

## SECTION VI SUPPORT SERVICES

### 6.01 EDUCATIONAL AND ANCILLARY FACILITIES

#### A. Selecting Professional Services

The following procedures shall be used in selecting firms to provide professional architectural, engineering and land survey services and in negotiating contracts for such professional services. Services of an architect shall be used for development of plans for erection, enlargement, or alteration of any educational facility in accordance with the selection process prescribed in Section 287.055, Florida Statutes.

##### 1. Definitions

- a. "Professional Services" means those services within the scope of practice of architecture, professional engineering, or registered land surveying as defined by Florida Statutes or those performed by an architect, professional engineer, or registered land surveyor in connection with this professional employment or practice.
- b. "Firm" means any individual, firm, or partnership, corporation, association, or other legal entity permitted by Florida Statutes to practice architecture, engineering, or land surveying in the State of Florida.
- c. "Compensation" means the total amount paid by the School Board for professional services.

##### 2. Public Announcement

- a. When the School Board finds it necessary to procure professional services, the School Board shall publish a legal advertisement in a newspaper circulated in Clay County describing the need for professional services and explaining application procedures for interested professional firms to be considered by the School Board. Such advertisement shall be published for three consecutive weeks prior to commencement of the selection procedure. The School Board shall consider all firms that timely submit written requests to be considered for such professional services.
- b. The procedures described herein shall apply except in cases where continued facility operations require immediate action. However, in such case, reports shall be made to the School Board.
- c. Those firms that desire to provide professional services shall submit statements of qualification and performance data together with a request to be considered for providing professional services, supplemented by other information specifically requested by the School Board or District Facility Planning and Construction Department.

- d. The Superintendent shall appoint a two-member subcommittee of the selection committee to review statements of qualifications and performance data submitted by firms requesting consideration. The purpose of the subcommittee is to develop a list of five (5) qualified firms. Factors to be considered by the subcommittee in reviewing qualifications shall include, but not necessarily limited to:
  - 1) Capability to accomplish the work in the desired time and in a professional manner;
  - 2) Specialization in the type of project proposed in the building program;
  - 3) Experience with the School Board on prior projects;
  - 4) Proximity of the firm to the location of the project; and
  - 5) Volume and nature of work presently under contract and volume and nature of work awarded to the firm by the School Board within the past three (3) years.
- e. The subcommittee, after reviewing all data submitted by firms, shall recommend five (5) firms to the selection committee.
- f. The Superintendent shall appoint a selection committee consisting of the subcommittee members and one other member.

The School Board shall annually appoint a single member of the Board to serve as a voting member of the selection committee.

- g. The selection committee shall evaluate current statements of qualifications of the five (5) firms recommended by the subcommittee. The selection committee shall select and interview no less than three (3) firms. After the interview the three (3) firms shall be placed in order of preference, deemed to be the most highly qualified to perform the required services, considering the following factors and any other factors determined by the School Board to be applicable to its particular requirements:
  - 1) Capabilities of the firm;
  - 2) Adequacy of personnel;
  - 3) Past record and experience; and
  - 4) Financial responsibility.

The selection committee shall report its recommended selections to the Superintendent for review and to the School Board for approval.

h. Competitive Negotiations

- 1. The Superintendent or his/her designee shall negotiate a contract for professional services for the project with the firm, which has been determined by the selection committee to be the most qualified. The selection committee shall concurrently provide a detailed analysis of the entire scope of the work to be done by the School Board and shall also outline all professional services desired. The Superintendent shall

submit to the School Board for approval, the negotiated contract for professional services. This may be submitted to the School Board as a single recommendation listing both, the three (3) firms in order of preference, as well as a recommended contract after negotiations.

2. When the Superintendent, or his/her designee is unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a compensation that the Superintendent or his/her designee determines to be fair, competitive and reasonable, the Superintendent, or his/ her designee, shall initiate negotiations with the second most qualified firm. If the Superintendent, or his/her designee, fails to negotiate a fair contract with the second most qualified firm, the Superintendent or his/her designee shall then undertake negotiations with the third most qualified firm.
3. If the Superintendent, or his/her designee, is unable to negotiate a satisfactory contract with any of the selected firms, additional firms shall be selected and presented to the School Board for approval. Negotiations shall be continued until an agreement is reached pursuant to the procedure in subsection (g) herein.
  - i. Non-exclusion of Public – The public shall not be excluded from any proceedings under these rules.
  - j. Contingency Fees – The firm to which the contract is awarded shall warrant and the contract shall provide that it has not employed or retained any company or person, other than a bona fide employee working solely for the firm, to solicit or secure this agreement and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for the firm, any fee, commission, percentage, gift or any other consideration contingent upon the award of the contract for professional services.
  - k. Exclusions – The provision of 6.01(2) herein shall not apply to professional services contracts of ten thousand dollars (\$10,000) or less for planning projects, or for such contracts on any project in which the construction is estimated to cost less than one hundred twenty thousand dollars (\$120,000). However, an advertisement may be required, at the discretion of the Superintendent, when certain planning activities or project construction is of a nature unique in the industry, and is deemed to require such. All planning activities and construction projects falling between the School Board’s bid limit, and the Board’s policy of 6.01, shall require at least three (3) quotations establishing a competitive basis in order to support the School Board’s recommendation.
  - l. Written Agreement
    - 1) Each purchase of professional or technical services as provided herein shall be evidenced by a written agreement embodying all provisions and

conditions of the purchase and shall be executed prior to the rendering of any service under the agreement except in cases of valid emergencies certified by the Superintendent.

- 2) The written agreement shall include a provision that statements for fees or other compensation for services and expenses shall be submitted in sufficient detail for proper pre-audit and post-audit. Travel expenses shall be submitted and paid in accordance with the rates specified in Section 112.06, Florida Statutes and School Board Rules governing payment for travel expenses.
- m. The design firm selected for the project shall obtain and maintain proper and adequate insurance against errors and omissions and professional liability to protect and indemnify the School District of Clay County, Florida and the School Board of Clay County, Florida against any and all claims, which may arise during the term of the project. The amount of insurance shall not be less than \$1,000,000 per claim and \$1,000,000 annual aggregate. For projects in which the contract amount is less than \$1,000,000, the required insurance shall have per claim and annual aggregate limits of not less than 75% of the total contract amount for the project. The School Board shall be named as an additional insured and proof of such insurance shall be provided prior to the execution of any contract for services.

(Ref. F.S. 1001.41); 1013; 287.055; 287.057; Revised: 07/17/08)

#### B. Annual Architect/Engineer Selection

1. To increase staff efficiency toward having architectural/engineering services available on projects not exceeding the statutory cost limit as established in F.S. 287.055 (2)(g), the following is authorized:
  - a. An appointment of a single architectural/engineering firm for a period of not more than one year is authorized. The appointment may be extended for an additional period of not more than one year if agreeable to the School Board and the architectural/engineering firm. The architectural/engineering firm selection shall follow the professional selection procedures as set forth in 6.01(A). The appointed architectural/engineering firm shall be available to the Superintendent to design, manage and inspect any/all projects not exceeding the statutory cost limit as established in F.S. 287.055 (2)(g) or less. The successful architectural/engineering firm shall be compensated according to the terms of the standard form agreement and fees shall be a stipulated percentage of each project's construction cost. The percentage shall be the same on each project.
  - b. The selection of an architectural firm, an engineering firm, or a firm that provides both architectural and engineering services, and the amount of compensation, shall require Board approval.

