

Policy of the Board for its own governance.

**Chair**

The presiding officer of the Board. (See Bylaw 0163)

**Collective Bargaining Agreement (CBA)**

A collectively negotiated contract with a recognized bargaining unit.

**Compulsory School Age**

All children who have attained the age of six (6) years or who will have attained the age of six (6) years by February 1st of any school year or who are older than six (6) years of age but who have not attained the age of sixteen (16) years, except as otherwise provided in Florida statute, are required to attend school regularly during the entire school term. F.S. 1003.21

**District**

The School District. When referencing the local School District, School District will be capitalized.

**District-Based Noninstructional Administrators**

Included in this classification are persons with District-level administrative or policymaking duties who have broad authority for the management of policies and general School District operations related to the noninstructional program.

Such personnel often report directly to the Superintendent and supervise other administrative employees. This classification includes assistant, associate, or deputy superintendents and directors of major noninstructional areas, such as personnel, construction, facilities, transportation, data processing, and finance. (F.S. 1012.01(3)(b))

**Due Process**

The safeguards to which a person is entitled in order to protect his/her rights.

**Eligible Student**

A student who has reached eighteen (18) years of age or is attending an institution of postsecondary education.

**Full Board**

Authorized number of voting members entitled to govern the District.

**Information Resources**

The Board defines information resources to include any data/information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data/information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs/DVDs, websites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting, or retrieving electronic communications.

**Instructional Materials**

Means items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course. These items may consist of hardbacked or softbacked textbooks, electronic content, handouts, workbooks and worksheets, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software.

**Major Tangible Personal School Property**

Means any tangible personal property, of a non-consumable nature, owned by the Board which has a capitalized value equal to or greater than the value defined in Florida statute and a normal life expectancy of one (1) year or more. (F.S. 274)

### **May**

Is used when an action by the Board or its designee is permitted but not required.

### **Meeting**

Is any gathering which is attended by or open to all of the members of the Board, held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body. All meetings shall comply with Florida laws (Sunshine Law).

### **Minor Tangible Personal School Property**

Those items which are tangible, of a non-consumable nature, with a life expectancy of one (1) year or more and with a value less than that amount defined in Florida statute. (F.S. 274)

### **Parent**

Means either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of a parent (F.S. 1000.21). Both parents will be considered to have equal rights unless a court of law decrees otherwise.

### **Policy**

A general, written statement by the Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

### **Principal**

The principal shall be the administrative and supervisory head of the school to which assigned by the Board and shall be responsible for the enforcement of all Board regulations and Florida State statutes which pertain to the office. In policy, "Principal" or "principal" implies the authority to delegate responsibilities to appropriate staff members unless prohibited by law or Board policy. F.S. 1001.41, 1012.28

### **Property**

All buildings, grounds, and other real or personal school property belonging to, held by, or used by the Board shall be termed to be school property.

### **Real Property**

That portion which is used as a site or school plant for purposes of carrying out the school program. This includes any equipment which is permanently attached to or is an integral part of the building or site.

### **Rule**

A statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedures or practice requirements of the District. As used in this document, the term "rule" and "policy" shall have the same definition.

### **School Property Custodian**

The custodian of school property is the person to whom responsibility for the custody of property under his/her control has been delegated by the Superintendent or the Board. This is not to be confused with the building custodian who is responsible for cleaning and maintaining the building and grounds.

### **Shall**

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

## **Social Media**

Social media are online platforms where users engage one another and/or share information and ideas through text, video, or pictures. Social media consist of any form of online publication or presence that allows interactive communication, including, but not limited to, text messaging, instant messaging, websites, web logs ("blogs"), wikis, online forums (e.g., chat rooms), virtual worlds, and social networks. Examples of social media include, but are not limited to, Facebook, Facebook Messenger, Google Hangouts, Twitter, LinkedIn, YouTube, Flickr, Instagram, Pinterest, Skype, and Facetime. Social media does not include sending or receiving e-mail through the use of District-issued e-mail accounts. Apps and web services shall not be considered social media unless they are listed on the District's website as District-approved social media platforms/sites.

## **Student**

A person who is officially enrolled in a school or program of the District.

## **Superintendent**

As a Constitutional Officer under the Florida Constitution, the Superintendent is the chief executive officer of the School District. In policy, "Superintendent" or "superintendent" implies the authority to delegate responsibilities to appropriate staff members unless prohibited by law.

## **Technology Resources**

The Board defines technology resources to include computers, laptops, tablets, e-readers, cellular/mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile/portable storage devices such as external hard drives, CDs/DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

## **Textbook**

This word is used to describe the learning material duly adopted and required as standard work for the study of a particular subject. It may be bound and printed with a hard or soft cover, or it may be electronic, e.g., computer software, interactive videodisc, magnetic media, CD ROM, computer courseware, on-line service, electronic medium, or other means of conveying information.

## **Vice-Chair**

The Vice-Chair of the Board.

## **Wireless Communication Devices**

Wireless communication devices ("WCDs") include computers, laptops, tablets, e-readers, cellular/mobile phones, smartphones, and/or other web-enabled devices of any type.

## **Work Session or Work Shop**

A meeting called by the Board Chairman, Superintendent, or a majority of the Board for the purpose of exploring matters that constitute the business of the District.

Statutory and Code of Notations - **A.** Citations to Florida statute are noted as F.S. **B.** Citations to the rules of the State Board of Education are noted as F.A.C. (Florida Administrative Code) **C.** Citations to the Federal Register are noted as F.R. **D.** Citations to the Code of Federal Regulations are noted as C.F.R. **E.** Citations to the United States Code are noted as U.S.C.



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	NAME
Code	po0111
Status	From Neola
Legal	<u>F.S. 1001.40</u>

**0111 - Name**

The School Board of this District shall be known officially as The School Board of Clay County, Florida.

© Neola 2009



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	GEOGRAPHICAL DISTRICT
Code	po0112
Status	From Neola

0112 - **GEOGRAPHICAL DISTRICT**

The School District is comprised of all the area designated by the State as Clay County.

© **Neola 2009**



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	ADDRESS
Code	po0113
Status	From Neola

0113 - **ADDRESS**

The official address of the School Board is 900 Walnut St., Green Cove Springs, FL 32043.

© Neola 2009



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	SEAL
Code	po0114
Status	From Neola

0114 - **SEAL**

The School Board shall adopt an official seal for the District.

© **Neola 2002**



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	PURPOSE OF THE BOARD
Code	po0118
Status	From Neola

#### 0118 - PURPOSE OF THE BOARD

A School Board is a legal entity for providing a system of public education within a geographic area of the State of Florida. The system was created by, and is governed by, State statutes. Members of a Board are, therefore, State officers chosen by citizens to represent them and the State in the legislative management of the local schools.

The Board has the dual responsibility for implementing statutory requirements pertaining to public education and for meeting the desires of the citizens. While the Board has an obligation to determine and assess citizen desires, it is understood that when the citizens elect delegates to represent them in the conduct of specified educational programs, they, at the same time, endow their representatives with the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Board declares and, thereby, reaffirms its intent to:

- A. maintain open communications with citizens of the District. The Board shall keep them informed of the progress and problems of the District, and the citizens shall be encouraged to bring their thoughts and concerns about the educational system to the attention of this body;
- B. establish policies and make decisions on the basis of declared educational philosophy and goals; and
- C. act as a truly representative body for citizens in all matters related to programs and operations. The Board recognizes that ultimate responsibility for public education rests with the State, but the Board has been assigned specific authority through statute, and the Board shall not relinquish or fail to exercise that authority.

© Neola 2009





Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title RESPONSIBILITIES AND AUTHORITY OF THE BOARD  
Code po0121  
Status From Neola  
Legal Section 4, Article IX, Florida State Constitution  
F.S. 1001.40

**0121 - RESPONSIBILITIES AND AUTHORITY OF THE BOARD**

The School Board is responsible for the organization and control of the public schools of the District and is empowered to determine the policies necessary for the effective operation and the general improvement of the school system. The Board is constituted by the State Constitution and Florida statutes.

© Neola 2012



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title FINANCIAL EMERGENCIES  
Code po0121.1  
Status From Neola  
Legal [F.S. 218.39](#)  
[F.S. 218.50](#)  
[F.S. 218.501](#)  
[F.S. 218.502](#)  
[F.S. 218.503](#)  
[F.S. 218.504](#)

#### 0121.1 - **FINANCIAL EMERGENCIES**

When a financial emergency, as defined by F.S. 218.503(1), occurs, the School Board shall notify the Commissioner of Education and the Legislative Auditing Committee that such conditions have occurred or will occur if action is not taken to assist the Board.

The Commissioner of Education shall contact the Board to determine what actions have been taken by the Board to resolve or prevent the condition. The Board shall provide the information requested within forty-five (45) days of the date of the request.

The Commissioner of Education shall determine whether the Board needs State assistance to resolve or prevent the condition. If State assistance is needed, the Board is considered to be in a state of financial emergency, and the Commissioner has the authority to implement measures as set forth in State law to assist the Board in resolving the financial emergency.

The failure of the members of the Board to resolve a state of financial emergency would constitute malfeasance, misfeasance, and neglect of duty, and the members of the Board may be subject to the penalties set forth in Article IV, Section 7 of the Constitution of the State of Florida.

© Neola 2012



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title BOARD POWERS  
Code po0122  
Status From Neola  
Legal [F.S. 1001.41](#)  
[F.S. 1001.42](#)  
[F.S. 1001.43](#)

#### 0122 - **BOARD POWERS**

The School Board shall be a body politic and corporate, and, as such, capable of suing and being sued; contracting and being contracted with; acquiring, holding, possessing, and disposing of real and personal property; taking and holding in trust for the use and benefit of the District, any grant or devise of land and any donation or bequest of money or other personal property.

As prescribed by law, the general powers of the Board are the determination of educational policies; the adoption of such rules and regulations to supplement those prescribed by the State Board and the Commissioner of Education as will contribute to the more orderly and efficient operation of the school system; the determination of minimum standards; and the performance of any duties that are assigned to it by law or by State Board regulations and that are found by it to be necessary for the improvement of the school system in carrying out the purposes and objectives of the Florida Constitution and Florida statutes.

The Board shall perform all duties found in Florida statutes and shall provide educational opportunity as required by Florida statutes.

© **Neola 2002**



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	MEMBER POWERS
Code	po0122.1
Status	From Neola

**0122.1 - MEMBER POWERS**

School Board members as individuals do not separately possess the powers that reside in the Board. Board members shall have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is pursuant to specific official instructions of the Board.

