

CHAPTER SIX BUSINESS AFFAIRS

PART ONE FINANCE

PURCHASING POLICIES AND BIDDING

6.101

The purchase of products and services by Bay District Schools shall be authorized by state law and must be in accordance with procedures prescribed by the school board.

I. Definitions

- A. The term “competitive solicitation” shall be defined for the purposes of this policy to include purchases made through the issuance of an invitation to bid, request for proposals, and invitation to negotiate.
- B. “Invitation to bid” shall be defined for the purposes of this policy as a written solicitation for competitive sealed bids. The invitation to bid is used when the district is capable of specifically defining the scope of work for which a contractual service is required or when the district school board is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is publicly posted. Each bid shall be awarded on the basis of the lowest and best bid which meets specifications with consideration being given to the specific quality of the product, conformity to the specifications, suitability to school needs, delivery terms, and service and past performance of the vendor.
- C. The term “request for proposals” shall be defined for the purposes of this policy as a written solicitation for competitive sealed proposals. The request for proposals is used when it is not practicable for the district to specifically define the scope of work for which the commodity, group of commodities, or contractual service is required and when the district is requesting that a responsible vendor propose a commodity, group of commodities, or contractual service to meet the specifications of the solicitation document. The request for proposals includes a list of specific evaluation criteria which shall serve as the basis for the award. A written solicitation includes a solicitation that is publicly posted.
- D. “Invitation to negotiate” shall be defined for the purposes of this policy as a written solicitation for competitive sealed replies to select one or more vendors with which to commence negotiations for the procurement of commodities or contractual services. The invitation to negotiate is used when the district determines that negotiations may be necessary for it to receive the best value. A written solicitation includes a solicitation that is publicly posted.
- E. The term “Request for Quotation (RFQ)” shall be defined for the purposes of this policy as a written request for competitive quotes. This procurement method is used when the purchase total is between \$25,000 and the amount established by law for competitive solicitations when the district is capable of specifically defining the scope of work for which a contractual service is required or when the district is capable of establishing precise specifications defining the actual commodity or group of commodities required. A written solicitation includes a solicitation that is publicly posted. Each RFQ shall be awarded on the basis of the lowest and best bid which meets specifications with consideration being given to the specific quality of the product, conformity to the specifications, suitability to school needs, delivery terms, and service and past performance of the vendor.
- F. The term “grants” shall be defined for the purposes of this policy as a grant award contribution, gift, or subsidy (in cash or in-kind services) bestowed by a government, foundation or other funding organization (called the grantor) for specified purposes to an eligible recipient (called the grantee). Grants are usually conditional upon certain qualifications as to the use; maintenance of specified standards, use of specified or approved vendors and/or products and may or may not require proportional (matching) contribution by the grantee or other grantor(s).

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- G. The term “proposer” shall be defined for the purposes of this policy to include those vendors submitting bids or responses to a competitive selection.
- H. “Reverse auctions” shall be defined as an innovative technology tool used to drive down the prices of commodities and contractual services. Real time, on-line bidding ends at a specified time or when cost becomes too low for profit.
- I. The term “superintendent” shall be defined for the purposes of this policy to mean “superintendent or designee”.
- J. Local Business definition. For purposes of this section, “Local Business” shall mean a business which:
 - 1. has had a fixed office located in and having a street address within Bay County for at least twelve (12) months immediately prior to the issuance of the request for competitive bids or request for proposals by the District, said office shall operate and perform business on a daily basis consisting of a minimum staff requirement of one (1) office personnel and a company owner or business manager for a minimum of a standard full time work week defined as thirty (30) hours or more a week; and
 - 2. is the principal offeror who is a single offeror; a business that is the prime contractor and not a subcontractor; or a partner or joint venturer submitting an offer in conjunction with other businesses; and
 - 3. if applicable, holds any business license required by Bay County, and, if applicable, a municipality within Bay County for at least twelve months immediately prior to the issuance of the request for competitive bids or for request for proposal by the District.

II. Authority

- A. The superintendent is authorized to expend monies for purchases of commodities and contractual services where the total amount does not exceed the maximum amount allowed by law that may be purchased without the bid process and which otherwise would be exempt from bidding by state law. The purchases are not to exceed the applicable appropriation in the district’s budget and shall be made in accordance with Board policy.
- B. Assistants functioning under the superintendent’s direction may be authorized to perform these purchasing tasks. Assistants under this policy include the CFO, General Manager of Purchasing, Contracting & Materials Management (GM of Purchasing”), and the Purchasing Agent. No person, unless authorized to do so under the policy of the district school board, may make any purchase or enter into any contract involving the use of district and/or school funds, including internal accounts. No expenditures for any such unauthorized purchase or contract shall be approved by the school board. The payment for any unauthorized purchase or contract shall be the sole responsibility of the person placing the order or entering into such contract.
- C. Before making any purchase of commodities or contractual services, which the superintendent is authorized by the school board to make, or before recommending any purchase to the board, the superintendent shall, insofar as possible, propose standards and specifications. The superintendent shall see that all purchases and contracts conform to those standards and specifications, and shall take other such steps as are necessary to see that maximum value is being received for any money expended.

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D. The following standards for acquiring commodities and contractual services will be established by the district at the following dollar limits:

1. Small Purchases (up to \$12,499.99)

Goods and services under \$12,499.99 are purchased on the open market. The superintendent has the authority to make these purchases in the District's best interest. Small purchases may be made using published pricing taking into consideration any known discounts, special promotions, etc., or may be made using the informal bid process unless the purchase is exempted from bidding by law, rule, or School Board Policy. Informal bids may be obtained in writing, verbally, by facsimile, by email, or by telephone followed by written confirmation. Small purchases require the approval of the CFO, or, the GM of Purchasing, or the Purchasing Agent. The District's purchasing card is encouraged for all expenditures as outlined in the Purchasing Card Users Manual.

2. Informal Quotes (\$12,500.00 to \$24,999.99)

Goods and services from \$12,500.00 to \$24,999.99 are purchased after attempting to secure a minimum of three (3) written quotes from selected vendors. Informal quotes may be obtained in writing, verbally, by facsimile, by email, or by telephone followed by written confirmation. Purchases resulting from informal quotes require the approval of the Superintendent, or, the CFO, or, the GM of Purchasing.

3. Requests for Quotation (RFQ) (\$25,000.00 to \$49,999.99)

Goods and services from \$25,000.00 to \$49,999.99 are purchased after requesting a formal Request for Quotation. The Purchasing Department shall seek to obtain written competitive quotes from a minimum of three (3) qualified vendors. The Purchasing Department will review the responses and select the lowest and best responsive and responsible quotation received. Purchases resulting from requests for quotations require the approval of the Superintendent.

4. Requests for Formal Sealed Competitive Solicitations (amounts over the dollar limit allowed by law)

Purchases for amounts exceeding the maximum amount allowed by law are acquired through formal sealed competitive solicitations, with the exception of sole (single) source vendors, emergency purchases, or other purchases which are expressly exempted from the competitive solicitation process by law (see Section V – Exceptions to Competitive Solicitations).

Formal sealed competitive solicitations will be reviewed and approved by a committee consisting of the CFO, GM of Purchasing, Asst Purchasing Agent, a representative of the originating school/department, and others appointed by the Superintendent prior to publication.

For request for proposals, the GM of Purchasing or Purchasing Agent shall chair the evaluation committee and determine the responsiveness of proposers. They will not be voting members. The voting members of the evaluation committee shall consist of a representative of the originating school or department, and at least two others appointed by the Superintendent.

E. Emergency Purchases: In an emergency situation, the superintendent shall have the authority to waive established procedures for purchases. Staff must present written documentation for the superintendent indicating the reason the purchase was deemed an emergency. Each emergency purchase in an amount exceeding the bid threshold amount shall be followed with a report to the Board at its next meeting of the nature of the emergency, the action taken and explanation of why regular bid procedures described herein would have caused a delay which would have been contrary to the public interest.

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- F. Beacon Learning Center operating as Beacon Educator, has the authority to enter into agreements to provide and/or develop online staff development or training. Any member of Beacon's administrative staff may execute these agreements. All of the agreements shall contain a clause specifying the procedure and time table for terminating, without penalty, the agreement

III. Methods of Purchase/Requisitions

- A. Insofar as practicable, all purchases shall be based on contracts, purchasing card systems, electronic procurements, or purchase orders. Within the limits prescribed by the Board, the Superintendent shall be authorized to approve purchases under rules set by the Board, provided that in so doing, he or she shall certify that funds to cover the expenditures are authorized by the budget and have not been encumbered.
- B. Each requisition or contract for commodities or contractual services shall be properly financed, budgeted and encumbered prior to the issuance of a purchase order. The purchase order shall be approved by the superintendent. The acquisition of the commodities or contractual services shall not precede the requisition date.
- C. Splitting of Requisitions and/or Purchase Orders: Requisitions/purchase orders for the procurement of commodities or contractual services may not be divided so as to avoid the monetary threshold requirements set by law or policy.
- D. The Superintendent may utilize any appropriate electronic methods, such as purchasing cards, to purchase commodities and contractual services as deemed to be in the best interest of the district and consistent with other parts of this policy. The Superintendent is authorized to obtain and issue purchasing cards to personnel of the District for this purpose. All card transactions will be in accordance with the Bay District Schools Purchasing Card Program Policies and Procedures Manual ("Credit Card Manual"). Any transaction made by a credit cardholder in violation of School Board policy or the Credit Card Manual shall become the personal obligation of the credit cardholder, requiring immediate reimbursement to the District of any such transaction.
- E. In addition to the traditional competitive bid methods, reverse electronic auctions, (eAuctions) may be used to acquire commodities or services when it is advantageous for the district and significant cost savings may be realized.
- F. Multi-year purchase agreements. No obligation shall be created by contract, purchase order, maintenance agreement, lease-purchase agreement, lease agreement, or other instrument which exceeds 12 months, unless such agreement contains a statement permitting the School Board to unconditionally terminate the obligation at the end of any 12-month period.
- G. The Superintendent shall develop a competitive procurement plan for the purchases of food and non-food supply items for use in the School Food Service program. The plan shall contain procedures to ensure that all foods purchased conform with the Federal Food, Drug and Cosmetic Act, the Federal Meat Inspection Act, and the Meat Inspection Law of Florida. Purchases of equipment items and professional services for the Food Service program shall be subject to the same requirements prescribed herein for all other purchases.

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IV. Competitive Solicitations

A. Maintenance of the Bidders List:

1. The Purchasing Department shall maintain a list of all potential bidders by category of commodity or service and shall include the names of all persons or firms that requested placement on the list.
2. Should a vendor fail to respond to a request for bid or proposal, the Purchasing Department may remove that vendor's name from the bid mailing list, for future bids concerning that commodity.
3. The GM of Purchasing may remove the name of any person or firm from the list based upon prior documented unsatisfactory experience with the person or firm. However, the person or firm may apply to the GM of Purchasing for reinstatement to the vendor list after being removed for one (1) year. The decision regarding reinstatement shall be at the discretion of the GM of Purchasing.

B. Competitive solicitations shall be requested by the superintendent from a minimum of three (3) sources for any authorized purchase or contract for services exceeding the maximum amount allowed by law, which are not otherwise exempt from bidding by Florida law.

C. Public Inspection and Copying of Bids shall be in accordance with section 119.07 et. seq., Florida Statutes. Bids and proposals shall be made available for public inspection by the GM of Purchasing on the posting date and/or 10 days after bid or proposal opening, whichever is earlier, unless such documents are exempt under section 119.07 et. seq., Florida Statutes. The fee for photocopying shall be in accordance with established procedure. In no case may the original copies removed from the custody of the purchasing department.

D. The School Board shall have the authority to reject any or all bids and proposals submitted in response to any competitive solicitation and to request new bids and proposals or to purchase the required commodities or contractual services in any other manner as authorized in this policy.

E. In acceptance of responses to competitive solicitations, the district may accept and award contracts to one or more responsive, responsible proposers in accordance with the selection criteria published in the solicitation. As an alternative, the School Board may also choose to award contracts to the lowest responsive, responsible bidder(s) as the primary awardee of a contract and to the next lowest responsive, responsible bidder(s) as alternate awardees from whom commodities or contractual services would be purchased should the primary awardee become unable to provide all the commodities or contractual services required by the district during the term of the contract. Nothing herein is meant to prevent multiple awards to the lowest responsive and responsible bidders when such multiple awards are clearly stated in the bid solicitation documents.

F. A bidder may not withdraw a bid for any reason after the time of award of bids. If a bidder wishes to withdraw their bid before the award of the bid, he/she shall submit a written request to the GM of Purchasing giving reasons for the desired bid withdrawal. If recommended by the GM of Purchasing, the request to withdraw will be submitted to the Superintendent for consideration. If approved by the Superintendent, the bid bond, if applicable, shall be returned to the bidder. The GM of Purchasing will report bid withdrawals to the Board.

G. Integrity of the Award Process - Once a competitive solicitation is released, no bidder or individuals acting on behalf of the bidder shall lobby District personnel or School Board members.

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- H. Lobbying School Board members or District personnel may result in rejection/disqualification of said solicitations. For purposes of this policy, "lobbying" is defined as any action taken by an individual, firm, association, joint venture, partnership, syndicate, corporation and all other groups who seek to influence the governmental decision of a Board member or District personnel after the release of the solicitation and prior to time that an award recommendation is posted. Communications with the Purchasing Department regarding clarifications of solicitation terms, conditions, or specifications will not be considered as "lobbying".
- I. If identical low and best bids are submitted the following criteria shall be utilized to determine which vendor shall be recommended for the awarding of the bid.
 - 1. In-county preference.
 - 2. Company receiving larger dollar award of the bid.
 - 3. Coin toss.
- J. Except for construction, renovation or capital improvement projects, the Superintendent is authorized to approve increases in the original amount of the bid awarded by the Board up to the formal bid threshold amount when required due to increases in the quantity needed as long as the increase does not exceed the applicable appropriation in the District budget.

V. Exceptions to Competitive Solicitations

The District may waive the requirements for competitive solicitations or quotes for the purchase or acquisition of commodities and contractual services stated below, and/or in the following circumstances:

- A. Educational Materials: Educational services and any type of copyrighted materials including, without limitation, educational tests, textbooks, printed instructional materials, computer software, films, film strips, videotapes, dvds, disc or tape recordings, digital recordings, or similar audio-visual materials, and for library and reference books and printed library cards where such materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or a recognized educational institution.
- B. Emergency Purchases: The superintendent may dispense with requirements for competitive solicitations when he or she determines in writing that an immediate danger to the public health, safety, or welfare, or other substantial loss to the district requires emergency action. After the superintendent makes such a written determination, the district may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without competition. However, such emergency purchases shall be made by obtaining pricing information from at least two (2) prospective vendors, which must be retained in the contract file, unless the superintendent determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the district.
- C. Funds Handled in Trust for Individuals: Purchases made from funds handled in trust for individuals, such as purchases of class jewelry, school annuals, cards, and invitations, insignia, caps and gowns, etc., are exempt from requirements relative to purchasing.
- D. Grants or State or Federal Agency Contracts: A contract for commodities or contractual services may be awarded without competitive solicitations if state or federal law, a grant or a state or federal agency contract prescribes with whom the district school board must contract or if the rate of payment is established during the appropriations process.
- E. Information Technology Resources: The District when acquiring, whether by purchase, lease, lease with option to purchase, rental or otherwise, information technology as defined in section 282.0041(15), Florida Statutes, may make any acquisition through the competitive solicitation process

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as described herein or by direct negotiation and contract with a vendor or supplier, as best fits the needs of the district as determined by the school board.

- F. Insurance and Risk Management: Except as otherwise required by statute, the school board when purchasing insurance, entering risk management programs, or contracting with third party administrators, may make any such acquisitions through the competitive solicitation process as described herein or by direct negotiations and contract.
- G. No Response(s) Received From Solicitations: The requirements for requesting competitive solicitations for commodities and contractual services from three (3) or more sources is hereby waived, as authorized by section 1010.04(4)(a), Florida Statutes, and the superintendent may enter into negotiations with suppliers of such commodities and contractual services and shall have the authority to execute contracts with such vendors under whatever terms and conditions the District determines to be in its best interest, when the following conditions are met:
1. Competitive solicitations have been requested in the manner prescribed by this policy, and
 2. The School Board has made a finding that no valid or acceptable firm proposal has been received within the prescribed time.
- H. Purchases Under Other Contracts:
1. The District shall have the option to purchase under current contracts as may be established in which the purchasing agent for any public agency is authorized by law to make purchases for the benefit of other government agencies within the county at specified prices or below, if such purchase is to the economic advantage of the School Board, subject to the conformance of the items of purchase to the standards and specifications prescribed by the Superintendent.
 2. The District may, in lieu of requesting competitive solicitations from three (3) or more sources, make purchases at or below the specified prices from contracts awarded by other city or county governmental agencies, other district school boards, community colleges, federal agencies, public or governmental agencies of any state, state university systems, or other cooperative agreements, when the proposer awarded a contract by another entity defined herein will permit purchases by the School Board at the same or better terms and conditions, and prices at or below those awarded in such contract, and such purchases would be to the economic advantage of the Board.
 3. The District shall receive and give consideration to the prices available to it under rules of the Department of Management Services, Division of Purchasing. The district may use prices established by the Division of Purchasing through its state purchasing agreement price schedule with the same or better terms and conditions, for use by those imposed on state agencies.
 4. Purchases made in accordance with the provisions of other contracts that exceed the threshold amount established by Florida Board of Education Rule 6A-1.012 may be made and reported to the School Board at the next regular meeting.
- I. Pool Purchases: Competitive solicitations are not required for purchases made through the pool purchase provisions of section 1006.27, Florida Statutes.