(Ref. F.S. 1001.41); 287.055; 1013) (Amended: 12/20/07; 12/12/2019; 03/02/2023)

C. Pre-Qualification of Contractors

The Board shall pre-qualify contractors for a one-year period. The intent of this section is to prescribe uniform requirements for PRE-QUALIFICATION of contractors. The Superintendent shall appoint a four-member Contractor Pre-qualification Review Committee consisting of the Director of Facility Planning and Construction, the Director of Maintenance and Operations, the Director of Purchasing and a representative from the Business Affairs Division. The School Board shall annually appoint a single member of the Board to serve as a voting member of the committee. The Contractor Pre-qualification Review Committee shall report its recommendations to the Assistant Superintendent of Support Services for review. Upon review, the Assistant Superintendent of Support Services will submit it to the Superintendent and to the School Board for approval. The Board shall receive and either approve or reject each application for pre-qualification within sixty (60) days after receipt by the Board's administrator. Project bids from contractors who have not been pre-qualified will not be accepted. Contractors must submit an application at least sixty (60) days prior to any bid opening in order to have their bid considered.

1. Criteria

Contractors shall be pre-qualified by the Board on the basis of the following criteria:

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

e. Type of work for which the contractor is licensed.

2. Application

In order to allow the Board to apply the uniform criteria in subsection (1), the Board shall require each contractor, firm or person requesting pre-qualification to submit separate applications that include the following:

a. Contractor trade categories and information regarding the state and local licenses and license numbers held by the applicant. The Contractor must provide an unexpired certificate issued by the Florida Construction Industry Licensing Board in accordance with Chapter 489 F.S., as either, State Certified General Contractor or Building Contractor, Electrical, Mechanical or Plumbing Contractor as appropriate. Locally licensed subcontractors must provide a copy of appropriate local license.

b. Audited financial information current within the past twelve (12) months, such as a balance sheet and statement of operations, and bonding capacity. The requirement for financial information may be satisfied by the contractor providing written verification from its surety company of the contractor's bonding capacity. The surety company must be admitted to do business in the State of Florida, must have been in business and have record of successful continuous operations for at least five years, and shall have at least the following minimum ratings according to Best's Key Rating Guide, latest edition.

<u>Contract Amount</u>	<u>Policy Holder's Rating</u>	<u>Required Financial Rating</u>	<u>Surplus Rating</u>
\$ -0- to \$ 299,999	No bonding requirement.		
\$ 300,000 to \$ 499,999	Per Chapter 287.0935, F.S.		
\$ 500,000 to \$ 750,000	A-	Class V	10 - 25 Million
\$ 750,000 to \$1,500,000	A-	Class VI	25 - 50 Million
\$1,500,000 to \$2,500,000	A-	Class VII	50 - 100 Million
\$2,500,000 or More	A-	Class VIII	100-250 Million

c. General information about the company, its principals, and its history including state and date of incorporation.

d. Detailed information setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a Public Entity Crime statement, and references (AIA Document A305 may be used).

e. A list of projects completed within the past five (5) years, including dates, client, approximate dollar value, and size.

f. A list of all pending litigation and claims and all litigation and claims within the past five (5) years, including an explanation of each. Litigation initiated

by the contractor to protect the contractor's legal rights shall not be used as a basis for rejecting pre-qualification.

- g. Certificates of insurance confirming current worker's compensation, public liability and property damage insurance as listed below:
  - 1). Liability insurance shall include all major division of coverage and be on a comprehensive basis including:
    - a) Premises Operations (including X, C and U coverage as applicable)
    - b) Independent Contractor's Protective.
    - c) Products and Completed Operation.
    - d) Personal Injury Liability with Employment Exclusion deleted. Hazards A, B and C.
    - e) Contractual.
    - f) Owned, non-owned and hired motor vehicles.
    - g) Broad Form Property Damage including Completed Operations.
    - h) Employees as additional insured.
  - 2). The insurance required shall be written for not less than the following limits, or greater, if required by law:
    - a) Worker's Compensation
      - (1) State: Statutory
      - (2) Employer's Liability: \$100,000.00 per accident  
\$500,000.00 Disease, Policy Limit  
\$100,000.00 Disease, Each Employee
    - b) Comprehensive General Liability (including Premises Operations; Independent Contractor's Protective; Products and Completed Operation Broad Form; Liability; Contractual Liability) – A- with an FSC VI or better rating in the current AM Best Guide for contractors bonded over \$200,000.00 and B+ with an FSC V or better rating in the current AM Best Guide for contractors bonded under \$200,000.00:
      - (1) Bodily Injury
        - (a) Each Occurrence \$1,000,000.00
        - (b) Annual Aggregate \$2,000,000.00
      - (2) Property Damage
        - (a) Each Occurrence \$1,000,000.00
        - (b) Annual Aggregate \$2,000,000.00
    - c) Personal Injury

(1) Annual Aggregate \$1,000,000.00

- d) Completed Operations and Products Liability shall be maintained for one (1) year after final payment.
- e) Property Damage Liability Insurance shall include coverage for the following hazards: X, C, U.
- f) Comprehensive Automobile Liability (including owned, non-owned, and hired vehicles) – A- with an FSC VI or better rating in the current AM Best Guide for contractors bonded over \$200,000.00 and B+ with an FSC V or better rating in the current AM Best Guide for contractors bonded under \$200,000.00:

(1) Bodily Injury

- (a) Each Person \$1,000,000.00
- (b) Each Occurrence \$1,000,000.00

(2) Property Damage

- (a) Each Occurrence \$1,000,000.00

g) If an exposure exists, Aircraft Liability (owned and non-owned), with limits approved by the owner shall be approved.

- h. The completed application and financial information shall be attested to and signed by an authorized officer of the company, the owner, or sole proprietor, as appropriate, and the signature shall be notarized.
- i. EXCEPTION: When two (2) or more pre-qualified contractors wish to combine their assets for a specific project, they may do so by filing an affidavit of joint venture. Such affidavit shall be valid only for that specific project.

3. Issuance of Certificate

The Board shall issue a certifying letter valid for one (1) year. The letter shall include:

- a. A statement indicating that the contractor may bid for projects during the time period specified.
- b. A statement establishing the maximum dollar value of each individual project the contractor will be permitted to have under contract with the Board at any one time. The maximum value of each project may be up to twice the value of the largest project previously completed, but shall not exceed the contractor's bonding capacity or ten (10) times the net quick assets.



- c. A statement establishing the type of work the contractor will be permitted to provide.
  - d. The expiration date of the letter.
4. Renewal of Certificate

Pre-qualification shall be renewed annually.

- a. All requirements found in Paragraph 2 above shall be required for renewal of pre-qualification. To ensure no lapse in pre-qualification, it is recommended that submission of these requirements be 60 days in advance of the expiration date.
  - b. The Board may allow pre-qualified contractors to request a revision of their pre-qualification status at any time they believe the dollar volume of work under contract or the size and complexity of projects should be increased if experience, staff size, staff qualifications, and other pertinent data justify the action.
5. Delinquency

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

- a. A substantial or repeated failure to comply with contract documents after written notice of such non-compliance.
- b. A substantial or repeated failure to provide supervision and coordination of subcontractor's work after written notice of such failure.
- c. Substantial deviation from project time schedules after written notice of non-compliance.
- d. Substantial or repeated failure to pay subcontractors after the Board has paid the contractor for the work performed by the subcontractors and in accordance with approved requisitions for payment.
- e. Substantial or repeated failure to provide the quality of workmanship compatible with the trade standards for the community after written notice of such failure.

- f. Substantial or repeated failure to comply with the warranty requirements of previous contracts after written notice of such failure.
- g. Failure to maintain the required insurance coverage after written notice of such failure.

6. Suspension or Revocation

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

- a. Inaccurate or misleading statements included in the application.
- b. Declared in default by a Board.
- c. Adjudged to be bankrupt.
- d. Performance, in connection with contract work, becomes unsatisfactory to the Board based on the Board asserting and recovering liquidated damages in an action against the contractor.
- e. Payment record, in connection with the contract work, becomes unsatisfactory to the Board based on the contractor's failure to comply with the Construction Prompt Pay Act (Section 715.12, F.S.).
- f. Becomes delinquent on a construction project pursuant to (5) above.
- g. Contractor's license becomes suspended or is revoked.
- h. No longer meets the uniform pre-qualification criteria established in this section.