© Neola 2002



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title STANDARDS FOR BOARDMANSHIP  
Code po0123  
Status From Neola  
Legal Florida School Boards Association

#### 0123 - STANDARDS FOR BOARDMANSHIP

As a member of the School Board, each Board member shall promote the best interest of the School District as a whole, and, to that end, each Board member shall adhere to the following educational and ethical standards:

- A. make decisions in terms of the educational welfare of all children, regardless of ability, race, creed, sex, or social standing;
- B. bring about desired changes through legal and ethical procedures, upholding and enforcing all laws, State Board of Education policies, and court orders pertaining to schools;
- C. recognize that decisions must be made by the Board as a whole and that when made, these decisions must be supported by the entire Board;
- D. focus Board action on policymaking, goal setting, planning, and evaluation and insist on regular and impartial evaluation of all staff;
- E. support school personnel in the proper performance of their duties;
- F. hold confidential all matters pertaining to the educational system that may needlessly harm individuals or the system and respect the confidentiality of information that is privileged under applicable law;
- G. attend all scheduled Board meetings and workshops insofar as is possible and become informed on the issues to be considered at these meetings;
- H. work with the Superintendent, neither undermining nor intruding into the areas legally assigned to the school administration;
- I. make policy decisions only after full discussion at public Board meetings and render these decisions based on available facts refusing to surrender that judgment to individuals or special groups;
- J. encourage the free expression of opinion by all Board members and seek systematic communication between the Board and students, staff and all elements of the community;
- K. inform myself about current educational issues through study and participation in appropriate programs and/or workshops;
- L. refrain from using my Board position for personal or political gain;

- M. encourage recognition of the achievements of students and staff and of the involvement of business and community members;
- N. listen responsively to the community and make decisions based on the best interest of the system as a whole;
- O. support legislation and funding which will help to improve the educational opportunities and environment for students and staff;
- P. remember always that my first and greatest concern must be the educational welfare of all the students attending the District and that we must provide appropriate curriculum, facilities, and motivation so that students will be encouraged to love learning, enabling them to achieve their fullest and highest potential.

Florida School Boards Association

© Neola 2015



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title STANDARDS OF ETHICAL CONDUCT  
Code po0124  
Status From Neola  
Legal [F.S. 112.312](#)  
[F.S. 112.313](#)  
[F.S. 112.3142](#)  
[F.S. 112.3148](#)  
[F.S. 112.3149](#)  
[F.S. 1001.42\(6\)](#)  
[F.S. 1001.421](#)  
[F.S. 1012.23](#)  
[F.A.C. 6A-10.081](#)

#### 0124 - **STANDARDS OF ETHICAL CONDUCT**

Members of the School Board recognize their individual duty to promote the best interests of the District. Public schools as a whole and each Board member shall adhere to the following educational and ethical standards.

Board members must have a sincere desire to serve the educational needs of the community. Decisions must be based on the best interests of students and not on political or personal interests.

Board members recognize their individual duty to promote the best interests of the District. In doing so, members of the Board shall be guided by the *Principles of Professional Conduct for the Education Profession in Florida*, F.A.C. 6A-10.081, which outlines the following ethical principles:

- A. Board members value the worth and dignity of every person, the pursuit of truth, devotion to excellence, acquisition of knowledge, and the nurture of democratic citizenship. Essential to the achievement of these standards are the freedom to learn and to teach and the guarantee of equal opportunity for all.
- B. Board members share the primary professional concern for the student and for the development of the student's potential. Members of the Board will, therefore, strive for professional growth and will seek to exercise the best professional judgment and integrity.
- C. Board members strive to achieve and sustain the highest degree of ethical conduct because they are aware of the importance of maintaining the respect and confidence of their colleagues, of students, of parents, and of other members of the community.

Members of the Board shall strive to fulfill the following obligations:

A. Obligation to the student requires that members of the Board do what is necessary and appropriate so that:

1. students are protected from conditions harmful to learning and/or to the students' mental and/or physical health and/or safety is protected as well.
2. students are not unreasonably restrained from independent action in pursuit of learning.
3. students are not unreasonably denied access to diverse points of view.
4. subject matter relevant to a student's academic program is not intentionally suppressed or distorted.
5. students are not intentionally exposed to unnecessary embarrassment or disparagement.
6. students are not intentionally provided classroom instruction in prekindergarten through grade 8 on sexual orientation or gender identity, except when required by F.S. 1003.42(2)(n)3. and 1003.46.
7. students are not intentionally provided classroom instruction to students in grades 9 through 12 on sexual orientation or gender identity unless such instruction is required by State academic standards as adopted by F.A.C. 6A-1.09401, or is part of a reproductive health course or health lesson for which a student's parent has the option to have their student not attend.
8. student's legal rights are not intentionally violated.
9. parents are not discouraged or prohibited parental notification of and involvement in critical decisions affecting a student's mental, emotional, or physical health or well-being unless the individual reasonably believes that disclosure would result in abuse, abandonment, or neglect as defined in F.S. 39.01.
10. students are not harassed or discriminated against on the basis of race, color, nationality or ethnic origin, sex, disability, pregnancy, marital status, age (except as authorized by law), religion, political beliefs, social and family background, military status, ancestry, or genetic information and each student is protected from harassment or discrimination.
11. District staff members, administrators, or officials do not exploit a relationship with a student for personal gain or advantage.
12. personally identifiable information obtained in the course of professional service is kept in confidence unless disclosure serves professional purposes or is required by law.
13. the Board member shall not violate F.S. 553.865(9)(b), which relates to entering restrooms and changing facilities designated for the opposite sex on the premises of an educational institution.
14. the Board member shall not violate F.S. 1000.071, which relates to the use of personal titles and pronouns in educational institutions.

B. Obligation to the public requires that the members of the Board do what is necessary and appropriate so that:

1. District staff members, administrators, and officials distinguish between personal views and those of the District.
2. facts concerning an educational matter are not intentionally distorted or misrepresented in direct or indirect public expression.
3. institutional privileges are not used for personal gain or advantage. (see also Bylaw 0141.2, *Conflict of Interest*)
4. District staff members, administrators, and officials do not accept a gratuity, gift, or favor that might influence professional judgment. (see also Bylaw 0141.2, *Conflict of Interest*)
5. District staff members, administrators, and official do not offer a gratuity, gift, or favor to obtain special advantages. (see also Bylaw 0141.2, *Conflict of Interest*)



C. Obligation to the profession of education requires that members of the Board do what is necessary and appropriate so that:

1. all District staff members, administrators, and officials maintain honesty in all professional dealings.
2. a District staff member, administrator, or official is not denied professional benefits or advantages or participation in any professional organization not on the basis of race, color, national or ethnic origin, sex, disability, pregnancy, marital status, age (except as authorized by law), religion, political beliefs, social and family background, military status, ancestry, or genetic information.
3. District staff members, administrators, or officials do not interfere with a District staff member's, administrator's, or official's exercise of political or civil rights and responsibilities.
4. a District staff member, administrator, or official does not engage in harassment or discriminatory conduct which unreasonably interferes with an individual's performance of professional or work responsibilities or with the orderly processes of education or which creates a hostile, intimidating, abusive, offensive, or oppressive environment; and, further, so that each District staff member, administrator, or official is protected from such harassment or discrimination.
5. a District staff member, administrator, or official does not make malicious or intentionally false statements about another District staff member, administrator, or official.
6. a District staff member, administrator, or official does not use coercive means or promises of special treatment to influence professional judgments of a colleague.
7. a District staff member, administrator, or official does not misrepresent one's own professional qualifications.
8. District staff members, administrators, or officials do not submit fraudulent information on any document in connection with professional activities.
9. District staff members, administrators, or officials do not make any fraudulent statement or fail to disclose a material fact in one's own or another's application for a professional position.
10. District staff members, administrators, or officials do not withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
11. a District staff member, administrator, or official does not assist with entry into or continuance in the profession of any person known to be unqualified in accordance with the *Principles of Professional Conduct for the Education Profession in Florida*, other applicable Florida statutes, State Board of Education rules, and Board policies.
12. a District staff member, administrator, or official self-reports within forty-eight (48) hours to appropriate authorities (as determined by the District) any arrests/charges involving the abuse of a child or the sale and/or possession of a controlled substance. Such notice shall not be considered an admission of guilt nor shall such notice be admissible for any purpose in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory. In addition, Board members shall self-report any conviction, finding of guilt, withholding of adjudication, commitment to a pretrial diversion program, or entering of a plea of guilty or Nolo Contendere for any criminal offense other than a minor traffic violation within forty-eight (48) hours after the final judgment.
13. a District staff member, administrator, or officials understand their duty to report to appropriate authorities any known allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).
14. a District staff member, administrator, or official does not seek reprisal against any individual who has reported any allegation of a violation of the Florida School Code or State Board of Education rules as defined in F.S. 1012.795(1).

D. Members of the Board shall not have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his/her duties in the public interest. (see also Bylaw 0141.2, *Conflict of Interest*)

E. Each Board member must recognize that decisions must be made by the Board as a whole and that when made, these decisions must be supported by the entire Board.

F. All Board members shall adhere to the principles enumerated above.

### **Mandatory Training**

Members of the Board shall complete four (4) hours of ethics training each calendar year that addresses, at a minimum, the constitutional "Sunshine Law" provisions (Article II, Section 8), the statutory *Code of Ethics for Public Officers and Employees* (F.S. Chapter 112, Part III), and the public records and public meetings laws. This requirement may be satisfied by the completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subjects are covered.

Members of the Board are also required to complete training annually on the standards of ethical conduct established in this bylaw.

### **Gifts**

Members of the Board may not solicit any gift or knowingly accept, directly or indirectly, a gift valued in excess of \$50 or an honorarium from a person, vendor, potential vendor or other entity doing business with the Board, from a political committee, or from a lobbyist (and related individuals and entities) who lobbies the reporting individual's agency (see F.S. 1001.421). "Vendor" is defined by F.S. 112.3148 relating to gifts and F.S. 112.3149 relating to honoraria to mean a business entity doing business directly with an agency, such as renting, leasing, or selling realty, goods, or services. The term "gift" has the same meaning as in F.S. 112.312(12). This prohibition applies as well to relatives, as defined in F.S. 112.312(21).

In addition to the foregoing, members of the Board shall not solicit or accept anything of value including a gift, loan, reward, promise of future employment, favor, or service, based upon any understanding that the vote, official action, or judgment of the Board member would be influenced thereby.