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- J. Food & Food Products, Except Milk: may be purchased without competitive solicitations. Milk may be exempt under the following conditions: (a) The district has made a finding that no valid or acceptable firm bid has been received within the prescribed time; or (b) The district has made a finding that an emergency situation exists and may enter into negotiations with suppliers of milk and shall have the authority to execute contracts under whatever terms and conditions as the board determines to be in the best interest of the school system. Procedures shall be established to assure that all food purchased conforms to the federal food, drug and cosmetic act, the federal meat inspection act, and the meat inspection law of Florida, and any other federal or state safeguards relating to wholesomeness of specific items being purchased.
- K. Professional Services: which shall include, without limitation, artistic services; academic program reviews; lectures by individuals; auditing services not subject to section 218.391, Florida Statutes; legal services, including attorney, paralegal, expert witness, court reporting, appraisal or mediator services; and health services involving examination, diagnosis, treatment, prevention, medical consultation or administration; and other services for which selection procedures are provided by law or other School Board Policy. Architectural, engineering, architectural landscaping, land surveying and mapping services shall meet requirements of Section 6.102.
- L. Single Source Suppliers
1. Commodities or contractual services available only from a single source may be exempted from the competitive solicitation requirements when the school district believes that the commodities and contractual services are available only from a single source. The district shall electronically or otherwise publicly post a description of the commodities or contractual services sought for a minimum of seven (7) business days. The description must include a request that prospective vendors provide information regarding their ability to supply the commodities or contractual services described, and
 2. If it is determined, in writing by the district, after reviewing any information received from prospective vendors, that the commodities or contractual services are available only from a single source, the district shall provide notice of its intended decision to enter a single source contract in the manner specified in section 120.57(3), Florida Statutes, and may negotiate on the best terms and conditions with the single source vendor.
- M. Sole Proposals: If less than two (2) responsive proposals for commodity or contractual services are received, the district may negotiate on the best terms and conditions, or may elect to reject all proposals. The district shall document the reasons that negotiating terms and conditions with the sole proposer is in the best interest of the district in lieu of resoliciting proposals.
- N. Utilities or Governmental Franchised Services: A contract for regulated utilities or government franchised services may be awarded without competitive solicitations.

VI. Conflict of Interest

The provisions of Board Policy Section 3.132 and Fla. Stat. 112.313 shall apply regarding conflict of interest. Any violation of these provisions by a school board employee may be grounds for disciplinary action.

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Local Preference in Purchasing.

(a) Preference in bidding. In purchasing of, or letting of contracts for procurement of, personal property, materials, or contractual services, including construction bids, through formal sealed competitive solicitations, the School District may give a preference to local businesses in making such purchase or awarding such contract, as follows:

1. Individuals or firms which have a home office located within Bay County, and which meet all of the criteria for Local Business as set forth in this policy, shall have the opportunity to submit to match the price(s) offered by the overall lowest, qualified and response non-local bidder if their bid is within five percent (5%) of the overall lowest, non-local price.
2. Individuals or firms which do not have a home office located within Bay County, and which meet all of the criteria for a Local Business as set forth in this policy, shall have the opportunity to submit to match the price(s) offered by the overall lowest, qualified and response non-local bidder if their bid is within three percent (3%) of the overall lowest, non-local price.

(b) Preference in request for proposals. In purchasing of, or letting of contracts for procurement of, personal property, materials, or contractual services for which a request for proposal is developed with evaluation criteria, a local preference of the total score may be assigned for a Local Business by adjusting the total score of the qualifying Local Business, as follows:

1. Individuals or firms which have a home office located within Bay County and which meet all of the criteria for a Local Business as set forth in this policy, shall be given a preference in the amount of five percent (5%).
2. A qualified and responsive Local Business that does not have a principal place of business located within Bay County, and which meets all of the criteria for a Local Business, shall be given preference in the amount of three percent (3%).

(c) Notice. Both bid documents and request for proposal documents shall include notice to vendors of the local preference policy. Notice by a Local Business of its offer to match a bid under this policy must be delivered in writing to the Board within seventy-two (72) hours of the posting of the bid tabulation on the District website.

(d) Certification. Any vendor claiming to be a Local Business as defined herein, shall so certify in writing to the purchasing department. The certification shall provide all necessary information to evidence that the vendor meets the requirements to qualify as a Local Business. The Board shall be immediately notified in writing of any changes in the vendor's status as a Local Business. The purchasing department shall not be required to verify the accuracy of any such certifications and shall have the sole discretion to determine if a vendor meets the definition of a Local Business.

(e) Exception. For a competitive solicitation for construction services in which 50 percent or more of the cost will be paid from state-appropriated funds which have been appropriated at the time of the competitive solicitation, no local preference will be applied.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1010.01, § 1010.04, § 1011.06, § 1011.07, § 1001.42, Fla. Stat; Fla. Admin. Code R. 6A-1.012, 6A-7.042

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CONTRACTS FOR ARCHITECTURAL, ENGINEERING, ARCHITECTURAL LANDSCAPING, AND LAND SURVEYING AND MAPPING SERVICES

6.102

In order to fully comply with the requirements of § 287.055, Fla. Stat., the following procedures shall be followed in selecting firms to provide professional architectural, engineering, architectural landscaping, and land surveying and mapping services, and in negotiating contracts for such professional services. Design professionals that are contracted for work with Bay District Schools must provide certificates of professional liability insurance for a minimum coverage of \$1,000,000 per occurrence and \$2,000,000 for annual aggregate.

Definitions.

1. "Professional services" means those services within the scope of practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as defined by laws of the State of Florida or those performed by any architect, landscape architect, professional engineer, or registered land surveyor, or in connection with this professional employment or practice.
2. "Firm" means any individual, firm or partnership, corporation, association or other legal entity permitted by law to practice architecture, engineering, landscape architecture, or land surveying and mapping in the State of Florida.
3. "Compensation" means the total amount paid by the School Board for professional services.
4. "Professional Services Selection Committee" means the committee composed of Executive Director of Operations, the Director of Facilities, the Supervisor of Maintenance, the Purchasing Agent, and a member assigned by the chair person of the Board. The person assigned to the PSSC by the chairperson of the Board, shall be a member of the Citizens Oversight Committee if the project for which the services are being selected is to be funded with proceeds from the half-cent sales tax. For projects not funded with proceeds from the half-cent sales tax, the chairperson of the Board shall select any interested party. The School Board Member assigned to the Facilities Department by the chairperson of the Board will also participate in all competitive selection procedures but will not have a vote.
5. A "continuing contract" is a contract for professional services entered into in accordance with all the procedures of this act between an agency and a firm whereby the firm provides professional services to the agency for projects in which the estimated construction cost of each individual project under the contract does not exceed \$2 million, for study activity if the fee for professional services for each individual study under the contract does not exceed \$200,000, or for work of a specified nature as outlined in the contract required by the agency, with the contract being for a fixed-term or with no time limitation except that the contract must provide a termination clause. Firms providing professional services under continuing contracts shall not be required to bid against one another.
6. A "design-build contract" means a single contract with a design-build for the design and construction of a public project.
7. "Negotiate" or any form of that word means to conduct legitimate, arms length discussions and conferences to reach an agreement on a term or price. For purposes of this section, the term does not include a flat fee schedule with no alternatives or discussion.

Public Announcement and Qualification Procedures. At such times when the School Board finds it necessary to procure professional services, the Board shall publish a legal advertisement in a newspaper circulated in Bay County, describing the project or projects requiring professional services and defining procedures on how interested professional firms may apply for consideration by the Board. Such advertisement shall be published at least fourteen (14) days prior to the closing date for beginning the selection process. In addition the Board shall respond to all firms who have submitted previous written requests to be considered for such professional services.

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Pursuant to § 287.055, Fla. Stat., the procedures of this section shall apply in all cases except in cases declared to be valid public emergencies as certified by the Chairman of the Board, based on recommendations and data supplied by the Superintendent.

Competitive Selection Procedures. Those firms who desire to provide professional services for a specific project shall submit proposals that comply with the advertisement to the Executive Director of Operations. For each proposed project, the Professional Services Selection Committee (PSSC) composed of the Executive Director of Operations, the Director of Facilities, the Supervisor of Maintenance, the Purchasing Agent, and a member assigned by the chair person of the Board shall evaluate each proposal to determine if it complies with the advertisement and the firm is qualified to perform the services. The person assigned to the PSSC by the chairperson of the Board, shall be a member of the Citizens Oversight Committee if the project for which the services are being selected is to be funded with proceeds from the half-cent sales tax. For projects not funded with proceeds from the half-cent sales tax, the chairperson of the Board shall select any interested party. The School Board Member assigned to the Facilities Department by the chairperson of the Board will also participate in all competitive selection procedures but will not have a vote.

If more than three firms are deemed to meet the requirements of the advertisement and qualified to perform the services, the PSSC will short list to no less than three firms to make a public presentation regarding their qualifications, approach to the project, and ability to furnish the required services.

The PSSC shall select in order of preference no fewer than three firms deemed to be the most highly qualified to perform the required services. In determining whether a firm is qualified, the PSSC shall consider such factors as the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current, and projected workloads of the firms; and the volume of work previously awarded to each firm by the Board, with the object of effecting an equitable distribution of contracts among qualified firms, provided such distribution does not violate the principle of selection of the most highly qualified firms. The PSSC may request, accept, and consider proposals for the compensation to be paid under the contract only during competitive negotiations as described below.

Competitive Negotiations. Upon selection of the three (3) most qualified firms by the PSSC, the PSSC shall negotiate a contract for professional services for a project with the firm which has been determined to be the most qualified. The PSSC shall concurrently provide a detailed analysis of the entire scope of the work to be done for the Board and shall also outline all professional services desired.

Should the PSSC be unable to negotiate a satisfactory contract with the firm considered to be the most qualified at a compensation that the PSSC determines to be fair, competitive, and reasonable, negotiations with that firm shall be formally terminated. The PSSC shall then initiate negotiations with the second most qualified firm. Failure to negotiate a contract with the second most qualified firm shall also terminate negotiations with said firm, and the PSSC shall then initiate negotiations with the third most qualified firm.

Should the PSSC be unable to negotiate a satisfactory contract with any of the selected firms, additional firms shall be selected and negotiations shall be continued until an agreement is reached as per procedure outlined in the Competitive Selection Procedures above.

The Committee shall recommend to the Board the firm or person to be retained and the fee to be paid. The Committee shall have no authority to contractually obligate the Board. The Board may (by majority vote) either accept or reject the Committee's recommendation. If the recommendation is rejected, the Board shall then proceed on its own with the competitive selection and negotiations under § 287.055, Fla. Stat.

Nonexclusion of Public. The public shall not be excluded from any proceedings under this rule.

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Truth in Negotiations. For all lump sum or fixed fee professional negotiation contracts exceeding \$150,000 the Board shall require the firm receiving the contract to execute a Truth in Negotiations Certificate stating that wage rates and other factual unit costs supporting the compensation are accurate, complete and current at the time of the award of the contract. Any professional service contract under which such a certificate is required shall contain a provision that the original contract price and any additions thereto shall be adjusted to exclude any significant sums where the Board determines the contract price was increased due to inaccurate, incomplete or noncurrent wage rates and other factual unit costs. All such contract adjustments shall be made within one (1) year following the end of the contract.

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 bonafide 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 bonafide employee working solely for the firm, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award of the contract for professional services.

The provisions of Competitive Selection Procedures and Competitive Negotiations above shall apply only to professional services contracts which will exceed the threshold amount provided in § 287.017(1)(c), Fla. Stat, or for such contracts on any project, the construction of which is estimated to exceed the threshold amount provided in § 287.017(1)(e), Fla. Stat.

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 executed prior to the rendering of any service under the agreement except in cases of valid emergencies certified by the Board.

The written agreement shall include, but not be limited to, a provision that bills for fees or other compensation for services or expenses for professional or technical services shall be submitted in detail sufficient for proper pre-audit and post-audit thereof and that bills for any travel expenses shall be submitted and paid in accordance with the rates specified in § 112.06, Fla. Stat. and these rules governing payments by the Board for travel expenses.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 112.06, § 287.017, § 287.055, § 287.057, Fla. Stat.

History: New, June 12, 1989

Revised: August 10, 1992, June 10, 1993, August 25, 1994, April 27, 1995, June 12, 1996; November 16, 2010; July 14, 2015

CHAPTER SIX BUSINESS AFFAIRS

SCHOOL CONSTRUCTION BID PROCEDURES

6.103

All applicable laws and School Board rules shall be observed in all construction bid procedures. All construction or capital improvement bids shall be accompanied by evidence that the bidder holds an appropriate certificate or license or that the prime contractor has a current valid license.

Prequalification of Contractors. The Board shall prequalify contractors on an annual basis or for a specific project. This section is applicable to bids, construction management, design build, and any other construction services application.

Selection Process. Those contractors desiring to bid on Board projects must be prequalified annually or for specific projects and shall submit their application to the Board's Professional Services Selection Committee.

The Board's Professional Services Selection Committee shall review and evaluate applications and make recommendations for type of project, dollar volume, and limits allowed within the scope of the prequalification and make recommendations to the Superintendent. The Superintendent shall present to the Board a written evaluation along with supporting documentation and the Committee's recommendations.

The Board, within 60 days of receipt of the Committee's recommendations, shall approve or reject each application based on criteria established in State Requirements for Educational Facilities 4.1(8).

The Board may reject any application that contains inaccurate information.

The Board may allow contractors to request a revision of their prequalification 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.

Application. Each contractor, firm or person requesting prequalification shall submit an application. The application shall include the following:

1. Detailed information setting forth the applicant's competence, past performance, experience, financial resources, and capability, including a Public Entity Crime statement, and references.
2. Audited financial information current within the past 12 months, such as a balance sheet and statement of operations, and bonding capacity. The requirement for financial information may be satisfied by the contractor providing written verification of the contractor's bonding capacity.
3. General information about the contractor company, its principals, and its history, including state and date of incorporation, regardless of whether the contractor is resident or non-resident of the geographic area served by the Board.
4. Contractor trade categories and information regarding the state and local licenses and license numbers held by the applicant.
A list of projects completed within the last five (5) years, including dates, client, approximate dollar value, size, and reference name for each project.
5. Certificates of insurance confirming current workers' compensation, public liability and property damage insurance as required by law.
6. A list of all pending litigation and all litigation within the past five (5) years, including an explanation of each. Litigation initiated by the contractor to protect the contractor's legal rights shall not be used as a basis for rejecting prequalification.
7. 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.

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When two (2) or more prequalified contractors wish to combine their assets for a specific project, they may do so by filing an affidavit of joint venture. Such affidavit shall be valid only for that specific project.

Certificates. Upon approval of the application, the Board shall issue a certificate valid for one (1) year or the specific project. The certificate shall include information specified by Florida law.

Renewal. Certificates not for a specific project shall be reviewed annually. Financial statements or written verification of bonding capacity on file with the Board shall be updated annually. Failure to submit a new state or verification of bonding capacity, after at least 30 days written notice by the Board, shall automatically revoke a prequalification certificate.

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

1. Inaccurate or misleading statements included in the application.
2. Declared to be in default by the Board.
3. Adjudged to be bankrupt.
4. 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.
5. 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 Payment Act.
6. Becomes delinquent on a construction project pursuant to these rules.
7. Contractor's license becomes suspended or is revoked.
8. No longer meets the uniform prequalification requirements criteria established herein.

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

1. The aggrieved contractor may, within ten (10) calendar days after receiving notification of such action, request reconsideration in writing. The contractor may submit additional information at the time of the appeal.
2. The Board shall act upon a contractor's request within 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 request additional information to justify the reconsideration.

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. A delinquent condition is determined when one (1) or more of the conditions specified in State Requirements for Educational Facilities, 4.1(8)(f) exist. 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.

Alternative Construction Methods. The Facilities Department will consider the following factors when determining which construction method (traditional bid; design-build; construction management or negotiated contract) will be used for each project: scope of work of the project, complexity of the task, the schedule for construction, availability of skilled personnel in the local marketplace and past experience on other projects.

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The Facilities Department will identify and quantify the efficiency and cost effectiveness of the method selected at the completion of each project. Consideration will be given to work load, timely performance and completion, feedback from school personnel involved in the project, follow up after completion, and comparisons to state wide standards for similar positions and tasks.

Selecting A Construction Management Entity The construction management entity shall be selected pursuant to the process provided by Fla. Stat. 287.055. The construction management entity must consist of or contract with licensed or registered professionals for the specific fields or areas of construction to be performed as required by law.

The construction management entity, after being selected, will be required to offer a guaranteed maximum price (GMP) and a guaranteed completion date and will provide appropriate surety bond pursuant to Fla. Stat. 255.05 and must hold construction subcontracts.

The criteria for selecting a construction management entity shall not unfairly penalize an entity that has relevant experience in the delivery of construction projects of similar size and complexity by methods of delivery other than construction management.

The school district shall publish a legal advertisement describing the project and how construction management firms may apply for consideration. The advertisement will run three consecutive weeks and proposals will be received 7 days from the last advertisement.

The Professional Services Selection Committee shall select a construction management entity using the same process established for design professionals.