7. Appeal

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

- a. The aggrieved contractor may, within ten (10) days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of the appeal.
- b. A Board shall act upon a contractor's request within thirty (30) calendar days after the filing and shall notify the contractor of its action to adhere to, modify, or reverse its original action. The Board may require additional information to justify the reconsideration.

D. Educational Facilities Plan

1. By June 30 of each fiscal year the School Board shall be provided a plan for Capital Outlay Projects. The plan shall be based on sound planning information and shall cover a five-year period. The estimated Capital Outlay funding shall be identified and the plan shall be financially balanced.
2. It shall be required that, by October 1 each fiscal year, a copy of the Educational Facilities Plan shall be submitted to each local government within the School Board's jurisdiction. A copy of the Educational Plant Survey shall also be provided at least every five (5) years.

E. Use of Buildings and Grounds

1. The School Board herewith establishes that its educational facilities and grounds shall be made available for any legal assembly or for community use centers or as voting places in any primary, regular or special election.
2. Facility and/or grounds use shall be approved after execution of an agreement, which provides for protection of the School System.

F. Facility Inventory of School Houses

1. An accurate inventory of all educational and ancillary facilities shall be maintained for the district.
2. School principals shall cooperate with district staff in providing necessary information for the inventory.
3. The Facility Planning and Construction Department shall provide by October 1 of each fiscal year a complete set of Educational and Ancillary Schematic Plans to the Law Enforcement agencies and Fire Department(s) of Clay County. After the initial submission of these plans, revised documents shall be submitted annually ensuring accurate and updated plans to the referenced agencies.

G. Conformity with Florida Building Code

1. Before projects can be occupied, it must be inspected to verify compliance with statutes, rules and codes affecting the health and safety of the occupants. Verification of compliance with rules, statutes and codes must be established and filed for all projects.
2. A record is required for each project's completion and permanent archive of Phase III construction documents, including any agenda and change orders to the project.
3. The school district Director of Code Enforcement shall ensure that the plan of each project is reviewed and approved by either, the Department of Education, an engineer or architect retained by the Board for plan review, or qualified School

Board employees. The individual or individuals performing said review must be registered pursuant to either chapter 471, 481 or part XII of chapter 468 Florida Statutes. Which of the aforementioned individuals or entities is used for plan review shall be the decision of the Director of Code Enforcement.

H. Educational Facilities as Emergency Shelters

1. In consultation and cooperation with the county, the State Emergency Management and the American Red Cross, educational facilities shall be made available to use as emergency shelters.
2. Agreements for the use of educational facilities as shelters shall be developed and maintained with all applicable agencies.

I. Relocatable Facilities

1. The Clay County School Board establishes when District capacity is identified in the review of development impact, relocatable facilities will be included as available capacity.
2. The Clay County School Board is committed to providing quality, safe and lasting facilities that ensure a positive educational environment. The School Board's goal is to utilize relocatable facilities in the following circumstances:
  - a. When available funding and growth necessitate their use to relieve overcrowding until permanent facilities can be provided.
  - b. To temporarily house instructional programs and/or administrative units during the period of time remodeling, renovation, or other major repair is underway in a permanent structure.
  - c. In the event of any natural or man-made disaster until appropriate permanent facilities can be provided.
3. It is the goal of the Clay County School Board that existing relocatable facilities exceeding thirty (30) years of age are to be replaced to the fullest extent funding allows. Renovation of existing relocatables shall be every fifteen (15) years.

J. Construction Management/Construction Program Management

1. When the School Board finds it necessary for particular construction projects, it may designate that said project be constructed using a construction manager (hereinafter "CM") or a total program manager (hereinafter "TPM") for construction services. Selection of a CM or TPM shall be made by using the same competitive selection process as that which is set forth in Section 6.01 (A) of these policies and Section 287.055. Florida Statutes.

2. The Board shall assure that CM and TPM projects are in compliance with all applicable federal and state laws and rules, building and life-safety codes and the FBC.
3. The Board’s duties when using CM/TPM shall include but not be limited to:
  - a. Determine project scope, time frames for construction, funding source(s) and project budget.
  - b. Depending on the scope of CM/TPM contract for services, the Board may also have to provide a site survey, educational plant survey or survey update, educational specifications/program, approval to easements, assessments, coordination with local government, architectural or engineering services, inspection services, drawings and specifications.
  - c. Provide a project representative with authority to render decisions promptly and furnish information expeditiously.
  - d. Provide the CM/TPM with a description of applicable requirements, state and federal laws, board policies and processes, time frames, interface/approvals required, payment policies, change orders, inspections and approval procedures.
4. To expedite project flow and efficiently manage CM and TPM contracts, the Board may, by specific Board action, on a project-by-project basis, delegate project decision making authority to the Superintendent or his/her designee for survey approved projects including: submission of project documents for approval; and reductions and changes to components systems and subsystems. For accountability, all changes in a project made pursuant to the delegated authority set forth herein shall be reported to the Board and entered in its official minutes.

K. School Size

1. Minimum

- a. In addition to providing a sound educational experience and opportunity to students, a school must be able to financially support itself. The school’s enrollment is the basis for deriving revenue and on that basis minimum school enrollment sizes are established:

Elementary	-	450	7-12 Combination	-	1,000
Junior High (7-8)	-	750	K-8 Combination	-	900
High	-	900	Middle (6-8)	-	800

- b. When a school’s enrollment declines and no longer supports itself, the School Board shall initiate one or more of the following actions:

- 1) Increase enrollment by adding programs.
- 2) Increase enrollment by redistricting.
- 3) Consider other area schools and other available options and if appropriate, close the school and redistrict students to other area schools.

2. Maximum

- a. When a school's enrollment is such that lunch cannot be served within the desired window of 11:00 a.m. to 1:00 p.m., the site cannot handle the required classrooms, physical education or activity areas are compromised with classroom requirements, parking is unavailable or school bus and parent pick-up and drop-off are insufficient, the school is deemed in duress and is over capacity.

The above issues, considered together with research on the topic and considering the School Board's ideal size according to the District's Facility List, provide the basis to establish limits on the size of schools. The School Board establishes the maximum school enrollment size as follows:

Elementary	-	1,000	7-12 Combination	-	2,500
Junior High (7-8)	-	1,500	K-8 Combination	-	1,500
High	-	2,500	Middle (6-8)	-	1,700

- b. When schools exceed the above maximums, the School Board shall initiate one or more of the following actions:
  - 1) Decrease programs to reduce enrollment.
  - 2) Redistrict students to other area schools.
  - 3) Consider the long range plan for new schools and if not identified, amend the Capital Projects Plan to include new schools, if warranted, to relieve the over-capacity status.

3. This section shall become effective upon implementation of School Concurrency.

(F.S. 1013, Adopted: 07/21/05, 10/19/06, 02/15/07, 03/15/07, 03/20/08)

L. Naming of School District Facilities and Dedicating Areas of School District Facilities or Grounds

1. Purpose.

To establish an equitable process by which the School Board can assume its responsibility for the naming or renaming of schools and other facilities, or the naming of areas of facilities or grounds to honor individuals, or for assigning naming rights for portions of school facilities to recognize private or corporate entities that make a significant contribution, financial or otherwise, to benefit the District.

2. Policy.

It is the responsibility of the School Board to select names of all schools and facilities. In fulfilling this responsibility, the School Board shall carefully consider and respect community recommendations in the naming process. The School Board shall also have the responsibility to authorize naming rights for portions of school facilities in order to provide recognition for private or corporate entities that make an exceptional contribution or significant financial contribution to benefit the District. The names of persons actively employed by or contracting with the Clay County School District shall not be considered.