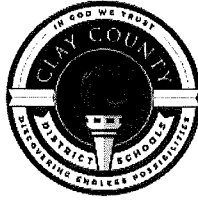
Board members are further required to follow all Florida laws applicable to the solicitation or acceptance of gifts, including F.S. 112.313 and 112.3148. Board members must review these laws upon taking office and are encouraged to do so periodically during the course of their term in office.

### **Responsibilities Related to Allegations of Misconduct**

Pursuant to F.S. 1001.42(7), a Board member may not knowingly sign and transmit to any State official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student which the Board member knows to be false or incorrect, or knowingly fail to adopt policies that require instructional personnel and school administrators to report alleged misconduct by other instructional personnel or school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and school administrators, if the misconduct affects the health, safety, or welfare of a student. Violation of this provision will result in the forfeit of the Board member's salary for one (1) year.

### **Appointment or Employment of Relative**

Pursuant to F.S. 1012.23(2), Board members may not appoint or employ a relative, as defined in F.S. 112.3135, to work under their direct supervision. This limitation does not apply to employees appointed or employed before the election or appointment of the Board member.



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title LEGISLATIVE/POLICYMAKING  
Code po0131  
Status From Neola  
Legal F.S. 120  
F.S. 120.536(1)  
F.S. 120.54  
F.S. 120.54(1, i, 1)  
F.S. 120.54(1, i, 2)  
F.S.120.54(1, i, 3, 17)  
F.S. 120.54(2)  
F.S. 120.56(2)  
F.S. 1001.41

#### 0131 - **LEGISLATIVE/POLICYMAKING**

The School Board is the policymaking body for the School District. After considering recommendations submitted by the Superintendent, the Board shall adopt bylaws and policies for the organization and operation of the Board and efficient operation and general improvement of the School District.

The term "rule" for purpose of this policy is defined in F.S. 120.52; it does not include "curricula by an educational unit". As used in this bylaw, the term "rule" and "policy" shall have the same definition. The development or prescription of curriculum by the Board is removed from the procedural requirements for policymaking.

F.S. 1001.41

The Board may determine policy matters governed by permissive law, but not on matters governed by mandatory law. No policy can be in conflict with the operative law of the State or with State Board of Education rules. Any provision of a collective bargaining agreement which is ratified by the Board and affects collective bargaining members shall prevail over any Board policy conflicting with the agreement during the term of the agreement.

Board adoption of policies or revisions to policies shall be pursuant to Florida statutes.

F.S. 120.536(1), 120.54

#### **Policy Development**

The Superintendent shall publish notice of the development of a proposed policy before providing notice of a proposed policy as required below. The notice of policy development shall indicate the subject area to be addressed by policy development; provide a short, plain explanation of the purpose and effect of the policy development; cite specific legal authority for the proposed policy; and state how a person may obtain or access, without cost, a copy of any preliminary draft, if available.

The Board may hold workshops for the purpose of policy development after publication of the notice of policy development. Any affected person may request in writing that the Board hold a workshop for policy development, and the Board will then hold such workshop unless it explains in writing why a workshop is unnecessary.

F.S. 120.54(2)

### **Adopting Policies**

The Superintendent shall present any proposal relating to a policy amendment, the repeal of any policy, or the adoption of a new policy in writing to the Board including a written explanation of the proposal in accordance with Florida law.

- A. Notice of Proposed Policy: After the Board has determined that it will give due consideration to the proposal for adoption, amendment, or repeal of a policy, the Superintendent shall give immediate and proper written notice to the public pursuant to the provisions of Florida law. The notice shall include a brief and concise explanation of the proposed policy's purpose and effect, the estimate of economic impact to all individuals affected by the proposed new policy or revision of an existing policy, the legal authority for the Board's action, the location where the text of the proposed revision to current policy or new policy may be obtained or accessed, and the procedure for requesting a public hearing on the proposed policy.
- B. Hearings: Any person who is affected by a proposed policy, policy revision, or the repeal of a policy, may within twenty-one (21) days following notice of the proposal to adopt or repeal such policy, file a written request with the Board for a hearing on the proposed action.

The Board may also, on its own initiative, schedule a public hearing for any proposed policy adoption, revision, or repeal.

- C. Rulemaking Record: Any material pertinent to the issues under consideration submitted to the Board within twenty-one (21) days after the date of publication of the notice under paragraph B above or submitted to the Board between the date of publication of the notice and the end of the final public hearing shall be considered by the Board and made a part of the record of the rulemaking proceeding.
- D. Board Action: The Board's final vote to adopt, amend, or repeal a policy will occur no sooner than twenty-eight (28) days following publication of the published notice in paragraph A above.
- E. The Superintendent shall file immediately in his/her office a copy of any new policy, policy revision, or repealed policy adopted by the Board; policy handbooks and the Board's website shall be updated accordingly.
- F. All policies shall become effective upon adoption by the Board unless another time certain date is specified therein.

F.S. 120.54

### **Notices**

All notices pertaining to policymaking shall be published:

- A. by publication in a newspaper qualified under F.S. Chapter 50, in the affected area or on a publicly accessible website as provided in F.S. 50.0311 or an announcement over at least one (1) radio station whose signal is received in the District a reasonable number of times daily during the seven (7) days preceding the date of such meeting, hearing, or workshop; or posting a notice at the courthouse door not less than seven (7) days before the public meeting, hearing, or workshop; or
- B. by posting on the District's website not less than seven (7) days before the public meeting, hearing, or workshop; and
- C. by mail to persons who have requested advance notice and to organizations representing persons affected by the policy; and,
- D. by posting in appropriate places so that those particular classes of persons to whom the intended action is directed may be duly notified.

### **Incorporation by Reference**

A policy may incorporate material by reference, but only as the material exists on the date the policy is adopted. For purposes of the policy, changes in material are not effective unless the policy is amended to incorporate the changes. Material incorporated by reference in a policy may not incorporate additional material by reference unless the policy specifically identifies the additional material. The reference in the policy to the material being incorporated must include a date or other designation so that the reader will know exactly what version of the material has been adopted and made part of the rule.

F.S. 120.54(1, i, 1)

A District policy that incorporates by specific reference another policy of the District automatically incorporates subsequent amendments to the referenced policy unless a contrary intent is clearly indicated in the referencing policy. Any notice of amendments to a policy that has been incorporated by specific reference in other policies of the District must explain the effect of the amendments on the referencing policies.

F.S. 120.54(1, i, 2)

Material may not be incorporated into Board policies by reference unless:

- A. the material can be made available for free public access through electronic hyperlink from the Board's website listing the policy and making the reference; or,
- B. the District has determined that posting of the material on the internet for purposes of public examination and inspection would constitute a violation of Federal copyright law, in which case a statement to that effect, along with the addresses and locations of the District office at which the material is available for public inspection, is included in the notice required.

F.S. 120.54(1, i, 3, 17)

### **Emergency Policies**

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

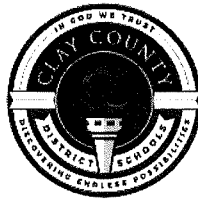
### **Public Input and Access to Policies**

Any Board employee, citizen, or agency may submit a policy proposal to the Superintendent's office.

A copy of the compiled policies shall be available for inspection in the Superintendent's office. The Board policies shall also be accessible on the District's website.

F.S. 120

© Neola 2025



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	TECHNICAL CORRECTIONS
Code	po0131.1
Status	From Neola
Legal	<u>F.S. 11.242</u>

#### 0131.1 - TECHNICAL CORRECTIONS

Periodically it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include consolidation of sections; transfer of sections; combining or dividing sections; renumbering subsections, sections, chapters, and titles; corrections or additions for grammatical or typographical errors; and/or updating the name(s) of the individual(s) who serve as District compliance officer(s), as long as the position/title remains the same as listed in the applicable School Board policy; not affecting the constructions or meaning of those sections, subsections, chapters, titles, or policies as a whole.

Should the Board choose to make such technical corrections, it may be accomplished by resolution as part of the consent agenda without going through the normal policy adoption procedure.

The Superintendent is authorized to identify and undertake technical corrections as identified above found in the policies and regulations. Upon completion of the technical and formatting corrections, the Superintendent shall provide a brief summary of the corrections to the Board for review. Should the Board determine that a correction is substantive in nature, it will utilize the normal policy adoption procedure in Policy 0131 - *Legislative/Polycymaking* to adopt the amendments to the policy or regulation.

© Neola 2025



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title VARIANCES AND WAIVERS  
Code po0131.2  
Status From Neola  
Legal [F.S. 120.542](#)  
[F.S. 120.569](#)  
[F.S. 120.57](#)

#### 0131.2 - VARIANCES AND WAIVERS

The School Board is authorized to grant variances and waivers to requirements of these policies consistent with this section under the authority of Florida statutes. The Board may limit the duration of any grant of a variance or waiver or otherwise impose conditions on the grant only to the extent necessary for the purpose of the underlying statute to be achieved.

The Board may not grant variances or waivers to statutes or to policies required by the Federal government for the Board's implementation or retention of any Federally approved or delegated program, except as allowed by the program or when the variance or waiver is also approved by the appropriate agency of the Federal government.

An individual public employee or group of employees is not a person subject to regulation under this section for the purpose of petitioning for a variance or waiver to a policy that affects a public employee in his/her or their capacities as a public employee. Similarly, an individual student or group of students is not eligible to petition for variances or waivers.

This section is supplemental to and does not abrogate the variance and waiver provisions in any other statute or policy.

#### F.S. 120.542

Variances and waivers shall be granted when the person subject to the policy demonstrates that the purpose of the underlying policy will be or has been achieved by other means and when application of the policy would create a substantial hardship or would violate principles of fairness. For purposes of this policy, "substantial hardship" means a demonstrated economic, technological, legal or other type of hardship to the person requesting the variance or waiver. For the purpose of this policy, "principles of fairness" are violated when the literal application of a policy affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the policy.

The Board shall advise persons of the remedies available through this policy and shall provide copies of this policy and the underlying statute to persons who inquire about the possibility of relief from policy requirements.

A person who is subject to regulation by a Board policy may file a petition with the Board, with a copy to the Superintendent, requesting a variance or waiver from a Board policy. Each petition shall specify the following:

- A. policy from which a variance or waiver is requested;
- B. type of action requested;
- C. specific facts that would justify a waiver or variance for the petitioner; and
- D. reasons why the variance or the waiver requested would serve the purposes of the underlying statute or policy.

