CONE OF SILENCE

A cone of silence is hereby established for all competitive selection processes including Invitations for Bid (IFB), Request for Proposals (RFP), and Invitations to Negotiate (ITN) for the provision of goods and services. The cone of silence is designed to protect the integrity of the procurement process by shielding it from undue influences prior to the recommendation of contract award. This cone of silence shall be imposed on these procurements after advertisement of same.

The cone of silence prohibits any communication regarding a particular IFB, RFP, or ITN between:

- A. a potential vendor, service provider, bidder, lobbyist, or consultant and the staff of the District, including school principals; and
- B. a potential vendor, service provider, bidder, lobbyist, or consultant and any one (1) or more of the School Board members or member-elects.

Unless specifically provided otherwise in the applicable IFB, RFP, or ITN the cone of silence does not apply to the following:

- A. Communications between a potential vendor, service provider, bidder, lobbyist, or consultant and the District's purchasing department.
- B. Communications between a potential vendor, service provider, bidder, lobbyist, or consultant and the District's facility planning and construction department, when said communication pertains to competitive acquisitions administered by that department (e.g., Architect/Engineer (A/E) selection, capital projects).
- C. Communications between a potential vendor, service provider, bidder, lobbyist, or consultant and the District's staff attorney or Board attorney.
- D. Communications at duly noticed pre-bid meetings and site visits prior to bid opening or post bid-opening meetings and site visits, which are administered by either the purchasing department or the facility planning and construction department, prior to issuance of a written recommendation of contract award.

The cone of silence commences after the advertisement of the IFB, RFP, or ITN. Competitive procurements are advertised on the purchasing department or facility planning and construction department web pages.

The cone of silence terminates at the time the Board acts on a written recommendation from the purchasing department or facility planning and construction department regarding contract award; provided, however, that communications are permitted when the Board receives public comment at the meeting when the recommendation is presented.

The purchasing department and facility planning and construction department shall ensure that all solicitations include provisions describing the requirements and prohibitions of the cone of silence, including how a potential vendor, service provider, bidder, lobbyist, or consultant may communicate with District personnel.

Any person, whether employed by the District or not, who knowingly violates a provision of this policy shall be prohibited from serving on a District competitive selection committee.

Violation of this policy by a particular bidder, proposer, respondent, and/or representative may, at the discretion of the District, result in rejection of said bidder, proposer, respondent, and/or representative's bid, proposal, or offer and may render any contract award to said bidder, proposer, or respondent voidable.

In addition to any other penalty provided by law, violation of this policy by a District employee shall subject said employee to disciplinary action up to and including dismissal from service.

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Section 6000 Finances Cleaned

Title PROCUREMENT - FEDERAL GRANTS/FUNDS

Code po6325

Status From Neola

Legal F.S. 287.057
2 C.F.R. 200.317-.326
2 C.F.R. 200.334 - 200.336
2 C.F.R. 3485.220
Appendix II to Part 200
2 C.F.R. 200.520
7 C.F.R. 210.21

6325 - PROCUREMENT – FEDERAL GRANTS/FUNDS

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or District matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, School Board policies, and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with Federal requirements (2 C.F.R. 200.317-.326; 7 C.F.R. 210.21) for the administration and management of Federal grants and Federally-funded programs. The District shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's documented general purchasing policies.

When required by Federal program legislation, all Federally-funded contracts in excess of \$2,000 related to construction, alteration, repairs, painting, decorating, etc. of public buildings or public works must comply with Davis-Bacon and Related Acts prevailing wage requirements.

The District will not request documentation of, consider, or give a preference based on a vendor's social, political, or ideological interests.

The District shall take affirmative steps to assure that small businesses, minority businesses and women's business enterprises, veteran-owned businesses, and labor surplus area firms are used when possible in accordance with 2 C.F.R. 200.321.

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in District Board policies.

The District will avoid acquisition of unnecessary or duplicative items. Consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. When appropriate, an analysis shall be made between leasing and purchasing property or equipment to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the District may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

Competition

All procurement transactions under the Federal award paid for from Federal funds or District matching funds shall be conducted in a manner that provides full and open competition and that is in accordance with 2 C.F.R. Part 200, good administrative practice, and sound business judgment. To ensure objective contractor performance and eliminate unfair competitive advantage, the District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids from competition for such procurements.

Examples of situations that may restrict competition include, but are not limited to:

- A. unreasonable requirements on firms for them to qualify to do business
- B. unnecessary experience and excessive bonding requirements
- C. noncompetitive pricing practices between firms or between affiliated companies
- D. noncompetitive contracts to consultants that are on retainer contracts
- E. organizational conflicts of interest
- F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement
- G. any arbitrary action in the procurement process

To the extent consistent with established practices and legal requirements applicable to the recipient or subrecipient, this subpart does not prohibit recipients or subrecipients from developing written procedures for procurement transactions that incorporate a scoring mechanism that rewards bidders that commit to specific numbers and types of U.S. jobs, minimum compensation, benefits, on-the-job-training for employees making work products or providing services on a contract, and other worker protections. This subpart also does not prohibit recipients and subrecipients from making inquiries of bidders about these subjects and 2 C.F.R. Revisions 2024: Unofficial Comparison Version assessing the responses. Any scoring mechanism must be consistent with the U.S. Constitution, applicable Federal statutes and regulations, and the terms and conditions of the Federal award.

Solicitation Language (Purchasing Procedures)

The District shall have written procurement procedures (in accordance with 2 C.F.R. 200.319(b)) that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the property, equipment, or service being procured. The description may include a statement of the qualitative nature of the property, equipment, or service to be procured. When necessary, the description must set forth those minimum essential characteristics and standards to which the property, equipment, or service shall conform. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to clearly and accurately describe the technical requirements, a "brand name or equivalent" description of features to provide procurement requirements may be used. The specific features of the named brand must be clearly stated and the District must identify any additional requirements which the offerors must fulfill and all other factors that will be used in evaluating bids or proposals.

Any solicitation for the procurement of commodities, contractual services, or leases will include a provision notifying vendors that the Board will not request documentation of, consider, or give a preference based on the vendor's social, political, or ideological interests.

The Board will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The District shall have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

A. Informal Procurement Methods

Informal procurement methods for small purchases expedite the completion of transactions, minimize administrative burdens, and reduce costs. Informal procurement methods may be used when the value of the procurement transaction under a Federal award does not exceed the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are not required. The informal procurement methods include:

1. Micro-Purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000. To the extent practicable, the District should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable based on research, experience, purchase history or other relevant information and maintains documents to support its conclusion. The District shall maintain evidence of this reasonableness in the records of all purchases made by this method.

Unless otherwise defined by State or local law, districts are responsible for determining and documenting an appropriate micro-purchase threshold in accordance with 2 C.F.R. 200.320(a)(iv) based on internal controls, an evaluation of the risk, and its documented procurement procedures. The micro-purchase threshold used by the District shall be authorized or not prohibited under State, local, or tribal laws or regulations. An eligible District may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal agency or pass-through entity and auditors in accordance with C.F.R. 200.334. The self-certification, in accordance with 2 C.F.R. 200.334, must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

- a. A qualification as a low-risk auditee, in accordance with the criteria in C.F.R. 200.520;
- b. An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or
- c. For public institutions, a higher threshold is consistent with State law.

2. Small Purchases

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of \$50,000. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.

Districts are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations (FAR). When applicable, a lower simplified acquisition threshold used by the District must be authorized or not prohibited under State, local, or tribal laws or regulations.

B. Formal Procurement Methods

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold, or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

1. Sealed Bids

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than \$50,000. For construction projects see Policy 6322.

In order for sealed bidding to be feasible, the following conditions shall be present:

- a. a complete, adequate, and realistic specification or purchase description is available;
- b. two (2) or more responsible bidders have been identified as willing and able to compete effectively for the business; and

- c. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally based on price.

When sealed bids are used, the following requirements apply:

- a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
- b. The invitation for bids must define the items or services with specific information, including any required specifications, for the bidder to properly respond.
- c. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
- d. A firm fixed price contract is awarded in writing to the lowest responsive bid and responsible bidder. When specified in the invitation for bids, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts must only be used to determine the low bid when the District determines they are a valid factor based on prior experience.
- e. The Board reserves the right to reject any or all bids, but must document and provide justification for all bids it rejects.

2. Proposals

Procurement by proposals is a method in which either a fixed price or cost-reimbursement contract is awarded. This method is used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method.

If this method is used, the following requirements apply:

- a. Requests for proposals require public notice, and must identify all evaluation factors and their relative importance. To the maximum extent practicable, any proposals submitted in response to the public notice must be considered.
- b. Proposals shall be solicited from an adequate number of sources.
- c. The District must have written procedures for conducting technical evaluations and for making selections.
- d. Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the District considering price and other factors.
- e. All Requests for Proposals (RFPs) and Invitations to Bid (ITBs) shall be opened publicly in accordance with F.S. 287.057.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby the competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where the price is not used as a selection factor, can only be used to procure A/E professional services. The method cannot be used to purchase other types of services provided by A/E firms that are a potential source to perform the proposed effort.

3. Noncompetitive Procurement

Procurement by noncompetitive proposals may be used only when one or more of the following circumstances apply:

- a. the aggregate amount of the procurement transaction does not exceed the micro-purchase threshold;
- b. the procurement transaction can only be fulfilled by a single source;

- c. the public exigency or emergency for the requirement will not permit a delay resulting from providing public notice of a competitive solicitation;
- d. the District requests in writing to use a noncompetitive procurement method, and the Federal agency or pass-through entity provides written approval; or
- e. soliciting several sources, competition is determined to be inadequate.

Domestic Preference for Procurement

The District should, to the extent practicable and consistent with law, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. (See 7 C.F.R. 210.21(d)). If a non-domestic agricultural product is to be provided, the vendor must obtain written approval of the product to be used in advance. Such requirements shall be included in all subawards, contracts, and purchase orders under the Federal award.

Procurement of Recovered Materials

The District must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. 6962. These requirements include:

- A. procuring only items designated in the guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000;
- B. procuring solid waste management services in a manner that maximizes energy and resource recovery; and
- C. establishing an affirmative procurement program for the procurement of recovered materials identified in the EPA guidelines.

The District should, to the greatest extent practicable and consistent with law, purchase, acquire, or use products and services that can be reused, refurbished, or recycled; contain recycled content, are biobased, or are energy and water efficient; and are sustainable.

This may include purchasing compostable items and other products and services that reduce the use of single-use plastic products.

Contract/Price Analysis

The District shall perform a cost or price analysis for every procurement transaction, including contract modifications, in excess of the Simplified Acquisition Threshold (currently \$250,000). The method and degree of analysis conducted depend on the facts surrounding the particular procurement transaction. For example, the District should consider potential workforce impacts in their analysis if the procurement transaction will displace public sector employees. However, as a starting point, the District must make independent estimates before receiving bids or proposals.

A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements. The District must not use the "cost plus a percentage of cost" and "percentage of construction costs" methods of contracting.

Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that the costs incurred or cost estimates included in negotiated prices would be allowable for the District according to cost principle requirements.

Time and Materials Contracts

The District uses a time and materials type contract only (1) after a determination that no other contract is suitable, and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Because this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The District will award contracts only to responsible contractors that possess the ability to perform successfully under the terms and conditions of the proposed contract. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as (1) contractor integrity; (2) public policy; (3) compliance; (4) proper classification of employees; (5) record of past performance; and (6) financial and technical resources.

The District shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the District shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

Bid Protest

The District maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The District shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection, or rejection, and the basis for the contract price (including a cost or price analysis).