3. New Schools.

Before a new school is opened in Clay County, the Superintendent shall appoint a committee for the purpose of naming the school.

- a. The committee shall be charged with the responsibility of proposing five (5) school names to the Superintendent who shall then present at least three (3) of those names to the School Board, which will make the final choice.
- b. The committee membership shall consist of a minimum of two (2) lay people who live in the area in which the site is located and who are designated by consensus of the School Board, two (2) staff members as designated by the Superintendent, and the Assistant Superintendent for Support Services.
- c. The committee is encouraged in the naming of the schools to use historical figures, the history, general location or features of the area, or goals of the school. Names of existing schools or combinations thereof shall not be used except in those cases where existing schools are being discontinued as public schools.

4. Existing Schools and Related School Facilities.

The School Board may name or rename a school and other facilities for a variety of reasons, including its use for a new purpose or the desire to recognize contributions to the School District by providing for a dedication or naming of appropriate areas of a district facility, as provided herein, in honor of such individuals, private or corporate entities making exceptional or outstanding contributions to the School District.

- a. *Schools.* The renaming of schools shall follow the same requirements of Section 3 above.
- b. *Ancillary Facilities.* When naming an ancillary facility, a committee of at least one (1) department head and three (3) other stakeholders appointed by the Superintendent shall make a recommendation to the Superintendent who shall present said recommendation to the School Board.

c. *Buildings.* The naming or renaming of any building in honor of a person, living or deceased, as a result of a private gift or other significant non-financial contribution, requires the approval of the School Board after considering the recommendation of the Superintendent.

d. *Components of Facilities.* The Superintendent/designee with approval of the School Board may name significant building components, including classrooms, media centers, athletic fields, conference rooms, common areas and other components which are part of a building or site, including recognizing exceptional or significant non-financial or financial contributions of private individuals or corporate entities. Such naming shall specify any donor request by private individuals or corporate entities for a specific name and shall be reported to the Board as an information item.

5. Limitations to Naming Rights.

Naming rights are intended to recognize sponsorships or a significant contribution by a private individual or corporate entity that benefits the School District.

a. The Assistant Superintendent for Support Services shall maintain records of the naming of schools, buildings and the components of buildings.

b. Naming rights shall be reviewed on a periodic basis, and a naming right may be renewed for an additional period as defined by the original contract and as approved by the School Board.

c. No facility shall be named after someone whose positions, opinions and/or reputation is inconsistent with the mission and vision of the School District.

d. The School Board shall have discretionary authority to rescind a naming right at any time based on any action by a private individual or corporate entity that is deemed by the School Board to be inappropriate and/or in conflict with the School District's values.

e. Funds donated for naming rights shall be deposited in the school's internal account(s), except in instances in which the funds are for the purchase of capital assets or for capital funding in which case they shall be deposited in the general revenue account of the School District. Funds will be transferred to a particular school or utilized in accordance with a written agreement between the School District and the donor if such agreement exists at the time of donation.

f. Schools may not be named after a living person; however, buildings and building components may be named after persons living or deceased.

6. Duration of Naming Rights.

The duration of naming rights shall be proportionate to the value of a donation, endowment or other significant contributions to a school. The duration of naming rights for athletic fields, grounds, and portions of school or administrative sites other than buildings and components shall be at the discretion of the Superintendent or his/her designee. For



buildings and components of buildings, the School Board recognizes two types of naming rights, short-term and long-term naming rights. The provisions for each are outlined as follows:

a. *Short-Term Naming Rights.* Short-term naming rights are applicable for donations ranging from a minimum of \$15,000.00 to a maximum of \$50,000.00 and shall be valid for a period of up to ten (10) years, unless otherwise specified by the Superintendent or School Board at the time of approval. Buildings and building components named prior to April 1, 2009, shall be excluded from this provision. Any funds donated for short-term naming may be deposited in a school's internal fund for short-term use, or may be deposited as an endowment in the school's foundation, if one exists.

b. *Long-Term Naming Rights.* In addition to the other naming opportunities provided in this policy, for instances in which single donations are excess of \$50,000.00, buildings may be named after a donor for more than ten (10) years but not to exceed forty (40) years, unless approved otherwise by the Board, provided that a substantial sum is placed in an endowment or trust to benefit the school long-term.

STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41, 1001.42

LAWS IMPLEMENTED: Fla. Stat. §§ 1001.43(4) Adopted 7/18/13.

## **6.10 SCHOOL INITIATED PROJECTS**

### **A. Facility Requirements**

1. School principal submits, in writing, the type of proposed project to be constructed at the school to the Director of Facility Planning and Construction Department.
2. District Facility Planning and Construction Department evaluates project and determines if plans and specifications for the proposed project have to be prepared by an architect(s) and/or professional engineer(s) registered to practice in the State of Florida.
3. If a registered architect(s) and/or a professional engineer(s) is required, the principal will submit a detailed scope and description of the project along with the name(s) of architect(s)/engineer(s) and shall certify to the School Board, in writing, that the project will be designed and constructed in accordance with Florida Statute 1013 and the Florida Building Code and all other applicable state and federal laws. The architect(s)/engineer(s) will be responsible for overseeing and inspecting the construction phase and for filing field inspection reports to the Facility Planning and Construction Department. In addition, the project will be inspected by the Building Department.

4. Educational specification for the project shall be prepared, if required.
5. Architectural and Engineering Design and construction documents shall be in accordance with F.S. 1013 and the Florida Building Code.
6. Phase I documents (Schematic), Phase II documents (Preliminary) and Phase III documents (Final), including specifications shall be submitted to the Facility Planning and Construction Department and School Board. The Facility Planning and Construction Department will submit the documents to the Building Department for approval and to the School Board, if required.
7. Prior to ground breaking for construction the Organization, through their Board of Directors, will submit to the Principal a plan, which demonstrates the financial capability of the organization to complete the project at least through the dry-in stage. This data consisting of monetary resources and in-kind contributions will be outlined in detail. Once accepted by the Principal, a copy will be forwarded to the Director of Facility Planning and Construction for review and final evaluation.

The construction stage referred to above as dry-in shall be defined as a point in construction when the building or project meets the following criteria:

- a. Does not present any safety hazards to students, staff or community.
  - b. Is securable; i.e. doors, windows, locking hardware are installed.
  - c. All roofing is complete including, if intended, shingles.
  - d. All rough electrical, plumbing and H.V.A.C. is complete.
  - e. Site is free of debris and graded in accordance with plans and specifications.
8. The project shall be under the direct supervision of the architect(s)/engineer(s) and shall be inspected by the architect(s)/engineer(s) on a regular basis. The District Building Department shall also inspect each phase of construction.
  9. The architect(s)/engineer(s) shall complete the certificates for final inspection that certifies that all work is substantially completed in accordance with approved construction documents, applicable laws and rules. The architect(s)/engineer(s) and the Building Department shall certify that the project is ready for occupancy. Upon final completion of the project, a financial report should be filed with the Business Affairs Office detailing expenditures and in-kind contributions to establish a market value for determining property value.
  10. It is the intent and purpose of 1 through 9 above to provide basic understanding of the requirements for construction projects. Florida Statutes 1013, State Board Rules and the Florida Building Code shall in its entirety govern the construction of all projects approved by the Clay County School Board.

#### B. Insurance Requirements

1. Clay County School Board Construction of Facilities by Support Organizations

The Clay County School Board and/or its trustees are composed of support organizations, which are non-profit motivated, and organized. These organizations provide direct support to individual functions of the interscholastic and intra-scholastic activities of a school or academic activities requiring funding, buildings, promotion, et cetera.