Within fifteen (15) days after receipt of a petition for variance or waiver, the Board shall provide notice of the petition to the Department of State, which shall publish notice of the petition. The notice shall contain the name of the petitioner, the date the petition was filed, the policy number and nature of the policy from which variance or waiver is sought, and an explanation of how a copy of the petition can be obtained. The policy shall provide a means for interested persons to provide comments on the petition.

Except for request for emergency variances or waivers, within thirty (30) days after receipt of a petition for a variance or waiver, the Board shall review the petition and request submittal of all additional information that the Board is permitted by law to require. Within thirty (30) days after receipt of such additional information, the Board shall review it and may request only that information needed to clarify the additional information or to answer new questions raised by or directly related to the additional information. If the petitioner asserts that any request for additional information is not authorized by law or by policy of the Board, the Board shall proceed, at the petitioner's written request, to process the petition.

The Board shall grant or deny a petition for variance or waiver within ninety (90) days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. A petition not granted or denied within ninety (90) days after receipt of a completed petition is deemed approved. A copy of the order granting or denying the petition shall be filed with the Superintendent and shall contain a statement of the relevant facts and reasons supporting the Board's action. The Board shall publish notice of the disposition of the petition. The notice shall contain the name of the petitioner, the date the petition was filed, the policy number and the nature of the policy from which the waiver or variance is sought, a reference to the place and date of publication of the notice of the petition, the date of the order denying or approving the variance or waiver, the general basis for the Board's decision, and an explanation of how a copy of the order can be obtained. The Board's decision to grant or deny the petition shall be supported by competent substantial evidence and is subject to Florida statutes. Any proceeding pursuant to Florida statutes, in regard to a variance or waiver, shall be limited to the Board's action on the request for the variance or waiver, except that a proceeding in regard to a variance or waiver may be consolidated with any other proceeding authorized by law.

F.S. 120.542, 120.569, 120.57

The Board shall maintain a record of the type and disposition of each petition, including temporary or emergency variances and waivers, filed pursuant to this policy. On October 1st of each year, the Board shall file a report with the Governor, the President of the Senate, and the Speaker of the House of Representatives listing the number of petitions filed requesting variances to each Board policy, the number of petitions filed requesting waivers to each Board policy, and the disposition of all petitions. Temporary or emergency variances and waivers, and the reasons for granting or denying temporary or emergency variances and waivers, shall be identified separate from other waivers and variances.





Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title EXECUTIVE  
Code po0132  
Status From Neola  
Legal Section 5, Article IX, State Constitution  
F.S. 1001.46  
F.S. 1001.461  
F.S. 1001.49  
F.S. 1001.50  
F.S. 1001.51

**0132 - EXECUTIVE**

As set forth in State law, the School Board has limited executive power and exercises this executive power through the appointment of legal counsel.

The Superintendent shall be the executive officer of the Board, and, as such, shall advise and counsel with the Board on all educational matters and recommend to the Board such matters as should be acted upon.

F.S. 1001.46, 1001.461, 1001.50  
Section 5, Article IX, State Constitution

The Superintendent shall cooperate with the Board in every manner practicable to the end that the School District may continuously be improved.

The Superintendent has the authority to prepare procedures for the administration of the District which are consistent with statutes, rules of the State Board, or policies of this Board.

F.S. 1001.49, 1001.51

Such administrative procedures shall be binding on the employees and the students of this District when issued.

The Superintendent shall cause to be distributed, in print or electronic format, to each school, school office, school library, and public library in the county, copies of the bylaws, policies, and regulations and copies of amendments thereto in sufficient quantity to be readily accessible to each regular employee and to the public. In lieu of the distribution of the complete bylaws, policies, and regulations, the Superintendent may prepare a special edition for any specific class of employees, omitting those bylaws, policies, and procedures which do not have a direct bearing upon the work of said class of employees, provided that any such special editions shall contain a clear statement indicating where the complete bylaws, policies, and procedures are available.

The Superintendent has the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action.

The Superintendent, in cases of emergency, may suspend any part of these policies, and/or procedures, provided that the Superintendent shall report the fact of and the reasons for such suspension at the next meeting of the Board and provided further that the suspension shall expire at the time of said report unless continued in effect by action of the Board.

The Superintendent shall be delegated the authority to enter into written contracts or agreements with other public or private organizations under the following conditions:

- A. Contracts/Agreements shall be for a valid school purpose.
- B. All costs and expenses in connection with said contracts/agreements shall be paid from internal account funds.
- C. Said contracts/agreements shall not conflict in any respect with Federal, State, or local law or policy, or Board policy.
- D. Said contracts/agreements shall be made in the name of the Board, and shall be executed and delivered by the Superintendent in accordance with the administrative procedures promulgated by the Superintendent.

© Neola 2013



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	QUASI-JUDICIAL
Code	po0133
Status	From Neola
Legal	<u>F.S. 120.53</u> <u>F.S. 120.569</u> <u>F.S. 120.57</u> <u>F.S. 1006.07</u> <u>F.S. 1012.22</u> <u>F.S. 1012.34</u>

#### 0133 - **QUASI-JUDICIAL**

The School Board may assume jurisdiction over any dispute or controversy arising within the District and concerning any matter in which authority has been vested in the Board by statute, policy, a contract, or policy of this Board. The Board shall act as final appeal in the resolution of all matters of dispute within the school system including suspension, termination, promotion, and transfer of personnel. All such matters shall appear on the agenda in order to be adjudicated by the Board.

The Board will enter a final order in any proceeding that affects the substantial interests of a party. The final order will be in writing and will include findings of fact, if any, and conclusions of law separately stated.

The Superintendent will maintain final orders of the Board in accordance with Florida law.

© Neola 2015



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	NUMBER
Code	po0141
Status	From Neola

0141 - **NUMBER**

The School Board shall consist of five (5) members.

All members shall be elected in a county wide election.

Five (5) members shall be elected by single member districts and two (2) members shall be elected at large countywide.

Each member of the Board shall serve as the representative of the entire District, rather than as the representative of a district school board member residence area.

© **Neola 2002**



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title CONFLICT OF INTEREST  
Code po0141.2  
Status From Neola  
Legal F.S. 112.311  
F.S. 112.313  
F.S. 1001.42

#### 0141.2 - **CONFLICT OF INTEREST**

In addition to the provisions of Bylaw 0124 pertaining to standards of ethical conduct, a School Board member shall not have any direct financial interest in a contract with the School District nor shall s/he furnish directly any labor, equipment, or supplies to the District.

Further, Board members are governed by the Florida Constitution, the *Code of Ethics for Public Officers and Employees*, Part III of F.S. Chapter 11, other statutes in the school code, and the Florida Commission on Ethics.

The following is a summary of the Constitutional and statutory mandates. They are not definitive rules and the statute must be consulted for applicable definitions and for exemptions.

##### A. Standards of Conduct

###### 1. Gifts

No Board member shall accept a gratuity, gift, or favor that might influence professional judgment or obtain special advantages. No Board member may either solicit or accept anything of value - including a gift, loan, reward, promise of future employment, favor, or service - that is based on any understanding that the vote, official action, or judgment of the Board member would be influenced by such gift.

###### 2. Other Prohibited Gifts

No Board member may solicit any gift, food, or beverage from a person, vendor, potential vendor, any other entity doing business with the Board, political committee or committee of continuous existence, or from a lobbyist who lobbies the Board (or the partner, firm, employer, or principal of the lobbyist). No Board member or any person on behalf of the Board member may knowingly accept, directly or indirectly, a gift from a person, vendor, potential vendor, any other entity doing business with the Board, political committee or committee of continuous existence, or from a lobbyist who lobbies the Board (and related individuals and entities, including, but not limited to, the partner, firm, employer, or principal of the lobbyist), if the Board member knows or reasonably believes the gift has a value in excess of \$50 - unless the gift is accepted on behalf of and transferred promptly to a governmental entity or a charitable organization, or is given to the Board member by a governmental entity for a public purpose. Gifts from relatives and gifts associated primarily with the recipient's employment or business are not prohibited. Food or beverage consumed at a single sitting or event may be accepted.

"Vendor" is defined as a business entity doing business directly with the Board, such as renting, leasing, or selling realty, goods, or services. (See F.S. 112.3148)

### 3. Honoraria

No Board member may solicit an honorarium related to the member's public office or duties. No Board member may solicit an honorarium from a person, vendor, potential vendor, or other entity doing business with the Board, from a political committee, or from a lobbyist (and related individuals and entities) who lobbies the reporting individuals agency. The term "honorarium" does not include payment for services related to employment held outside the position of Board member which requires disclosure. Actual and reasonable transportation, lodging, and food and beverage expenses related to the honorarium even for a Board member and spouse may be accepted. (See F.S. 112.3149)

"Vendor" is defined as a business entity doing business directly with the Board, such as renting, leasing, or selling realty, goods, or services. (See F.S. 112.3148)

### 4. Doing Business with One's Agency

No Board member acting in his/her official capacity may, directly or indirectly, purchase, rent, or lease any realty, goods, or services from a business entity in which the Board member, his/her spouse, or child is an officer, partner, director, or proprietor, or in which the Board member, his/her spouse, or child (or any combination of them) owns a material interest. Nor may a Board member, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the Board or any of its agencies.

### 5. Unauthorized Compensation

No Board member or his/her spouse or minor child may accept any compensation payment, or thing of value which, with the exercise of reasonable care, is known or should be known to influence the vote or official action of such Board member.

### 6. Disproportionate Benefit

Board members are prohibited from abusing their position in order to obtain a "disproportionate benefit" for themselves, their spouse, children, employer, or entities with which they have certain business interests. A disproportionate benefit means a benefit, privilege, exemption, or result arising from an act or omission by a public officer that is inconsistent with the proper performance of their public duties.

### 7. Misuse of Public Position

No Board member shall corruptly use or attempt to use his/her official position or any property or resource within his/her trust or perform his/her official duties, to secure or obtain a special privilege, benefit, or exemption for the Board member or others.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment may conflict even though such conflict may not exist.

### 8. Disclosure or Use of Certain Information

Board members shall not disclose or use information not available to members of the general public and gained by reason of his/her official position for his/her personal gain or benefit of any other person or business entity.

### 9. Employees Holding Office

A Board employee shall not be a member of the Board while simultaneously continuing as an employee.

## B. Voting Conflicts

A Board member shall not vote in an official capacity on any matter which would inure to his/her special gain or loss, or to the special gain or loss of a principal by whom s/he is retained, or to the parent organization or

subsidiary of a corporate principal by which s/he is retained, or to the special gain or loss of a relative or business associate.