The selected construction management entity shall develop a guaranteed maximum price for Board approval using the following procedure:

- The cost of the work will be established by developing bid packages for each trade and publicly advertising for bids. A representative of the school district will be given the opportunity to attend and observe the process. The subcontracts will be awarded to the low bidder unless the construction management entity can provide justification for the use of another bidder. If the construction management entity proposes to self-perform any portion of the work, it must be documented that the District is getting a competitive price and must be approved by the Board.
- The fee and general conditions and the project contingency will be negotiated. The contingency is the construction management entity's, however if it is not all used 100% of the remainder returns to the District.
- The construction management entity will submit to the Board for their approval, a guaranteed maximum price (GMP) and a guaranteed completion date. The GMP will be based upon the cost of work supported by bid results and subcontracts and/or the latest estimates for trades not yet bid, plus the negotiated amounts for fees/general conditions and contingency. Once the trades supported by estimates have been bid, the bid results and subcontracts will be provided to the District. If the amount of the subcontract changes, a copy of the change order will be provided to the District.
- If the District is unable to negotiate an acceptable GMP, it reserves the right to bid the project or start the negotiation process again with the next highest ranked firm.

Advertising, Bidding and Awarding Contracts. Construction projects estimated to cost \$300,000 or more and electrical projects estimated to cost \$75,000 or more, shall be advertised in a local newspaper with general circulation throughout the District for a minimum of once a week for three (3) consecutive weeks. The last notice shall appear at least seven (7) day prior to the date set for bid opening. Projects estimated to cost less than \$300,000 shall be advertised for a minimum of one week. Corrections or changes to advertisement shall be in accordance with State Requirements for Educational Facilities

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4.2(2)(b). In addition to publication of the notice, invitation to bid shall be mailed or delivered to not less than three (3) prospective bidders. The legal notice and invitations to bid shall contain the information required by the State Requirements for Educational Facilities and needed by the prospective bidders, including:

- Project name and location.
- Brief statement describing the work.
- From whom and when contract documents are available, including deposit or charge.
- Other information such as notice of pre-bid conference, bid security, insurance, plan deposit, and the Board's intention to waive technicalities.
- Date, time and place of bid opening.
- Procedures for presenting bids.
- Conditions and terms for receiving bids.
- Procedures to be followed in opening bids and presenting to School Board.
- Conditions for awarding contracts based on bids.

Bay District School's General Conditions for Construction, as may be amended from time to time by the School Board, shall be incorporated into the bid documents for contracts over \$300,000 and for electrical projects over \$75,000. For contracts under \$300,000 the General Conditions for Construction may or may not be incorporated at the discretion of the Executive Director for Operations.

Construction Bids. Each bid shall include assurance of conformity with the Public Entity Crime Law (§287.133(2)(a) Fla. Stat.) and reference to the trench safety standard, where relevant, and written assurance that the will comply (§553.60-64, Fla. Stat.)

Bids shall be opened at the time designated in the invitation to bid. At the designated time, the Superintendent or his/her designee shall ask if all bids are in. No other bids shall be accepted and no bid may be withdrawn after the deadline. Negligence on the part of the bidder in preparing the bid shall confer no right for withdrawal after the time for opening of bids. Bids by telegram shall not be accepted nor shall any other type of bid be accepted which cannot be classified as a sealed bid. Bids received by mail shall be stamped with the time and date received by the Superintendent or his/her designee.

Bids shall be opened, read aloud, and tabulated in the presence of all persons present.

Each bid shall be accompanied by a bid bond, a certified check, or a cashier's check in an amount equal to 5% of the total amount of the bid. Failure to include such bond shall automatically disqualify the bid from further consideration.

Unless all bids are rejected by the Board for valid reasons, the contract shall be awarded to the lowest responsible bidder meeting all requirements and specifications.

Subcontractors listed in the bid shall not be replaced without cause, once the list has been opened and made public. Alternates listed in the bidding documents may be accepted at any time after the contract award by change order provided the contractor remains the low bidder on the combination of the base bid and the alternates selected.

When a construction contract has been awarded to a contractor on the basis of proper bids, payments on that contract shall be made on a monthly basis in an amount approved by the architect. This amount shall always incorporate a 10% hold back. Upon completion of the construction the final payment will be made only on the issuance of a Certificate of Occupancy, and approval of the School Board and the architect after proper inspection of the facilities.

The specifications for construction bids may not be written so as to limit any purchase of systems or materials to a specific brand or a single source of supply, unless:

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- The Board, after consideration of all available alternative materials and systems, determines that the specifications of a sole material or system is justifiable, based upon its cost or interchangeability;
- The sole source specifications have been recommended by the architect or engineer of record; and
- The Board's justifications are documented in writing, in the project file.

Authority: § 1001.41, Fla. Stat.

Law Implemented § 255.04, § 287.057, Ch. 1013, Fla. Stat.

History: New, June 12, 1989

Revised: June 12, 1996, June 29, 1999; November 16, 2010; June 12, 2012

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RESOLUTION OF PROTESTS FROM CONTRACT BIDDING PROCESS

6.104

The following procedures shall govern the resolution of protests from contract bidding procedures prior to initiation of formal or informal proceedings pursuant to Chapter 120 Florida Statutes.

The School Board shall provide notice of a decision or intended decision of a solicitation by posting the bid tabulation on the District website. This notice shall contain the following statement: Failure to file a protest within the time prescribed in section 120.57 (3) Florida Statutes, or failure to post bond shall constitute a waiver of proceeding under Chapter 120, Florida Statutes.

Upon receipt of a formal written protest, the School Board will require the protestor to post a bond amounting to:

- Twenty-five thousand dollars or 2 percent of the lowest accepted bid, whichever is greater, for projects valued over \$500,000; and
- Five percent of the lowest accepted bid for all other projects, conditioned upon payment of all costs and fees which may be adjudged against the protestor in the administrative hearing. If at the hearing the Board prevails, it shall recover all costs and attorney's fees from the protestor; if the protestor prevails, the protestor shall recover from the Board all costs and attorney's fees.

Any person who is affected adversely by the Board decision or intended decision shall file with the Board a notice of protest in writing within 72 hours after the posting of the bid tabulation on the District website, and a formal written protest within ten (10) days after the date he/she filed the notice of protest. Saturdays, Sundays, and legal holidays shall be excluded in the computation of the 72-hour time period. Failure to file a formal written protest shall constitute a waiver of proceedings under Chapter 120, Fla. Stat. The formal written protest shall contain the following:

1. Name and address of the agency affected and the agency's file number or identification number, if known;
2. The name and address of the affected party;
3. A statement of disputed issues of material fact. If there are no disputed material facts, the petition must so indicate;
4. A concise statement of the ultimate facts alleged and of the rules, regulations, statutes and constitutional provisions entitling the affected party to relief;
5. A demand for the relief to which the affected party deems him/herself entitled; and
6. Such other information as the affected party deems to be material to the issue.

Upon receipt of a formal written protest which has been timely filed and the posting of the required bond, the Board shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved by final School Board action, unless the Board sets forth in writing particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process without delay to avoid an immediate and serious danger to the public health, safety or welfare.

The Board, on its own initiative or upon the request of a protestor, shall provide an opportunity to resolve the protest by mutual agreement between the protestor and the Board's representative within ten (10) days of receipt of a formal written protest.

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If the subject of a protest is not resolved by mutual agreement within ten (10) days of receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to § 120.57(2), Fla. Stat, and Section 1.105(3) of these rules.

If the subject of a protest is not resolved by mutual agreement within seven (7) days, excluding Saturdays, Sundays, and legal holidays of receipt of the formal written protest, and if there is a disputed issue of material fact, the Board shall refer the matter to the Division of Administrative Hearings of the Department of Administration for a formal hearing pursuant to § 120.57(1), Fla. Stat, and Section 1.105(2) of these Rules.

Authority: § 1001.41, Fla. Stat.

Law Implemented § 120.53(5), § 120.57, Fla. Stat.

History: New, June 12, 1989

Revised: June 12, 1996, December 17, 1997; November 16, 2010; June 14, 2011

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AUTHORIZED TRAVEL EXPENSES

6.105

Prior to authorization of travel, each officer, employee or other person acting on behalf of the School Board shall consider the greatest possible economy and the avoidance of unnecessary travel. Adequate documentation is required for all authorized travel.

In-District Travel; Superintendent, School Board Members and District Employees. In-District travel by the Superintendent or by an authorized employee of the School Board shall be reimbursed at IRS rate on July 1st of each fiscal year. Mileage shall be computed from the official headquarters of the employee to each destination, or from initial destination to subsequent destinations. No reimbursement shall be paid for travel between an employee's home and his/her official headquarters. However, if an employee travels from home to a temporary work location in the morning or returns home from a temporary work location in the afternoon, the temporary work location or locations shall be deemed to be the official headquarters for computing travel for that particular day.

Out-of-District Travel.

One Day Trips. Expenses by the Superintendent, School Board Member, School Board Attorney or employees of the School Board not requiring travel beyond midnight or beyond 24 hours shall be reimbursed as follows:

1. Mileage. If the use of a personal vehicle is authorized, mileage shall be reimbursed at the IRS Rate on July 1st of each fiscal year. If travel is by common carrier, the actual cost of travel, based on standard coach fares, shall be reimbursed.
2. Subsistence. The traveler shall be entitled to a meal allowance as follows:
 - A. Breakfast - \$9.00- Where travel begins before 6:00 A.M. and extends beyond 8:00 A.M.;
 - B. Lunch - \$12.00- Where travel begins before noon and extends beyond 2:00 P.M.; and
 - C. Dinner - \$18.00- Where travel begins before 6:00 P.M. and extends beyond 8:00 P.M.

Trips in Excess of 24 Hours or Requiring Overnight Travel. Trips in excess of 24 hours, or requiring travel beyond midnight shall be reimbursed as follows:

1. Mileage. If the use of a personal vehicle is authorized mileage shall be reimbursed at the IRS Rate on July 1st of each fiscal year. If travel is by common carrier, the actual cost of travel, based on standard coach fares, shall be reimbursed.
2. Per Diem or Subsistence. The traveler shall be entitled to the greater of:
 - A. Per diem at the maximum state prescribed rate for any portion of each six (6) hour period of any day; or
 - B. The actual cost of lodging, based on the single occupancy rate, plus an allowance for meals at the maximum State prescribed rate in accordance with the following:
 1. Breakfast - \$9.00- When travel begins before 6:00 A.M. and extends beyond 8:00 A.M.;
 2. Lunch - \$12.00- When travel begins before noon and extends beyond 2:00 P.M.; and
 3. Dinner - \$18.00- When travel begins before 6:00 P.M. and extends beyond 8:00 P.M.

Conferences or Conventions in Local Area. Reimbursement for expenses for attendance at a conference or convention held in Bay County by an officer or employee shall normally be reimbursed as provided in One-Day Trips. However, the traveler may be reimbursed in accordance with Trips in Excess of 24 Hours when the following conditions are met:

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1. The traveler is an officer of the Board, or reimbursement for the overnight stay is approved in advance, in writing, by the Superintendent or appropriate Executive Director; and
2. The traveler is required to stay overnight in order to provide supervision of students.

Out-of-State Travel. All out-of-state travel by employees must be specifically approved in advance by the Superintendent or his/her designee. No reimbursement shall be made without the Superintendent's or his/her designee's approval. The School Board shall approve the travel of School Board members and the School Board Attorney.

Computation of Mileage.

1. In-District. In accordance with the District mileage schedule or the odometer reading from the point of departure to the destination, whichever is less.
2. Out-of-District. In accordance with the mileage chart established on the official State road map, plus any justifiable vicinity mileage.
3. Out-of-State. In accordance with the traveler's odometer reading.

Official Headquarters for Computation of Mileage. For purposes of computation of reimbursable mileage the official headquarters of each officer or employee shall be:

1. Board Members - Official residence;
2. Superintendent and Employees - Regular primary work location;
3. School Board Attorney - Office address.

When more than one (1) officer or employee is going to the same destination, travel shall be coordinated where practical and economical. No traveler shall be allowed either mileage or transportation when he/she is gratuitously transported by another person or when he/she is transported by another traveler who is entitled to mileage or transportation expense. However, a traveler on a private aircraft shall be reimbursed the actual amount charged and paid for his/her fare for such transportation up to the cost of a commercial airline ticket for the same flight, even though the owner or pilot of such aircraft is also entitled to transportation expense for the same flight.

Reimbursement may be requested for tolls, taxis, and registration fees when properly documented. However, if a meal is included in a registration fee, the amount must be reduced by the amount of the meal allowance specified in Section (3). No reimbursement may be authorized for gratuities.

Advance payment of registration fees may be requested by purchase requisition when the individual registration exceeds \$50. However, if the traveler fails to attend the meeting, the traveler shall be responsible for reimbursing the School Board for the fee actually paid.

Reimbursement Claims. All claims for reimbursement of travel expenses shall be submitted on forms provided by the Finance Department, and shall contain receipts for lodging, when applicable, and for other reimbursable expenses exclusive of meals. Such claim shall also be signed by the traveler attesting to the fact that the travel was approved for official purposes and the expenses were actually incurred by the traveler as necessary traveling expenses in the performance of his/her official duties. Claims submitted pursuant to these travel policies shall not be required to be sworn to before a notary public or other officer authorized to administer oaths. The supervisor's approval shall not be required on claims submitted by the Superintendent or a Board Member.

Fraudulent Claims. Pursuant to the provisions of § 112.061(11), Fla. Stat, any person who willfully makes and subscribes any claim which he/she does not believe to be true and correct as to every material matter or who willfully aids or assists in, or procures, counsels, or advised the preparation or presentation

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of a claim which is fraudulent or is false in any material manner, whether or not such falsity or fraud is with the knowledge or consent of the person authorized or required to present such claim, shall be guilty of a misdemeanor of the second degree, punishable by law. Additionally, whoever shall receive an allowance or reimbursement by means of a false claim shall be civilly liable in the amount of the overpayment for the reimbursement of the public fund from which the claim was paid.

Travel Advances. Any officer or employee of the Board may be given a travel advance equal to 80% of the estimated travel and subsistence allowances under the following conditions:

1. Sufficient funds are available in the budget of the cost center involved;
2. The employee's supervisor and the appropriate cost center head have approved the Employee Advance Request form;
3. The Employee Advance Request form is received in the Finance Department at least ten (10) working days prior to the date the employee requires the advance check; and
4. A person receiving a travel advance shall provide a full accounting of all expenses to the Finance Department within five (5) working days following completion of the travel.

Monthly Travel Allowances. When authorized by the School Board the Superintendent or an employee may be paid a monthly travel allowance in lieu of the mileage reimbursement prescribed herein. Any such monthly allowance shall be based on a typical month travel voucher prepared by the person and submitted to the Board for approval. Such voucher shall be prepared annually prior to any authorization of a monthly travel allowance.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 112.061, Fla. Stat.; Fla. Admin. Code R. 6A-1.056

History: New, June 12, 1989

Revised: September 17, 1990, December 20, 1990, August 25, 1994, June 12, 1996, August 12, 1998

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PROCEDURES FOR DEVELOPMENT AND AMENDMENT OF THE BUDGET

6.106

The Superintendent shall ensure that all obligations and expenditures of District funds are within the appropriation made in the District school budget.

Budget Development. The proposed Annual District School Budget shall be developed by the Superintendent as provided by law. The budget shall be designed to reflect goals and objectives as adopted by the School Board.

Unrestricted Reserve Fund. The School Board recognizes there are many adverse unforeseen conditions and events that may occur during any fiscal year. The only source of funds to meet these non-recurring obligations is the unrestricted operating fund reserve. Sound fiscal responsibility requires annually the setting aside of sufficient reserves to meet these obligations. It shall be the goal of the District to attain an unrestricted operating fund reserve for non-recurring expenses in an amount equal to 5% of the annual unrestricted revenue, plus federal impact aid funds, plus all local funds, less transfers. This is a goal, not a requirement and may not be attainable by the District. The Superintendent shall attempt to include in the budget each year a minimum of five percent (5%) of the five percent (5%) goal until such time as the goal is attained. If the said minimum is not included in the submitted budget, the Superintendent shall include in the submittal an explanation of why such an annual contribution to the reserve fund is not practicable under existing revenues and expenditures.

Budget Calendar. The Superintendent shall, prior to January 1 of each year, develop and submit to the School Board a budget calendar for approval. The calendar shall provide adequate time for input from schools and departments within the school system, and shall be consistent with the time lines required by Chapters 200 and 237, Fla. Stat.

Budget Administration. The Superintendent shall ensure that all obligations and expenditures of District funds are within the appropriation made in the District school budget.

If, at any time, it appears that a budgetary appropriation will be insufficient to meet the needs of the school system, the Superintendent shall propose a budget amendment for consideration by the Board. No obligation in excess of the original appropriation may be made until the Board has officially adopted an amendment to the budget.

In order to expedite necessary budgetary adjustments, the Superintendent is authorized to give tentative approval for budget amendments to budgets of schools or District cost centers; however, all such amendments shall be consolidated each month and presented to the School Board for approval. For year end close out, any final amendments for a function and/or object may be approved by the School Board up to or at the time of approval of the annual financial report.

The Superintendent is authorized to automatically amend the budget upon receipt of a grant award if the grant request, as previously approved by the School Board, contained a detailed budget summary and no changes were made in the budget summary as a condition of the grant award.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1001.42, Fla. Stat.; Fla. Admin. Code R. 6A-1.006, 6A-1.007

History: New, June 12, 1989

Revised: June 12, 1996

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FINANCIAL STATEMENTS AND RECORDS

6.107

Financial Statements. The Superintendent shall prepare and submit to the School Board a financial statement for each month of the fiscal year. Prior to July 1 of every year, the format of the financial statement shall be approved by the School Board and may include a cumulative report to date of all receipts and expenditures for the school fiscal year. In addition, the financial statement shall include information indicating any potential problems of a financial nature.