Record Retention

The District must retain all Federal award records for three (3) years from the date of submission of the final financial report. For awards that are renewed quarterly or annually, the District must retain records for three (3) years from the date of submission of the quarterly or annual financial report, respectively. Records to be retained include, but are not limited to, financial records, supporting documentation, and statistical records. Other records retention requirements shall be in accordance with 2 C.F.R. 200.334.

The District must collect, transmit, and store Federal award information in an open file, non-licensed, and machine-readable formats. The District may substitute electronic versions of original paper records through duplication or other forms of electronic conversion, provided that the procedures are subject to periodic quality control reviews. Quality control reviews must ensure that electronic conversion procedures provide safeguards against the alteration of records and assurance that records remain in a format that is readable by a computer system.



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Section	6000 Finances Cleaned
Title	BID PROTESTS
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Status	From Neola
Legal	<u>F.S. 120.57(3)</u> <u>F.S. 255.0516</u> <u>F.S. 1001.42</u> <u>F.S. 1001.43</u> <u>F.A.C. Ch. 28-106</u> <u>F.A.C. Ch. 28-110</u>

6326 - **BID PROTESTS**

Bid protests shall be resolved under procedures set forth in this policy and in conformity with the requirements of F.S. 120.57(3) and the Uniform Rules at F.A.C. Chapters 28-106 and -110.

Definitions

"Decision or intended decision" means:

- A. the contents of a solicitation, including addenda;
- B. a determination that a specified procurement can be made only from a single source;
- C. rejection of a response or all responses to a solicitation; or
- D. intention to award a contract as indicated by a posted solicitation tabulation or other written notice.

"Filed" means that a document has been physically received and time/date stamped by the appropriate District Department. For solicitations by the purchasing department, the notice must be filed in the Purchasing Department. For solicitations by the facilities planning and construction department, the notice must be filed in the Facility Planning and Construction Department within the time required by this policy.

All documents required to be filed within a stated number of days must be filed not later than 3:00 p.m. of the last day for filing. Saturdays, Sundays, and legal holidays observed by the School Board shall be excluded in the computation of any seventy-two (72) hour time period provided by this policy.

Filing of a notice of protest or a formal written protest by facsimile will not be permitted.

"Person" means an individual and also includes company, corporation, partnership, limited partnership, joint venture, or any other legally recognized business entity.

Notice of Decision

The Superintendent will give notice of a decision or intended decision by posting on the District website. All such notices shall contain the following statement "Failure to file a protest within the time prescribed in F.S. 120.57(3), shall constitute a waiver of proceedings under F.S. Chapter 120."

Notice of Protest

Any person who claims to be adversely affected by a proposed award of a bid and who has standing to protest an award of a bid may file a written notice of protest not later than seventy-two (72) hours after the time of the posting of the bid tabulation. For a protest of the terms, conditions, and specifications contained in a solicitation, the notice of protest shall be filed in writing within seventy-two (72) hours after the posting of the solicitation. The notice of protest must be filed with the appropriate District Department. For solicitations by the purchasing department, the notice must be filed in the Purchasing Department. For solicitations by the facilities planning and construction department, the notice must be filed in the Facility Planning and Construction Department.

Formal Written Protest

In addition to filing a notice of protest, a protesting bidder must file a formal written protest.

The formal written protest must be filed with the appropriate District Department. For solicitations by the purchasing department, the notice must be filed in the Purchasing Department. For solicitations by the facilities planning and construction department, the notice must be filed in the Facility Planning and Construction Department within ten (10) days following the day of filing of the notice of protest. Failure to file the formal written protest within the time prescribed by F.S. 120.57(3), shall constitute a waiver of proceedings under F.S. Chapter 120 and a waiver of the protest.

The Formal Written Protest shall state with particularity the facts and law upon which the protest is based and shall be in petition form, as required by F.A.C. 28-110.004(2).

The formal written protest must contain, at a minimum, the following information:

- A. Solicitation identification number and title;
- B. The name and address of the protesting party and the title or position of the person submitting the protest;
- C. A statement that sets forth with particularity the facts alleged and the rules, regulations, statutes, and constitutional provisions entitling the protesting party to relief;
- D. A statement showing, with particularity, the specific relief sought by the protesting party; and
- E. Such other information as the protesting party considers material

Failure to file a notice of intent to protest, or failure to file a formal written protest, within the times prescribed in section F.S. 120.57(3), shall constitute a waiver of proceedings under F.S. Chapter 120.

Protest Costs for bid by the Purchasing Department

The protesting party shall deposit an amount equal to five percent (5%) of the estimated total contract value determined by the Supervisor of Purchasing in the form of a cashier's check, made payable to the School Board of Clay County, Florida, no later than the deadline for the filing of the formal written protest. This provision does not apply to matters under Protest Bond section below.

- A. Said amount must be deposited with the Supervisor of Purchasing;
- B. Said amount must be recovered if the protesting party prevails without interest.

Protest Bond for bid by the Facility Planning and Construction Department

According to F.S. 255.0516, concerning protests relating to educational facilities or public buildings, the protester shall be required to post a bond payable to the School Board of Clay County, Florida.

A protesting bidder shall post, at the time of filing the formal written protest, a bond payable to the School Board of Clay County, Florida in an amount of \$25,000 or two percent (2%) of the lowest accepted bid, whichever is greater, for projects valued over \$500,000; and five percent (5%) of the lowest accepted bid for all other projects. The bond shall be conditioned upon the payment of all costs which may be adjudged against the protester in the administrative hearing and in any subsequent appellate court proceeding. If, after completion of the administrative hearing process and any appellate

court proceedings, the Board prevails, it shall recover all costs and charges, which shall be included in the final order or judgment, including charges made by the Division of Administrative Hearings and attorney's fees. The bid protest bond may be secured by a certified check drawn on an approved financial institution or a surety licensed to conduct business in the State of Florida by the Florida Department of Insurance.

Bid Protest Resolution

The Superintendent shall provide an informal meeting with the protestor to attempt to resolve the protest. Such a meeting will be held within seven (7) days, excluding Saturdays, Sundays and legal holidays, from the day of the filing of the formal written protest.

If the protest is not resolved by mutual agreement within seven (7) days of the filing of the formal written protest, and if there is no disputed issue of material fact, a Board member shall conduct an informal proceeding pursuant to F.S. 120.57(2) and shall make a recommendation for final action to the Board.

If the protest is not resolved by mutual agreement within seven (7) days of the filing of the formal written protest, and if there is a disputed issue of material fact, the Superintendent shall refer the bid protest to the Division of Administrative Hearings for a formal hearing, pursuant to F.S. 120.569 and 120.57(3), and F.A.C. Chapter 28-110.

The Board shall enter its final order within thirty (30) days from the date of the entry of the recommended order unless otherwise agreed to by the parties to the bid protest.

Stay of Proceedings

The filing of a formal written protest shall act to suspend the Board's contract award process until the protest is resolved. However, the Board may set forth in writing particular facts and circumstances which require the continuance of the contract award process without delay, in order to avoid an immediate or serious danger to public health, safety, or welfare. In such event, the Board will only purchase supplies or commodities which are necessary to the operation of any school or the maintenance of any service without causing an immediate or serious danger to the health, safety, or welfare of students, employees, of the general public.

In the event of a conflict, the applicable provisions of F.S. Chapter 120 and F.A.C. Chapter 28-110 shall prevail over the provisions of this policy.

The Board reserves the right to exercise any right or privilege accruing from law or regulation not addressed directly by this policy.



Book Policy Project Revised

Section 6000 Finances Cleaned

Title ACQUISITION OF PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, OR LAND SURVEYING SERVICES

Code po6330

Status From Neola

Legal [F.S. 287.055](#)
[F.S. 1001.43](#)
[F.S. 1013.46](#)

6330 - ACQUISITION OF PROFESSIONAL ARCHITECTURAL, ENGINEERING, LANDSCAPE ARCHITECTURAL, OR LAND SURVEYING SERVICES

The School Board is authorized to employ procedures to contract for the construction of new facilities, or for additions, remodeling, renovation, maintenance, or repairs to existing facilities by licensed professionals pursuant to F.S. 287.055, The Consultants' Competitive Negotiation Act ("CCNA").

A. Definitions

1. "Professional Services" means those services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by the laws of the State, or those performed by any architect, professional engineer, landscape architect, or registered land surveyor and mapper in connection with his/her professional employment or practice.
2. "School Board" means the Board and describes an agency as defined in State law.
3. "Firm" means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice architecture, engineering, or surveying and mapping in the State.
4. "Compensation" means the total amount paid by the Board for professional services regardless of whether stated as compensation or stated as hourly rates, overhead rates, or other figures or formulas from which compensation can be calculated.
5. "PSAC" shall mean the Professional Service Advisory Committee.
6. "Project" means that fixed capital outlay study or planning activity described in the public notice pursuant to Section C herein. The Board shall prescribe, in compliance with State law, procedures for the determination of a project under its jurisdiction. Such procedures may include:
 - a. determination of a project which constitutes a grouping of minor construction, rehabilitation, or renovation activities.
 - b. determination of a project which constitutes a grouping of substantially similar construction, rehabilitation, or renovation activities.
7. A "Continuing Contract" is a contract for any of the following: (a) professional services entered into in accordance with all the procedures of the CCNA between the Board and a firm whereby the firm provides

professional services to the Board for projects in which the estimated construction cost of each individual project under the contract does not exceed \$7.5 million or the amount as adjusted and published on the Bureau of Labor Statistics of the United States Department of Labor's websites based on changes to the June-to-June Consumer Price Index for All Urban Consumers; (b) study activity if the fee for such professional services for each individual study under the contract does not exceed \$500,000; (c) work of a specified nature as outlined in the contract required by the Board with the contract being for a fixed term or with no time limit except that the contract must provide a termination clause. Firms providing professional services under continuing contracts may not be required to bid against one another.

8. A "design-build firm" means a partnership, corporation, or other legal entity that:

- a. is certified under F.S. 489.119 to engage in contracting through a certified or registered general contractor or a certified or registered building contractor as the qualifying agent; or
- b. is certified under F.S. 471.023 to practice or to offer to practice engineering; certified under F.S. 481.219 to practice or to offer to practice architecture, or certified under F.S. 481.319 to practice or to offer to practice landscape architecture.

9. A "design-build contract" means a single contract with a design-build firm for the design and construction of a public construction project.

10. A "design criteria package" means concise, performance-oriented drawings or specifications of the public construction project. The purpose of the design criteria package is to furnish sufficient information to permit design-build firms to prepare a bid or a response to the Board's request for proposal or to permit an agency to enter into a negotiated design-build contract. The design criteria package must specify performance-based criteria for the public construction project, including the legal description of the site, survey information concerning the site, interior space requirements, material quality standards, schematic layouts and conceptual design criteria of the project, cost or budget estimates, design and construction schedules, site development requirements, provisions for utilities, stormwater retention and disposal, and parking requirements applicable to the project.

11. A "design criteria professional" means a firm who holds a current certificate of registration under F.S. Chapter 481, to practice architecture or landscape architecture or a firm who holds a current certificate as a registered engineer under F.S. Chapter 471, to practice engineering and who is employed by or under contract to the Board for professional architect services, landscape architect services, or engineering services in connection with the preparation of the design criteria package.

12. "Negotiate" or any form of that word means to conduct legitimate, arms length discussions and conferences to reach an agreement on a term or price. For purposes of this policy, the term does not include presentation of flat-fee schedules with no alternatives or discussion.

B. Selection of Professional Services

All professional services shall be selected in accordance with the Consultants Competitive Negotiations Act (CCNA) where applicable. The Superintendent shall develop administrative procedures for neutral selection processes based on the nature of the professional services solicited.

C. Professional Service Advisory Committee

A Professional Service Advisory Committee (PSAC) shall be convened by the Superintendent for each project needing to hire professional services if required in the CCNA. Each committee shall be comprised of members with appropriate representative expertise in areas affecting the project in question.