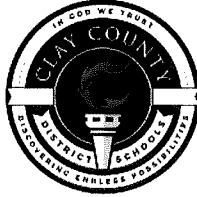
In the event a Board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the School District, the Board member shall declare his/her interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment may conflict even though such conflict may not exist.

The Board member shall make every reasonable effort to disclose the nature of the Board member's interest as a public record in a memorandum filed with the Board's secretary. If it is not possible for the Board member to file a memorandum before the vote, the memorandum must be filed within fifteen (15) days with the Board's secretary.

### C. Additional Provisions

1. Board members shall accept no gifts from any individual, firm, or business entity which the Board member has reason to believe is doing business with or seeking to do business with the District. Meals and admissions to events that relate directly to the school system may be accepted.
2. Board members shall not participate in trips paid by a vendor or potential vendor for the purpose of inspecting products or programs useful to the District. Such trips, if deemed necessary, shall always be made at District expense and approved by the Board at a public meeting.
3. Board members, their spouses, or campaign committees shall not solicit any vendor or any employee of this District to make contributions to any political campaign or testimonial.
4. Board members shall not solicit nor accept personal discounts on merchandise or services from individuals, firms, or business entities that the Board member has reason to believe are doing business with or seeking to do business with this District unless those discounts are available to the general public.
5. No Board member may recommend the services of any lawyer or law firm, architect or architectural firm, public relations firm, or any other person or firm, professional or otherwise, to assist in any transaction involving the District, unless the recommendation is made at a public meeting of the Board.
6. Board members are prohibited from acting as an agent or attorney for compensation for anyone in connection with any matter in which the District is interested for two (2) years after their Board service terminates.



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP  
Code po0141.3  
Status From Neola  
Legal F.S. 112.3125  
F.S. 112.313(7)  
F.S. 112.313(13)

#### 0141.3 - CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP

Subject to the exemptions provided in F.S. 112.313(12), no School Board member shall have or hold any employment or contractual relationship with any business entity or any agency which is doing business with the District, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the District, nor shall a member of the Board have or hold any employment or contractual relationship that will create any conflict whatsoever between his/her private interests and the performance of his/her duties or that would impede the full and faithful discharge of his/her duties.

Pursuant to F.S. 112.3125, a Board member is prohibited from accepting public employment with the State or any of its political subdivisions if the Board member knows, or with the exercise of reasonable care should know, that the position is being offered by the employer for the purpose of gaining influence or other advantage based on the Board member's office or candidacy.

Any public employment accepted by a public officer must meet all of the following conditions:

- A. The position was already in existence or was created by the employer without the knowledge or anticipation of the public officer's interest in such position.
- B. The position was publicly advertised.
- C. The public officer was subject to the same application and hiring process as other candidates for the position.
- D. The public officer meets or exceeds the required qualifications for the position.

A person who was employed by the State or any of its political subdivisions before qualifying as a public officer for his/her current term of office or the next available term of office may continue his/her employment. However, s/he may not accept promotion, advancement, additional compensation, or anything of value that s/he knows, or with the exercise of reasonable care should know, is provided or given as a result of his/her election or position, or that is otherwise inconsistent with the promotion, advancement, additional compensation, or anything of value provided or given an employee who is similarly situated.

Nothing in this policy may be interpreted as authorizing employment that is otherwise prohibited by law.



Lastly, pursuant to F.S. 112.313(14), no Board member may personally represent before the Board for compensation another person, business entity, or agency which is doing business with the District for a period of two (2) years following vacation of office or termination of employment.

© Neola 2013



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	QUALIFICATIONS
Code	po0142
Status	From Neola
Legal	<u>F.S. 1001.34</u>

**0142 - Qualifications**

Each member of the School Board shall meet the qualifications specified by F.S. 1001.34.

© **Neola 2002**



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	OATH
Code	po0142.1
Status	From Neola
Legal	<u>F.S. 1001.37</u>

**0142.1 - OATH**

Before entering upon the duties of office after election, or within ten (10) days of appointment if appointed, members shall take the prescribed oath of office.

© Neola 2002



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	ORIENTATION
Code	po0142.3
Status	From Neola

#### 0142.3 - **ORIENTATION**

The School Board believes that the training of each Board member for the performance of Board duties is essential to the effectiveness of the Board's functioning.

The Board shall encourage each new Board member to understand the statutory roles, responsibilities, and functions of the Board, acquire knowledge of matters related to the operation of the schools, and learn Board procedures. Accordingly, each new Board member, when his/her election is certified, shall receive or be provided electronic access for use during his/her term on the Board:

- A. a copy of the Florida Ethics Law;
- B. a copy of the Board's policies;
- C. a copy of each current collective bargaining agreement;
- D. the District's current budget statement, audit report, and related fiscal materials;
- E. a copy of Florida's Public Records Act, Florida's Government-in-the-Sunshine Law, and the most recent edition of the Government-in-the-Sunshine Manual (or similar publication) published by the Florida office of the Attorney General;
- F. Florida School Laws, current edition; and
- G. State Board of Education rules.

The Board will establish and maintain a library of publications and reference materials for the use of Board members and will provide a new Board member with a list of references that should be reviewed.

The Board shall encourage the attendance of each new Board member at orientation and training meetings, including membership associations, conferences, and other activities pertinent to the role of a Board member in the District.

#### **New Board Membership Orientation Program**

The Superintendent shall provide an orientation program for newly elected Board members to commence as soon as possible after their new term begins. This orientation program shall address, among other things, the following:

- A. the purpose and role of the Board;
- B. the conduct of individual Board members, including the duties of the Board Chairperson;

C. an overview of educational programs; and

D. a review of Board rules and policies.

During the orientation program, each new Board member shall be invited to meet with the Superintendent and members of the Superintendent's cabinet and legal counsel to discuss District functions, policies, and procedures, budget, curriculum, committees, public records, public meetings, publishing the Board's meeting agenda, information technology, administrative structure, strategic plan or mission/goals of the District, Board policies and District procedures for visiting school sites, and/or social media protocols.

The new Board member orientation program shall serve as a foundation for continued learning for Board members so that they can effectively fulfill the responsibilities of their position and positively impact student achievement.

© Neola 2023



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	ELECTION
Code	po0143
Status	From Neola
Legal	F.S. 1001.36 F.S. 1001.361 <u>F.S. 1001.362</u>

**0143 - ELECTION**

The county shall be divided into five (5) residence areas approximately equal in population.

Members of the School Board shall be elected in a countywide election and once elected, shall reside in their residence area but represent the entire District.

© Neola 2025



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	TERM
Code	po0144
Status	From Neola
Legal	<u>F.S. 1001.35</u> <u>F.S. 1001.371</u>

**0144 - TERM**

School Board members shall be elected at the general election in November for staggered terms of four (4) years arranged so that, of five (5) members, three (3) members shall be elected at one general election and two (2) members shall be elected at the ensuing general election.

The term of office of Board members shall begin on the second Tuesday following the general election in which such member is elected.

A person may not appear on the ballot for reelection to the office of Board member if, by the end of their current term of office, the person will have served, but for resignation would have served, in that office for eight (8) consecutive years. Service of a term of office which commenced before November 8, 2022 will not be counted toward the limitation imposed by F.S. 1001.35.

© Neola 2023



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title FILLING A BOARD VACANCY  
Code po0145  
Status From Neola  
Legal F.S. 1001.38  
Fla. Const. Art. X, Section 3

**0145 - FILLING A BOARD VACANCY**

A vacancy occurs on the School Board when one (1) of the following events occurs:

- A. death of the incumbent
- B. failure to maintain the residence required
- C. failure of the person elected to qualify as an elector of the School District and a resident of the residence area from which the member was elected before taking office, or failure of the person appointed to qualify as an elector of the School District and a resident of the residence area for which the member was appointed within ten (10) days of said appointment
- D. resignation
- E. removal from office
- F. unexplained absence for sixty (60) consecutive days

Vacancies shall be filled by appointment by the Governor.

© Neola 2009





Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	REMOVAL
Code	po0146
Status	From Neola
Legal	<u>F.S. Const. Art. IV, Section 7</u>

**0146 - REMOVAL**

The Governor is empowered to suspend or remove for cause an elected or appointed School Board member. Convictions of certain offenses and failure to adhere to prescribed standards of conduct as defined by statute are grounds for removal from office.

© Neola 2002



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	COMPENSATION
Code	po0147
Status	From Neola
Legal	<u>F.S. 1001.395</u>

#### 0147 - **COMPENSATION**

Pursuant to State law, each School Board member shall receive a salary based on the population of Clay County, Florida, and as adjusted by Florida statute.

F.S. 1001.395

The Board may authorize all approved expenses for membership of its Board members in recognized school board associations. Expenses of a Board member incurred in the performance of his/her duties will be paid by the District, provided that each such member submits a written statement of his/her expenses consistent with Board policy and within the constraints of budgeted resources.

A Board member shall receive term life insurance in an amount equal to their annual salary and medical insurance coverage with an option to purchase additional coverage at prescribed rates. Board members are eligible to participate in the Florida Retirement System as specified by law. Board members shall not receive sick leave or vacation pay.

© Neola 2009



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title TRAVEL AND EXPENSES  
Code po0147.1  
Status From Neola  
Legal F.S. 112.061  
F.S. 1001.39  
F.S. 1011.051  
F.A.C. 6A-1.056  
2 C.F.R. 200.474

#### 0147.1 - TRAVEL AND EXPENSES

Members of the School Board have a duty to promote the best interests of the District and are expected to engage in meaningful professional development to enhance their leadership abilities and fulfill their responsibilities. In doing so, members of the Board may need to travel from time-to-time in the county, out of the county, and/or out of the State.

Members of the Board seeking reimbursement for travel must utilize District-approved forms.

#### **In-County Travel**

Travel on official business performed within Clay County by members of the Board shall be reimbursed at the maximum rate allowed by F.S. Chapter 112.061; said mileage shall be determined by actual driving directions.

Reimbursable in-county travel for members of the Board is defined as that travel performed as part of a Board member's duties.

#### **Out-of-County Travel (Within the State of Florida)**

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, exist.

If such a financial condition does not exist, when approved in advance, expenses for out-of-county travel for members of the Board members 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.

Travel outside the county that exceeds \$500.00 requires prior approval by the Board to confirm that such travel is for official business of the District and complies with rules of the State Board of Education.

#### **Out-of-State Travel**

Expenditures for travel outside the State 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, exist.

If such a financial condition does not exist, when approved in advance, expenses for out-of-State travel for members of the Board shall be paid at the rate allowed by State law.