Financial Records. The financial records and accounts of the School Board shall be kept by the Superintendent on forms prescribed by the Florida Administrative Code. If such forms are not prescribed by law, a uniform system shall be established by the School Board.

The school principal shall be responsible for maintaining all school financial records including, but not limited to, internal funds, the school Food Service Program, FTE records, employee attendance and leave records, and property records.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1001.42, § 1001.51, § 1011.60, § 1010.01, Fla. Stat; Fla. Admin. Code R. 6A-1.001, 6A-1.0071, 6A-1.008

History: New, June 12, 1989

Revised: June 12, 1996

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PETTY CASH FUNDS

6.108

Petty cash funds for necessary operating expenditures may be established by the School Board within the limits, and in accordance with the procedures, established herein.

The individual custodian for the petty cash fund shall at all times have in his/her custody cash, receipts, paid invoices, or a combination thereof, totaling the amount of the petty cash fund. The fund shall be maintained separate and apart from any other funds. Under no conditions may the petty cash fund be used for a loan or advancement to any organization or person, including the cashing of a personal check.

No expenditure exceeding \$25.00 shall be made from a petty cash fund.

The petty cash fund at a school center may be established in a trust fund within the internal accounts of the school. The funds shall be advanced from the District operating fund.

The petty cash fund for a District-level office not having an internal account fund shall be established by an advancement from the District operating fund.

As petty cash becomes exhausted, the Superintendent, upon receipt of adequate data, shall reimburse the funds from the appropriate accounts within the District budget.

In order to receive reimbursement for expenditures, it shall be necessary to submit a statement with the itemized receipts, or paid invoices, for each expenditure made. Petty cash funds shall not be used to circumvent established purchasing policies and procedures.

Each petty cash fund shall be reconciled and closed prior to the end of each fiscal year.

The amount of the petty cash fund and the specific person responsible for it, shall be set by the Board and shall be based on the size of the Department or school and the identified need. The amount shall not exceed \$1,000.

The Superintendent is authorized to establish change funds in each school for the Food Services Program. Such funds shall be established from the Food Services fund and shall be used solely for the making of change. No such fund may be used to cash checks for any persons.

Authority: §1001.41, Fla. Stat.

Law Implemented: § 237.02, Fla. Stat.; Fla. Admin. Code R. 6A-1.057

History: New, June 12, 1989

Revised: June 12, 1996

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CASH & INVESTMENT MANAGEMENT POLICY

6.109

Purpose

The purpose of this policy is to set forth the investment objectives and parameters for the management of public monies of Bay District Schools, Florida (hereinafter "District"). These policies are designed to ensure the prudent management of public monies, the availability of operating and capital funds when needed, and an investment return competitive with comparable Funds and financial market indices.

Scope

In accordance with Fla. Stat. 218.415, this investment policy applies to all cash and investments held or controlled by the District with the exception other monies (such as pension monies and tax-exempt bond proceeds) governed by separate investment guidelines or policies. Monies held by State agencies (e.g., Department of Education) are not subject to the provisions of this policy.

Definitions

1. "Board" means the School Board of Bay County, Florida
2. "CFO" means the Chief Financial Officer of the District or such other individual approved by the Superintendent having overall responsibility for the District's financial operations.
3. "Core Funds" means reserves, cash designated for projects and other non-operating purposes.
4. "District" has the meaning assigned to that term in the first paragraph of this Policy.
5. "Fund" means a pooled investment operated by a professional investment management company.
6. "Money Fund Index" means weighted average return on nation's largest money Funds as reported by iMoneyNet or another similar service.
7. "Monies" means cash and deposits available to the Board.
8. "Portfolio" means investments held by the Board.
9. "Rating Agency" means S&P, Moody's or Fitch; "Rating Agencies" means S&P, Moody's and Fitch.
10. "Self Insurance Funds" means monies set aside to pay for specific needs in the future based on actuarial assumptions.
11. "Short-term Funds" means operating Funds or other monies designated to be spent within twelve months.
12. "Superintendent" means School District of Bay County, Florida, Superintendent of Schools.

Investment Objectives

The investment objectives of the Bay District Schools, Florida, in order of priority, are as follows

1. Safeguarding of Principal The foremost objective of this investment program is the safety of the principal of those monies within the portfolios. The investments should be structured to safeguard principal and allow the Board to meet its obligations in timely manner.
2. Maintenance of Liquidity: The portfolios shall be managed in such a manner that monies are available to meet reasonably anticipated cash flow requirements in an orderly manner. Periodical cash flow analyses will be completed in order to ensure that the portfolios are positioned to provide sufficient liquidity.

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3. Diversification of Risk: The District shall diversify investments whenever possible without negatively affecting the safety of principal and liquidity characteristics. Investment transactions shall seek to keep capital losses at a minimum, whether they are from securities defaults or erosion of market value. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

4. Investment Income: Investment portfolios shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

Authority

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

The Superintendent (and designees) is authorized and empowered for and on behalf of the Bay District Schools, Florida, to a) conduct investment transactions in accounts at financial institutions as provided under "Authorized Investment Institutions and Dealers," and b) conduct other banking/financial transactions in financial institutions designated as Qualified Public Depositories ("QPD") under Section 280.02(26) Fla. Stat. Accounts at said institutions shall be established by two signatures of the Superintendent and the CFO with appropriate disclosure to the Board.

The Superintendent (or designee) shall develop administrative procedures which govern and safeguard the establishment of services, and the execution and conduct of Investment/Banking/ Financial transactions to, from and between School District accounts consistent with this Policy.

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

The Superintendent may employ an investment manager/advisor to assist in the management of the District's investments. Such investment manager/advisor must be registered under the Investment Advisors Act of 1940.

Standards of Prudence

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

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

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

Electronic Fund Transfers

The Board authorizes electronic fund transfers (EFTs) for any purpose including direct deposit, wire transfer, withdrawal, investment, or payment, provided such EFTs are consistent with the provisions of Fla. Stat. Chapter 668.

Upon the recommendation of the Superintendent, the Board shall approve a written agreement with financial institutions with whom EFTs will be made. Such agreements shall set forth internal controls required by State law and State Board Rule that will provide adequate integrity, security, confidentiality, and auditability of business transactions conducted by electronic commerce, including, but not limited to, the following:

- A. the title of the bank account(s) subject to the agreements shall be specified,
- B. the manual signatures of the Board Chair, Superintendent, and the employees authorized to initiate EFTs shall be contained therein, and
- C. a requirement that the District maintain documentation signed by the initiator and authorizer of the EFTs to confirm the authenticity of the EFTs.

Ethics and Conflicts of Interest

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

Internal Controls and Investment Procedures

The Superintendent shall establish a detailed system of internal controls and operational procedures that are in writing and made a part of the District's operational procedures. The internal controls should be designed to prevent losses of monies, which might arise from fraud, employee error, and misrepresentation, by third parties, or imprudent actions by employees.

Continuing Education

The key designees of the Superintendent actively involved in the investment and investment oversight of the District's funds shall each complete at least eight (8) hours of annual continuing education classes in subjects or courses of study related to cash management and/or investment practices and products, as required by Fla. Stat. 218.415.

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Authorized Investment Institutions and Dealers

Authorized District staff and investment advisors shall only purchase securities (does not apply to investments authorized under "AUTHORIZED INVESTMENTS AND PORTFOLIO COMPOSITION" subparagraphs "15.2.6" and "15.2.7" below) from financial institutions, which are qualified as public depositories by the Treasurer of the State of Florida, or institutions designated as "Primary Securities Dealers" by the Federal Reserve Bank of New York, and such other financial institutions as recommended by the CFO and approved by the Superintendent, with appropriate subsequent disclosure to the Board.

Authorized District staff and investment advisors shall only enter into repurchase agreements with financial institutions that are State qualified public depositories and/or primary securities dealers as designated by the Federal Reserve Bank of New York, or such other qualified institutions as recommended by the Superintendent and approved by the Board.

Maturity and Liquidity Requirements

To the extent possible, an attempt will be made to match investment maturities with known cash needs and anticipated cash flow requirements. Notwithstanding anything herein to the contrary:

Investments of Short-term Funds shall have maturities of no longer than twelve (12) months.

Investments of bond reserves, construction monies, and other Core Funds shall have a term appropriate to the need for monies and in accordance with debt covenants, but in no event shall exceed five (5) years.

In the case of monies which are construction proceeds of tax-exempt debt issues, such investments shall not exceed three (3) years.

Limitation on Concentration

Notwithstanding anything herein to the contrary, at no time shall the District's investment in any individual Fund or Pool permitted under "Authorized Investments and Portfolio Composition" exceed ten (10) percent of the total Net Asset Value of such Fund or Pool at the time the investment was entered into.

Competitive Bid Requirement

When appropriate, feasible and practicable, the purchase and sale of investment securities shall be competitively bid. Documentation will be retained for all bids, with the winning bid clearly identified. This provision does not apply to investments authorized under "AUTHORIZED INVESTMENTS AND PORTFOLIO COMPOSITION" subparagraphs "15.2.6" and "15.2.7" below, or to the purchase of specific investment securities held by a limited number of dealers, or in situations where a competitive bid will not result in a lower price to the District.

Authorized Investments and Portfolio Composition

Investments should be made subject to the cash flow needs, such cash flows are subject to revisions as market conditions, and the District's needs change. However, when the invested monies are needed in whole or in part for the purpose originally intended or for more optimal investments, the Superintendent (or designee) may sell the investment at the then-prevailing market price and place the proceeds into the proper account at the District's custodian.

The following are the investment requirements and allocation limits on security types, issuers, and maturities as established by the District. The Superintendent shall have the option to further restrict

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investment percentages from time to time based on market conditions, risk, and diversification investment strategies. The percentage allocation requirements for investment types and issuers are calculated based on the original cost of each investment and the percentage of the portfolio said investments constituted at the time the investment was made. Investments not listed in this policy are prohibited. The following limitations shall not restrict the Board's ability to place Short-term Funds on deposit with QPDs in demand deposit accounts.

1. **The Florida State Board of Administration's Local Government Surplus Funds Trust Fund** or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act as provided in section 163.01 Fla. Stat.
 - a. Portfolio Composition - A maximum of forty percent (40%) of available monies may be invested in any one Investment Pool. A combined maximum of sixty percent (60%) of available monies may be invested in all such qualified Pools.
 - b. Rating Requirements - Eligible Pools shall be rated "AAAm" or "AAAm-G" or better by Standard & Poor's, or the equivalent by another Rating Agency.

2. **United States Government Securities:** Negotiable direct obligations, or obligations the principal and interest of which are unconditionally guaranteed by the United States Government; including but not limited to Notes, Bills, Bonds, Strips, and State & Local Government Series securities (SLGS).
 - a. Portfolio Composition - A maximum of 100% of available monies may be invested in the United States Government Securities.
 - b. Maturity Limitations - The maximum length to maturity of any direct investment in the United States Government Securities is five (5) years from the date of purchase.

3. **United States Government Agency Securities:** bonds, debentures, notes or callables issued or guaranteed by the United States Governments agencies, provided such obligations are backed by the full faith and credit of the United States Government. Such securities will include, but not be limited to the following:
 - a. United States Export-Import Bank - Direct obligations or fully guaranteed certificates of beneficial ownership
 - b. Farmer Home Administration - Certificates of beneficial ownership
 - c. Federal Financing Bank - Discount notes, notes and bonds
 - d. Federal Housing Administration Debentures
 - e. General Services Administration
 - f. United States Maritime Administration Guaranteed - Title XI Financing
 - g. New Communities Debentures - United States Government guaranteed debentures
 - h. United States Public Housing Notes and Bonds - United States Government guaranteed public housing notes and bonds
 - i. United States Department of Housing and Urban Development - Project notes and local authority bonds
 - j. Portfolio Composition - A maximum of sixty percent (60%) of available monies may be invested in United States Government agencies and a maximum of forty percent (40%) in the securities any one such agency.
 - k. Maturity Limitations - The maximum length to maturity for an investment in any United States Government agency security is five (5) years from the date of purchase.

4. **United States Government Enterprises and Instrumentalities**
 - a. Securities of United States Government Enterprises and Instrumentalities are not eligible investments under this policy, unless recommended by the Superintendent and approved by the Board in advance.

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5. Interest Bearing Time Deposits, Saving Accounts, or Demand Deposit Accounts

- a. Purchase Authorization - The SUPERINTENDENT may invest in non-negotiable interest bearing time certificates of deposit, savings accounts and interest bearing demand deposit accounts (checking accounts) in banks organized under the laws of this state and/or in national banks organized under the laws of the United States. Eligible institutions must be members of the Federal Deposit Insurance Corporation (FDIC) and any investments/deposits must be secured by the Florida Security for Public Deposits Act, Fla. Stat. Chapter 280. In addition, to the extent allowed by 218.415(23), Fla. Stat., the Superintendent may invest in eligible certificates of deposit and other financial instruments that are fully guaranteed/insured by the FDIC or collateralized with securities eligible under this policy.
- b. Portfolio Composition - A maximum of sixty percent (60%) of available monies may be invested in non-negotiable interest bearing time certificates of deposit or savings accounts which are not 100% insured by the Federal Deposit Insurance Corporation ("FDIC") but which do meet the requirements of 15.2.5.1 above. A maximum of seventy-five percent (75%) of available monies may be invested in non-negotiable interest bearing time certificates of deposit or savings accounts which are 100% insured by the FDIC.
From time to time, the Superintendent may deposit monies in demand deposit accounts/money market accounts in banks other than the District's primary depository bank. Any such deposits shall be subject to a maximum of thirty percent (30%) and must be secured by the Florida Security for Public Deposits Act, Fla. Stat. Chapter 280. Upon opening such accounts, the Superintendent shall provide appropriate disclosure to the Board.
- c. Limits on Individual Issuers - A maximum of fifteen percent (15%) of available monies may be deposited with any one issuer where the investment is not one hundred percent (100%) insured by the FDIC.

The term of such certificates shall be consistent with the Board's Short Term cash flow requirements and in no event shall the maximum maturity on any certificate greater than one (1) year from the date of purchase unless recommended by the Superintendent and approved by the Board in advance.

6. Money Market Funds: Securities and Exchange Commission registered money market Funds with the highest credit quality rating from a Rating Agency. The Funds must be registered and in compliance with 17 C.F.R. 270.2a-7 of the Federal Code of Regulations

- a. Eligible Funds - Shares in open-end, no-load provided such Funds are registered under the Federal Investment Company Act of 1940 and operated in accordance with 17 C.F.R. 270.2a-7.
- b. Portfolio Composition - A maximum of thirty percent (30%) of available monies may be invested in any one registered 2a-7 Money Market Fund. A combined maximum of fifty (50%) of available monies may be invested in all registered 2a-7 Money Market Funds.
- c. Limits of Individual Issuers - A maximum of thirty percent (30%) of available monies may be invested with any one SEC Rule 2a-7 money market fund.
- d. Rating Requirements - The Funds shall be rated "AAAm" or "AAAm-G" or better by Standard & Poor's, or the equivalent by another Rating Agency.
- e. Due Diligence Requirements - A thorough review of any investment in a fund is required prior to investing, and on a continual basis thereafter. The basis for such review shall be contained in the administrative procedures developed by the Superintendent.

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7. **Investment Company Act of 1940:** Investments; Securities or, other interest in, any open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940.
 - a. Investment Authorization Shares in open-end or closed-end Funds registered under the Federal Investment Company Act of 1940. Such investments are limited to Core-Funds only.
 - b. Portfolio Composition - A maximum of twenty percent (20%) of available monies may be invested in mutual Funds.
 - c. Limits of Individual Issuers - A maximum of twenty percent (20%) of available monies may be invested with any one non-SEC Rule 2a-7 investment mutual fund.
 - d. Rating Requirements - The mutual Funds shall be rated "AAAm" or "AAAm-G" or better by Standard & Poor's, or the equivalent by another nationally recognized Rating Agency.
 - e. Due Diligence Requirements - A thorough review of any investment mutual fund is required prior to investing, and on a continual basis. The basis for such review shall be contained in the administrative procedures developed by the Superintendent.

8. **State and/or Local Government Taxable and or Tax-Exempt Debt:** General obligation, revenue bonds, and certificates of participation issued by State and/or local governments.
 - a. Rating Requirements - Long-term must constitute pre-refunded obligations escrowed in United States Treasury Securities, or must have long-term debt ratings must be in one of the three highest rating categories by at least one of the nationally recognized credit rating agencies. Short-term ratings must be in the highest short-term rating category by at least one of the nationally recognized credit rating agencies.
 - b. Portfolio Composition - A maximum of twenty five percent (25%) of available monies may be invested in State and/or Local Government Taxable and or Tax-Exempt Debt.
 - c. Maturity Limitations - The maximum length to maturity of any direct investment in the United States Government Securities is five (5) years from the date of purchase.

9. **Other investments** permitted by the state statute and not prohibited by this Policy as may be recommended by the Superintendent and approved in advance by the Board
 - a. Investment Authorization - The Superintendent may invest in other investments permitted by the state statute with advance approval of the Board.
 - b. Portfolio Composition - A maximum of ten percent (10%) of available monies, or such other amount recommended by the Superintendent and approved by the Board, may be invested in other investments permitted by the state statute.

10. **Due Diligence Requirements** - A thorough review of any other investment permitted by the state statute and not prohibited by this Policy is required prior to investing, and on a continual basis.