D. Public Announcement and Qualification Procedures

- 1. The Board shall publicly announce, in a uniform and consistent manner, each occasion when professional services are required to be purchased for a project the basic construction cost of which is estimated by the Board to exceed the maximum amount established in State law for CATEGORY FIVE, which is \$325,000, or for planning or study activity when the fee for professional services exceeds the maximum amount established in State law for CATEGORY TWO, which is \$35,000, except in cases of valid public emergencies so certified by the Board. The public notice shall include a general description of the project and shall indicate how interested consultants may apply for consideration.

2. Local contractors are encouraged to submit proposals, and contractors are encouraged to offer bidding opportunities to local subcontractors.
3. The Board shall encourage firms engaged in the lawful practice of their professions that desire to provide professional services to the Board to submit annual statements of qualifications and performance data. Failure to submit an RFQ (Request for Qualifications) shall not preclude the Board from purchasing services from any firm engaged in the lawful practice of its profession.
4. Any firm or individual desiring to provide professional services to the Board must first be certified by the Board as qualified pursuant to law and the regulations of the Board. The Board shall make a finding that the firm or individual to be employed is fully qualified to render the required service. Among the factors to be considered in making this finding are the capabilities, adequacy of personnel, past record, and experience of the firm or individual.
5. The Superintendent shall develop administrative procedures for the evaluation of professional services, including, but not limited to, capabilities, adequacy of personnel, past record, experience, whether the firm is a certified minority business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985, and such other factors as may be determined by the Board to be applicable to its particular requirements. When securing professional services, the Board shall endeavor to meet the minority business enterprise procurement goal set forth in F.S. 287.09451.
6. The public shall not be excluded from these proceedings.

E. Competitive Selection

1. For each proposed project, the PSAC shall evaluate current statements of qualifications and performance data on file, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with, and may require public presentations by, no fewer than three (3) firms, regarding their qualifications, approach to the project, and ability to furnish the required services.
2. The PSAC shall select in order of preference no fewer than three (3) firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the PSAC shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current, and projected workloads of the firms; and the volume of work previously awarded to each firm by the Board, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms. The PSAC may request, accept, and consider proposals for the compensation to be paid under the contract only during competitive negotiations under section E below.
3. This section does not apply to a professional service contract for a project, the basic construction cost of which is estimated by the Board to be not in excess of \$325,000 or for a planning or study activity when the fee for professional services is not in excess of \$35,000. These amounts shall increase along with the thresholds defined in F.S. 287.017 for CATEGORY FIVE and/or CATEGORY TWO. However, if, in using another procurement process, the majority of the compensation proposed by firms is in excess of the appropriate threshold amount, the Board shall reject all proposals and reinstate the procurement pursuant to statute. (F.S. 287.055(4)(c)).
4. The Board shall evaluate qualifications of a minimum of three (3) finalists by considering the written materials submitted by the applicants, performance data on file with the District, materials submitted by other firms or individuals, and the evaluation of the PSAC. Although the Board shall consider the evaluation of the PSAC, such evaluation shall not be binding on the Board. The Board retains the authority to re-rank the three (3) finalists.
5. Nothing in this rule shall be construed to prohibit a continuing contract between a firm and Board.

F. Competitive Negotiation

1. A tentative contract shall be negotiated with the most qualified firm for professional services at compensation which the Board's designee(s) determine(s) is fair, competitive, and reasonable. In making such determination, the Board's designee(s) shall conduct a detailed analysis of the cost of the professional services required in addition to considering their scope and complexity. For any lump-sum or cost-plus-a-fixed-fee professional service contract that exceeds the maximum amount established by State law for CATEGORY FOUR, which is \$195,000, the Board shall require the firm receiving the award to execute a truth-

in-negotiation certificate stating that wage rates and other factual unit costs supporting the compensation are accurate, complete, and current at the time of contracting. Any professional service contract under which such a certificate is required shall contain a provision that the original contract price and any additions thereto shall be adjusted to exclude any significant sums by which the Board determines the contract price was increased due to inaccurate, incomplete, or non-current wage rates and other factual unit costs. All such contract adjustments shall be made within (1) year following the end of the contract.

2. Should the Board's designee(s) be unable to negotiate a satisfactory tentative contract with the firm considered to be the most qualified at a price the Board's designee(s) determines to be fair, competitive, and reasonable negotiations with that firm shall be formally terminated. The Board's designee(s) shall then undertake negotiations with the second most qualified firm. Failing tentative accord with the second most qualified firm, the Board's designee(s) shall terminate negotiations. The Board's designee(s) shall then undertake negotiations with the third most qualified firm.
3. Should the Board's designee(s) be unable to negotiate a satisfactory tentative contract with any of the selected firms, the Board's designee(s) shall select additional firms in the order of their competence and qualification and continue negotiations in accordance with this subparagraph until a tentative agreement is reached or shall be readvertised.
4. When the Board's designee(s) successfully negotiates a tentative contract with a firm considered to be fully qualified at a price the Board's designee(s) determines to be fair, competitive, and reasonable, the tentative contract will be presented to the Superintendent for his/her review and recommendation to the Board. The Board shall either approve or disapprove the tentative contract. Upon Board approval, the approved contract shall be duly executed.

G. Prohibition Against Contingent Fees

Each contract entered into by the Board for professional services shall contain a prohibition against contingent fees as required by F.S. 287.055(6).

H. Design-Build Contracts

The Board will award design-build contracts by the use of a competitive proposal selection process as described in this section, or by the use of a qualifications-based selection process pursuant to sections C, D, and E above, for entering into a contract whereby the selected firm will, subsequent to competitive negotiations, establish a guaranteed maximum price and guaranteed completion date. If the Board elects the option of qualifications-based selection, during the selection of the design-build firm the Board will employ or retain a licensed design professional appropriate to the project to serve as the Board's representative.

Procedures for the use of a competitive proposal selection process must include as a minimum the following:

1. The preparation of a design criteria package for the design and construction of the public construction project.

The design criteria package must be prepared and sealed by a design criteria professional employed by or retained by the Board. If the Board elects to enter into a professional services contract for the preparation of the design criteria package, then the design criteria professional must be selected and contracted with under the requirements of sections D and E above. A design criteria professional who has been selected to prepare the design criteria package is not eligible to render services under a design-build contract executed pursuant to the design criteria package.

2. The qualification and selection of no fewer than three (3) design-build firms as the most qualified, based on the qualifications, availability, and past work of the firms, including the partners or members thereof.
3. The criteria, procedures, and standards for the evaluation of design-build contract proposals or bids, based on price, technical, and design aspects of the public construction project, weighted for the project.
4. The solicitation of competitive proposals, pursuant to a design criteria package, from those qualified design-build firms and the evaluation of the responses or bids submitted by those firms based on the evaluation criteria and procedures established prior to the solicitation of competitive proposals.
5. For consultation with the employed or retained design criteria professional concerning the evaluation of the responses or bids submitted by the design-build firms, the supervision or approval by the Board of the detailed working drawings of the project; and for evaluation of the compliance of the project construction

with the design criteria package by the design criteria professional.

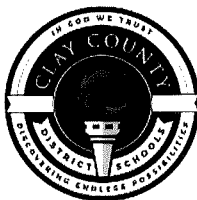
6. In the case of public emergencies, the Board may declare an emergency and authorize negotiations with the best qualified design-build firm available at that time.

I. Reuse of Existing Plans

Notwithstanding any other provisions of this policy, there shall be no public notice requirement or utilization of the selection process as provided in this policy for projects in which the Board is able to reuse existing plans from a prior project. However, public notice for any plans which are intended to be reused at some future time shall contain a statement which provides that the plans are subject to reuse in accordance with the provisions of F.S. 287.055(10).

J. Protest Procedure

The protest procedure will be as described in Policy 6326 - Bid Protests.



Book Policy Project Revised

Section 6000 Finances Cleaned

Title PREQUALIFICATION OF CONTRACTORS FOR EDUCATIONAL FACILITIES CONSTRUCTION

Code po6334

Status From Neola

Legal F.S. 1001.41
F.S. 1001.42
F.S. 1001.43
F.A.C. 6A-2.0010
State Requirements for Educational Facilities

6334 - **PREQUALIFICATION OF CONTRACTORS FOR EDUCATIONAL FACILITIES CONSTRUCTION**

The School Board shall pre-qualify contractors for a one (1) year period or for a specific project in accordance with the following:

Criteria

Contractors shall be pre-qualified on the basis of the following criteria and any additional criteria specific to the project under consideration:

- A. Proof that the contractor holds a contractor's license which authorizes the contractor to supervise work within the scope of the construction project.
- B. Evidence that the applicant has financial resources to start up and follow through on projects and to respond to damages in case of default as shown by written verification of bonding capacity equal to or exceeding the amount of any project for which the contractor seeks prequalification. The written verification must be submitted by a licensed surety company rated excellent ("A-" or better) in the current A.M. Best Guide and qualified to do business within the State. In the absence of such written verification, the Board may require the applicant to submit any audited financial information necessary to evaluate an applicant's financial ability to perform the project and to respond to damages in the event of default.
- C. Evidence of experience with construction techniques, trade standards, quality workmanship, project scheduling, cost control, management of projects, and building codes for similar or lower cost or scope projects, as shown by successful completion of at least two (2) other projects of similar size within the past five (5) years.
- D. Evidence of satisfactory resolution of claims filed by or against the contractor asserted on projects of the same or similar size within the five (5) years preceding the submission of the application. Any claim against a contractor shall be deemed to have been satisfactorily resolved if final judgment is rendered in favor of the contractor or any final judgment rendered against the contractor is satisfied within ninety (90) days of the date the judgment becomes final.
- E. Type of work for which the contractor is licensed.

Procedures

- A. The Board shall hold a public hearing to discuss the Board's intent to pre-qualify contractors and the proposed policies, procedures, and rules.
- B. The Board shall publish two (2) notices of the public hearing in a local newspaper having general circulation throughout the District and least thirty (30) days and again seven (7) days prior to the hearing. The notice shall contain at least the purpose, date, time, and place of the hearing.
- C. It is the policy and procedure of the Board to provide for open competition which shall not prevent the submission of a bid, nor prohibit the consideration of a bid submitted by a prequalified contractor. Those standards which the Board applies when soliciting bids for goods and services generally shall be applied equally to the solicitation of bids from prequalified contractors.
- D. It is the policy of the Board to allow for prequalification of any responsible contractor who, through its submittal to the Board, meets the uniform criteria established by the State Requirements for Educational Facilities and incorporated in Criteria above whether such contractor is a resident or nonresident of the geographical area served by the Board.
- E. It is the policy of the Board to allow those contractors seeking prequalification to submit all required company financial information separate and apart from the other required submittals, as specifically outlined in the Prequalification Submittals section of the Request for Qualifications, in order to endeavor to protect privileged company information from public disclosure.
- F. The Board shall appoint a Contractor Prequalification Review Committee to review and evaluate the submissions and to make recommendations to the Board as to which contractors should be prequalified to bid for a type of project, dollar volume, and limits allowed within the scope of the prequalification.
- G. These prequalification procedures shall not supersede any small business, woman-owned, or minority-owned business enterprise preference program adopted by the Board.
- H. Notwithstanding anything contained herein, the Board may reject any proposals which, in the Board's sole opinion, contain inaccurate information. In addition, the Board shall have the sole discretion to declare a contractor delinquent and to suspend or revoke a prequalification certificate.
- I. The Board shall receive and either approve or reject each application for prequalification within sixty (60) days after receipt by the Board's administrator. Approval shall be based on the criteria and procedures established in this policy.