Examples of such groups are: Parent Faculty Organizations, Band Booster Clubs, Athletic and Academic Booster Clubs, Staff Organizations, et cetera, hereinafter referred to as the Organizations.

The Organizations operate under guidelines and within the scope of missions assigned and approved by the Clay County School Board. By nature of this relationship, the Organizations and the School Board waive all rights to seek damages by either party, (the School Board or the Organization) concerning any actions or litigation, which might or could evolve from or as a part of this relationship or support. All funds raised or collected by such auxiliary organizations or groups must be deposited and accounted for through the School Board Internal Account System. All expenditures through Internal Accounts must follow the School Board's rules and regulations. The Organizations must approve projects involving such funds prior to being submitted to the Clay County School Board for approval and action.

## 2. Insurance Support

- a. Volunteers - Worker's Compensation (medical only-no disability compensation) for volunteers is available for individuals – (the volunteer form is required to be filled out for each **person** co-signed by a witness, preferably the principal or his or her designee). Employees of private companies or corporations acting as subcontractors or contractors on the project will not be covered by the School Board Worker's Compensation. The company, corporation or owner paying such persons must provide such coverage.
- b. General or Public Liability – the Organizations, by its nature being a non-profit support function of a school, has the general liability insurance as a subsidiary of the School Board. The Organization **must** operate within the scope of its assigned missions and functions or it is not covered for general liability insurance.

The Organizations may be required to obtain indemnification for certain functions to assure continued protection and immunity for the School Board. Construction projects are one function, which requires such action because of the liens, labor problems, and possibly other legal actions. (See Indemnification Requirements and Forms).

- c. Automobile Liability – **All** vehicles of companies, corporations, or individuals coming onto campus should have evidence of auto liability (either company or individually owned) to assure protection of the School Board in constructing a project. Only vehicles **directly** used to support the construction of the project should be allowed to drive on campus.

- d. Property – The School Board has property insurance, which covers new buildings once they are accepted by the Board.
  - e. Boiler and Machinery – General Contractors and sub-contractors must maintain Boiler and Machinery Insurance required by the project or by State or County law. Notice of acceptance of any equipment requiring such coverage must be transmitted to the Coordinator of Insurance Activities so the items can be added to the School Board policy.
3. Indemnification Requirement

The School Board shall require of construction contractors or sub-contractors a copy of their license (state and/or county, if required). Evidence of Worker’s Compensation, general liability, and auto liability (Certificate of Insurance from agents will suffice). Those companies, organizations, corporations, or partnerships providing service, materials, or labor must indemnify the School Board (hold and save it harmless from and against any and all actions or causes of action, claims, demands, mechanic’s liens, liabilities, loss, damage, expense of whatever kind and nature including attorney fees, whether incurred under retainer or salary or otherwise, which the Clay County School Board/Florida shall or may sustain or incur in connection with any litigation investigation, or expenses incident to the construction of projects under the auspices of an organization, club, or association, that acts on behalf of the School Board, that directly supports a school and is assigned such a scope of duty by the School Board).

4. Organizations Constructing Building or other Projects-Requirements

- a. Approval of club or Organizations as a direct support organization by the School Board.
- b. Club or organization selects or appoints architect, engineer, and/or general contractors.
- c. Plans must be approved by the School Board, departments responsible, and D.O.E., if required.
- d. Financing is available and approved by Business Affairs.
- e. Principal coordinates and administers, but cannot act as general contractor or perform duties outside those approved and assigned by the School Board.
- f. The Board will cover individual volunteers for Worker’s Compensation, (medical only), but companies, partnerships, or any corporation or any on-going business that pay their own employee must provide their own Worker’s Compensation. Certificate of Insurance is required.
- g. Auto Liability – Certificates of insurance for **all** vehicles driving on campus to project or to support project with services.

- h. General Liability for companies, partnerships, corporation, or on-going business, must be evidenced by certificate of insurance.
- i. **All** contractors or sub-contractors must sign indemnification statement prior to beginning work.
- j. A continuing inventory of materials delivered to the site is imperative. This inventory is necessary since the School Board does not have builder's risk insurance to replace items stolen or damages.
- k. Copies of the "Release from Liens" forms shall be provided to the Insurance Coordinator by the General Contractor to assure all bills and sub-contractors have been paid.
- l. The area surrounding the project shall be secure so that only persons directly involved in the project may enter. Signage should also be posted warning "no trespassing". The area may require fencing.

(Ref. F.S. 1013, State Board Rules and Florida Building Code)

### **6.30 OPERATION OF SCHOOL FACILITIES**

- A. Guidelines shall be developed, maintained and communicated to all Operations staff establishing the standards and expectations of the school system. These guidelines shall be School Board adopted.
- B. The Director of Maintenance and Operations shall be responsible for developing an Employee Operation and Procedure Handbook. This handbook shall be Board approved and shall be provided to each Operation's employee.
- C. Periodic inspection of each educational and ancillary plant, at least once during each fiscal year, shall be performed to determine compliance with the standards of sanitation, casualty and fire safety prescribed in the rules of the State Board of Education and guidelines of the School Board.
- D. Fire safety inspections, of each educational and ancillary plant, must be made by persons certified by the Division of State Fire Marshal.
- E. The School Board shall receive, prior to June 30 of each fiscal year, a complete inspection report of all facilities together with a plan for correcting any identified deficiencies.
- F. If immediate life-threatening deficiencies are noted in any inspection, action shall be taken to promptly correct the deficiency or the educational or ancillary plant shall be withdrawn from use until such time as the deficiency is corrected.

## **6.50 MAINTENANCE OF SCHOOL FACILITIES**

- A. Guidelines shall be developed, maintained and communicated to all Maintenance staff establishing the standards and expectations of the school system. These guidelines shall be School Board approved.
- B. The Director of Maintenance and Operations shall be responsible for developing an Employee Operation and Procedure Handbook. This handbook shall be Board approved and shall be provided to each Maintenance employee.
- C. Periodic inspection of each educational and ancillary plant, at least once during each fiscal year, shall be performed to ensure the maintenance integrity of all facilities.

## **6.80 TRANSPORTATION OF SCHOOL CHILDREN**

- A. Responsibility for Establishing Non-Transportation Zones, Bus Routes and Bus Stops Prior to the Opening of Each School Year:

- 1. The Superintendent or his/her designee shall be responsible for establishing non-transportation zones, specific bus routes, and bus stops; and shall be responsible for amending bus routes and bus stops as necessary during the school year.

(Ref. F.S. 1001.41; 1006)

- B. Objectives of the Transportation Program

- 1. The development of the student transportation program is based on the premise that every child, regardless of where he lives, has the right to an adequate educational opportunity.
  - 2. The primary and basic objective of the Clay County School Transportation System shall be to operate and maintain the school bus fleet in such an efficient manner as to assure safe, economical and adequate transportation to those students who should be furnished this service.
  - 3. The secondary objective shall be to maintain all other county vehicular equipment in such a manner as to keep this equipment at maximum condition and utilization at all times.

(Ref. F.S. 1001.41; 1006.21)

- C. Transportation of students in school district vehicle other than a school bus, driven by an individual that is not a school board employee.

The School Board of Clay County, Florida has entered into a Memorandum of Understanding with Children's Home Society ("CHS") to provide, among other services, student mental health services as part of the Clay Community Partnership School Project. The participating schools are Keystone High School, Wilkinson Junior High School and Orange Park High School. Due to various circumstances, participating students are often

unable to properly avail themselves to medical care and participation in outreach/education enhancement programs; transportation is the issue. This Policy is to provide for the use of district vehicles, commonly known as “the white fleet” by employees of Children’s Home Society who are working with students at schools participating in the Clay Community Partnership School Project. The parameters of such use are set forth herein.