Performance Measurements

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

The Treasury Indices, SBA LGIP, and Money Fund Indices or the weighted average performance of the ten (10) largest prime funds, or other money fund indices (such as government fund indices) as appropriate, will be used as benchmarks as compared to the portfolios' net book value rate of return for current short-term funds.

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Investment performance of Funds designated as Core Funds and other non-operating monies that have a longer-term investment horizon will be compared to an index comprised of U.S. Treasury or government securities. The appropriate index will have a duration and asset mix that approximates the portfolios and will be utilized as a benchmark to be compared to the portfolio's total rate of return.

Investment advisors will report performance on both book value and total rate of return basis and compare results to the above-stated benchmarks.

Reporting

The Superintendent shall provide the Board with semi-annual investment reports. Schedules in the reports should include the following:

1. A listing of individual securities held at the end of the reporting period
2. Percentage of available monies represented by each investment type
3. Coupon, discount, or earning rate
4. Average life or duration and final maturity of all investments
5. Par value and market value

On an annual basis, as a part the Superintendent's Annual Financial Report shall contain a written report on all invested monies. The annual report shall provide all, but not limited to, the following: a complete list of all invested monies, name or type of security in which the monies are invested, the amount invested, the maturity date, earned income, the book value, the market value and the yield on each investment.

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

Third-party Custodial Agreements

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

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

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

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Investment Policy Adoption

The investment policy shall be adopted by Board resolution. The Superintendent shall review the policy annually in November and the Board shall approve any modification made thereto.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1001.42, §1001.43, §1010.11, §1011.18, Fla. Stat.; F.A.C. 6A-1.085

History: New, June 12, 1989

Revised: July 10, 1996; March 25, 2009; August 12, 2014

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BONDS FOR SCHOOL EMPLOYEES

6.110

Each employee in the school system who is responsible for receipt, custody, or disbursement of school funds or property shall be bonded in a minimum amount of \$10,000.

All bonds shall be executed by a surety company authorized to do business in Florida, and shall be conditioned upon the faithful performance of each employee of all assigned duties, including the proper safeguarding of all public funds and property over which the employee has supervision.

Employees serving in the following positions shall be bonded in an additional amount as prescribed by the School Board:

1. Assistant Superintendent for Administration and Business;
2. Coordinator of Budget and Finance;
3. Finance Officer;
4. Payroll Officer;
5. Director of Management Information Services;
6. Purchasing Agent;
7. School Principals; and
9. School Bookkeepers.

The Superintendent is authorized to provide for such bonds through policies with insurance companies licensed to do business in the State of Florida.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1001.42, § 1010.07, § 1001.51, Fla. Stat.; Fla. Admin. Code R. 6A-1.0692

History: New, June 12, 1989

Revised: July 10, 1996; September 27, 2016 (without requirement of meeting)

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PAYROLL PROCEDURES

6.111

The Board shall annually adopt a schedule covering all classifications of employees of the school system. The schedule shall be the sole instrument used in determining the annual, monthly, weekly, daily, or hourly compensation for employees of the Board. All Board employees shall be paid in accordance with the salary schedule adopted for the particular budget year.

Such salary schedule shall include the payroll periods for the fiscal year and shall clearly show the method of computing compensation of employees, whether paid on hourly, daily, weekly, monthly, or annual rates. The personnel file for each employee shall contain evidence of each factor used in calculating that employee's compensation for each year.

Payroll check distribution dates shall be established annually to ensure that the employees are paid promptly in accordance with payroll periods prescribed in the salary schedule.

Payrolls shall be submitted for all employees of the Board and shall be properly signed by a designated member of the staff. Such payrolls shall be supported, where applicable, by time records. Positive time records shall be mandatory for all employees covered by the Federal Fair Labor Standards Act.

Salary adjustments shall be paid at subsequent payroll periods, unless otherwise provided by a negotiated contract with an applicable bargaining agent. A person whose services are terminated shall be paid the full salary balance due at the next regular pay period following termination. Any exception must be approved by the Superintendent in writing.

Except for deductions required by law, no deductions may be made from an employee's salary without specific written authorization of the employee.

In the event it is determined that an incorrect amount has been paid an employee, the difference shall be immediately adjusted between the Board and the employee so that the amount actually received for the fiscal year is consistent with the salary schedule.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1012.22, § 1011.60, Fla. Stat.

History: New, June 12, 1989

Revised: July 11, 1996

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USE OF FACSIMILE SIGNATURES ON FINANCIAL DOCUMENTS

6.112

The facsimile signature of the School Board Chairman and the Superintendent may be affixed to warrants as authorized by School Board resolution provided an affidavit has been filed in accordance with § 116.34(3), Fla. Stat. The facsimile signature of the School Board Chairman may be used on contracts with instructional staff members and salary warrants.

The Vice-Chairman of the School Board shall have no authority to sign warrants or school documents except when he/she is required to assume the duties of the Chairman. In assuming such duties, the Vice-Chairman shall be legally empowered to sign such warrants and other legal documents as the Chairman would be empowered to sign.

Definition. As used herein, facsimile signature shall mean a reproduction by engraving, imprinting, stamping, or other source of the manual signature of the School Board Chairman's signature.

The only individuals designated and authorized to use the facsimile signature of the Superintendent and that of the Chairman of the Board on District financial documents shall be those persons designated by the Superintendent in writing. The facsimile signature shall be kept secured at all times. Facsimile signatures may not be used on any of the following:

1. Official Board Minutes;
2. Original budget document;
3. Any documents relating to bond issues; or
4. Certificates of Participation.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 116.34, Fla. Stat.

History: June 12, 1989

Revised: July 10, 1996; January 15, 2015

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TELEPHONE CALLS, FACSIMILES, AND ON-LINE COMPUTER SERVICE

6.113

School Board employees shall not use School Board equipment to make personal long distance calls, send a personal facsimile, to make personal cellular long distance telephone calls, or use for personal purposes on-line computer services at School Board expense. Any employee who violates this rule shall be required to pay for the call, facsimile, or on-line computer services and may be subject to disciplinary action. Such use shall be reported to the Superintendent at the discretion of the principal or administrators designated by the Superintendent. The principal or administrators designated by the Superintendent shall review telephone, cellular telephone, facsimile, or on-line computer service bills and shall refer excessive or questionable bills to the Superintendent or his/her designee for review.

All long distance telephone calls or facsimiles that relate to extracurricular or co-curricular activities of the school, including athletics, shall be paid from the school's operating expenses.

The principal or administrators designated by the Superintendent are required to give prior authorization and to maintain a log for any non-Suncom long distance call, facsimile or on-line computer service. Expenses for all such services shall be charged to the school or department's proper budget account.

Any long distance telephone call made by a Board member and charged to the School Board office will be paid by the Board provided the purpose of the call was Board business.

No collect personal calls shall be accepted at any school or other location within the Bay County School System.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: § 1011.20, Fla. Stat.
History: New, June 12, 1989
Revised: July 11, 1996; April 24, 2002*

CHAPTER SIX BUSINESS AFFAIRS

PROPERTY RESPONSIBILITY AND ACCOUNTABILITY

6.114

Each principal or other person in charge of a school facility shall be responsible for all equipment and other tangible personal property assigned to or located within the facility.

The Superintendent or his/her designated representative shall:

1. Establish and maintain an adequate and accurate record of all items of tangible personal property in the school system as defined in §274.02, Fla. Stat. The record of each item of tangible personal property shall be consistent with the rules of the Auditor General of Florida.
2. Conduct a physical inventory at least once each year in the manner prescribed by law, and report any shortages or discrepancies to the School Board.
3. Conduct an additional physical inventory in any school or school facility, immediately upon the change of a principal or other custodial agent and report any shortages or discrepancies to the School Board.

All equipment purchased by the various organizations within the school system, or by outside organizations for use by the school system, shall become the property of the School Board and shall be recorded and inventoried in the same manner as all other equipment of a similar nature.

The principal or other person in charge of a school facility shall be responsible for taking measures necessary to properly safeguard property under his/her control against loss, damage, or undue depreciation. Such custodial agent shall also be responsible for initiating any request for the disposal or transfer of tangible personal property assigned to his/her facility. The custodial agent is further responsible for making an annual inventory of all property, in addition to that required in section (1).

Equipment shall not be taken from a school without the permission of the principal or his/her designee; records on such borrowed equipment shall be kept on forms prescribed stating the name of the borrower, the date borrowed, a description of the borrowed equipment, the location of the borrowed equipment, and the date returned.

Each person having responsibility for the custody of property shall immediately report any lost, damaged, or stolen property to the Superintendent, or his/her designee, who shall recommend appropriate action to the Board.

Each person responsible for the operation of a warehouse which dispenses equipment or supply items shall maintain a current and perpetual inventory of all stock, and file an annual end-of-the-year report of the count and value of such stock items with the Finance Department.

Disposal or Sale of Property. When equipment is beyond economical repair or becomes obsolete, the Superintendent shall request the Board's permission to sell, trade, transfer or "junk" the equipment. If the request is to sell, an appraisal shall be made and the equipment shall be advertised as a sale of obsolete equipment. The highest bidder will receive the equipment. Checks from the sale of property shall be made payable to the School Board of Bay County, Florida, for deposit in the General Fund Account under the sale of junk. If no bids can be obtained, the Board shall decide how to dispose of the equipment. An item no longer useful may be declared "junk" and will be disposed of in a manner to be specified by the Board.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1001.42, § 1001.51, Chapter 274, Fla. Stat.

History: New, June 12, 1989

Revised: June 10, 1993, July 11, 1996

CHAPTER SIX BUSINESS AFFAIRS

RISK MANAGEMENT PROGRAM

6.115

The internal Risk Management Program of the School District is the ultimate responsibility of the School Board. The mission of the Risk Management Program is to reduce the frequency and severity of claims, and the adjustment of claims.

After reviewing all needs of the School District the Superintendent shall annually submit a proposed comprehensive Risk Management Program to the School Board for approval. The program shall include as a minimum:

1. Group health insurance coverage for officers, employees, and retirees of the school system approved as part of a collective bargaining agreement.
2. All other group insurance programs for employees and retirees approved as part of a collective bargaining agreement, or otherwise authorized by the Board.
3. Workers' compensation insurance coverage on all employees.
4. Fire and extended coverage for all school facilities, pursuant to § 30.23 (10)(d), Fla. Stat.
5. School transportation and automobile insurance, pursuant to § 1006.24, Fla. Stat.
6. Employee fidelity bonds pursuant to § 1001.42, Fla. Stat, and Fla. Admin. Code R. 6A-1.692.
7. Public liability insurance in the coverage required by § 768.28, Fla. Stat.
8. Errors and Omissions Coverage covering civil or criminal actions of School Board members while acting in the performance of their assigned duties and responsibilities.

All insurance obtained from commercial firms, except for fidelity bonds for officers of the Board and group health insurance, shall be purchased on the basis of competitive bids. Group employee insurance shall be obtained on the basis of competitive bids.

Self-Insurance. In developing the Risk Management Program, the Superintendent shall give consideration to any potential savings from self-insurance for any or all of the coverage prescribed herein. Where potential savings are evident, the Superintendent is authorized to enter into a self-insurance program through the Panhandle Area Education Cooperative administered by the Washington County School Board, or through such other organizations as may be approved by the Board.

Employee Group Insurance Programs. The maximum monthly School Board contribution for each type of approved life and health insurance coverage will be established by the School Board each fiscal year for all full time non-bargaining unit employees, including the Superintendent and School Board members participating in the approved group insurance program. The School Board's liability will be limited to paying its share of a single rate premium for such employees; however, where two (2) employees (man and wife) are covered on the same policy in the program, the Board will pay up to the maximum allowed for each employee toward the cost of insurance provided by the Board. All employees of the School Board who are enrolled in the group plan may cover eligible members of their families on the family plan through payroll deduction at the expense of the employee. No employee will be covered for insurance until he/she is properly enrolled by the insurance carrier. This insurance will be effective for all employees at the beginning of the first payroll period after they are enrolled during the fiscal year. In the event that any employee is injured or becomes ill and must take extended sick leave at the recommendation of a medical doctor, the School Board shall continue to pay its share of the monthly premiums of the employee's health and life as provided by the Family Medical Leave Act.

All employee group insurance programs shall be made available to retirees of the Bay County School System and their eligible dependents. Any retiree participating shall pay the full cost of such insurance.

All group health, accident, and hospitalization insurance shall be made available to former employees or their families under the conditions prescribed by the Federal Consolidated Omnibus Budget Reconciliation Act ("COBRA").

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As a part of the Risk Management Program the Superintendent shall initiate and implement a comprehensive safety program covering students, visitors, employees, equipment and facilities.

Risk Management and Claims Committee. There is hereby created the Risk Management and Claims Committee (sometimes the "Committee"), the purpose and responsibility of which is:

1. To oversee the Risk Management Programs;
2. To evaluate incidents and claims filed with the Risk Management Program which are covered by the self-insurance plan, and offers of compromise or settlement of such claims;
3. To establish reserves for incidents and claims, evaluate available reserves and recommend self-insurance funding levels, all upon the advice and counsel of one (1) or more qualified and experienced consultants and actuaries selected by the School Board.

The Risk Management and Claims Committee shall be composed of the Superintendent, the Risk Manager, the Deputy Superintendent, the School Board Attorney, and one (1) member of the School Board who shall be appointed by and serve at the pleasure of the Board. The Committee may from time to time at its discretion elect a chairman from among its members.

The Risk Management and Claims Committee shall meet to review and evaluate pending and potential claims, defenses, litigation strategies, settlement strategies and opportunities, claims reserves, self-insurance funding levels, the conduct of the Risk Management Program and the achievement of its objectives, and any other matter affecting the Risk Management Program.

Confidentiality. As provided by Florida's open government laws:

The claims files maintained by the Risk Management Program, discussions pertinent to the evaluation of such claims, and the proceedings and minutes of the Committee which relate solely to evaluation of claims filed with the program or offers of compromise or settlement of claims filed with the program, shall be privileged and confidential, and shall not be open or subject to inspection under Florida's open government laws, and such claims files and minutes of proceedings of the Committee shall remain confidential until termination of all litigation and settlement of all claims arising out of the same incident.

The meetings of the Committee held solely for the purpose of achieving the objectives of the Risk Management Program, and the minutes and records of such meetings, shall be privileged and confidential and shall not be open or subject to inspection under Florida's open government laws.

The Risk Manager, the Superintendent and the Committee are authorized to expend from the self-insurance plan an amount per incident not exceeding the respective amount set forth below (which amounts are not cumulative) to settle and obtain a full and final discharge of the Bay County School Board from any one or more claims arising from that incident and filed with or covered by the self-insurance plan. Upon authorization for expenditure, the Risk Manager is authorized to sign any release agreement or other forms necessary to obtain a full and final discharge.

The Risk Manager: Seventy-Five Thousand Dollars (\$75,000), plus applicable statutory attorney fees per incident (except for property claims, which are authorized at their established value, within the applicable deductible).

The Superintendent: One Hundred Thousand Dollars (\$100,000) per incident.

The Committee: One Hundred Fifty Thousand Dollars (\$150,000) per incident.

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Greater amounts must be authorized by the School Board sitting as a supervisory Risk Management and Claims Committee, in which case the Board shall consider but shall not be bound by any recommendation the Committee may have made.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1001.42, 1006.24, 768.28, Fla. Stat; Fla. Admin. Code R. 6A-1.0692

History: New, June 12, 1989

Revised: January 13, 1994; September 14, 1995; July 10, 1996; August 12, 1998; October 10, 2001

**CHAPTER SIX
BUSINESS AFFAIRS**

**EXPENDITURES FOR PROMOTION
AND PUBLIC RELATIONS**

6.116

The Superintendent may make, or authorize to be made, expenditures for purposes of promotion, public relations activities, and hospitality of business guests of the District. Such expenditures are restricted as to source of funds, amount of annual expenditures, and conditions for expenditure, as set forth herein.

Purpose of Expenditures. The purposes for which such expenditures may be made include, but are not necessarily limited to, activities involving or in connection with:

1. Graduation of District schools;
2. Hospitality of visiting committees and other activities in connection with accreditation studies.
3. Orientation and work conferences for employees;
4. Recruitment of potential employees;
5. Official meetings and receptions; and
6. Media advertising, other than legal or other required public advertisements or notices.

Source of Funds. Expenditures for purposes noted above shall be made only from:

1. Profits of enterprise type activities of individual schools or of the school District, excluding food service; and
2. Undesignated gifts or donations to the school system.

Limitation on Expenditures. All expenditures for hospitality of business guests of the school district from sources noted herein shall be limited to a maximum of \$15,000 in each fiscal year.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1010.08, Fla. Stat.; Fla. Admin. Code R. 6A-1.0143

History: New, June 12, 1989

CHAPTER SIX BUSINESS AFFAIRS

EDUCATIONAL ENHANCEMENT FUND

6.117

Definition. The term "educational enhancement" is defined as the expenditure of the District Discretionary Lottery Funds and shall include, but not be limited to, instructional materials, salaries, fringe benefits, equipment, and other expenses which are associated with the allowable uses.

Allowable Uses. It is the intent of the Bay County School Board to budget and spend the District Discretionary Lottery Funds to maintain, to the highest extent possible, the programs that have added significantly to our students' academic achievement. This includes expenditures for the following purposes:

1. To fully fund programs which were previously funded through State categorical funds;
2. To supplement partially funded State categorical programs;
3. To enhance existing programs by providing personnel, equipment and supply needs;
4. To provide salaries to maintain or improve a pupil-adult ratio;
5. To fund innovative programs designed to have a positive impact on student achievement and behavior; and
6. To develop and implement school improvement plans.