Application

Each contractor, firm, or person requesting prequalification shall submit separate applications that include the following:

- A. Detailed information on Board prescribed forms setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a Public Entity Crimes Statement, and references.
- B. Audited financial information current within the past twelve (12) months, such as a balance sheet and statement of operations, and bonding capacity. The requirement for financial information may be satisfied by the contractor providing written verification of the contractor's bonding capacity.
- C. General information about the contractor company, its principals, and its history, including state and date of incorporation.
- D. Contractor trade categories and information regarding the State and local license and license numbers held by the applicant.
- E. A list of projects completed within the past five (5) years, including dates, clients, approximate dollar value, and size.
- F. Certificates of insurance confirming current worker's compensation, public liability and property damage insurance as required by law.

- G. A list of all pending litigation and all litigation within the past five (5) years, including an explanation of each. Litigation initiated by the contractor to protect the contractor's legal rights shall not be used as a basis for rejecting prequalification.
- H. The completed application and financial information shall be attested to and signed by an authorized officer of the company, the owner, or sole proprietor, as appropriate. The signature shall be notarized.
- I. Exception: When two (2) or more prequalified contractors wish to combine their assets for a specific project, they may do so by filing an affidavit of joint venture. Such affidavit shall be valid only for that specific project.

Issuance of Certificate

The Board shall issue to all prequalified contractors a certificate valid for one (1) year or for the specific project. That certificate shall include the following:

- A. A statement indicating that the contractor may bid for projects during the time period specified.
- B. A statement establishing the type of work the contractor will be permitted to provide.
- C. A statement establishing the total dollar value of work the contractor will be permitted to have under contract with the Board at any one time as determined by the contractor's bonding capacity or ten (10) times the net quick assets.
- D. A statement establishing the maximum dollar value of each individual project the contractor will be permitted to have under contract with the Board at any one time. The maximum value of each project may be up to twice the value of the largest project previously completed but shall not exceed the contractor's bonding capacity or ten (10) times the net quick assets.
- E. The expiration date of the certificate.

Renewal of Certificate

Certificates not for a specific project shall be renewed annually.

- A. Financial statements or written verification of bonding capacity on file with the Board shall be updated annually. Failure to submit a new statement or verification of bonding capacity, after at least thirty (30) days written notice by the Board, shall automatically revoke a prequalification certificate.
- B. Prequalified contractors may request a revision of their prequalifications status at any time they believe the dollar volume of work under contract or the size or complexity of the projects should be increased if experience, staff size, staff qualifications, and other pertinent data justify the action.

Delinquency

The decision to declare a contractor delinquent may only be made by the Superintendent and must be ratified by the Board at its next regular meeting following the decision by the Superintendent. Should the contractor be determined to be delinquent, after notice and an opportunity for a fair hearing, the Board shall notify the contractor and his/her surety, in writing, that the contractor is disqualified from bidding work with the Board as long as the delinquent status exists. A delinquent condition may be determined to be in effect when one (1) or more of the following conditions occur without justifiable cause:

- A. A substantial or repeated failure to comply with contract documents after written notice of such noncompliance.
- B. A substantial or repeated failure to provide supervision and coordination of subcontractor's work after written notice of such failure.
- C. Substantial deviation from project time schedules after written notice of noncompliance.
- D. Substantial or repeated failure to pay subcontractors after the Board has paid the contractor for the work performed by the subcontractors and in accordance with approved requisitions for payment.
- E. Substantial or repeated failure to provide the quality of workmanship compatible with the trades standards for the community after written notice of such failure.

F. Substantial or repeated failure to comply with the warranty requirements of previous contracts after written notice of such failure.

G. Failure to maintain the required insurance coverage after written notice of such failure.

Suspension or Revocation

The Board may, for good cause, suspend a contractor for a specified period of time or revoke the prequalification certificate. Causes for suspension or revocation shall include, but not be limited to, one or more of the following:

A. Inaccurate or misleading statements included in the application.

B. Declared in default by the Board.

C. Adjudged to be bankrupt.

D. Performance, in connection with contract work, becomes unsatisfactory to the Board, based on the Board asserting and recovering liquidated damages in an action against the contractor.

E. Payment record, in connection with contract work, becomes unsatisfactory to the Board, based on the contractor's failure to comply with the Construction Prompt Pay Act (F.S. 715.12).

F. Becomes delinquent on a construction project pursuant to Delinquency above.

G. Contractor's license becomes suspended or is revoked.

H. No longer meets the uniform prequalification criteria established in this policy.

Appeal

A contractor whose application has been rejected or whose certificate has been suspended or revoked by the Board shall be given the benefit of reconsideration and appeal as follows:

A. The aggrieved contractor may, within ten (10) days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of appeal.

B. The Board shall act upon the contractor's request within thirty (30) calendar days after the filing and shall notify the contractor of its action to adhere to, modify, or reverse its original action. The Board may require additional information to justify the reconsideration.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	MODIFICATIONS AND ALTERATIONS TO SCHOOL BUILDINGS
Code	po6340
Status	From Neola
Legal	<u>F.S. 1003.02</u> <u>F.S. 1013.23</u>

6340 - MODIFICATIONS AND ALTERATIONS TO SCHOOL BUILDINGS

The School Board requires that all modifications or alterations to school buildings be approved prior to implementation. The following regulations shall be imposed:

- A. Any school desiring to make building alterations or site improvements must submit a School Initiated Project Request through the Operations or Facility Planning and Construction Department for review for any building or site alteration or improvement of any cost. The Operations Department in conjunction with the Facility Planning and Construction Department shall consider program and physical needs, codes, and statutory requirements, cost, location of utilities services, future maintenance requirements, and overall project feasibility, and make recommendations based on priority, consistency with the facility capital improvement plan and funding capabilities.
- B. Any PTA or similar interest group desiring to donate a building or site improvement shall obtain approval in accordance with the above.
 - 1. Donations of equipment, including playground equipment, shall be approved by the Operations department including Facility Planning, Maintenance, and Code Enforcement before acceptance by the school. All such donations shall become the sole property of the Board.
 - 2. All real property accepted by the Board shall be recorded in the financial records and the general fixed assets of the Board at fair market value or a reasonable and equitable estimate of such value on the date of acquisition. The actual cost or estimated equivalent cost of labor and/or materials donated to a capital outlay project shall also be recorded.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	CHANGE ORDERS
Code	po6345
Status	From Neola
Legal	<u>F.A.C. 6A-2.0010</u>

6345 - CHANGE ORDERS

The School Board believes that thoughtful planning should minimize the change orders that are necessary to a construction contract for any construction or renovation project, but recognizes that all circumstances that might necessitate such changes cannot be anticipated. Therefore, this policy is established to prescribe the manner in which said change orders shall be approved and executed.

The Superintendent is authorized to approve and execute any construction contract Change Order that will increase the construction contract amount by \$100,000, or that will decrease the construction contract amount, provided that approval shall be, in his/her judgement, in the best interest of the Board. Such change orders shall be binding upon execution by the Superintendent. The Superintendent shall report each change order that s/he approved to the Board at the Board meeting that follows his/her approval. The Superintendent's approval of the change order shall be entered into the official minutes of the Board.

The Superintendent shall recommend to the Board for its review and approval any change order to a construction contract that will increase the construction contract amount by more than \$100,000. No such change order shall be binding unless and until it is approved by the Board and executed by the Board's designee.

A proposed change to the construction contract shall not be split so that the resulting change orders do not exceed the \$100,000 limit established by this policy.

The contractor proposing a change order to the construction contract shall, prior to commencing the work involved, provide accurate cost data in sufficient detail to enable the District representative and the architect and/or engineer involved with the project to evaluate the proposal. The evaluation shall confirm the accuracy of the estimate by establishing a fair market value of the costs for all labor, material, equipment, and incidentals required to accomplish the change.

For all proposed change orders, the architect or engineer of record for the project shall certify in writing to the Superintendent and the Board that the cost of the requested change is fair, reasonable, and in proper proportion to the cost of the original work covered by the contract and shall recommend action thereon.

The cumulative total of all approved change orders to the construction contract for any project shall not increase the original construction contract amount by more than eight percent (8%) or \$300,000, whichever is less, without prior Board approval.

All change orders to construction contracts shall be in compliance with Florida statutes and the State Requirements for Educational Facilities both in form and content.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	USE OF CREDIT CARDS
Code	po6423
Status	From Neola

6423 - USE OF CREDIT CARDS

The School Board recognizes the value of a credit card as an efficient method of payment and record keeping for certain expenses.

The Board, therefore, authorizes the use of District credit cards. The authorization, handling, and use of credit cards has been established to provide a convenient and efficient means to purchase goods and services from vendors. Credit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or school-related activities and that only those types of expenses that are for the benefit of the District and serve a valid and proper public purpose shall be paid for by credit card. However, under no circumstances shall credit cards be used for personal purchases or the purchase of alcoholic beverages regardless of whether the purchase of such beverages is made in connection with a meal.

The Superintendent shall develop administrative procedures that specify those authorized to use credit cards, the types of expenses which can be paid by credit cards, and their proper supervision and use. Inappropriate or illegal use of the credit card and/or failure to strictly comply with the limitations and requirements set forth in the administrative procedures may result in a loss of credit card privileges, disciplinary action, up to and including termination, personal responsibility for any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase, and/or possible referral to law enforcement authorities for prosecution.

The Superintendent determines and specifies those employees authorized to use District credit cards. The Chief Financial Officer shall be responsible for giving direction to and supervising such employees' use of District credit cards.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	COOPERATIVE PURCHASING
Code	po6440
Status	From Neola
Legal	<u>F.S. 624.438</u> <u>F.S. 1001.42(25).</u> <u>F.S. 1001.43(2).</u> <u>F.S. 1010.04</u> <u>F.A.C. 6A-1.013</u>

6440 - **COOPERATIVE PURCHASING**

The School Board recognizes the advantages of centralized purchasing in that volume buying tends to maximize value for each dollar spent.

The Board is permitted to enter into an interlocal agreement as provided in F.S. 163.01 for the purpose of establishing a Statewide or regional School District Consortium or a professional association of employers (as defined in F.S. 624.438) and maximizing the purchasing power for goods and services.

The Board authorizes the Superintendent to negotiate such interlocal purchasing agreements for services, supplies, and equipment in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

The interlocal purchasing agreement will be approved by the Board and/or the Superintendent and the participating contracting body(ies) and will specify the categories of equipment and supplies to be purchased; the manner of advertising for bids and of awarding contracts; the method of payment by each participating party and such other matters as may be deemed necessary to carry out the purposes of the agreement. Purchases under such an agreement are subject to all legal bidding requirements.

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Book Policy Project Revised

Section 6000 Finances Cleaned

Title VENDOR PREFERENCE

Code po6450

Status From Neola

Legal [F.S. 283.35](#)
[F.S. 287.084](#)
[F.S. 1001.43](#)
[F.S. 1010.04](#)
[F.A.C. 6A-1.091](#)
[F.A.C. 6A-1.012](#)

6450 - **VENDOR PREFERENCE**

Preference for Florida Businesses in Awarding Printing Contracts

When awarding a contract to have materials printed, the District shall grant a preference to the lowest responsible and responsive vendor having a principal place of business in Florida. The preference shall be five percent (5%) if the lowest bid is submitted by a vendor whose principal place of business is located outside of Florida and if the printing can be performed in Florida at a level of quality comparable to that obtainable from the vendor submitting the lowest bid located outside of Florida.

Preference for Florida Businesses in Competitive Solicitations

When the District is required to make purchases of personal property through competitive solicitation and the lowest responsible and responsive bid, proposal, or reply is by a vendor whose principal place of business is in a state or political subdivision thereof which grants a preference for the purchase of such personal property to a person whose principal place of business is in such state, then the District shall award a preference to the lowest responsible and responsive vendor having a principal place of business within Florida, which preference is equal to the preference granted by the state or political subdivision thereof in which the lowest responsible and responsive vendor has its principal place of business.