Any request by a member of the Board member to travel outside of Florida must include an itemized list detailing all anticipated travel expenses including, but not limited to, the anticipated costs of all means of travel, lodging, and subsistence. The public shall have an opportunity to speak on any member of the Board specific travel agenda item prior to the Board taking action on whether to approve or deny the travel request.

#### **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.

#### **Participation in Virtual Trainings and Conferences**

Similar to in-person trainings and conferences, participation by a Board member in a virtual training or conference is defined as official business performed as part of a Board member's duties when all of the following apply:

- A. 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 Board member participating.
- B. The virtual training or conference provides a direct educational or other benefit supporting the work and public purpose of the participating Board member.
- C. The duties and responsibilities of the participating Board member are compatible with the objectives of the virtual training or conference.

Any request by a member of the Board to participate in a virtual training or conference must include an itemized list detailing all anticipated expenses including, but not limited to, the anticipated costs of registration and meeting materials.

Expenses for participation in virtual trainings and conferences that exceeds \$250 requires prior approval by the Board to confirm that such participation is for official business of the District and complies with rules of the State Board of Education.

If a financial condition pursuant to F.S. 1011.051 does not exist, expenses for participation in a virtual training or conference for members of the Board shall be reimbursed at the rate allowed by State law.



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title USE OF EQUIPMENT AND SERVICES  
Code po0148  
Status From Neola  
Legal F.S. 1001.41

**0148 - USE OF EQUIPMENT AND SERVICES**

The Superintendent is authorized to make available to School Board members for their official use the following equipment and services:

- A. routine office supplies, computer, printer, telephone, and/or electronic communication device
- B. business cards and stationery
- C. software compatible with District systems

Any additional non-budgeted items desired by members must have Board approval. Equipment and services shall be acquired in accordance with District purchasing and property accounting procedures and shall be accounted for by the Superintendent. Equipment must be returned on the last day of service.

© Neola 2009



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	ACCESS TO RECORDS
Code	po0149
Status	From Neola

#### 0149 - **ACCESS TO RECORDS**

Individual members of the School Board do not possess the powers that reside in the Board, but no member of the Board shall be denied documents or information to which s/he is legally entitled and which are required in the performance of his/her duties as a Board member.

Access to District personnel records shall be subject to Board policy and State statute.

Information obtained from employee personnel records by members of the Board shall be used only for the purpose of aiding the members to fulfill their legal responsibilities in making decisions on such matters as appointments, assignments, promotions, demotions, remuneration, discipline, and dismissal, or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.

© **Neola 2002**



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	PUBLIC EXPRESSIONS OF MEMBERS
Code	po0149.1
Status	From Neola

#### 0149.1 - **PUBLIC EXPRESSIONS OF MEMBERS**

The School Board Chairman, in conjunction with the Superintendent, functions as the official spokesperson for the Board.

From time-to-time, however, individual Board members make public statements on school matters to local media and/or to local or State officials.

Board members should, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

A. This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:

1. Correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter.
2. Routine, not for publication, correspondence of the Superintendent and other Board employees.
3. "Campaign articles" or "position papers" of candidates for elections to the Board.
4. Routine "thank you" letters of the Chairman of the Board.
5. Statements by Board members on nonschool matters (providing the statements do not identify the author as a member of the Board).
6. Personal statements not intended for publication.
7. Postelection statements by Board members thanking citizens for voting for them.

B. Copies of this bylaw shall be sent to local media by the Board Chairman.



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	BOARD MEMBER PARTICIPATION AT DISTRICT COMMITTEE MEETINGS
Code	po0149.2
Status	From Neola

**0149.2 - BOARD MEMBER PARTICIPATION AT DISTRICT COMMITTEE MEETINGS**

The School Board believes that the involvement of stakeholders in the formulation of recommendations to the Superintendent and the Board is essential to good decision-making. To ensure that the presence of Board members at committee meetings does not unduly influence or stifle committee deliberations, their attendance shall be in an observer status. Board members may participate in committee discussions as members of the public. Statements by Board members which reflect personal opinion will be clearly identified as such to committee members.

© Neola 2002





Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	BOARD-STAFF COMMUNICATIONS
Code	po0149.3
Status	From Neola

### 0149.3 - **BOARD-STAFF COMMUNICATIONS**

The School Board is a policy making body and its individual members do not have authority to direct the day-to-day operations of the District or its employees. Nevertheless, the Board believes that open channels of communication between itself and the staff will benefit the District. The preferred line of official District communication should, however, be through the Superintendent.

#### A. Staff Communications to the Board

All communications regarding official business of the District from staff members to the Board or its committees should be preferably submitted through the Superintendent. The Superintendent shall forward such communications received from staff members to the Board no later than seven (7) days following receipt.

If a staff member chooses to communicate directly with the Board regarding District business, then that communication should be sent to all members of the Board and the Superintendent should be copied as well.

This communication protocol is not intended to deny any staff member his/her constitutional right of free speech or the right to appeal to or otherwise address the Board on important matters through established procedures.

#### B. Board Communications to Staff

All official communications, policies, and directives of the Board of staff interest and concern to the staff will generally be communicated through the Superintendent, who shall also keep staff members informed of the Board's concerns and actions.

#### C. Social Interaction

Both staff and Board members share an interest in the schools and in education generally, and it is to be expected that when they interact at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the District. However, since individual Board members are not authorized to act on behalf of the Board unless in open public session or when specifically vested with such authority, it will be considered to be unacceptable conduct for individual Board members to discuss with members of the staff personnel grievances or other complaints if procedures to seek remedy for such grievances or complaints have been established in Board policy or in the collective bargaining agreement.



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title ORGANIZATIONAL MEETING  
Code po0151  
Status From Neola  
Legal F.S. 100.041  
F.S. 1001.371

**0151 - ORGANIZATIONAL MEETING**

In November of each year, the School Board shall organize by electing a Chair and Vice-Chair. In an election year, the organizational meeting shall be on the third Tuesday after the first Monday in November. In non-election years, the date of the organizational meeting shall be set so that the public notice required by law can be provided.

The Chair and Superintendent shall sign a copy of the proceedings of organization as provided in State law and this bylaw, including the schedule for regular meetings and the names and addresses of all District officers, and the Superintendent shall file the document within two (2) weeks with the Department of Education.

The Board shall, at the organizational meeting:

- A. designate a day, place, and time for regular meetings which shall be held at least once a month;
- B. designate a day for regular informal work sessions of the Board, which shall be public;
- C. reaffirm bylaws and policies for its own operation and the operation of the school system; (see Bylaw 0131 of these bylaws)
- D. adopt a calendar which shall exist only for the administrative convenience of the Board and shall not serve either to validate or void any Board action.



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title OFFICERS  
Code po0152  
Status From Neola  
Legal F.S. 1001.371  
F.S. 1001.462  
F.S. 1001.48

**0152 - OFFICERS**

The organizational meeting shall be called to order by the Superintendent who shall act as presiding officer until the organization is complete.

After new members have received the oath of office, elections of officers shall be by majority vote of members physically present.

A. Officers shall serve for one (1) year and until their respective successors are elected and shall qualify.

B. In the event that the office of Chairman or Vice-Chairman becomes vacant, the School Board shall fill the vacancy for the unexpired term at the ensuing regular or special meeting in the same manner as the election conducted at the organization meeting.

F.S. 1001.371, 1001.462

The Superintendent shall be the secretary and executive officer of the Board.

© Neola 2008



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	COMMITTEES
Code	po0155
Status	From Neola

#### 0155 - **COMMITTEES**

The School Board may establish committees and sub-committees as the need arises. Appointments to be made at a regular meeting will be addressed as follows:

The Board members shall discuss the need or necessity for Board members to participate in various organizations, committees, and/or councils as may be required by law, Board policy, or as desired by the Board and determine appropriate representation. The Chair shall appoint members as necessary.

Committees of Board members shall, when specifically charged to do so by the Board, conduct studies, and make recommendations to the Board. Whenever a majority of a committee and/or sub-committee meets for any pre-arranged discussion of public business of that committee or sub-committee, it shall abide by the Sunshine Law. The law requires that the committee or sub-committee give public notice of each meeting as well as prepare, file, and maintain minutes of the proceedings. Such minutes shall also be available for inspection by the public.

#### **Value Adjustment Board**

The Board shall elect one (1) member to serve on the county value adjustment board. Additionally, it is the responsibility of the Board to appoint one (1) citizen member who owns a business occupying commercial space located within the School District to the value adjustment board.

© Neola 2008



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title LEGAL COUNSEL  
Code po0156  
Status From Neola  
Legal F.S. 1001.32(2)  
F.S. 1001.32(3)

**0156 - LEGAL COUNSEL**

The School Board may employ or retain legal counsel to render legal services as are needed by the Board or Superintendent for school matters.

© Neola 2008



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	PARLIAMENTARY AUTHORITY
Code	po0161
Status	From Neola

**0161 - PARLIAMENTARY AUTHORITY**

The School Board attorney shall serve as parliamentarian at all Board meetings.

The parliamentary authority governing the Board shall be the most recent edition of Robert's Rules of Order, Newly Revised, except as otherwise provided by special Board rules and regulations and/or statutes.

Robert's Rules of Order may be temporarily suspended at any time upon motion, seconded, and approved by the Board.

© Neola 2021



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	QUORUM
Code	po0162
Status	From Neola
Legal	<u>F.S. 1001.372(4)</u>

**0162 - QUORUM**

Three (3) members (for five (5) member boards) present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

© Neola 2009



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	PRESIDING OFFICER
Code	po0163
Status	From Neola

**0163 - PRESIDING OFFICER**

The Chairman shall preside at all meetings of the School Board. In the absence, disability, or disqualification of the Chairman, the Vice-Chairman shall act instead; if neither person is available, any member shall be designated by a plurality of those present at a regular Board meeting to preside. The act of any person so designated shall be legal and binding.

© Neola 2002





Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title NOTICE OF REGULAR MEETINGS, HEARINGS, AND WORKSHOPS  
Code po0164  
Status From Neola  
Legal F.S. 50.0311  
F.S. 120.525  
F.S. 120.81  
F.S. 1001.372  
F.A.C. 28-102.001

**0164 - NOTICE OF REGULAR MEETINGS, HEARINGS, AND WORKSHOPS**

Pursuant to State law, the School Board shall, at least seven (7) days prior to any regular public meeting, hearing, and workshop, provide notice in the following ways:

- A. continuous publication on a publicly accessible website as provided in F.S. 50.0311 or the official Board website or;
- B. publication in a newspaper of general circulation.

The notice posted shall include a general statement of the general subject matter to be considered.