Authority: §§ 1001.32, 1001.41, Fla. Stat.

Law Implemented: §§ 24.121, 1011.62, Fla. Stat.

History: New, July 11, 1996

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ISSUANCE AND USE OF CELLULAR TELEPHONES & PAGERS

6.118

Purpose:

In order to insure a cost effective and efficient means of mobile communication for and with school district employees in the course and scope of their duties, the School Board has determined that the implementation of a district Cellular Telephone Allowance Program would serve a valid district purpose and would authorize the payment of certain school district funds within the authority of the Board. This policy will result in each cell phone user having both the freedom of choice and personal responsibility for his or her cell phone. It will also enable the school district to comply with IRS rules regarding the taxability of employee cellular telephones.

Allowance Program:

- (1) The district shall pay extra compensation in the form of a cell phone allowance to cover business-related costs to those of its employees as are approved by the Superintendent or his/her designee based upon one or more the following criteria:
 - (a) Safety requirements indicate having a cellular phone is an integral part of performing duties of job description.
 - (b) More than 50% of employee's work is conducted in the field.
 - (c) Employee is required to be contacted on a regular basis.
 - (d) Employee is required to be on-call (24/7).
 - (e) Employee is a critical decision maker.
- (2) The dollar amount of the cell phone allowance should cover the employee's projected business-related expenses. The employee will provide a personal cell phone that would be available for business use both during and after normal business hours. The cell phone plan chosen by an employee should be the least expensive that provides adequate business-related services. Upgrades to basic equipment (special cosmetic or technical features, etc.) or expected cell phone use unrelated to business is at the employee's expense. The dollar amount of the cell phone allowance shall be that as established in a district employee cell phone allowance schedule to be approved by the Board from time to time.
- (3) If a principal or supervisor determines that a district employee's job duties include the frequent need for a cell phone, then the employee may be eligible for an allowance to cover cell phone expenses. It may be requested using the "Application For Employee Cell Phone Allowance" form. The request may be made any time during the fiscal year. All requests will be reviewed by the Superintendent or his/her designee who shall have the authority to approve or deny a requested allowance. This policy does not establish a right in any employee to receive a cell phone allowance. No instructional employee may be required, as a condition of employment, to accept a cell phone allowance. All allowances will be paid monthly via payroll. The monthly allowance is taxable income; therefore the individual will be taxed according to the IRS code.
- (4) This allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to annual raises, job upgrades, bonuses, benefits based on a percentage of salary, etc.
- (5) Although the allowance is taxable, it is believed that the benefit to the employee outweigh the cost. The benefit includes: 1) a log is not required; 2) no monthly reporting is required; 3) cell phones may be used for personal calls and be combined or enhanced with other personal plans.
- (6) Principals and supervisors are responsible for an annual review of employee business-related cell phone use, to determine if existing cell phone allowances should be continued as-is, changed, or

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discontinued. The Superintendent or his/her designee shall be contacted if there are any changes to the allowance.

- (7) The district will pay only the agreed upon cell phone allowance even if monthly costs exceed the allowance. If the amount of the allowance subsidy needs to be changed because of documented business purposes, the employee will need to ask their supervisor to request an adjustment to the cell phone allowance and submit the required form.
- (8) The cell phone contract will be in the name of the district employee who will be solely responsible for all payments to the service provider. Only one cell phone allowance will be provided per employee. The Board reserves the right to remove a participant from this plan if there is insufficient budget in the designated fund to meet the cost of monthly allowances.
- (9) The Board does not accept any liability for claims, charges or disputes between the service provider and the faculty or staff member. Recipients of a cell phone allowance must notify the district of the cell phone number and must continue to maintain the cell phone while in receipt of the allowance.
- (10) Because the cell phone is owned personally by the employee, and the allowance provided is taxable income, the employee may use the phone for both business and personal purposes, as needed. The employee may, at his or her own expense, add extra services or equipment features, as desired. If there are problems with service, the employee will need to work directly with the carrier for resolution.
- (11) Use of the cell phone in any manner contrary to local, state, or federal laws will constitute misuse, and will result in immediate termination of the cell phone allowance.
- (12) If, prior to the end of the cell phone contract, a personal decision by the employee, or employee misconduct, or misuse of the phone, results in the need to end or change the cell phone contract, the employee will bear the cost of any fees associated with that change or cancellation.
- (13) If, prior to the end of the cell phone contract period, a school or departmental decision (unrelated to employee misconduct) results in the need to end or change the cell phone contract, the school or department will bear the cost of any fees associated with that change or cancellation. For example, the employee's supervisor has changed the employee's duties and the cell phone is no longer needed for business purposes. If the employee does not want to retain the current contract, change or cancellation fees will be reimbursed by the school or department.
- (14) The Superintendent shall develop and enforce a set of administrative procedures and guidelines to implement the provisions of this policy. Such procedures and guidelines may be revised by the Superintendent as he/she determines necessary for the continued effective administration of the Cellular Telephone Allowance Program established by this policy.

Enforcement:

Failure to adhere to the terms and conditions of this policy or the Cellular Telephone Allowance Program Administrative Guidelines as authorized by this policy, may result in disciplinary action including but not limited to (i) reimbursement to the district by an employee of cell phone allowance funds received, and (ii) revocation of an employee's approved cell phone allowance.

Cellular Phone Use by School Bus Drivers

According to the National Safety Council and the National Transportation Safety Board, the risk of collision is considerably greater when using a cellular phone while driving. The use of a cellular phone

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while driving is a distraction from the driving environment and has been found to contribute to school bus crashes.

Cellular phones, including cellular phones equipped with ear pieces, ear buds, headsets and/or Bluetooth shall not be used while operating a District school bus. School bus drivers shall not text message or use any wireless communications device while operating a District school bus.

The mobile radio installed on all District school buses will be the primary communication system for Bay District school bus drivers. If the mobile bus radio fails and the bus driver has a critical reason for using a cellular phone while performing bus-operating duties, the driver will depart the roadway, stop the bus in a safe area, and then use the cellular phone. **Drivers shall not use a cellular phone or any wireless communications device anytime the school bus is moving or the engine is running, with or without students on board.** School bus drivers shall adhere to all District policies pertaining to staff use of cellular phones.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1011.20, Fla. Stat.

History: New, April 24, 2002

Revised: February 27, 2008; August 26, 2009; January 13, 2010

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USE OF AUTOMATED EXTERNAL DEFIBRILLATORS

6.119

The use of Automated External Defibrillators (AED) is authorized by the School Board in a perceived medical emergency and as authorized by the provisions of Florida Statutes 401.2915.

All persons except those exempted under Florida Statutes 768.1325(3)(c) who use an automated external defibrillator must obtain appropriate training as required by Florida Statutes 401.2915.

The District shall develop procedures to govern the implementation of this policy.

Authority: §§ 1001.41, 1001.42, Fla. Stat.

Law Implemented: §§ 401.2915, 768.1325, 1001.42, Fla. Stat.

History: New, June 14, 2006

BUDGET WORKSHOPS

6.120

Under Florida Statute 1001.51(11), it is the responsibility of the Superintendent to prepare an annual budget and submit it to the School Board for approval.

In an effort to assist and work cooperatively with the Superintendent in preparing and finalize the annual budget, the School Board shall in January of each year schedule a Budget Priorities Workshop. The purpose of the workshop is to discuss with the Superintendent budgetary priorities for the District. Additional Budget Workshops may be scheduled, as needed, by the School Board or the Superintendent.

Authority: § 1001.41, Fla.Stat.

Law Implemented: § 1001.51(11), Fla.Stat.

History: New, April 11, 2007

CHAPTER SIX BUSINESS AFFAIRS

PART TWO SCHOOL INTERNAL FUNDS

BASIC PRINCIPLES GOVERNING SCHOOL INTERNAL ACCOUNT FUNDS

6.201

Purpose. School internal account funds are to be used to finance a program of activities approved by the School Board which supplement those activities provided from District school funds.

Scope. All funds collected or handled by School Board employees during normal working hours, or collected in connection with school sponsored activities, shall be included in and become part of the internal funds of the school. Financial transactions of all school organizations shall be accounted for in school internal funds. All organizations connected with or operating in the name of the school which obtain monies from the public shall be accountable to the School Board for receipt and expenditure of those funds in the manner prescribed herein.

Benefit to Students. Funds collected each year should be expended to benefit those students currently in school unless those funds are being collected for a specific documented purpose. All internal funds designated for general purposes should be used to benefit the student body.

Conflicts with School Board Policy. No fund raising activities may be undertaken by the school, by any group within the school, or by any group connected with the school and using the school name, which conflict with any program or policy approved or administered by the School Board.

Consistency With Legal Requirements. The collecting and expending of internal funds must be in accordance with the Florida Constitution, Florida Statutes, Florida Administrative Code, and School Board Rules. Sound business practices are to be observed in all transactions.

Competition with Commercial Firms. Student projects and activities financed with internal funds, and designed to provide educational experiences, shall be conducted in such a manner as to offer a minimum of competition to commercial firms.

Purchases. Purchases from internal funds shall not exceed the resources of the purchasing account, except for items for resale.

Internal Controls. An adequate system of internal controls shall be maintained in order to safeguard the assets of the school internal funds.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1010.04, 1011.06, 1011.07, Fla. Stat.

History: New, June 12, 1989

Revised: October 14, 1993

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GENERAL PRACTICES TO BE OBSERVED IN SCHOOL INTERNAL FUNDS

6.202

Employee Bonds. All employees having responsibility for handling funds or for recording financial transactions shall be bonded in the manner prescribed by Section 6.110.

Principals shall require classes, clubs, departments, and organizations to submit proposed annual budgets and to secure approval of the budget prior to undertaking any activity or event to raise or spend money. Once established, the budget of an activities organization becomes a guideline for the subject school year. When activities approach budgeted limits, a review and possibly an amended budget should be prepared, adopted, and submitted to the principal or his/her designee for review and action. If approved, the organization will operate under the revised budget. If not approved, the principal will specify conditions and terms of operations for the remainder of the year.

Approval of Purchases. All purchases from internal funds must be authorized in writing by the principal or his/her designee. Neither the school nor the School Board shall be liable for any purchase in the name of the school made without express written approval. Any person who makes, or approves the making, of any such unauthorized purchase shall be personally liable for the amount of the obligation.

Pre-numbered Receipts or Cash Register. Approved pre-numbered receipts shall be used as the means of recording cash received, and as the basis for entries to ledgers.

Pre-numbered Checks. Approved pre-numbered checks shall be used as the means for disbursing funds, and as the basis for entries to ledgers.

Instruments of Obligation. Promissory notes, installment contracts, or lease-purchase agreements shall not be executed in the name of a school or any school organization except as authorized by the School Board. All such obligations must be executed by the School Board.

Accommodations to Employees or Others. Internal funds shall not be used to cash checks, make any kind of loans, pay any form of compensation directly to School Board employees, or extend credit. Employees of the District who are compensated for additional services, such as game personnel to work at athletic events, shall be paid through the District payroll department with reimbursement from internal funds. Haney Vocational Technical Center may cash checks and make loans as necessary to administer student grant and loan programs funded by federal, state or private sources. Purchase of articles for the personal use of any person shall not be made from internal funds.

Fiscal Year. Internal funds shall be accumulated and utilized on the same fiscal year basis as all other District school funds. No school organization shall make expenditures that exceed the cash resources available to that organization. All accounts payable shall be disclosed to the Board at year end.

Reconciliation of Bank Statements. Bank statements shall be reconciled as soon as received.

Monthly Financial Reports. Monthly financial reports shall be made in written form to provide the school administration with financial information necessary for appropriate decision making, and filed with the internal accounts auditor.

Annual Financial Reports. Annual financial reports shall be submitted to the internal accounts auditor, on or before the date specified each year, for inclusion in the District's annual financial statements.

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Annual Audit. An annual audit of the internal funds of each school shall be made by the District internal accounts auditor pursuant to the Florida Administrative Code. The audit shall verify accuracy of all financial transactions, and shall also identify any instances of failure to comply with law, Florida Administrative Code, rules of the Bay County School Board and procedures set forth in the "Manual of Policies and Procedures for the Management and Accounting of Bay County Schools Internal Funds." The principal shall take appropriate action to correct any errors, deficiencies, or adverse findings noted in the annual audit. Copies of audit reports shall be included in and made a part of the principal's personnel file.

Retention of Records of Internal Funds. All records maintained as part of the internal funds of the school and public records under the laws of the State of Florida, and may not be destroyed or otherwise disposed of without specific authorization. All requests for disposition of internal fund records, after completion of audit, shall be directed to the Director of Management Information Services. No such records shall be destroyed unless and until written is authorization is provided.

Chart of Accounts. Each transaction recorded in the internal fund records for each school shall be coded with uniform revenue and expenditure codes, including fund, function and object.

Procedure Manual. The Superintendent shall develop and provide to each school a manual entitled "Manual of Policies and Procedures for the Management and Accounting of Bay County Schools Internal Funds." This Manual shall outline specific procedures for accounting and handling of funds which incorporate and implement the rules governing internal funds set forth herein, generally accepted accounting principles, rules relating to internal funds adopted by the State Board of Education, and laws relating to receipt and expenditure of public funds.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1010.04, 1011.06, 1011.07, Fla. Stat; Fla. Admin. Code R. 6A-1.091; 6A-1.087

History: New, June 12, 1989

Revised: October 14, 1993, April 10, 1996; July 8, 2009

CHAPTER SIX BUSINESS AFFAIRS

STANDARDS, PRACTICES, AND PROCEDURES FOR SCHOOL INTERNAL FUNDS

6.203

Depositories for Internal Funds. Depositories in which internal funds are kept must be qualified public depositories, approved by the School Board, and required to furnish the same type of security for deposits as is required for other School Board funds.

Bank Accounts. Each school shall have only one checking account which shall be entitled "(School Name) Internal Fund, The School Board of Bay County, Florida." This account title must be imprinted on all internal fund checks and deposit slips. All monies received by the school shall be deposited intact as collected into this account and all disbursements will be made by checks drawn on this account. Savings or investment accounts shall be titled in the same manner.

Check Signatures. Each account shall have at least two (2) authorized check signers, one of whom must be the principal. The principal may also authorize a designee to sign in his/her absence. These names should be kept on file for audit. All checks must be signed with two (2) signatures, one of whom must be the principal or his/her designee. Under no circumstances may checks be presigned.

Cash Collections and Deposits. All money collected by the school or by school personnel must be substantiated by pre-numbered receipts, consecutively numbered class receipt records, Reports of Monies Collected, pre-numbered tickets, Reports of Tickets Issued and Sold, or other auditable records.

Insofar as is practicable, all money should be collected in the school office. Collections made outside of the school office must be turned into the school office by the next business day.

If an individual holds funds collected and the funds are lost or stolen he/she must replace the loss.

All money collected must be deposited intact to a depository as frequently as feasible and as dictated by sound business practices. In any event, funds collected must be deposited within five (5) working days. No funds may be held in the school overnight, unless properly secured.

All deposits must equal the total amount of money taken in and recorded on receipts for the period covered by the deposit. Deposit slips shall be made in the number of copies necessary to meet the approved accounting procedures. All checks deposited in the designated account shall be endorsed showing a restrictive endorsement as noted below:

FOR DEPOSIT ONLY
INTERNAL FUND
THE SCHOOL BOARD OF BAY
COUNTY, FLORIDA
(Account Number)

The principal shall be notified immediately of any errors in deposits or disbursements and shall take appropriate action to effect correction.

All source documents shall be pre-numbered and a perpetual inventory maintained. It should show the beginning and ending numbers of all tickets purchased and issued to ticket sellers. In all cases where tickets are used, ticket reports and unsold tickets must be available for audit. All pre-numbered documents shall be accompanied by a certified statement of the numbers received.

Cooperative Activities. A cooperative activity is one in which the school participates with outside groups such as the PTA or various booster clubs through planning, staging, conducting, or attending school-

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related activities. Such activities may be held on or off the school grounds and will usually take the form of fund-raising events such as carnivals, paid entertainment, or food sales.

If the proceeds from the cooperative activity are to be divided between the school and the sponsoring organization, a written agreement should be executed prior to initiation of the activity. The agreement should include, as a minimum:

1. Responsibilities of the school and the sponsoring organization for planning and conducting the activity;
2. A formula for division of the profits derived from the proceeds of the activity.

All purchases for items to support the cooperative activity shall be in accordance with the general requirements for purchases specified herein. All expenditures shall be initiated and recorded in the manner provided herein.

As soon as practicable following the activity a reconciliation of all revenue and expenditures attributable to the activity, and a calculation of the division of profits shall be prepared by the principal. A copy of such reconciliation shall be provided the sponsor of the activity.

Faculty and Staff Accounts. When approved by the principal, trust funds for faculty and staff may be deposited in and accounted for through the internal funds of the school.

Investments. The school shall at all times maintain its internal funds in an interest bearing account. When there are funds in excess of the current requirement, those excess funds shall be deposited in certificates of deposit to earn the highest possible return to the school.