In a competitive solicitation in which the lowest bid is submitted by a vendor whose principal place of business is located outside of Florida and that state does not grant a preference in competitive solicitation to vendors having a principal place of business in that state, the preference to the lowest responsible and responsive vendor having a principal place of business in this Florida shall be five percent (5%).

The Board will not request documentation of, consider or give preference to a vendor based on, the vendor's social, political, or ideological interests.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	VENDOR RELATIONS
Code	po6460
Status	From Neola
Legal	<u>F.S. 112.313</u> <u>F.S. 1001.43</u>

6460 - **VENDOR RELATIONS**

The School Board shall not enter into a contract knowingly with any supplier of materials, supplies, and services to this District that any Board member or the Superintendent has any financial interest, direct or indirect, whatsoever. This prohibition shall not prevent any person from receiving royalties upon the sale of any educational material of which s/he is the author and which has been properly approved for use in the schools of this District.

Board members and school personnel shall not accept any form of compensation, payment, or thing of value from vendors that might influence their recommendations on the eventual purchase of equipment, supplies, or services. Furthermore, Board members and school personnel shall not accept any compensation, payment, or thing of value from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. Board members or school personnel shall not enter into a contractual relationship with a vendor seeking to do business with the District, or a vendor with whom the District is doing business, whereby an individual Board member or member of the school staff receives compensation, payment, or thing of value for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts as defined in State law. In the event that a Board member or member of the school staff receives such compensation, payment, or thing of value, albeit unsolicited, from a vendor, the Board member or school staff member shall notify the Superintendent, in writing, that s/he received such compensation, payment or thing of value and shall thereafter promptly return said compensation to the vendor at his/her earliest opportunity.

All salespersons, regardless of product, shall clear with the Superintendent's office before contacting any teachers, students, or other personnel of the School District. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with policies of the Board on the basis of quality, price, and delivery with past service a factor if all other considerations are equal.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	PAYMENT OF OBLIGATIONS
Code	po6470
Status	From Neola
Legal	F.S. 217.735 <u>F.S. 1001.43</u> <u>F.S. 1011.10</u>

6470 - PAYMENT OF OBLIGATIONS

Payment of invoices shall be made by checks, automated clearing house (ACH), and/or wire transfers. Authorization for such payments shall be deemed approved by the School Board if within amounts approved in the Board-adopted District budget or amendment thereto. In cases of expenditures exceeding approved purchasing limits, specific Board approval is required and shall be reflected in Board minutes. Approval of individual checks by the Board shall not be required.

Payments for supplies, equipment, and services will be made on invoices submitted by the vendors. Invoices will be checked and compared with receiving reports for accuracy in billing. The originator of the purchase order shall verify that acceptable goods were received or satisfactory services were rendered and the date of receipt.

The finance department shall pay promptly all properly authorized accounts payable which are ready for payment. All District checks are to be signed by the Chair of the Board and the Superintendent. Facsimile signatures may be used.



Book Policy Project Revised

Section 6000 Finances Cleaned

Title EXPENDITURES

Code po6480

Status From Neola

Legal F.S. 1001.43
F.S. 1001.51
F.S. 1011.051
F.S. 1011.06
F.S. 1011.09
F.S. 1012.22
F.A.C. 6A-1.014

6480 - **EXPENDITURES**

Expenditures from District and all other funds available for the public school program shall be authorized by law and procedures prescribed by the School Board. The Board may permit expenditures to exceed the amount budgeted by function and object, provided the expenditure complies with F.S. 1011.09(4). Such an expenditure may be approved so long as the Board amends the budget and provides a full explanation of any amendments at the next scheduled Board meeting.

Furthermore, pursuant to State law, the District, or any person acting on behalf of the District, may not expend public funds (that is, any funds under the jurisdiction or control of the District) for a political advertisement or any other communication sent to electors concerning an issue, referendum, or amendment, including State questions, that is subject to a vote of the electors.

This statutory prohibition applies to a communication initiated by the District, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of an issue, referendum, or amendment.

However, F.S. 106.113(2) permits the District, and any person acting on behalf of the District, to:

- A. report on official actions of the Board/District in an accurate, fair, and impartial manner;
- B. post factual information on the District's website or in printed materials;
- C. host and provide information at a public forum;
- D. provide factual information in response to an inquiry; and,
- E. provide information as otherwise authorized or required by law.

Accounts Payable

The payment of purchase orders, contracts, invoices, and utilities shall be made in accordance with the approved budget and pursuant to State statutes.

Payroll Procedures

- A. No payment shall be made except to properly authorized and approved personnel and shall begin at the time employment is authorized.
- B. Payments shall be based upon a Board-adopted salary schedule for each position.
- C. Employees shall be paid on a bi-weekly basis.
- D. Salary adjustments shall be paid on subsequent payroll periods. Persons terminating shall be paid their full salary or wage balance on the regular payroll period following their termination. An extreme exception must be approved by the Superintendent or his/her designated representative in writing.
- E. Principals and department heads shall be responsible for submitting accurate payroll records in accordance with established time schedules and procedures.
- F. Employees shall be paid by direct deposit.

Overtime Payment

- A. Authorization to work overtime must be by prior approval of the department head or principal.
- B. Overtime compensation shall be paid as approved by the Board.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	LEGAL SERVICES FOR EMPLOYEES, OFFICERS, AND PUBLIC OFFICIALS
Code	po6490
Status	From Neola
Legal	<u>F.S. 1001.43</u> F.S. 1012.26

6490 - LEGAL SERVICES FOR EMPLOYEES, OFFICERS, AND PUBLIC OFFICIALS

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

Legal services for Board employees shall be provided only upon the Superintendent's determination that the employee was at the assigned place of duty and was not guilty of willful neglect of duty, gross negligence, or improper conduct.

The superintendent shall have the authority to obtain, at Board expense, an attorney to represent him/her in any legal matter regarding the performance of his/her duties when special counsel is needed beyond the service normally rendered by the Board attorney.

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Book Policy Project Revised
Section 6000 Finances Cleaned
Title PAYROLL AUTHORIZATION
Code po6510
Status From Neola
Legal F.S. 1001.51
F.S. 1012.22
F.A.C. 6A-1.052

6510 - PAYROLL AUTHORIZATION

The most substantial payment of public funds for the operation of the District is that which is made to the employees of the Board for services rendered. To ensure that each person so compensated is validly employed by this District and that the compensation remitted fairly represents the services rendered, this policy is promulgated.

Employment of all District personnel whether by the year, term, month, week, day, or hour in contract or temporary form must be approved by the Board, except where authority to appoint certain personnel of the District has been delegated to the Superintendent in Policy 1120, *Employment of Administrators*; Policy 3120, *Employment of Instructional Staff*; and Policy 4120, *Employment of Support Staff*.

Each motion of the Board to employ or reemploy a staff member shall include the name of the individual, the position title, and the effective date of employment. Salaries of all employees shall be determined by the Board on the recommendation of the Superintendent and shall be outlined in the annual salary schedule adopted by the Board. Payment shall be based on the duly-adopted salary schedule for each position. From time to time, payments in the form of a bonus or other legally-directed payment may be made, even if not reflected in an adopted salary schedule.

Payroll reports shall be submitted for all Board employees and shall be signed by a designated administrative employee. Such reports shall be supported, where applicable, by the time records.

Payroll schedules shall be established administratively to ensure that the employees are paid promptly and in accordance with Florida statutes.

Full-time and part-time regular, probationary, and temporary employees shall be paid at the regular established pay period. The work week shall be Sunday through Saturday.

The Federal Wage and Hour Law shall prevail for overtime and extra-curricular work. Except under emergency conditions requiring protection of Board property, all overtime work shall have advance written authorization by the Superintendent.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	PAYROLL DEDUCTIONS
Code	po6520
Status	From Neola
Legal	<u>F.S. 1012.31</u>

6520 - PAYROLL DEDUCTIONS

The District shall make all legally required payroll deductions and such deductions do not require School Board approval.

To the extent permitted by law and consistent with the specific provisions of any applicable negotiated agreement, the Board authorizes District-approved voluntary deductions to be made from an employee's paycheck upon proper authorization on the appropriate form.

- A. Payroll deductions shall be based on an amount divided into equal payments and shall continue for the duration of the payroll request.
- B. The employee may cancel noncompulsory deductions on written notice meeting payroll requirements.
- C. Payroll deductions for the exclusive bargaining agent(s) shall be in accordance with Florida statutes and negotiated agreements.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	TAX SHELTERED ANNUITY PLANS AND ACCOUNTS
Code	po6521
Status	From Neola
Legal	<u>F.S. 1012.685</u>

6521 - TAX SHELTERED ANNUITY PLANS AND ACCOUNTS

Tax sheltered annuity plans and accounts for employees of the District shall be available and administered in accordance with procedures established by the Superintendent.

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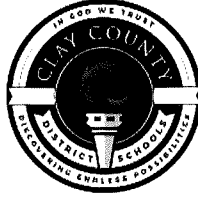
Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	REEMPLOYMENT ASSISTANCE
Code	po6530
Status	From Neola
Legal	<u>F.S. 443.036</u> <u>F.S. 443.191</u>

6530 - **REEMPLOYMENT ASSISTANCE**

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

When an employee applies for reemployment compensation, the Human Resources Division may investigate and provide documentation to the Florida Department of Economic Opportunity that will enable the Department to approve or deny the benefit.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	EMPLOYMENT OF CONSULTANTS
Code	po6540
Status	From Neola
Legal	<u>F.S. 1012.01</u>

6540 - EMPLOYMENT OF CONSULTANTS

The School Board shall allow the casual employment of personnel in a consulting capacity for assisting the District in administration, staff development, and instruction.

Such employment may include resource persons from specialized fields of education or from industry, business, agriculture, health, and other germane occupations.

Instructional staff members employed by the District may be employed as casual resource personnel outside of their regular duties and assignments at the discretion of the Superintendent.

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Book Policy Project Revised

Section 6000 Finances Cleaned

Title TRAVEL AND EXPENSES

Code po6550

Status From Neola

Legal [F.S. 112.061](#)
[F.S. 1001.39](#)
[F.A.C. 6A-1.056](#)
[2 C.F.R. 200.474](#)
[2 C.F.R. 200.475](#)

6550 - **TRAVEL AND EXPENSES**

Travel expenses incurred for official business travel on behalf of the School Board shall be limited to those expenses necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with administrative procedures. Travel costs may include the transportation, lodging, subsistence, and related items incurred by employees who are in travel status of official business of the District.

A. In-County Travel

Travel on official business performed within Clay County by the Superintendent, District employees, and authorized persons shall be reimbursed at the maximum rate allowed by F.S. Chapter 112.061; said mileage shall be determined by actual odometer or GPS reading if travel performed by personal automobile. The Superintendent, or designee, may grant monthly allowances in fixed amounts for the use of privately owned automobiles on official business. Such allowances shall be made on the basis of a signed statement of the traveler, filed before the allowance is granted or changed, and at least annually thereafter. The statement shall show the places and distances for an average typical month's travel, the reimbursable amount at distances for an average typical month's travel, the reimbursable amount at the established rate, and the monthly allowance requested. Under no circumstances shall the monthly allowance be greater than that to which the employee would be entitled at the established reimbursement rate.

B. Out-of-County Travel

In Advance

When approved in advance, expenses for out-of-county travel for employees and authorized representatives of the District shall be paid at the rate allowed by State law. Copies of receipts for lodging, transportation, tolls, registration fees, and parking must be attached to the traveler's request for reimbursement. Per diem is paid at a flat rate.