1. Operation and use of district owned vehicles by individuals who are not district employees to transport students shall be for the limited purposes of transporting the student to essential activities/services, those being either to a medical facility or physician’s office for an appointment which is other than emergency care or to participate in off campus outreach/education enhancement programs.
2. The District vehicle utilized for student transport must be a passenger car or multipurpose passenger vehicle or truck, described as defined in 49 C.F.R. Sec. 571.3(b) and must be designed to transport fewer than 10 passengers.
3. All occupants must be transported in designated seating positions and must use the occupant crash protection system (seatbelts) provided by the manufacturer unless the student’s physical condition prohibits such use. In the event that a child aged (5) years or younger is transported, said child(ren) shall be restrained by a child safety restraint (age 3 years or younger), or a seat belt or child restraint device (age 4 or 5 years) in compliance with F.S. 316.614(4)(a) and 316.613(1)(a).
4. The vehicle shall not, under any circumstance, be driven by a student on a public right of way.
5. The non-School Board employee driver must have and maintain a valid Florida driver license.
6. The non-School Board employee driver must comply with, and meet all requirements of, the Clay County school district’s locally adopted safe driver plan, which includes review of driving records for disqualifying violations.
7. Written parental consent to transport students by persons and for purposes described herein must be provided to the school Principal no later than the day before transport is to take place.
8. Arrangements for use of district owned vehicles for purposes set forth herein must be made with the school Principal and/or the Director of Transportation by the CHS employee no later than one business day prior to the day of intended vehicle use. The required form (written or oral) by which the request/notification will be made shall be determined by the Principal and/or the Director of Transportation.
9. Consequences for violating this policy shall include termination of district vehicle use by the individual and may include barring the offending individual(s) from entering upon any clay District school campus.

(Ref. F.S. 1006.22(1)(b) Adopted: 10/01/2020

**6.81 RESPONSIBILITIES FOR STUDENT TRANSPORTATION SERVICES**

- A. The Director of Transportation is given responsibility for and authority over the system of student transportation throughout the county. In this capacity he/she:
1. Is responsible for carrying out the Transportation Policies of the Board and of implementing the policies and instructions of the Superintendent in such a manner as to provide economical, safe and efficient transportation for students throughout the school system.
  2. Is responsible for the procurement of all vehicles classified as school buses.
  3. Is responsible for the recommendation of selection, training and administration of all transportation employees, bus drivers, bus aides, and clerical personnel.
  4. The Director of Transportation shall prepare a handbook of procedures, which shall be known as the Clay County Transportation Handbook of Operations. The handbook will serve as a guide to amplify, or set forth procedures for implementing and carrying out Board policies. The handbook shall be approved by the School Board.
  5. Is responsible for control scheduling and planning of bus routes.
  6. Is responsible for a daily sanitary inspection of school buses and to make sure that buses are kept clean and in sanitary condition.
  7. Is responsible for scheduling of mechanical inspections of school buses.
  8. Is responsible for reporting needed changes or improvements in school bus transportation, including bus loads, bus repairs, road hazards, route schedules and drivers to the Deputy Superintendent.
  9. To record and report transportation data as required by State Statutes, State Board Regulations and the Board.
- B. Responsibility of the Director of Transportation for Maintenance of Board Owned Vehicles
1. Is responsible for the procurement of all Board owned vehicles.
  2. Is responsible for the maintenance and repair of all Board owned vehicular equipment and all related parts and equipment.
  3. Is responsible for the recommendation of selection, training and administration of all vehicle maintenance personnel.
- C. Responsibility of the Principal for Transportation of Students Attending His/Her School



1. The principal is the chief administrator of the school plant to which he/she is assigned by the Board, and as such, he/she is responsible, in cooperation with the Director of Transportation, for transported children from the time the bus arrives at the bus stop in the morning until the bus leaves the bus stop in the afternoon.
  2. The principal in cooperation with the Director of Transportation shall plan and assign places for students to get on and off and for orderly parking of school buses at the school, which will not necessitate backing of school buses.
  3. In Clay County, bus monitor duty shall be assigned by the principal on the basis of one (1) monitor for ten (10) buses serving his/her school or fraction thereof who shall be on duty at the bus loading and unloading zone. Bus monitors shall make every effort to meet each bus arriving in the morning and assist drivers both morning and evening as needed.
- D. Responsibility of the School Bus Driver for Transportation of Children on His/Her Route
1. It shall be the responsibility of each school bus driver to perform all duties as established under the State Board of Education Regulations and the School Board.
  2. All school buses used shall be operated on the highways in strict compliance with law; and state and county Board of Regulations related thereto with respect to speed limitations and otherwise.
  3. To drive always at a speed of not more than 25 miles per hour on dirt roads or as otherwise posted.
  4. The operator of a school bus shall not use a cellular telephone while actively driving the school bus.
  5. The operator of a school bus shall not unnecessarily idle the school bus while in the vicinity of students.
  6. When transporting students, teachers or chaperones on field and activity trips the operator of a school bus shall instruct all passengers in the locations and proper use of school bus emergency exits prior to each such trip.
  7. Maintenance of Buses:
    - a. To cooperate with the Director of Transportation, mechanics and other personnel in the mechanical maintenance and repair of bus in overcoming hazards, which threaten safety or efficiency of service.
    - b. To report any defect affecting the safety or economy of operation immediately to the Director of Transportation.
    - c. To keep each bus clean and neat at all times, and to sweep out bus twice each day. Clay County bus drivers shall be responsible for washing their bus at least once each fifteen calendar days.

**6.82 RELATIONSHIP OF THE SCHOOL BUS DRIVER TO OTHER SCHOOL PERSONNEL**

A. Principal

1. The principal is legally responsible for the students from the time they enter the bus until they leave the bus. The principal, by law, Florida Statutes, Chapter 232, is given the authority to delegate to any bus driver such responsibility of the control and direction of the students as he may consider desirable, subject to rules and regulations of the State Board of Education and the Board.
2. The bus driver, while transporting students, is under the supervision of the principal. In matters, which do not involve students, the bus drivers are under the supervision of the Director of Transportation.
3. The bus driver is required to assume such authority for the control of the students as is delegated to him/her by the principal and to report to the principal any student who persists in disorderly conduct.
4. In order for discipline to be effective there must be close cooperation between both the driver and the principal. Any difficulties in obtaining cooperation should be reported to the Director of Transportation, who shall report to the Assistant Superintendent of Support Services.

B. Teachers

1. Teachers shall not exercise authority over bus drivers. Difficulties experienced by teachers with bus drivers or by bus drivers with teachers shall be reported to the principal.

C. Students

1. The bus driver is a part of the student's daily life and through his/her close association with them has a decided influence upon their actions. The bus driver is responsible for the safety of the children on his/her bus and should be constantly on the alert for anything that would endanger their safety.
2. The driver assumes responsibility for the discipline of students as delegated by the principal. He/She may not:
  - a. Administer corporal punishment.
  - b. Suspend a child from riding a bus.

- c. Let a child off the bus at any stop other than the assigned stop except upon written permission of the principal, or his/her designee.
- d. Permit a child to ride a bus to which he/she is not assigned, except with written permission of the principal.

D. General Public

1. School buses, by their nature and legal status, are very noticeable upon the highways of the county and the state. The appearance of the buses, conduct of the students, and the courtesy and caution of the driver have a very distinct effect upon the attitude of the general public toward the school system. Very often this is the only basis, which the citizen has for evaluating education within the county, and a bus driver who performs his/her work in an efficient, careful and courteous manner is a valuable asset to the school program.