For additional public notice requirements, see also: Bylaw 0131 (*Legislative/Polycymaking*) and Bylaw 0165.1 (*Agendas*).

© Neola 2025



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title MEETINGS  
Code po0165  
Status From Neola  
Legal F.S. 447  
F.S. 1001.372

#### 0165 - MEETINGS

The School Board shall hold at least one (1) regular meeting each month and may conduct other meetings such as workshops, public hearings, special meetings, emergency meetings, and meetings exempt from Florida's Open Meetings laws. See also, Bylaw 0131 (*Legislative/Polycymaking*), Bylaw 0164 (*Notice of Regular Meetings, Hearings, and Workshops*), Bylaw 0165.1 (*Agendas*), and Bylaw 0166.1 (*Workshops*).

The sessions will be held in any appropriate public place in the county, provided due public notice is given.

Meetings will be held in any appropriate public place in the county provided that due public notice is given.

In accordance with law, all meetings at which official acts are to be taken are declared to be open public meetings, and no resolution, rule, policy, regulation, or formal action shall be considered binding except as taken or made at such a meeting. All meetings of the Board shall be open to the public, except as provided by Florida law, and the order of business of any regular meetings shall include an opportunity for the public to address the Board, as provided in Bylaw 0169.1.

#### Regular Meetings

Regular meetings shall be held at the time fixed at the annual organizational meeting. Such notification shall be made immediately after the annual organization meeting at which the Board fixes regular meeting dates and times. Should the date of a regular meeting fall on a holiday, the Board may choose the meeting date at any prior meeting. Every Board member shall be notified of the change by letter or by distribution of the Board minutes which carry a record of the change. The Superintendent shall be responsible for public notice of changed meetings.

#### Special Meetings

- A. Special meetings may be called by the Superintendent, the Superintendent at the request of the Board Chair, or the Superintendent at the request of a majority of the members of the Board by serving a written notice of the time, date, location, and purpose of such meeting upon each Board member at least seven (7) days in advance of the meeting.
- B. Special meetings are intended to be limited to specific matters and shall not be used in place of the Board's responsibility to conduct regular Board meetings not less than once per month. The meeting notice and agenda shall specify the particular matters to be addressed during the special meeting. Business conducted during special meetings must only relate to the particular matters identified in the meeting notice and agenda.
- C. All special meetings shall be held in the office of the Superintendent or in a room convenient to that office and regularly designated as the Board meeting room. Meetings may be held at other appropriate public places in the county upon the giving of due public notice.

- D. Due public notice shall consist of, at least seven (7) days prior to the meeting: continuous publication on a publicly accessible website as provided in F.S. 50.0311 or the District's official website; publication in a newspaper of general circulation in the county, or if there is no newspaper of general circulation in the county, an announcement over at least one (1) radio station whose signal is generally received in the county, a reasonable number of times daily during the forty-eight (48) hours immediately preceding the date of such meeting; or posting a notice at the courthouse door if no newspaper is published in the county.
- E. Actions taken during special meetings shall have the same force and effect as if taken at a regular meeting.

### **Emergency Meetings**

- A. The Superintendent, the Board Chair, or a majority of the members of the Board may call an emergency meeting when there is an immediate danger to public health, safety, or welfare that requires immediate action.
- B. Emergency meetings are intended to be limited to specific emergencies and shall not be used in place of regular or special meetings. The meeting notice and agenda shall specify the particular emergency to be addressed during the meeting in addition to the time, date, and location of the meeting.
- C. Notice of emergency meetings shall be provided in a manner that is fair under the circumstances and necessary to protect the public interest. The Board shall attempt to provide immediate public notice of all emergency meetings as follows:
1. Publishing a notice on the District's website.
  2. Making an announcement over at least one (1) radio station whose signal is generally received in the county, a reasonable number of times daily during the forty-eight (48) hours immediately preceding the date of such meeting.
  3. Posting a notice on the District-approved social media platforms.
  4. Posting a notice on the front door of the District's main office, which is located at 900 Walnut Street Green Cove Springs, FL.
  5. Posting a notice on the county courthouse door.
- D. At the start of each emergency meeting and prior to conducting any business, the Board shall publish in writing and state for the record the specific facts and reasons for finding an immediate danger to the public health, safety, or welfare and the Board's reasons for concluding that the procedures used to notice and conduct the emergency meeting is fair under the circumstances.
- E. Following the emergency meeting, and as soon as practicable under the circumstances, the Board shall publish in the appropriate publication prescribed by F.S. 120.54(3), and on its website, notice of the time, date, and place of the emergency meeting; a statement setting forth the reasons why the emergency meeting was necessary; and a statement setting forth the action taken during the meeting.
- F. Actions taken during emergency meetings shall have the same force and effect as if taken at a regular or special meeting.

### **Exempt Meetings**

The Board is committed to transparency and conducting its meetings in the public. However, certain meetings are exempt from Florida's Open Meetings laws. Examples of such meetings include, but are not limited to, the following:

- A. all discussions between the Superintendent, or the Superintendent's representative, and the Board relative to collective bargaining (i.e., "executive sessions");
- B. meetings between the Board, the Superintendent, and the Board's attorney to discuss pending litigation to which the Board is presently a party before a court or administrative agency (i.e., "shade meetings");

Such meetings must meet the following conditions:

1. The Board's attorney shall advise the Board at a public meeting that they desire advice concerning the litigation.
2. The subject matter of the meeting shall be confined to settlement negotiations or strategy sessions related to litigation expenditures.
3. The entire session shall be recorded by a certified court reporter. The reporter shall record the times of commencement and termination of the session, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the Board's clerk within a reasonable time

after the meeting.

4. The Board shall give reasonable public notice of the time and date of the attorney-client session and the names of persons who will be attending the session. The session shall commence at an open meeting at which the persons chairing the meeting shall announce the commencement and estimated length of the attorney-client session and the names of the persons attending. At the conclusion of the attorney-client session, the meeting shall be reopened, and the Board Chair shall announce the termination of the session.

5. The transcript shall be made part of the public record upon conclusion of the litigation.

C. student expulsion hearings;

D. portions of any meeting relating directly to or that would reveal security and fire safety systems, including all records, information, photographs, audio and visual presentations, schematic diagrams, surveys, recommendations, or consultations or portions thereof relating directly to or revealing such systems;

E. risk management sessions; and

F. any other meeting permitted to be exempt under Florida law.

### **Virtual Participation**

Unless otherwise determined by the Board or due to an order by an authorized authority preventing and/or suspending in-person attendance at a meeting, Board members are expected to attend meetings in person at the location set by the Board for the meeting.

A Board member may attend virtually in instances where a member is unable to attend in person due to a scheduled absence from the District or due to a physical restriction preventing attendance. The Board member is responsible for making advance arrangements with the District administration to facilitate participation in the meeting.

All votes taken during a meeting conducted with at least one Board member participating through an electronic means of communication shall be by roll call. The Board minutes prepared for meetings in which at least one Board member participates by an electronic means of communication shall state the name of each Board member who:

A. was physically present at the place where the meeting was conducted;

B. participated in the meeting by using any electronic means of communication; and

C. was absent.

(See also Bylaw 0167.1 - *Voting*)

The Board minutes also shall identify the electronic means of communication by which:

A. Board members participated in the meeting; and

B. the public attended and observed the meeting if it was not an executive session.

Board members are not provided with technology to facilitate remote Board attendance unless the Board authorizes such expenditure.

Any Board member attending a meeting or who intended to attend a meeting remotely but is unable to attend or unable to maintain attendance due to technological complications, such as a poor connection or other equipment failures, will be considered absent for all or part of the meeting. The meeting may continue in the member's absence, provided that a quorum is still present.

While virtual participation may be permitted in certain circumstances, a quorum of the members of the Board must be physically present at the meeting site. Board members participating by virtual means will not count toward the quorum requirement.



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title AGENDAS  
Code po0165.1  
Status From Neola  
Legal F.S. 120.525

#### 0165.1 - **AGENDAS**

The Superintendent shall establish the agenda for School Board meetings in consultation with the Board Chair. Individual members of the Board may place items for discussion on an agenda by advising the Superintendent of their desire to do so. A motion to rescind or to amend action previously taken shall be timely placed on the agenda since either motion may be considered a "proposition". The Superintendent shall establish reasonable procedures and deadlines for the receipt of requests to place items of business on the agenda and requests to make a presentation in the public discussion period.

The agenda for Board meetings, hearings, and workshops shall be prepared in time to ensure that a copy of the agenda may be received at least seven (7) days before the event by any person in the State who requests a copy and who pays the reasonable cost of the copy. The agenda shall contain the items to be considered in order of presentation.

After the agenda has been made available, changes to the agenda shall be only for good cause, as determined by the person designated to preside, and stated in the record. Notification of such change shall be at the earliest practicable time.

- A. The agenda, along with any meeting materials available in electronic form, excluding confidential or exempt information, shall be published on the Board's website before the event, and shall include any recommendations of the Superintendent.
- B. The agenda for each regular meeting shall be mailed or delivered electronically to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than seven (7) days prior to the meeting, or delivered electronically so as to provide time for the study of the agenda by the member.
- C. The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any meeting by a majority vote of the members present.

#### D. Consent Agenda

The Board shall use a consent agenda to keep routine matters within a reasonable time frame.

A member of the Board may request any item be removed from the consent agenda and defer it for individual discussion, public comment (if otherwise permitted), and action. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion, public comment (if otherwise permitted), and action. Any item on the consent agenda may be removed and discussed as a nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

- E. The agenda for special meetings called by the Superintendent, or by the Superintendent on request of the Board Chair, or on the request of a majority of the Board members, shall be prepared upon the calling of the meeting but not less than forty-eight (48) hours prior to such a meeting. The agenda for special meetings, along with any meeting materials available in electronic form, excluding confidential or exempt information, shall be published on the Board's website at least forty-eight (48) hours before the special meeting, and shall include any recommendations of the Superintendent. The order of business at special meetings of the Board shall be established by the Board.
  
- F. The agenda for emergency meetings, along with any meeting materials available in electronic form, excluding confidential or exempt information, may be published on the Board's website if possible under the circumstances and necessary to protect the public interest.

© Neola 2025



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	RECESS
Code	po0165.4
Status	From Neola
Legal	<u>Robert's Rules of Order, Newly Revised</u>

**0165.4 - RECESS**

The School Board may at any time move for a recess or intermission in the day's proceedings. If a recess is provided for in the agenda, the Chair, when the time arrives, announces the fact and says the assembly stands in recess, to the specified hour. When the Board meets at the time that the recess is to conclude, the Chair calls the assembly to order and the business proceeds as a continuation of the previous session.