C. Advancement of Funds for Travel

Approval

Upon approval of the Superintendent, employees and authorized representatives of the Board may receive

advancements for approved travel. Such advancements shall be limited to per diem, mileage, plane or other public transportation tickets, and documented registration fees for the period covered by an appropriate leave form. Prior to receipt of advancement, the employee or authorized representative shall:

1. have written authorization for both the travel and advancement from the appropriate supervisor;
2. agree to repay all amounts of the advancement that are in excess of the documented expenditures which would otherwise be eligible for reimbursement under these policies;
3. agree to provide receipts for lodging, registration, and actual odometer readings within two (2) working days upon return.

D. Prohibited Expenditures

Expenditures for travel outside the District or for cellular phones, cellular phone service, personal digital assistants, or any other mobile wireless communication device or service, including text messaging, whether through purchasing, leasing, contracting, or any other method, are not permitted if any of the financial conditions outlined in F.S. 1011.051, and as set forth in Policy 6233 (*District Budget*), exist.

E. Travel Costs Paid or Reimbursed from Federal Funds

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the District's travel policy and administrative guidelines. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the District's travel policy.

Commercial airfare costs in excess of the basic least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would (1) require circuitous routing; (2) require travel during unreasonable hours; (3) excessively prolong travel; (4) result in additional costs that would offset the transportation savings; or (5) offer accommodations not reasonably adequate for the traveler's medical needs. Instances of commercial airfare cost in excess of the basic least expensive unrestricted accommodations class must be justified and documented on a case-by-case basis.

Conference costs must be appropriate, necessary, and managed to minimize costs to the Federal award.

To the extent that the District's policy does not establish the allowability of a particular type of travel cost, the rates, and amounts established under 5 U.S.C. 5701-11, ("Travel and Subsistence Expenses; Mileage Allowances"), or by the administrator of general services, or by the president (or his/her designee), must apply to travel under Federal awards.

F. Participation in Virtual Trainings and Conferences

Participation in virtual trainings and conferences may be considered part of an employee's performance of their official duties when all of the following apply:

1. The main purpose of the virtual training or conference is in connection with the official business of the District and directly related to the performance of the statutory duties and responsibilities of the employee participating.
2. The virtual training or conference provides a direct educational or other benefit supporting the work and public purpose of the participating employee.
3. the duties and responsibilities of the participating employee are compatible with the objectives of the virtual training or conference.

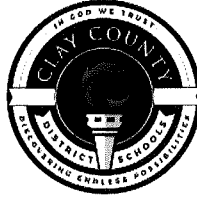
Any employee seeking to participate in a virtual training or conference as part of their official duties must provide in advance to (x) their immediate supervisor the following:

1. a copy of the agenda for the training or conference;
2. the date/times of the training or conference; and,

3. an itemized list detailing all anticipated expenses including, but not limited to, registration fees and costs for materials.

The employee's immediate supervisor shall notify the employee whether their attendance in the virtual training and/or conference is approved. Employees must provide their immediate supervisor documentation evidencing that they attended and completed the virtual training and/or conference.

If a financial condition pursuant to F.S. 1011.051 does not exist, when approved in advance, expenses for participation in a virtual training or conference for an employee, the costs shall be reimbursed at the rate allowed by State law.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	CROWDFUNDING
Code	po6605
Status	From Neola

6605 - **CROWDFUNDING**

This policy applies to the use of any form of crowdfunding utilizing an online service or website-based platform for the financial benefit or gain of the District – be it a specific classroom, grade level, department, school, or curricular or extra-curricular activity.

For purposes of this policy, “crowdfunding” is defined as the solicitation of resources from individuals and/or organizations to support identified activities or projects that enhance the educational program or a specific cause approved by the District. The solicitation is typically from a large number of individuals/organizations utilizing internet-based technologies.

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extra-curricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the Superintendent and the Assistant Superintendent of Business Affairs.

All approved crowdfunding activities shall protect the privacy of students, children, and young adults in accordance with Board policies and District administrative guidelines and applicable State and Federal law, including FERPA and IDEIA.

Materials, supplies, equipment, and other proceeds of the crowdfunding activity shall become the property of the District or school. Cash or equivalent payment to District personnel is prohibited. All fiscal transactions shall comply with appropriate Board policies.

Only approved vendors may be utilized for this activity. Under no circumstances may the District's or school's name, logos or images be used without the express written permission of the Superintendent.

All crowdfunding activities are subject to applicable Board policies including, but not limited to, Policy 5830 – *Student Fund-Raising*.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	SCHOOL INTERNAL FUNDS
Code	po6610
Status	From Neola
Legal	<u>F.S. 1001.43</u> <u>F.S. 1010.02</u> <u>F.S. 1010.20</u> <u>F.S. 1011.07</u> <u>F.S. 1011.18</u> <u>F.A.C. 6A-1.001</u> <u>F.A.C. 6A-1.014</u> <u>Financial and Program Cost Accounting and Reporting for Florida Schools, as revised</u>

6610 - SCHOOL INTERNAL FUNDS

The School Board is responsible for the administration and control of internal funds of the School District. "School internal funds" are those held by specific schools and are part of the Board's regularly adopted budget (GASB 84 - Fiduciary Activities). School internal funds shall be used to benefit activities authorized by the Board and administered by each individual school in accordance with policies of the Board, the Constitution of the State of Florida, Florida statutes, rules of the State Board of Education, and the Financial and Program Cost Accounting and Reporting for Florida Schools, as revised.

All funds handled by employees during normal working hours shall be included in, and become part of, the internal funds of the school unless accounted for in the District-level accounting system. All employees responsible for handling and recording internal funds financial transactions shall be bonded through the District.

All organizations of the school or organizations operating in the name of the school, that obtain money from the public shall be accountable to the Board for receipt and expenditure of those funds.

Annual Audit

All school internal funds will be audited annually.

A. Uniform Records and Accounts

The principal of each school shall be responsible for the safe and proper handling of all monies collected and disbursed within the school and shall keep all accounts in accordance with regulations of the Board and State Board of Education and the Financial and Program Cost Accounting and Reporting for Florida Schools. A complete and accurate record of each and every transaction and a suitable classification (chart of accounts) of all receipts and expenditures shall be kept on approved forms.

B. Receipts of Monies Collected

All funds collected within the school for any purpose shall be deposited with the principal together with such substantiating records as may be required.

C. Safekeeping of Monies, Certificates, and Bonds

All monies received shall be promptly deposited in a qualified public depository and provisions shall be made for the adequate safekeeping of all monies and other financial assets that may come into the possession of the school.

1. Funds shall be promptly deposited in the qualified public depository. Schools shall make deposits of all monies collected within five (5) working days of receipt.
2. All funds received shall be recorded, banked, and reconciled to the proper receipts and accounts.

D. Expenditures

All expenditures from school funds shall be made by approved purchasing methods. Invoices or other approved substantiating evidence shall be required for all payments from school funds. All checks are to be signed by two (2) persons, the principal and the designee.

1. Overspending Limitations

School expenditures from internal funds shall not exceed the cash balance of resources of that school during any fiscal year without written approval of the Superintendent or Board.

2. Regulations Concerning Expenditures

- a. Where expenditures require prior approval, the school should anticipate needs in time to permit processing and proper clearance of written authorization requests. Expenditures shall not be made until approved in writing by the principal.
- b. Authorization for expenditures expire one (1) year after the date of approval.
- c. No school internal fund shall be obligated for any student or teacher expenditure not previously approved in writing by the principal. A principal shall be responsible for any expenditures made or approved by him/her which are not permissible under the laws and regulations of the State or policies of the Board.
- d. Competitive bidding shall follow District purchasing policies in Policy 6320, except that when advanced individual orders are taken from students, staff, or patrons, competitive bids shall not be required. Items purchased "on consignment" need not be bid.

3. Expenditures Requiring Prior Approval

The following is a list of expenditures requiring prior written authorization from the Superintendent or designee:

- a. All equipment which is to be attached to the buildings, or requires remodeling, including the installation of utility service other than that which presently exists in the building. Examples of such purchases are as follows: air-conditioning, ice machines, equipment which uses 220 current where only 110 service exists, those that require the installation of water or sewage lines, etc.
- b. Buildings, permanent attachments to buildings, or other structures.
- c. Bleachers or equipment involving risk to users.
- d. Services and purchase made for any employee of the District.
- e. Membership in and contributions to any noneducational organization.
- f. Each principal may employ persons and authorize payment from internal account funds for supplemental positions consistent with the current Human Resource policies and supplemental salary schedule and requires board approval (see 4.d. below)

4. Expenditures Prohibited from Internal Funds

The following is a list of expenditures which cannot be made from internal funds.

- a. Professional books and magazines, except school professional libraries and personal memberships in professional organizations when purchased through trust funds to which employees contribute.
- b. Articles or services for personal use of Board employees or other persons.
- c. Equipment, supplies, and services for rooms and areas not used primarily for student body benefit, unless raised specifically through employees or other persons or authorized by a student organization.
- d. Wages or supplements to any persons engaged in regular part-time or temporary employment except as provided by the Board.
- e. Loans, credits, or accommodations to Board employees or other persons, including students except as provided in Policy 6550 - *Travel and Expenses*.

5. Cooperative Activities Permitted

The general provisions for cooperative activities for which internal funds are permissible are as follows:

- a. Outside groups. There shall be a definite written agreement between both parties that includes the separation of the outside group from the Clay County School Board and District.
- b. The principal must approve cooperative activities.
- c. Cooperative activities must be beneficial to students.

6. Promotion and Public Relations Funding

The Superintendent or designee and principals are authorized to expend funds from a designated internal account for the purpose of promoting the school and for public relations

Such funds shall be administered in accordance with procedures included in the Financial and Program Cost Accounting and Reporting for Florida Schools.

E. Fund-Raising

School principals are to be made aware of, approve and oversee all fund-raising activities and actions conducted on a school campus and approve all fund-raising activities in the name of the school. Any fund-raising activity conducted on school property is a school-connected activity.

1. Each fund-raising activity shall be planned to finance a specified objective.
2. Each fund-raising activity shall have the approval of the organization sponsor and the principal.
3. The superintendent acts as the custodian of all school property and may delegate responsibilities to the school principal. The principal shall control the fund-raising activities conducted in the name of the school and ensure that the purposes are worthwhile.
 - a. Raffles and other activities of chance shall not be conducted by the school or on school property, including raffles conducted by charitable, nonprofit organizations leasing school property. Encouraging or permitting minors to participate in games of chance by playing or betting money or other valuable things is prohibited.
 - b. Fund-raising activities for which students are charged admission shall not be presented during school hours.
4. When any school organization or group is involved in a fund-raising activity or any function exposing the Board to extraordinary liability, approval must be obtained in advance from the Superintendent (including but not limited to fireworks on Board property, parades & other events on public streets, etc.).

5. Collections for all school-sponsored fund-raising activities must be deposited in the internal fund, and all transactions in connection with the activity must be conducted in accordance with Board policy.
6. Under no circumstances may the District's or school's name, logos or images be used without the express written permission of the Superintendent.

7. Fund Benefits

Funds collected for the benefit of a specific student organization shall be expended for the benefit of said organization unless otherwise designated in minutes of the organization. General fund monies collected from the student body as a whole shall be expended to benefit students directly, except that Board authorized salary supplements for sponsors of student activity programs may be paid from these funds.

8. Commissions or Profits

Funds from commissions such as school pictures, etc., may be credited to the internal general fund or some designated account. Contracts for such activities must comply with bid requirements and be approved by the principal.

F. Student Travel

1. Advance Arrangements

When travel by students is necessary in the pursuance of an approved student activity, advance travel arrangements shall be made. Advance arrangements may include transportation, meals, registration or entrance fees, and lodging. Checks may be prepared in advance for the exact amount and payable to the corporation or proprietor providing the service. The employee sponsor accompanying the students shall be the temporary custodian of the checks and responsible for obtaining an invoice for the exact amount of the check from the corporation or proprietor upon presentation of the check.