(Ref. F.S. 1003.32; 1006.09; 1006.10)

**6.83 EXTRA-CURRICULAR USE OF SCHOOL BUSES**

The use of school buses for special trips or extracurricular use shall be in accordance with the following:

- A. Transportation may be provided for the following types of activities or functions, if conducted as a part of the regularly organized programs of the school and under the supervision of an instructor or administrator of the school. Extracurricular trips shall not be more than 125 miles one way except in special cases approved in advance by the Superintendent.
  1. Regularly scheduled athletic events;
  2. Band trips;
  3. Field trips to broaden learning experience in connection with regularly organized class work, if approved by the Superintendent.
- B. The driver of the extra-curricular trip shall see that the bus is checked before the trip, and the trip form is completed and returned to the Transportation Office, the first work day following the trip.
- C. All school buses used for extra-curricular activities and field trips shall be operated on the highways in strict compliance with law; and, state and county Board regulations related thereto with respect to speed limitations and otherwise.
- D. Application for the use of buses for school activities; other than the above, must be presented to the Board by the Superintendent. Under no circumstances may buses be used for non-school functions for in or out-of-county trips.

- E. Regularly qualified school bus drivers and other personnel who are qualified and approved by the Superintendent and Director of Transportation shall be used for the operation of school buses at all times.
- F. Personnel desiring the use of school buses for extra-curricular trips, when in accordance with the above provisions, shall make application in writing through the school principal to reach Transportation at least ten (10) days in advance.
  - 1. Each request shall include information concerning the purpose of the trip, date, scheduled time of departure and return, approximate number of students to be transported, account to be billed to (cost center, fund, function and object), and the number of school teachers accompanying the students as chaperons, coaches or sponsors. (NOTE: The school shall assign at least one teacher to each bus, who shall be responsible for discipline and insuring the bus rules are obeyed.)
  - 2. It shall be the duty of the driver and Director of Transportation to see that buses are in proper condition and that flares and other special equipment are provided when needed for night operation.
  - 3. Passengers on buses used for extra-curricular trips shall be limited to students participating in the activity, teachers and other county employees supervising such activities.
- G. It shall be the responsibility of the driver to clean the bus after each extra-curricular trip.
- H. Luggage, band instruments, ice boxes, or any other material will not be placed in the aisle or the entrance door of the bus.
- I. Large boxes, packages or band instruments must be secured so that a sudden stop will not cause the package to move.
- J. If the school bus drivers and extra-curricular trips are scheduled to return after the regular school dismissal, the bus cannot be used to make a special bus run to return students to their homes.

(Ref. F.S. 1006.22)

#### **6.84 PLANNING, SCHEDULING AND OPERATING BUS ROUTES**

- A. The safety and health of all students shall be the primary requirements in the operation of the transportation program. Bus routes, so far as practicable, shall be planned so that no student shall be on a bus more than one (1) hour during the morning or evening, and so that no more than one hour and a half (1-1/2) will elapse between the time students board the bus and the time school begins, or between the time school closes and they leave the bus in the afternoon. Proposed routes should be arranged insofar as possible, so as to be free of major hazards.
- B. Damage to transportation equipment resulting from misconduct of students, or any other measure, shall be reported immediately to the principal and to the Director of

Transportation. All damages incurred by a student must be paid for by the student or his parents.

- C. Bus students will be discharged only at their assigned stops except upon direction of the school principal, or his/her designee. Such direction shall be in the form of written authorization when an alternate drop-off point is approved. (This is for emergencies only).
- D. Non-bus students will not be permitted to ride scheduled buses except with emergency permission for periods of short duration approved by the principal or by permission of the Superintendent.
- E. It shall be the responsibility of the principal and the Director of Transportation to plan and carry out a traffic safety plan on campus.
- F. Requests for changes in bus routes shall be made directly to the Director of Transportation. (Such requests shall be in writing and shall set forth recommendations and justification for such changes.)
- G. Establishing or Altering Bus Routes

The following principles shall be followed in establishing or altering bus routes:

1. Each route shall be planned and adjusted as nearly as possible to the capacity of the bus.
2. A spur route will only be considered when the following conditions are present:
  - a. Students living more than 1-1/2 miles from a regular stop for a particular bus are too numerous to be transported in one passenger car (more than six students), and there is a satisfactory turn-around, or road to return the bus to the original route.
  - b. A student that is physically or mentally handicapped, the requirements set forth in 1006 Florida Statutes and State Board of Education Regulations 6A-3.121 shall apply in classifying or transporting handicapped students.
3. A route shall not be extended to serve students whose homes are within reasonable walking distance of a shorter or more economical route.
4. The road must be in safe and satisfactory condition for the operation of a bus of the type and size used in the area.
5. Where it is necessary for a bus to turn around, a suitable turning area must be available.
6. Students living less than one and one-half (1.5) miles for elementary, and two (2) miles for secondary, from the school they attend shall not be transported unless

they can be accommodated on a regularly established route without overcrowding the bus.

- a. Students in elementary grades who live less than 1.5 miles from the school which they attend shall not be transported on a district school bus unless, at the discretion of the school principal, they can be accommodated as a courtesy rider on a regularly established route without adding a bus stop or overcrowding the bus. For purposes of this subsection the distance between the students home and the school shall be measured from the closest entry point of the property where the student resides (that being the closest point to the school where the private property on which the residence is located meets the public right-of-way) to the closest pedestrian entry point of the assigned school property. This property line to property line measurement shall be made by district personnel, using measuring devices approved by the district Director of Transportation, along the route determined by district personnel to be the shortest non hazardous pedestrian route, regardless of whether or not said route is accessible to motor vehicle traffic.
  - b. Students in secondary grades who live less than 2.0 miles from the school which they attend shall not be transported on a district school bus unless, at the discretion of the school principal, they can be accommodated as a courtesy rider on a regularly established route without adding a bus stop or overcrowding the bus. This Board recognizes that secondary schools in this district are made up of numerous buildings scattered over the entire school campus, any of which may be the building to which a student is “assigned”. Additionally, each secondary school campus has numerous established entry points which may be used by students to gain access to the school campus and which will be at different distances from each of the potentially assigned buildings. For points of measurement, no definitional guidance is provided by state rules and various interpretations have been proffered by the FDOE. Accordingly, and based upon the forgoing, for purposes of this subsection the distance between the students home and the school shall be measured from the closest entry point of the property where the student resides (that being the closest point to the school where the private property on which the residence is located meets the public right-of-way) to the closest established pedestrian entry point of the assigned school property. This property line to property line measurement shall be made by district personnel, using measuring devices approved by the district Director of Transportation, along the route determined by district personnel to be the shortest non hazardous pedestrian route, regardless of whether or not said route is accessible to motor vehicle traffic.
7. Pre-kindergarten students, other than those within the Exceptional Student Education Program, shall be transported to and from school regardless of distance.
  8. Student loading stops shall be at least .2 miles (1,056 feet) apart.
  9. Transportation routes shall not be altered to accommodate students moving from the attendance area of one school to the attendance area of another.

10. School opening times may be staggered, when necessary, to permit more economical bus routing.
11. Buses will not be required to make special spurs on rainy days.
12. Students should be at the bus stop five (5) minutes before the usual arrival time of the bus. Bus drivers cannot wait on students and still maintain their schedule.

(Ref. F.S. 1006.22)(Amended: 09/18/03, 11/20/07)

## **6.85 HAZARDOUS WALKING CONDITIONS**

- A. To qualify for bus service from within the school walk zone, students must be exposed to hazardous walking conditions as defined below. Traffic volumes will be based on counts during the time students walk to and from school from appropriate governmental entities or the district. The appropriate walk path shall be determined by the School District as per School Board Policy 6.84(G)(6a. and b.).