Collection of Worthless Checks. The principal is responsible for seeking reimbursement for any unpaid check returned by the bank. If, after having exhausted all reasonable efforts to collect the check, the principal may adjust the internal fund accounts to write off the check amount. Any such adjustment shall be temporary until specifically approved by the internal accounts auditor. Requests to the internal accounts auditor to write off checks may be made on an annual basis. No unpaid check may be permanently canceled or written off without specific approval of the School Board.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1010.04, 1011.06, 1011.07, Fla. Stat.; Fla. Admin. Code R. 6A-1.0012; 6A-1.087

History: New, June 12, 1989

Revised: March 26, 1992, October 14, 1993, April 10, 1996

CHAPTER SIX BUSINESS AFFAIRS

STUDENT ACTIVITIES AND PROJECTS

6.204

Athletics. All revenue and expenditures involving athletic business transacted at the school level shall be recorded in accounts in this classification.

Music. Proceeds of activities of musical organizations, donations to these groups, and their expenses for supplies and trips shall be recorded in this classification. Collections from students for rental or maintenance of uniforms or instruments, shall be recorded in separate accounts in this classification, or in trust if restricted as to use.

Classes, Clubs, and Departments. Class and club accounts are those which support a group of students within a community of interest with a roster of members, officers, and sponsors. Each class or club to be included in the internal funds of the school shall be approved by the principal.

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

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

All disbursements by any club or school organization must be made by an internal fund check. Disbursements shall be approved by the appropriate organization officer, the sponsor and the principal.

A financial report completed by the sponsor shall be filed with the principal's office at the close of each fund-raising activity. To accommodate collection of data for this report a separate account for the activity may be established. The organization sponsor shall designate transactions to be recorded in each of the club's accounts.

Class and club monies shall be expended for the benefit of the students who participated in the generation of the revenue.

Any remaining balance in the account of a class that has graduated, and has had an opportunity to determine the disposition of the funds, shall be considered as belonging to the General Miscellaneous account and shall be closed to that account at the end of the following school year.

Any remaining balance in the account of an inactive student organization shall be considered as belonging to the General Miscellaneous account and shall be closed after a reasonable period of time.

The business functions of school organizations are to be conducted in such a manner as to offer minimum competition to commercial firms.

Promotion and Public Relations Funding. Funds may be used for promotion and public relations on a school level for:

1. School wide curricular and co-curricular purposes and activities including recognition of students, community and/or staff on special educational-related occasions;
2. Hospitality for school-related activities and/or events;
3. For costs incurred by students, staff and/or community members when representing the school or the system at special occasions; and
4. For hospitality of business guests, patron support group officers in meetings with the principal, and meetings with District board members and District administrators.

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It is not intended that individual schools will conduct all of the activities identified as approved for the District administration. This is not for self-promotion.

A school principal may establish the Promotion and Public Relations Fund account and

1. Transfer profits from designated school level auxiliary enterprises, excluding food service activities;
2. Use of up to 25 percent (25%) of school pictures commissions or profits as received from photographer, profits from a school store, profits from vending machines (excluding those profits designated for food service); and
3. Use gifts received and designated specifically for the purpose of funding public relations and use of undesignated gifts received for purposes authorized in Section 4 above, to the extent or limit specified in paragraph (5).

Disbursements of these funds in any fiscal year for individual school purposes shall not exceed \$300 or the school's prior year unweighted FTE multiplied by \$.70, whichever amount is greater. Any of these District or school funds not expended in any fiscal year shall not be carried forward.

Trust Funds. All funds collected for a specific, restricted purpose shall be accounted for in a trust account. Such funds may be expended only for the purpose for which they were collected.

At no time may a trust account have a deficit balance. These accounts should normally have a zero balance at the end of each year. When the purpose of the trust fund has been accomplished or becomes inoperative, unused trust funds shall be returned to the person(s) from whom collected, if practicable. Donors may designate an alternative purpose. Funds which cannot be returned shall be placed in the Miscellaneous General account.

If a school organization undertakes a project extending beyond the current fiscal year, or receives a restricted donation to be used over a period of time beyond the year in which received, approval must be granted by the principal, and the funds must be held in a trust account.

Collections for and remittances to the School Board, such as out-of-state tuition, course fees, reimbursement for damages, or telephone charges shall be accounted for through trust funds.

Collections of State sales tax shall be accounted for through a trust account.

Funds collected from students as deposits for use of locks, etc., shall be accounted for through a trust account and returned to the students at the time the property is returned to the school in good condition.

General Fund. This fund shall include all funds not classified in paragraphs (1) through (5), and which are to be utilized for the general welfare of the student body of the school. Separate accounts shall be maintained for activities such as the school store and other activities when it is good business practice to separately monitor the financial status of the activity. Activities not accounted for separately shall be recorded in a Miscellaneous Account.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1010.04, 1011.06, 1011.07, Fla. Stat.

History: New, June 12, 1989

Revised: October 14, 1993, April 10, 1996

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PURCHASING POLICIES AND STANDARDS

6.205

The principal shall be fully responsible for all purchases and purchase commitments requiring the present or future disbursements of internal funds monies. A signed commitment from the principal or his/her designee must be on file before any purchases are made. No purchase shall be made unless sufficient resources are available, except items for resale.

Expenditures Without Prior Authorization. Equipment, materials, supplies, or services which cost less than \$2,500, excluding freight charges, (except equipment which is to be attached to the building or major equipment, which requires the use of public utilities, other than electric office equipment or fans) supplies, forms, and postage, etc.

All expenditures in excess of \$2,500 shall be made on the basis of three (3) or more quotations. All quotations should be written; however, when it is not practicable, the principal shall enter the price quoted, the name of the company, and the date on the purchase authorization or an attached memoranda. These quotations shall be attached to the invoice and purchase authorization for auditing purposes.

Expenditures Which Require Prior Authorization. All expenditures in excess of \$2,500 (excluding freight charges) except: items on an approved County bid list, items purchased for resale and printing.

Use of District Bids. If the school district has an open bid in effect for specific commodities, all purchases from internal funds for that class of commodities shall be made through the approved vendor.

Commemorative Items. Specifications for all commemorative items will be developed by a school committee consisting of staff and student representatives appointed by the principal. These specifications will be used to purchase commemorative items on an annual basis. This purchasing will be conducted as a service to those students wishing to purchase commemorative items.

Restricted Expenditures. The following expenditures from internal funds are deemed inappropriate and shall not be made except from trust funds collected for a specifically identified purpose.

1. Equipment, supplies, forms, and postage for curricular or classroom use for which School Board funds are available;
2. Curricular-related travel; professional, technical, or consultant services; or other items which are the responsibility of the District;
3. Articles for the personal use of any student, employee, or other person; except those items which are identifiable as being in recognition of service or promotion of school activities and those items identified under Florida Administrative Code Rule 6A-1.0143 "Promotion and Public Relations Expenditures." Expenses other than travel, lodging, meals, and registration for employees traveling with students on approved activity travel are not permitted.
4. Personal memberships or subscriptions;
5. Salaries or other compensation for duties or assignments which are the responsibility of the school district;
6. Loans, credit, or accommodation purchases for anyone;
7. Repairs and maintenance of School Board equipment;
8. Payments for compensation to employees of the school district, for work performed at athletic or other school events. All such payments must be made through the District payroll office on School Board warrants.

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Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1010.04, 10110.6, 1011.07, Fla. Stat.; Fla. Admin. Code R. 6A-1.012, 6A-1.0143

History: New, June 12, 1989

Revised: October 14, 1993, April 10, 1996; July 8, 2009

CHAPTER SIX BUSINESS AFFAIRS

PROPERTY ACQUISITION AND CONTROL

6.206

If, in the course of school activities, tangible personal property (as defined in § 274.01, Fla. Stat.) is purchased for use in a project or program, the item shall become the property of the School Board and shall be identified and accounted for in the manner prescribed for all School Board property.

Tangible Personal Property. The Property Records Office shall be notified when items that meet the criteria for fixed assets are purchased or received through donation. Such notification shall include a complete description of the item(s) purchased or received, including the following specific information:

1. Make and model number of the item;
2. Serial or identification number;
3. Date acquired; and
4. Total cost (or fair market value if donated).

Construction, Remodeling, Renovation, Repairs or Alteration to Buildings. All expenditures from internal funds for construction, remodeling, renovation, repairs, or alteration to School Board facilities must have prior written approval of the Superintendent or his/her designee.

Modifications to School Property. In the event it becomes necessary, either by a student organization, a contracting concessionaire, or an outside organization, to change, alter, or attach permanent fixtures to school property; or to utilize more than the ordinary amount of utilities, prior approval must be obtained from the Superintendent or his/her designee.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1010.04, 1011.06, 1011.07, Fla. Stat.

History: New, June 12, 1989

CHAPTER SIX BUSINESS AFFAIRS

PURCHASES SUBJECT TO SALES TAX

6.207

All items purchased from internal funds for resale are subject to Florida sales tax unless specifically exempted.

Alternative Method of Payment of Sales Tax. As an alternative to collecting sales tax from students and remitting to the State monthly, each school may pay State sales tax on the basis of the purchase price to the vendor from whom the goods are purchased. However, if the items being purchased for resale are purchased from an out-of-state vendor or from a vendor who will not accept payment of the tax, the appropriate amount must be collected on each sale and remitted to the State Department of Revenue monthly.

Taxable Status of Admissions. Admission charges for school activities which utilize student or faculty talent exclusively are not taxable. Free passes are not taxable unless a service charge or donation in excess of \$.09 is required. All other admissions to activities held or sponsored by the school are taxable, and the tax must be collected and remitted monthly.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1010.04, 1011.06, 1011.07, Fla. Stat.

History: June 12, 1989

CHAPTER SIX BUSINESS AFFAIRS

CLUBS AND OTHER FUND RAISING ACTIVITIES

6.208

Although booster and parent-teacher clubs are independent organizations, school principals reserve the right to recognize and sanction the clubs involvement in school extracurricular activities including fundraising. The school principal is not obligated or required to accept funds from the clubs or recognize the clubs as a school allied organization. Further, only the school principal shall allow a club to incorporate the school's name into the club name. The school principal has final authority on the existence of and all activities of a club. Failure to abide by the policies and procedures of the School Board may, at the discretion of the principal, result in the revocation of these privileges.

Booster and parent-teacher clubs are separate legal entities from the School Board of Bay County. Each club shall operate according to a written constitution and a set of by-laws which shall be submitted to the principal for review and approval. The clubs shall be open to all parents and community members.

Booster clubs exist as independent organizations comprised of parents and interested community members. Booster clubs serve two general purposes:

- To promote the education, general welfare and morale of students, and
- To assist in financing legitimate extracurricular activities of the athletic student body in order to augment, but not conflict with, the educational programs provided by the School Board.

The school's athletic director, assistant athletic director, or applicable athletic coach may not serve as an officer and voting member of the booster clubs. A school employee who is a member of a club is prohibited from handling club funds, including the writing or signing of club checks. A representative from the school's athletic department shall be given at least 48 hours notice of all booster club meetings and an employee designated by the principal for the parent-teacher clubs. The representative should attend as the school's liaison. The purpose of the school liaison is to foster a positive working relationship between the school and the clubs. The school liaison is to communicate to the clubs the needs of the team or activity.

Booster and parent-teacher clubs must provide current banking information, a list of current officers, and financial reports by June 1st each year. The principal may request more current financial information upon three (3) days notice to the organization.

The Superintendent shall develop administrative procedures so that each group's fund-raising activities are in compliance with Board policies and funds raised are used solely for school-related projects that are approved by the principal. Each club shall follow these administrative procedures as well as all School Board Policies.

Booster and parent-teacher clubs may elect to make gifts or donations to the school. The gift/donation to the school should be accompanied with a letter of purpose from the booster club. The letter should reflect the specific purpose of the gift/donation. **NO PAYMENTS SHALL BE MADE TO SCHOOL BOARD EMPLOYEES WITHOUT SPECIFIC APPROVAL OF THE PRINCIPAL.**

Fund Raising Activities

Liability Exposure. If a school or a school organization proposes to engage in any fund-raising activities which may expose the School Board to extraordinary liability, prior written approval must be obtained from the Superintendent or his/her designee.

Deposits of Receipts. All receipts from fund-raising activities must be deposited in the internal funds of the school and all transactions in connection with the activity must be recorded through such internal funds.

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School-related or parent-teacher and booster organizations are permitted to hold their own fund-raising activities and to account for their collections and disbursements through their own bank accounts.

Each authorized organization is required to submit to the principal a financial report listing projects, receipts, disbursements, accounts payable, and other data by June 1st each year. An approved organization financial statement may be submitted instead but must supply the same information required on the School Board form.

The principal will maintain a file on each organization to contain the financial statements and the audit reports, and maintain a listing of operating organizations that have not filed reports for review by the internal accounts auditor.

Each organization must provide to the principal at the beginning of each school year a list of officers for the current year.

All parent-teacher or booster groups formed for support or promotion of any or all programs and activities of a school shall adhere to Parent-Teacher Association, Southern Association of Colleges and Schools, and Florida School Activities Association rules regarding non-interference with school administration or school programs.

A patron organization or individual shall not use a school or School Board tax identification number (Federal T.I.N.) or Florida sales tax exemption number, in accordance with State and Federal Law.

Authority: § 1001.41 Fla. Stat.

Law Implemented: §§ 1010.04, 1011.06, 1011.07, Fla. Stat.

History: New, June 12, 1989

Revised: November 8, 1989, October 14, 1993, April 10, 1996; July 22, 2014

CHAPTER SIX BUSINESS AFFAIRS

PART THREE STUDENT TRANSPORTATION

PURPOSE AND FUNCTION OF TRANSPORTATION PROGRAM

6.301

The transportation program shall be administered in such a manner as to provide safe and efficient services at the lowest possible cost. Transportation funds shall be used primarily to provide transportation of students to and from their assigned school. The functions and purposes of the transportation program shall be to:

1. Provide transportation for each public school student in prekindergarten, handicapped and in kindergarten through grade 12 when, and only when, transportation is necessary to provide adequate educational facilities and opportunities which otherwise would not be available and to transport students who do not live within a reasonable walking distance of the school to which assigned; and
2. Provide for the safety and welfare of students who are transported to and from school and school sponsored activities.

Students Eligible for Transportation. Any student who resides more than a reasonable walking distance from his/her designated school is eligible to ride the school bus to and from that school, except students authorized to attend school outside their normal attendance zone. A reasonable walking distance is defined as 3/4 (three-quarter) mile for elementary school students, 1-1/2 (one and one half) miles for middle school students, and two (2) miles for high school students ("walk zone"). The distance shall be measured by the most direct traveled route. Exceptions must be authorized by the Superintendent.

A student classified as physically handicapped, as defined by the Florida Administrative Code, shall be entitled to transportation to school regardless of distance from home to school.

Exceptional students shall be transported to other school districts or other facilities in the District when necessary to provide an adequate program of special instruction or services. Such transportation shall be consistent with the "Special Program Procedures for Providing Education for Exceptional Students" adopted pursuant to Section 8.501.

Provide transportation to students who are exposed to hazardous walking conditions that endanger their life or threaten their health or safety. Such hazardous walking condition shall include, but not be limited to the definition contained in § 1006.23, Fla. Stat. The Superintendent or his/her designee shall make a determination as to whether a particular hazardous condition exists.

The Transportation Department shall, as required under § 1013.36, report any hazardous conditions within a two (2) mile radius of a school site to the governmental entity within the jurisdiction of which the hazard is located.

Students engaged in field trips, extra-curricular activities and other approved trips, as provided herein.

Students in the Teenage Parenting Program (TAP) pursuant to § 1003.54, Fla. Stat.

Transportation shall be provided for student parents and their children to and from home, school and the child care facility, as required for the parent's educational activities in credit earning hours.

The School District and parents of students with special transportation needs as defined in § 1011.68, Fla. Stat. shall adhere to the responsibilities and policies as outlined in Fla. Admin. Code R. 6A-3.0121 and other policies herein.

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Transportation may be provided for out-of-zone students where no additional costs, mileage or stops are required and provided there is seating space available on the bus. Out of zone students are assured transportation on a continuing basis only so long as space is available.

No transported student shall be reported for state reimbursement purposes unless the student lives two (2) or more miles from school, is entitled to transportation as a physically handicapped student, or is exposed to hazardous walking conditions, pursuant to §1006.23, Fla. Stat. .

Only a student who is regularly enrolled as a transported student and whose name appears on the assigned bus driver's record may ride the bus. However, an exception may be granted by the principal when requested by the parent, provided space is available. If the request exceeds five (5) days, the approval of the Superintendent shall be required.

The following additional persons may be permitted to ride school buses:

1. Substitute drivers and substitute aides who are in training;
2. Teachers, Resource Officers, and other School Board employees while supervising school sponsored or school connected activities;
3. Chaperones for school activities which have been authorized by the principal; or
4. Any other employees approved by the Superintendent. Such approval may only be given in emergency situations and when vacant seats are available during the scheduled route, and shall not exceed a reasonable period of time for the employee to make other arrangements for transportation.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1003.54, 1006.21, 1006.21, 1006.21(3), 1006.23, 1013.36 Fla. Stat.; Fla. Admin. Code R. 6A-3.001, 6A-6.0525

History: New, June 12, 1989

Revised: March 23, 1995; October 12, 1995; June 10, 1996, August 14, 1996, March 11, 1998

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TRANSPORTATION BY MEANS OTHER THAN SCHOOL BUS

6.302

The School Board shall use school buses, as defined in the Florida Statutes, to transport pre-kindergarten through grade 12 students to and from school or school-related activities which are a part of a scheduled series or sequence of events at the same location. Students will only be transported between the hours of 6:00 a.m. and midnight.