2. Advance to Sponsor

When advance arrangements for meals or lodging are impractical because the service to be rendered is en route, or the student group is of such number to make prior knowledge of the exact number impossible, advancement may be made to the faculty sponsor for distribution to the students. Each student shall sign a signature sheet certifying that s/he received their meal or lodging allowance. In such situations, students are to be made aware of the amount of the allowances at least twenty-four (24) hours prior to travel departure so as to permit them to make adequate financial arrangements personally or with their parents.

3. Limits

Under no circumstances may the amount paid from the District or internal funds be in excess of rates established in F.S. 112.

G. Student Activity Funds

For purposes of this policy, a "student activity fund" may include, but not be limited to, co-curricular and approved extra-curricular activities such as clubs, publications, etc. Each school organization should operate within a budget formulated by the organization members. The format of the budget shall be prescribed by the principal.

The Superintendent is directed to obtain annually a list of student activities with a brief description of their objectives, activities, and limitations of each fund.

The Board authorizes the maintenance of approved student activity funds.

The Board authorizes the principal at each school to review and approve each expenditure from a student activity fund prior to disbursement. In approving an expenditure, the principal shall ensure that it is related to achieving one (1) or more of the stated purposes for which the student activity has been organized.

An expenditure may consist of a donation to an organization or individual for a purpose deemed appropriate by the principal.

A charitable donation may be made to an organization or individual if approved by the principal.

Classes, Clubs, and Departments

The sponsor of each school club or organization is responsible for providing adequate financial documents and records to the principal and is responsible for retaining duplicates of said documents and records. These records may include an organization budget; duplicate receipts for all income from dues, fund-raising activities, entertainment, assessments, and donations; and approved requests for payment.

All collections received by any club or school organization must be deposited in the school's internal fund.

All disbursements by any club or school organization must be made by an internal fund check or from an approved change fund. Disbursements shall be approved by the appropriate organization officer (when the organization has officers), the sponsor, and the principal.

A financial report shall be filed with the principal's office at the close of each fund-raising activity. To accommodate the collection of data for this report, a separate account for the activity may be established.

The organization sponsor shall participate, along with the Principal's Secretary/Bookkeeper, in the designation of transactions to be recorded in each of the organization's accounts.

Class and club monies shall be expended for the benefit of the class or club or for purposes designated by the class or club that participated in the generation of the revenues.

1. Any remaining balance in the account of a class that has graduated shall be transferred to the general miscellaneous account at the discretion of the principal.
2. Any remaining balance in the account of an inactive student organization shall be considered as belonging to the general miscellaneous account and shall be closed at the end of the following fiscal year.

Departments may be structured similarly to classes and shall conduct financial activities subject to the principles already outlined.

The principal shall ensure that all student activity funds are managed, recorded, and deposited in accordance with law and sound fiscal practice.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	CHANGE FUND
Code	po6621
Status	From Neola
Legal	<u>F.S. 1001.43</u>

6621 - **CHANGE FUND**

The School Board recognizes the convenience of a change fund in the day-to-day operation of the School District.

The Board authorizes the establishment of a change fund to be in the care of the designated building cashier, who shall be responsible for providing change as needed.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	PETTY CASH ACCOUNTS
Code	po6625
Status	From Neola
Legal	<u>F.A.C. 6A-1.099</u> <u>F.A.C. 6A-1.057</u> <u>F.S. 1001.43</u>

6625 - PETTY CASH ACCOUNTS

The Superintendent may establish petty cash funds for his/her office and each school.

A principal may establish a petty cash fund by submitting a request to the finance division for approval. Approval from the Director of the Finance Division shall be obtained prior to establishing a petty cash fund. At no time shall these funds be used as a loan or advancement to any organization, entity, or person, including but not limited to (i) cashing of personal checks or (ii) for the purchase of equipment or (iii) to circumvent the purchasing procedures utilized by the Board and those required by law.

The principal shall reimburse the funds from the budgetary accounts of schools and District departments when petty cash is exhausted.

Petty cash funds shall be accounted for separately from all other funds maintained at each school. The amount of petty cash funds shall not exceed \$300.00.

An Itemized receipt for each expenditure shall be kept by the principal.

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Book Policy Project Revised

Section 6000 Finances Cleaned

Title INSTRUCTIONAL MATERIALS ALLOCATION

Code po6661

Status From Neola

Legal F.S. 1006.28
F.S. 1006.40
F.S. 1011.62(6).

6661 - INSTRUCTIONAL MATERIALS ALLOCATION

Pursuant to State law, the School Board shall purchase current instructional materials as a major tool of instruction in core courses of the appropriate subject areas of mathematics, language arts, science, social studies, reading, and literature for grades K-12.

Such purchases shall be for instructional materials included on the State-adopted list, except as otherwise provided in State law, and shall be made within the first two (2) years of the adoption cycle.

Pursuant to State law, up to fifty percent (50%) of the annual allocation designated for the purchase of instructional materials for second through twelfth grades may be used to purchase instructional materials, including library and reference books and non-print material, not on the adopted list as well as to provide other teaching accessories and aids as are needed for the District's educational program. Furthermore, also pursuant to State law, the District may use 100% of that portion of the annual allocation designated for the purchase of instructional materials for kindergarten, and seventy-five percent (75%) of that portion of the annual allocation designated for the purchase of instructional materials for first grade, to purchase materials not on the State-adopted list.

Furthermore, if, after March 1st, the Superintendent recommends and the Board adopts a resolution certifying that all instructional material purchases necessary to provide updated materials to align to the State academic standards and benchmarks have been completed for the fiscal year, the Superintendent may recommend and the Board may approve a budget amendment so that a specified amount of the balance of the instructional materials allocation may be used to purchase hardware for student instruction.

The District shall allocate remedial and supplemental instruction resources to students in the following priority:

- A. students in a Voluntary Prekindergarten Education Program who have a substantial deficiency in early literacy skills and students in kindergarten through grade 3 who have a substantial deficiency in reading or the characteristics of dyslexia as determined under Policy 5410.01 - *Promotion, Acceleration, Placement, and Retention* and F.S. 1008.25; and,
- B. students in the Voluntary Prekindergarten Education Program who have a substantial deficiency in early mathematics skills and students in kindergarten through grade 4 who have a substantial deficiency in mathematics or the characteristics of dyscalculia as determined under Policy 5410.01 - *Promotion, Acceleration, Placement, and Retention* and F.S. 1008.25.

The Board requires the maximum use of instructional materials by District students.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	TRUST AND AGENCY FUND
Code	po6670
Status	From Neola
Legal	<u>F.S. 1009.53</u>

6670 - TRUST AND AGENCY FUND

The School Board directs the establishment of a Trust and Agency Fund for the financial administration of scholarship and other trusts operated for the benefit of students and duly approved by the Board.

The Finance Department shall be responsible for the administration of the Trust and Agency Fund. The Fund will be audited annually and will be administered under appropriate accounting controls. The books of account will record income and expenses separately for each approved area.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	FUNDING FOR PROMOTION, PUBLIC RELATIONS, AND HOSPITALITY
Code	po6685
Status	From Neola
Legal	F.A.C. 6A-1.0143

6685 - FUNDING FOR PROMOTION, PUBLIC RELATIONS, AND HOSPITALITY

The School Board authorizes the expenditure of funds that are derived from auxiliary enterprises and undesignated gifts, up to the limit set by the State Board of Education Regulations, for the purpose of promotion, public relations, and hospitality of business guests provided such purpose is designed to be directly beneficial to and in the best interest of the District.

Such activities may include but not be limited to:

- A. activities involving graduation;
- B. visiting committees;
- C. orientation and work conferences;
- D. recruitment of employees;
- E. official meetings and receptions;
- F. guest speakers;
- G. accreditation studies; and
- H. other developmental activities, awards or other types of recognition for meritorious performance.

Pursuant to State Board of Education regulations, funds from auxiliary enterprises will be defined as profits from enterprise-type activities of the District, excluding food service activities, which may include but are not limited to, vending machines, supply stores, and other internal account funds profits not specifically designated for student or school-level purposes.

Prohibitions on Expenditures

The Board prohibits the expenditure of general K-12 funds for any purchases that are not related to students. Any expenditures of Board funds must be authorized by law.



Book Policy Project Revised

Section 6000 Finances Cleaned

Title FAIR LABOR STANDARDS ACT (FLSA)

Code po6700

Status From Neola

Legal F.S. 448.110
Section 24, Article X of the Florida Constitution
29 U.S.C. 201 et seq.
29 C.F.R. Part 541

6700 - FAIR LABOR STANDARDS ACT (FLSA)

It is the School Board's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and its implementing regulations. The Board shall pay at least the minimum wage required by the FLSA and Florida law to all covered, non-exempt employees, unless an employee's individual contract or the terms of an applicable collective bargaining agreement provide for greater benefits than mandated by the FLSA or Florida law.

Non-exempt employees are hourly employees or salaried employees who do not qualify for a professional, administrative, computer, executive, or any other exemption under the FLSA.

Exempt employees are individuals who are exempt from the FLSA minimum wage and overtime provisions. These employees include, but are not limited to, persons employed in bona fide executive, administrative, and professional positions and certain computer employees. Teachers are generally exempt, even if they are paid on an hourly basis. Such employees are exempt so long as they meet the salary requirements under the FLSA to the extent applicable.

Non-exempt employees who work more than forty (40) hours during a given work week will receive overtime pay in accordance with the FLSA for all hours worked in excess of forty (40). Work week is defined as the seven (7) day period of time beginning on Sunday at 12:00 a.m. and continuing to the following Saturday at 11:59 p.m.

The Superintendent shall determine the necessity and availability of overtime work. Non-exempt employees who work overtime without prior approval from the Superintendent or a supervisor may be subject to disciplinary action up to and including termination.

Salary Deductions

Deductions may be made to an otherwise exempt employee's salary in certain circumstances without jeopardizing such employee's exempt status. Deductions may occur under the following circumstances:

- A. the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability
- B. the employee is absent from work for one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness
- C. to offset amounts employees receive as jury or witness fees, or for military pay

D. for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions

E. for penalties imposed in good faith for infractions of safety rules of major significance

In addition to the foregoing, exempt employees who accrue personal leave and sick leave may have their pay reduced or may be placed on unpaid leave for absences due to personal reasons of less than one (1) full day when leave is not used by the employee because:

A. permission to use leave has not been sought or permission has been sought and denied;

B. the employee's accrued leave has been exhausted; or

C. the employee chooses to use leave without pay.

Deductions from the pay for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

The Board shall also not be required to pay the full salary in the initial or terminal week of employment if the employee does not work the entire week, or for weeks in which an exempt employee takes unpaid leave under the Family & Medical Leave Act.

The Board recognizes that with limited legally permissible exceptions as described above, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes that an improper deduction has been made to his/her salary, the employee should immediately report this information to the Payroll Coordinator or his/her immediate supervisor. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made, and the Board will make a good faith commitment to avoid any recurrence of the error.

Information regarding the FLSA may be found on the U.S. Department of Labor's website (www.dol.gov).

This policy is intended to comply with and explain the employees' rights under the FLSA. To the extent there is any conflict or the policy exceeds the statutory requirements, the statute and its implementing regulations prevail.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	EXTERNAL FINANCIAL AUDITS
Code	po6830
Status	From Neola
Legal	F.S. 11.45 F.S. 218.39 F.S. 1001.42 F.S. 1001.453 F.S. 1010.30 F.S. 1010.33

6830 - **EXTERNAL FINANCIAL AUDITS**

The School Board will prepare the following after the close of each fiscal year on June 30th:

- A. Annual Financial Report ("AFR"), which includes a management discussion and analysis, basic financial statements, supplementary information, and a schedule of expenditures of Federal awards.
- B. Financial statements and supplementary information of school internal funds.