© Neola 2009



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	ADJOURN
Code	po0165.5
Status	From Neola

0165.5 - **ADJOURN**

The School Board may, at any time during a meeting, adjourn the meeting to a specified date and time. Before accepting a motion to adjourn, the Chair should be sure that no important matters have been overlooked. If there are announcements to be made they should be attended to before adjournment.

© Neola 2009





Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	WORKSHOPS
Code	po0166.1
Status	From Neola
Legal	<u>F.S. 1001.41</u>

**0166.1 - WORKSHOPS**

Workshops are publicly noticed meetings of the School Board for the purpose of exploring matters which constitute the business of the school system. Workshops offer an opportunity for the Board and Board personnel to communicate information and engage in a general discussion. The Board shall take no formal action in a workshop or agree to any decisions with respect to issues which may be brought forward at a regular or special Board meeting.

The Superintendent, or their designee, shall take minutes of all matters discussed during work sessions to be approved at the next regular or special meeting.

© Neola 2021



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title VOTING  
Code po0167  
Status From Neola  
Legal [F.S. 112.312\(2\)](#)  
[F.S. 112.3143](#)  
[F.S. 286.012](#)

#### 0167 - **VOTING**

All motions shall require for adoption a majority vote of those present and voting, except as provided by statute, these bylaws, or parliamentary authority. Upon the demand of any member of the School Board, the vote shall be recorded by roll call.

All actions requiring a vote can be conducted by voice vote or show of hands unless a roll-call vote is requested or required. Each vote and abstention shall be recorded. Proxy voting is prohibited.

Abstentions shall only be permitted as authorized by law.

#### **Conflict of Interest**

Pursuant to State law, no Board member shall vote in an official capacity upon any measure which would inure to his/her special private gain or loss; which s/he knows would inure to the special private gain or loss of any principal by whom s/he is retained or to the parent organization or subsidiary of a corporate principal by which s/he is retained, other than an agency as defined in F.S. 112.312(2); or which s/he knows would inure to the special private gain or loss of a relative or business associate of the Board member.

Such Board member shall, prior to the vote being taken, publicly state to the assembly the nature of the Board member's interest in the matter from which s/he is abstaining from voting. Such Board member shall make every reasonable effort to disclose the nature of his/her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for the Board member to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than fifteen (15) days after the vote.

#### **Quasi-Judicial Proceedings**

If the official decision, ruling, or act occurs in the context of a quasi-judicial proceeding, a Board member may abstain from voting on such matter if the abstention is to assure a fair proceeding free from potential bias or prejudice.



Book Policy Project Revised  
Section 0000 Bylaws Cleaned  
Title USE OF DISTRICT-ISSUED ELECTRONIC MAIL AND OTHER SOCIAL MEDIA  
Code po0167.1  
Status From Neola  
Legal F.S. Chapter 119  
F.S. Chapter 286  
F.S. 847.012

#### **0167.1 - USE OF DISTRICT-ISSUED ELECTRONIC MAIL AND OTHER SOCIAL MEDIA**

All communication sent or received using a School Board member's District-issued e-mail account or any other social media is considered the same as written communication and may be subject to Florida's Public Records Act as set forth in F.S. Chapter 119. For purposes of this bylaw, social media includes but is not limited to webmail, text messages, instant messages, websites, software, and internet-based applications that facilitate communication and networking between individuals or groups.

Board members have no expectation of privacy when using District-issued e-mail or other social media. Unless an exemption would apply, communications sent or received about Board business, whether using a Board member's District-issued e-mail account or any other social media are subject to retrieval and disclosure as a public record.

Under no circumstances shall Board members use District-issued e-mail accounts or other forms of social media to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

A. Messages from a Board member that include, but are not limited to, the following could be sent using District-issued e-mail and other forms of social media:

1. messages between Board members or between a Board member and employee(s) which do not involve deliberating or rendering a decision on matters then pending or that may come before the Board;
2. possible agenda items to the Superintendent from the Board Chairman or another member of the Board;
3. times, dates, and places of regular or special Board meetings;
4. a Board meeting agenda or public record information concerning items on the agenda;
5. requests for public record information from a member of the administration, school staff, or community pertaining to District operations;
6. responses to questions posed by members of the public, administrators, or school staff.

B. Further, the Board prohibits adults from knowingly distributing to minors any material that is obscene and harmful to minors, as defined in F.S. 847.012, in any format through e-mail sent, or caused to be sent, to or through the District's network. An adult who knowingly distributes any such material to a minor through e-mail sent, or caused to be sent, to or through the District's network also commits a felony under State law.

© Neola 2015



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	MINUTES
Code	po0168
Status	From Neola
Legal	<u>F.S. 1001.42</u>

**0168 - MINUTES**

The Superintendent shall act as secretary and shall cause to be kept official minutes of all its meetings showing the time and place, the members present, the subjects considered, a summary of the deliberations sufficient enough for the public to understand the basis for the School Board's actions, the actions taken, the vote of each member on roll-call votes, and any other information required to be shown in the minutes by law, which shall be available to the public.

The minutes of Board meetings shall be considered at the next regular meeting where they shall be read (unless waived by law), corrected, and approved. The approved minutes shall be signed by the Superintendent and the Chairman.

Recordings shall be made of each meeting of the Board as an administrative aid and shall be preserved as public documents of the Board as required by State statute.

The approved minutes shall be filed in the Board office in a prescribed minutes book as a permanent record of official Board proceedings.

© Neola 2002

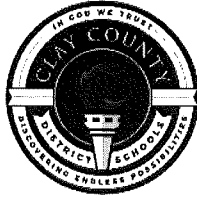


Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	DUTIES
Code	po0170
Status	From Neola

**0170 - DUTIES**

The School Board is committed to an inclusive governance model so that policy focuses on student learning.

© Neola 2002



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	POLICY REVIEW
Code	po0171
Status	From Neola
Legal	<u>F.S. 1012.796(d)</u>

#### 0171 - **POLICY REVIEW**

The School Board shall review its policies periodically.

The Superintendent shall recommend for the Board's consideration and adoption revisions to current policies or new policies as often as necessary so that the Board policies are correct and statutorily compliant.

All such revisions and additions to Board policy shall be in accordance with the Administrative Procedures Act.

Board policies and procedures must include standards for screening, hiring, and terminating instructional personnel and school administrators as defined in F.S. 1012.01; standards of ethical conduct for instructional personnel and school administrators; the duties of instructional personnel and school administrators for upholding the standards; detailed procedures for reporting alleged misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student; requirements for the reassignment of instructional personnel or school administrators pending the outcome of a misconduct investigation; and penalties for failing to comply with F.S. 1001.51 or 1012.795. The Board policies and procedures shall include appropriate penalties for all personnel of the Board for nonreporting and procedures for promptly informing the District of each legally sufficient complaint.

F.S. 1012.796(d)

The Board will also evaluate how policies have been implemented and their general effectiveness. The Board will rely on such metrics as summaries of surveys administered to the school staff, students, and community; student data collected by the District, including, but not limited to, student assessment results, graduation statistics, and attendance records; financial reports; and other relevant information to provide evidence of the effect of the policies it has adopted.

The Superintendent shall require that all policy manuals and administrative procedure manuals are updated following Board approval of recommended revisions and additions.

© Neola 2016



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	REVIEW OF POLICY - EDUCATIONAL RESOURCES
Code	po0171.1
Status	From Neola

**0171.1 - REVIEW OF POLICY - EDUCATIONAL RESOURCES**

It will be the policy of the School Board to periodically review its policies and procedures on educational resources. It is the policy of the Board to facilitate academic standards, budget priorities, and budget mandates, provide safe and secure facilities, and create an organizational framework and environment to achieve the District's vision.

© Neola 2016





Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	REVIEW OF POLICY - PHILOSOPHY AND GOALS
Code	po0171.2
Status	From Neola

**0171.2 - REVIEW OF POLICY - PHILOSOPHY AND GOALS**

It will be the policy of the School Board to periodically review its policies on the philosophy of education, educational goals, curriculum and instruction, participation of disabled students, and educational options. To this end, this effort will involve all stakeholders to formulate a vision, goals, and strategic plan for the District.

© Neola 2016



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	REVIEW OF POLICY - COMMUNITY RELATIONS
Code	po0171.3
Status	From Neola

**0171.3 - REVIEW OF POLICY - COMMUNITY RELATIONS**

It will be the policy of the School Board to periodically review its policies on planned community relations. The Board commits to maintaining strong community relations by involving stakeholders in District planning and regularly communicating information about policy, programs, and fiscal conditions.

© Neola 2016



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	REVIEW OF POLICY - ETHICS
Code	po0171.4
Status	From Neola

**0171.4 - REVIEW OF POLICY - ETHICS**

The School Board will annually review the following policies and procedures:

- A. standards for screening, hiring, and terminating instructional personnel and school administrators as defined in F.S. 1012.01;
- B. standards of ethical conduct for instructional personnel and school administrators, and the duty of instructional personnel and school administrators to uphold the standards;
- C. detailed procedures for reporting alleged misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student; reassigning instructional personnel or school administrators pending the outcome of a misconduct investigation; and, promptly reporting each legally sufficient complaint to the Florida Department of Education.

© Neola 2016



Book	Policy Project Revised
Section	0000 Bylaws Cleaned
Title	VISITATION OF SCHOOLS BY INDIVIDUAL SCHOOL BOARD MEMBERS AND LEGISLATORS
Code	po0172
Status	From Neola

#### **0172 - VISITATION OF SCHOOLS BY INDIVIDUAL SCHOOL BOARD MEMBERS AND LEGISLATORS**

An individual School Board member may, on any day and at any time at their pleasure, visit any school in the District. A member of the Legislature may visit any public school in the legislative district of the member. An individual visiting a school pursuant to this policy must sign in and sign out at the school's main office and wear his/her identification badge at all times while present on school premises. The Board, the school, or any other person or entity, including, but not limited to, the principal of the school, the Superintendent, or any other Board member, may not require an individual visiting the school pursuant to this policy to provide notice before visiting the school. The school may offer, but may not require, an escort to accompany an individual visiting the school pursuant to this policy during the visit.

Another Board member or an employee, including, but not limited to, the Superintendent, the school principal, or their designee, may not limit the duration or scope of the visit or direct an individual visiting the school pursuant to this policy to leave the premises. No policy or practice may prohibit or limit the authority granted to an individual under this policy.

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

© Neola 2022