1. Walkways parallel to roadway (Grades PK-6):

It shall be considered a hazardous walking condition with respect to any road along which students must walk in order to walk to and from school, if there is not a walkway at least four (4) feet wide adjacent to the road, having a surface upon which students may walk without being required to walk on the road surface. In addition, whenever the road along which students must walk in order to walk to and from school is uncurbed and has a posted speed limit of between 30 to 55 miles per hour, the four (4) foot wide walkway must be set off the road by no less than three (3) feet from the edge of the road. Further, whenever the road along which students must walk in order to walk to and from school is uncurbed and has a posted speed limit greater than 55 miles per hour, the four (4) foot wide walkway must be set off the road by no less than five (5) feet from the edge of the road. The walkway may be less than the three (3) foot and five (5) foot requirement if a barrier is placed between the edge of road and the walkway designed to deflect traffic away from the walkway.

- a. The provisions above shall not apply when the road along which student must walk:
  - 1) Is in a residential area which has little to no transient traffic, or;
  - 2) Is a road on which the total volume of traffic is less than 180 vehicles per hour (all directions), or;
  - 3) Is located in a residential area and has a posted speed limit of 30 miles per hour or less.

2. Walkways perpendicular to the roadway (Grades PK-6):

It shall be considered a hazardous walking condition with respect to any road across which student must walk in order to walk to and from school:

- a. If the crossing is made at an intersection and the traffic volume on the road exceeds the rate of 360 vehicles per hour, per direction (including all lanes), during the time students walk to and from school and if the crossing site is uncontrolled. For purposes of this subsection, an “uncontrolled crossing site” is an intersection or other designated crossing site where no stop sign, traffic control signal, crossing guard or traffic enforcement officer is present during the times students walk to and from school.
  - b. If the crossing is made at an intersection and the total traffic volume on the road exceeds 3,000 vehicles per hour through an intersection or other crossing site controlled by a stop sign or other traffic control signal, unless crossing guards or other traffic enforcement officers are also present during the times students walk to and from school. Traffic volume shall be determined by the most current traffic engineering study conducted by a state, local government agency or the School District.
  - c. All crossings on US Highway 17 south of Doctors Lake Bridge and north of Black Creek Bridge if the crossing site is not controlled by both a traffic control signal and a crossing guard or traffic enforcement officer.
3. Walkways perpendicular to the roadway (Grades 7-12):

It shall be considered a hazardous walking condition with respect to the following roads across which students must walk in order to walk to and from school:

- a. All crossings on US Highway 17 south of Doctors Lake Bridge and north of Black Creek Bridge if the crossing site is not controlled by both a traffic control signal and a crossing guard or traffic enforcement officer.
  - b. All crossings on State Road 21 from the Northern Clay County line to County Road 215, south of Middleburg, if the crossing site is not controlled by both a traffic control signal and a crossing guard or traffic enforcement officer.
4. Additional Walking Path Hazards (Grades PK-6):

It shall be considered a hazardous walking condition with respect to any walking path along which students must walk in order to walk to and from school if the roadway or crossing involves any of the following characteristics:

- a. Visibility in all directions of traffic on roadways having a posted speed of more than 30 miles per hour from the walkway must be reasonably clear for a distance of 500 feet.
- b. Crossing six (6) traffic lanes or more, not including the turn lanes.

(Amended: 09/18/03, 08/21/08)



**6.86 SUBSTITUTE AND EXTRA-CURRICULAR BUS DRIVERS**

- A. A substitute teacher must have a valid State of Florida Chauffeur’s License (NEEDS CDL) and have been approved by the Director of Transportation. Substitutes can drive up to two (2) weeks without obtaining a State Department of Education School Bus Drivers License provided they only drive in cases of emergency. An extracurricular bus driver must have both a valid State of Florida Chauffeur’s License (NEEDS CDL) and the State Department of Education License and have been approved by the Director of Transportation.

(Ref. F.S. 230.23(5))

**6.87 STUDENT ACCOUNTING FOR TRANSPORTED STUDENTS**

- A. All student accounts will be in accordance with state and current State Board Education Regulations.

**6.88 STUDENT DISCIPLINE REPORTING**

- A. All student discipline problems, which cannot be handled by the driver, shall be reported to the school principal.

(Ref. F.S. 1003.31; 1006.09)

**6.89 LEGAL SPEED FOR SCHOOL BUSES**

- A. The maximum legal speed for school buses is the posted speed limit, except dirt roads, which are 25 miles per hour.

**6.90 POLICIES GOVERNING VEHICLES OTHER THAN SCHOOL BUSES**

- A. Objective and Purpose of Vehicles

- 1. Miscellaneous vehicles are considered to be essential in supporting the total education program of Clay County Schools. Vehicles within the scope of this concept are not limited to over the road trucks and automobiles, but may include off the road self-propelled equipment. Driver Training Vehicles are not included in these Transportation policies.

- B. Responsibilities

- 1. The Director of Transportation shall exercise overall administrative control over motor vehicle maintenance, assignments to departments, procurement, disposal of non-serviceable vehicle and vehicle records.

2. Department heads having vehicles assigned to their department shall insure that employees have knowledge of and comply with Board policies and other instructions for maintenance, servicing and keeping records concerning vehicles. Departments shall consult with the Director of Transportation on means of improving vehicle serviceability and any additional vehicle needs or vehicles in excess of daily needs.

C. Assignment of Vehicles

1. The Director of Transportation will assign vehicles (except buses) on a full time basis to schools or departments only when there is a daily need. All other vehicles shall be held in a pool status by the Transportation Department for check out on a single trip basis as needed. Vehicles are not to be assigned to a school on a full time basis except by approval of the School Board.

D. Use of Board Owned Vehicles

1. Vehicles owned by the Clay County School Board shall be used only for official school business. No employee of the Board shall use any School Board vehicle for their own personal use unless such use is expressly approved by the appropriate department head or principal. All vehicles (other than buses), when not in use during normal working hours, shall be parked at the appropriate vehicle compound as assigned or on the school campus where assigned. The Superintendent may recommend to the Board that certain designated employees be authorized to keep School Board vehicles at their home during off duty hours for use in emergency situations.

E. Maintenance of Vehicles

1. The maintenance and upkeep of vehicles shall be the joint responsibility of the department head, the driver and the Transportation Department. The Transportation Department shall establish procedures for periodic and daily servicing of vehicles. The overall objective of which is to provide safe economical transportation for the Board needs. Normally, each vehicle, other than school buses, will be given a thorough safety inspection and serviced every ninety (90) days or 4,000 miles, whichever occurs first, by the Transportation Department.

F. Drivers' Qualifications and Responsibilities

1. Only those persons who are employees of the School Board shall drive School Board owned or leased vehicles. Drivers must have possession of a current Florida Drivers License, or such license as required by law.

G. Accidents

1. Drivers of Board owned vehicles, when involved in a motor vehicle accident, shall comply with such laws for reporting accidents and actions to be taken as may be prescribed by law. Additionally, the driver shall immediately notify his supervisor and the Transportation Department and shall not move the vehicle until instructed to

do so by a law enforcement officer or authorization from the Transportation Department.

#### H. Field Trips Utilizing Privately Owned Vehicles

1. Privately owned vehicles operated by Board employees or lay citizens may be utilized for field trips for small groups of students when the use of school buses may not be practical or when school buses are not available. The principal shall authorize the employee(s) or the lay citizen(s) in writing to take students in private automobiles providing the vehicle is covered by liability insurance. The owner(s) of the vehicles shall be informed in writing of the facts regarding the owner's liability as it relates to the School Board's liability. Use of Form MIS 12824 is mandatory.

(Ref. F.S. 1001.41)

#### I. Safety Belts

1. The driver and front seat passengers of all district-owned motor vehicles shall wear seat belts at all times when the vehicle is in motion. The driver and front seat passengers of all other vehicles on Clay County School Board property, on School Board business, or participating in school-sponsored activities shall wear seat belts at all times the vehicle is in motion.
2. This policy shall only apply to vehicles which are supplied/equipped by the manufacturer with seat belts and only to the front seat passengers for whom a seat belt is installed by the manufacturer.

(Ref. F.S. 1001.41; 316.003; 316.614; 571.208)