The Board will contract with a firm of certified public accountants licensed to practice in Florida ("external auditors") to audit the financial statements. The audit examination shall be conducted in accordance with generally accepted auditing standards and shall include all funds over which the Board has direct or supervisory control. If an audit contains a significant deficiency or material weakness, management shall describe the corrective action to be taken and a timeline for completion of such action.

External Auditor Selection Committee

The external auditor selection committee ("committee") established under Policy 6840, *External Auditor Selection Committee*, will rank and recommend external auditors in accordance with F.S. 218.391. The Board will select and contract with the external auditors following the requirements of F.S. 218.391. The initial contract term will be for a period not to exceed five (5) fiscal years, but the contract will exclude any years that the financial statements and information included in the AFR are audited by the State of Florida Auditor's General Office ("AG"). For those years, the AG will be considered the external auditor.

Responsibilities

The Superintendent is delegated the responsibility of oversight of the financial audits and is included along with the Board as those charged with governance for purposes of receiving required communications from auditors under the Generally Accepted Auditing Standards. Accordingly, external auditors will initially communicate to the committee: The committee is delegated the responsibility of oversight of the financial audits and is included along with the Board as those charged with governance for purposes of receiving required communications from auditors under the Generally Accepted Auditing Standards. Accordingly, external auditors will communicate :

- A. the auditor's responsibilities under the Generally Accepted Auditing Standards;
- B. an overview of the planned scope and timing of the audit; and
- C. significant findings from the audit as defined in Statement on Auditing Standards AU Section 380.

Management is responsible for the fair presentation of the financial statements in conformity with accounting principles generally accepted in the United States of America. .

The Board, at its option, after discussion with the external auditors, will approve the issuance of the financial statements while in session and files as part of the public record. The audit of the AFR and school internal funds financial statements should be issued within nine (9) months after the end of the fiscal year.

The external auditor may have reports that list findings or management letter recommendations dealing with compliance with laws and regulations, material weaknesses or significant deficiencies in internal controls, or suggested improvements in internal controls.

Management will prepare responses to the items listed in these reports and prepare and present action plans to the Board to address the findings and recommendations. It is the management's responsibility to ensure that any action deemed required as a result of an audit project is taken.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	SCHOOL BOARD INTERNAL AUDITS
Code	po6835
Status	From Neola
Legal	F.S. 1001.42(12)(l)

6835 - SCHOOL BOARD INTERNAL AUDITS

The School Board Internal Auditor (the "internal auditor") shall report functionally to the School Board and administratively to the Superintendent. To enhance the objectivity and effectiveness of the function, reports, audit findings, and recommendations emanating from the internal auditor are submitted to the Board, the School Board's Internal Audit Committee (the "committee") established under Policy 6840.01 (School Board Internal *Audit Committee*), and the Superintendent at the same time.

The District shall employ or contract an internal auditor whose scope of practice shall not be restricted and shall include every functional and program area of the school system. The internal auditor's duties include, but are not limited to, the following:

- A. Performing ongoing comprehensive risk assessment of all areas of the school system, and other audits and reviews as the Board for determining:
 1. the adequacy of internal controls designed to prevent and detect fraud, waste, and abuse;
 2. compliance with applicable laws, rules, contracts, grant agreements, Board-approved policies, and best practices;
 3. the efficiency of operations;
 4. the reliability of financial records and reports;
 5. the safeguarding of assets;
 6. financial solvency;
 7. projected revenues and expenditures;
 8. the rate of change in the general fund balance.
- B. The internal auditor shall prepare audit reports of his/her findings and report directly to the Board or its designee.
- C. Any person responsible for furnishing or producing any book, record, paper, document, data, or sufficient information necessary to conduct a proper audit or examination which the internal auditor is by law authorized to perform is subject to the provisions of F.S. 11.47(3) and (4).
- D. Pursuant to F.S. 119.07(3)(y), work papers, notes, and preliminary or draft audit reports shall be held confidential and exempt from public records disclosure until the audit is completed and submission of the

final draft of the report to the Board.

Purpose of the Internal Audits

Internal auditing is an independent appraisal activity within the organization for review of the operations as a service to management. The objective of internal auditing is to assist the Superintendent and its administration, the committee, and the Board by reviewing and appraising the activities of the School District, the integrity of its records, and the general effectiveness of its operations. All internal audit activities shall remain free of influence by any element in the School District, including matters of audit scope, procedures, frequency, timing, or report content.

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Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	EXTERNAL AUDITOR SELECTION COMMITTEE
Code	po6840
Status	From Neola
Legal	F.S. 218.39 F.S. 218.391

6840 - **EXTERNAL AUDITOR SELECTION COMMITTEE**

The School Board's external auditor selection committee (the "committee"), which reports to the Superintendent, shall be governed by rules and procedures set forth in this section.

Purpose, Responsibility, and Organization

The primary purpose of the committee is to assist the Board in selecting an auditor in accordance with F.S. 218.391 to conduct the annual financial audit required in F.S. 218.39.

The committee will be comprised of a minimum of three (3) members: A Board member and is the only individual specifically identified in F.S. 218.391 that must be a member of the committee. The other two (2) (or more) individuals who are not Board employees or the Superintendent

District employees and the Superintendent may serve in an advisory capacity but are not members of the committee.

The Board will provide adequate support to the committee to discharge its responsibilities. The Board, with the advice and counsel of the committee, shall ensure that the auditors have unrestricted reasonable access to District personnel and public documents within legal requirements. The District's management shall cooperate with the committee. Committee activities shall be reported to the Board on a regular basis.

All committee members serve in a voluntary capacity and shall be residents of the county.

Meetings

The committee will meet as needed. In the case of special circumstances, the committee chair may call special meetings as required with proper notice. All committee and subcommittee meetings are governed by the Sunshine Law as required by Florida law.



Book	Policy Project Revised
Section	6000 Finances Cleaned
Title	SCHOOL BOARD INTERNAL AUDIT COMMITTEE
Code	po6840.01
Status	From Neola

6840.01 - **SCHOOL BOARD INTERNAL AUDIT COMMITTEE**

The School Board hereby establishes an Audit Committee to make recommendations to the Board regarding fulfilling its independent audit functions.

Purpose

The Committee has three (3) purposes:

- A. To make recommendations to the Board in the selection of its Board Internal Auditor.
- B. To make recommendations to the Board's Internal Auditor with creating the Annual Audit Plan.
- C. To make recommendations to the Board concerning audits.

Membership

- A. The Committee shall be composed of five (5) members.
- B. The Board shall elect one of its own to serve as the Board Liaison. The Board Liaison shall serve in a non-voting and advisory capacity. The Board liaison is not a member of the committee.
- C. Each Board member shall select an individual to serve on the Committee for a total of five (5) chosen by the Board. The Board members shall take care to choose individuals with the appropriate qualifications and background to succeed in this position such as a Certified Public Accountant, Attorney or Certified Internal Auditor. The Board shall choose individuals with industry knowledge such as having a strong grasp of internal controls, be experienced with internal and external controls, understanding accounting issues and critical policies. Individuals shall be independent from the District. Independence is defined as someone who is not an employee of the District, is not an immediate family member of a District employee, does not have any financial interest in, or a business interest with the District. The Board shall make every effort to reflect the racial and ethnic composition of the current Clay County community population whenever possible.
- D. The Superintendent, Chief Financial Officer, and Board Attorney or their designees are not members of the Committee. They shall attend Committee meetings and serve in an advisory capacity. Staff liaisons may be assigned to the Committee. Staff liaisons are not members of the Committee. Staff liaisons serve as a communication bridge and facilitator between the District and Committee. The District shall also provide a secretary for the Committee's use. The secretary is also not a member of the Committee. The secretary shall record and publish minutes for each meeting, which shall include an account of which Committee members were present and any action taken by the Committee. Meeting minutes shall be approved at the next regularly scheduled Committee meeting.
- E. No member of another Advisory Committee may serve on the Audit Committee, with the exception of the Board liaison. However, the Board liaison may not serve on the Citizens Advisory Committee while serving on the Audit Committee.
- F. At the first meeting of the year, the Committee will choose a Chair and Vice Chair among its voting membership. The Board Attorney shall assist with this process. The Board Attorney shall also provide information on Robert's Rules of Order, Sunshine law, and other law that may affect the Committee.

- G. The committee will be responsible for directing its work and setting its meeting agendas. The chair shall guide and conduct each committee meeting. The chair will ensure that the committee, at each of its meetings, maintains its focus, abides by its directives as noted in this policy, sets its agenda, and completes the work set forth for it pursuant to its agenda. A portion of the agenda of each committee meeting shall be assigned to the Board liaison to provide an update as to the Board affairs that may impact the work of the committee. During this portion of the meeting, the Board liaison may bring forth issues for committee input as directed by the Board. The Vice-Chair shall conduct meetings in the absence of the Chair.
- H. All voting members of the Committee must be residents of Clay County, Florida.
- I. The term of voting members shall coincide with the term of the Board member that appointed them. The maximum term for any voting member is four (4) years, at which point they may reapply.
- J. When vacancies occur on the Committee, the Board Office will notify the Board member who selected that Committee member. The Board member will then select a replacement to be presented to the Board for appointment.

Duties and Responsibilities

- A. The Audit Committee shall make recommendations to the Board on matters affecting the adequacy of internal controls, accounting procedures, systems and controls, soundness of the methodology used by the Board Auditor, and financial reporting in accordance with laws and regulations.
- B. The Audit Committee shall:
 - 1. report Committee actions to the Board with recommendations.
 - 2. review internal and external audit reports.
 - 3. review and make recommendations to the Board about internal and external controls.
 - 4. make recommendations for operation audits to assess District process efficiency and effectiveness.
- C. The Committee meetings will be conducted with a professional decorum that is supportive of the Board's vision, mission, values, and strategic plan. All Committee members will be expected to conduct themselves at meetings in a manner that contributes to the Committee's support of the Board's directives. Committee members who fail to meet this responsibility and whose conduct detracts from the accomplishment of the mission of this Committee will be removed from membership.

Meetings

- A. All meetings of this Committee, subcommittees, and executive board meetings, must be noticed to the public unless exempt per statute. Notice should be provided at least seven (7) days in advance of the meeting. Meetings cannot be continued without another notice, in compliance with law. Notice is required to be provided in a means effective to ensure those interested in the matters being discussed at the meeting will have notice. The District's practice is to advertise all Advisory Committee meetings on the District's website.
- B. All meetings of the Committee must be open to the public at all times and all minutes of such meetings shall be promptly recorded and open to public inspection. The Committee is subject to the Sunshine Law.
- C. The Committee shall follow Roberts Rules of Order to ensure effective operation of its meetings. Committee meetings shall have a quorum. Committee meetings may proceed without a quorum of the membership present. However, a quorum is required to take any Committee action. A quorum is defined as fifty percent (50%) of the membership, plus one (1) (ie for a committee of five (5) voting members, three (3) voting members are needed for a quorum). Whenever a recommendation or input is presented to the Board, the presentation will include the number of members present at the Committee meeting at which the recommendation or input was provided. Whenever a recommendation of the Committee on a substantive issue is reported to the Board and the recommendation was not unanimous, the basis for the majority and minority positions should be brought to the attention of the Board.
- D. The Committee is to meet, at minimum, on a quarterly basis. To remain a member of the Committee members must attend at least three (3) meetings each year.
- E. Meeting minutes must be taken of each meeting and maintained as a public record. Minutes need not be an exact verbatim accounting of what was said, but a general summary of the topics that were discussed. The minutes should record the attendance at the meeting and votes of each Committee member on any matter on which the Committee took a vote.
- F. The minutes should be posted on the District website as soon as completed.
- G. All documents created, sent, or received in the operation of the Committee, such as minutes, agendas, reports, and correspondence sent or received by the Committee, must be maintained as public record.