The School Board may regularly use motor vehicles other than school buses only under the following conditions:

1. When the transportation is for physically handicapped or isolated students and the District has elected to provide for the transportation of the student through written or oral contracts or agreements providing for the reimbursement of the cost of transportation. Contracts with individuals to transport students must be specifically authorized by the Board and be in accordance with the following:
 - a. The contract sum shall not exceed the state-authorized mileage for each mile traveled to and from the bus stop or the school, whichever is nearer the student's home.
 - b. The owner of the vehicle shall be properly licensed and shall maintain insurance with limits of \$100,000 per person and \$300,000 per occurrence. The owner shall furnish the Board with a certificate of insurance.
 - c. The official Board minutes shall show the amount of transportation assistance approved, names of students served, school attended, and mileage of the route.
2. When the transportation is part of a comprehensive contract for a specialized educational program between a school board and a service provider who provides instruction, transportation, and other services.
3. When the transportation is provided through a public transit system.
4. When the transportation of students is necessary or practical in a motor vehicle owned or operated by the School Board other than a school bus and such transportation is provided in designated seating positions in a passenger car not to exceed eight (8) students or in any other motor vehicle designed to transport ten (10) or fewer persons which meets all federal motor vehicle safety standards for passenger cars.
5. Except as provided in sections (1) and (2) above, the School Board may authorize the transportation of students in privately owned motor vehicles on a case-by-case basis only in the following circumstances:
 - a. When a student is ill or injured and must be taken home or to a medical treatment facility under nonemergency circumstances;
 - b. The school has been unable to contact the student's parent or guardian or such parent, guardian, or responsible adult designated by the parent or guardian is not available to provide the transportation;
 - c. Proper adult supervision of the student is available at the location to which the student is being transported;
 - d. The transportation is approved by the school principal or a school administrator designated by the principal to grant or deny such approval, or in the absence of the principal and his/her designee, by the highest ranking school administrator or teacher available under the circumstances; and
 - e. If the school has been unable to contact the parent or guardian prior to the transportation, the school shall continue to contact the parent or guardian until the school is able to notify the parent or guardian of the transportation and the pertinent circumstances.
6. When the transportation is in connection with a school function or event regarding which the District or school has undertaken to participate or to sponsor or to provide the participation of students; and
 - a. The function or event is a single event which is not part of a scheduled series or sequence of events to the same location, such as, but not limited to, a field trip, a

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- recreational outing, an interscholastic competition or cooperative event, an event connected with an extracurricular activity offered by the school, or an event connected to an educational program, such as, but not limited to, a job interview as part of a cooperative education program;
- b. Transportation is not available, as a practical matter, using a school bus or District passenger car;
 - c. Each student's parent or guardian is notified, in writing, regarding the transportation arrangement and gives written consent before a student is transported in a privately owned motor vehicle;
 - d. The transportation is approved by the principal;
 - e. The driver shall be of at least twenty-one (21) years of age and hold a valid Florida drivers license, except for military personnel which may hold a valid drivers license in any state of the U.S.; and
 - f. The driver has liability insurance limits of \$100,000 per person and \$300,000 per occurrence.
7. When the School Board requires employees such as school social workers and attendance officers to use their own motor vehicles to perform duties of employment, and such duties include the occasional transportation of students.

Any vehicle used to transport students must meet the Federal Motor Vehicle Safety Standards for passenger cars or multipurpose vehicles. Designated seating capacity for students shall not exceed eight (8) students in a passenger car or ten (10) or fewer in a multipurpose vehicle. The Supervisor of Transportation will maintain a list of approved vehicles which meet the Federal Motor Vehicle Safety Standards.

Students must be transported in designated seating positions and shall be required to use the occupant crash protection system provided by the vehicle manufacturer unless the student's physical condition prohibits such use.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 20.23, 1006.22, 1011.68, Fla. Stat; Fla. Admin. Code R. 6A-3.017; 49 C.F.R. § 571

History: New, June 12, 1989

Revised: October 12, 1995, September 11, 1996; April 12, 2011; November 22, 2011

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SCHOOL BUS ROUTES

6.303

The Superintendent shall annually designate school bus routes, following consideration of data and recommendations of the Supervisor of Transportation. The guidelines provided herein and State law are to be used by the Superintendent and staff in establishing routes for school buses. Any proposed route which is not in compliance with the criteria herein must be approved by the School Board prior to implementation.

Each route shall be planned and adjusted, as far as practicable, to ensure that no more than 1-1/2 (one and one-half) hours will elapse between the time the student boards the bus and the time school begins, or the time school closes and the student leaves the bus in the afternoon and that travel each morning and afternoon should not exceed 50 minutes for an elementary student or 60 minutes for a secondary student.

Each route shall be planned and adjusted in such a manner as to eliminate the necessity for students to stand when a school bus is in motion.

Each route shall serve students living only in areas where transportation by school bus is the most economical method of providing adequate educational facilities.

A route shall not be extended for the purpose of accommodating pupils whose homes are over two (2) miles, as the route is scheduled, if a shorter distance than two (2) miles, or a more economical route, is available to serve the pupils.

The road must be in a safe and satisfactory condition for the operation of a bus of the type and size to be used in the area.

Where it is necessary for a bus to turn around, a suitable turning area must be available.

Student loading stops shall not be established less than 2/10 (two-tenths) of a mile apart, except when the safety and welfare of the pupils require more frequent stops.

All bus routes shall be reviewed each year to determine:

1. If routes can be combined;
2. If routes need to be extended;
3. If routes can be decreased in length; and
4. If any bus needs to travel a new road other than the one traveled.

It shall be the responsibility of parents of transported students to ascertain and ensure that their children arrive at the assigned school bus stop on time in the morning and to provide the necessary protection for their children going to and from and while waiting at bus stops.

Spur routes from main trunk routes shall not be made to pick up students living less than 3/4 (three-quarters) mile from such route, except when students are physically handicapped or in cases where walking presents a danger to students. A spur route will only be considered when the road is an all-weather road, a satisfactory place to turn around is available, and the change will not result in scheduling that would require students who board the bus first to leave home at an unreasonable time in the morning.

Drivers of school buses may not discontinue stops, begin new stops, or otherwise change a route without approval of the Superintendent or his/her designee.

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Under extenuating circumstances the Superintendent or his/her designee is authorized to make exceptions to the requirements prescribed in this rule.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.21, 1006.21(3), 1006.22, Fla. Stat; Fla. Admin. Code R. 6A-3.001, 6A-3.017

History: New, June 12, 1989

Revised: August 14, 1996

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SPECIAL USES OF SCHOOL BUSES

6.304

In addition to transportation of students to and from school, school buses may be used for educational field trips and for school connected or sponsored activities; provided that such trip is approved by the principal and is under the direct supervision of a member of the professional staff of the school. Trips outside the District shall require approval of the Superintendent. Such trips may include educational field trips and extracurricular trips sponsored by the school. No student shall be eligible for transportation on a field trip or on an extra-curricular trip unless he/she is duly enrolled in a school of the District and is approved to make the trip as provided in these rules.

Educational Field Trips. Any trip which is directly related to a unit of instruction being studied by a particular group of students may be considered an educational field trip.

A field trip may be scheduled during the school day between the hours approved by the Transportation Department. Special field trips may be requested for a Saturday or holiday, or after school.

Extra-Curricular Trips. A trip which is not directly related to the instructional program, but which is related to a school sponsored or connected activity shall be considered an extra-curricular trip. Any request for use of a school bus for an extra-curricular trip shall be approved by the faculty sponsor of the activity prior to submission to the principal or Superintendent for approval.

School buses, when available, may be used for extra-curricular trips; provided that the school or organization may be required to pay the cost of the driver's hourly rate and other expenses at the rate established by the School Board. The school will not be obligated to pay the cost of the driver's admission to any activity. Drivers for extra-curricular trips must hold a valid commercial driver's license with passenger endorsement.

The expenses of any extra-curricular trips, other than situations where students are representing the school in competitive activities, shall be the sole responsibility of the school and shall be paid from the school's internal account funds, the school's transportation allocation account, or from the funds of the organization making the trip or sponsoring the activity. Exceptions to this requirement may be made by the School Board on an individual basis.

Immediately following any such trip, the Supervisor of Transportation shall send a statement of cost of the trip to the school. Upon receipt of such statement, the principal shall pay the School Board the amount due within 30 days. Payment to the bus driver shall be in accordance with the approved salary schedule and shall be by School Board warrant.

To assist in scheduling, all requests for the use of buses for athletic trips shall be submitted to the principal and, when appropriate, to the Superintendent prior to the season for each sport as prescribed below:

1. Football - September 1.
2. Basketball - November 1.
3. Spring Sports - February 1.

Any field trip or extra-curricular trip, in order to be eligible for approval, must be adequately planned and must make provision for supervision of students. It shall be the responsibility of the principal of the school or his/her designee to provide chaperones for each scheduled trip and to see that the chaperones are properly instructed in the rules governing transportation prior to departure with special emphasis on behavior and safety rules. At least one (1) chaperone on each trip shall be a member of the administrative or instructional staff.

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Where an extra-curricular trip or any other school approved trip warrants travel by a chartered bus operated by a commercial line, approval shall be obtained from the Superintendent.

The following procedures and requirements shall apply to the use of school buses for all extra-curricular and field trips:

1. Transportation Department with the principal's approval at least seven (7) working days prior to the time of the scheduled trip. If the trip requires the approval of the Superintendent, the request must be submitted at least ten (10) working days in advance. If School Board approval is required, the request must be submitted at least ten (10) working days prior to the School Board meeting at which approval will be considered.
2. Scheduling of a bus for a special trip shall be the responsibility of the Supervisor of Transportation and such trip shall in no way alter, interfere with, or disrupt the operation of a regular bus route carrying students to and from school.
3. Where principals of two (2) or more schools are sending participants to common activities outside the school district, travel shall be coordinated and only one (1) bus requested when adequate. The normal load for out-of-district trips shall be two (2) passengers per seat.
4. No unauthorized person shall be permitted to ride a bus on a field trip or on an extra-curricular trip. An approved chaperone shall be considered to be an authorized passenger.
5. All school bus operating requirements prescribed herein shall apply to extra-curricular and field trips.
6. Before the trip, written permission of the parent or guardian of each minor student participating in a special trip shall be on file in the office of the principal of the participating school.
7. The principal of the school shall be responsible for the handling of any collection of damages due to vandalism or for any other reason on a special trip in which the school participated.
8. All School Board rules relating to pupil responsibilities and discipline shall be enforced.
9. The bus driver of the special trip shall clean the bus after each trip and shall have the bus in proper condition for the regular trip the following morning. Failure to comply with this provision shall make the driver ineligible for employment for additional special school trips.

Summer Program Transportation.

Buses and drivers for the summer program shall be approved by the Superintendent. School buses, when available, may be used for approved trips on the basis of the cost to be paid by the school in the same manner as for extra-curricular trips during the regular school term.

Use of School Buses by Outside Organizations. The Superintendent is authorized to enter into agreements with nonprofit corporations and nonprofit civic associations to allow the use of school buses to transport school-age children for activities sponsored by such organizations, and with public agencies for transportation of the transportation disadvantaged. All such agreements shall provide for compensation to the School Board in an amount at least equal to the actual cost incurred by the Board. Each agreement shall require the organization to provide liability insurance in the amounts specified by § 1006.261, Fla. Stat. , and shall also contain a provision agreeing to indemnify and hold the District harmless from any liability whatsoever which might arise as a result of the use of buses pursuant to the agreement. A copy of each such agreement shall be provided to the School Board for information purposes.

When school buses are used for purposes set forth above, exclusive for transportation of the transportation disadvantaged, the inscriptions on the front and rear of the buses shall be covered and the flashing red lights and white strobe lights shall not be used.

Authority: § 1001.41, Fla. Stat.

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Law Implemented: §§ 1006.21, 1006.22, Fla. Stat.

History: New, June 12, 1989

Revised: April 11, 1991; June 12, 1996

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REPORT OF BUS DRIVERS' DRIVING HISTORY

6.305

Prior to the first day of each semester of the regular school year and prior to the first day of summer school, the Superintendent shall request a driver's history record on each person licensed as a bus driver from the Department of Highway Safety and Motor Vehicles. The requests shall be made in the form prescribed by the Department of Highway Safety and Motor Vehicles using the Automated School Bus Driver's License Record Check System through the Department's database. For any driver licensed in another state, the Superintendent shall obtain and review the driver's history record from the appropriate state.

If such check shows, at any time, that a bus driver's commercial drivers license with passenger endorsement has been suspended or revoked, the employee shall be subject to dismissal.

If a bus driver is found to be at fault for an accident or traffic violation as determined by a Transportation Department investigation or a law enforcement agency, the driver may be subject to suspension or dismissal.

Authority: § 1001.41, Fla. Stat.

Law Implemented: Fla. Admin. Code R. 6A-3.0141

History: New, June 12, 1989

Revised: June 12, 1996

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DUTIES AND RESPONSIBILITIES OF THE PRINCIPAL FOR TRANSPORTATION OF STUDENTS

6.306

In addition to other responsibilities described herein, each school principal shall be responsible for performing the following duties, as prescribed by Fla. Admin. Code R. 6A-3.017:

1. Plan the program of the school so that transported students who arrive early or remain late will be under school supervision at all times.
2. Plan and assign places for students to get on and off school buses at the school, and to ensure the safety of the loading/unloading zone and to provide supervision of students.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1012.22, Fla. Stat; Fla. Admin. Code R. 6A-3.017(2)

History: New, June 12, 1989

Revised: June 12, 1996

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SCHOOL BUS OPERATING PROCEDURES

6.307

The following procedures and practices shall be followed in operation of school buses.

School buses shall be operated at a safe speed, based on existing bus equipment, road and weather conditions, and never in excess of the legally posted speed limit in business or residential areas; or five (5) miles under the posted speed on a Turnpike, Interstate, Expressway, or Multi-lane Divided Highway, such as, driving 65 mph in a posted 70 mph speed limit.

The amber lights shall be actuated at a point approximately 200 feet from each student stop or at such greater distance as is necessary due to traffic speed and road conditions, as a warning to traffic that the bus has stopped and before the door has opened, the amber lights shall be deactivated and the top signal arm supplemented by flashing red lights, shall be displayed as due warning that students are being loaded or unloaded. The bus door shall not be opened to unload students until approaching traffic in the immediate vicinity of the bus has stopped.

The bus driver should turn on the hazard lights approximately 150 feet before stopping at least 15 feet, and no more than 50 feet, from the nearest rail of any railroad grade crossing. The driver shall not proceed across tracks until after looking carefully in each direction, opening the door and window and listening for the sound of an approaching train, and determining that it is safe to proceed. The bus door shall be closed before proceeding across the tracks of a railroad and then turning the hazard lights off.

Operation of Bay District School buses are prohibited from idling for more than five (5) minutes. Idling is the continuous operation of a vehicle's main drive engine while the vehicle is stopped. School bus drivers will shut off bus engines immediately upon reaching destination, and buses will not idle while waiting for passengers. This rule applies to all bus use, including daily route travel, field trips, and transportation to and from athletic events. School buses will not be restarted until they are ready to depart.

Drivers will limit idling time during early morning warm-up to manufacturer's recommendations – generally three to five (3 to 5) minutes in all but the coolest weather and for the pre-trip safety inspection.

Exceptions to this policy are granted only when running the engine is necessary to operate required safety equipment or to maintain a safe environment for students with special health needs.

Students shall not be permitted to leave the bus at locations other than their regular stop, except upon written request of the parent and approval of the principal.

Order and discipline of students shall be maintained at all times the bus is in operation. Any serious misconduct, or continued less serious misconduct, on the part of a student shall be reported to the principal.

The license number of any vehicle, and the name of the driver if known, which illegally passes the bus while a student is entering or leaving shall be immediately reported to the Supervisor of Transportation.

If the bus is involved in an accident, the driver shall immediately notify the local police department, the sheriff's office or the state highway patrol and the Supervisor of Transportation. The driver shall remain with the bus unless seriously injured, and shall keep the students under control until they can be safely removed. An older student or a passerby may be used to give the proper notice of the accident.

A written report of any accident involving either the school bus or a passenger on the bus shall be made immediately to the Supervisor of Transportation and the Superintendent. In addition, all accidents in

CHAPTER SIX BUSINESS AFFAIRS

which a school bus or transported student is involved or in which total damages to property exceeds \$500 shall be reported to the State Administrator of Transportation.

The posted schedule shall be observed unless to do so would constitute an unnecessary hazard. When ahead of schedule, the driver shall wait for any student until the time of the scheduled stop.

All passengers shall be removed from a bus prior to filling the fuel tank.

The bus driver shall require that students leaving the bus at bus stops to walk approximately 10 feet in front of the bus in order to cross the highway or to cross to the park strip of a divided highway. The driver shall not open the service door and permit students to unload or to cross the highway until all traffic in the immediate vicinity of the bus has stopped.

If the bus stop is equipped with a traffic control light, or is staffed with a school crossing guard or a traffic control officer, all students leaving the bus shall be required to wait a safe distance from the roadway until a signal to cross is given by the person or device directing the flow of traffic.

A daily pre-trip inspection of the bus shall be made by the bus driver and any defect affecting safety or economy shall be immediately reported to the Supervisor of Transportation.

The bus shall be kept clean at all times. No stickers or other unauthorized items shall be affixed to the interior or exterior. The driver is responsible for washing the bus at least once each month, and for sweeping the inside of the bus at least once daily and more frequently if needed.

The driver shall require all passengers to remain seated and to keep aisles and exits clear. Luggage, band instruments, ice boxes or any package or material may not be placed in the bus in a manner which blocks the aisles or the entrance of the bus.

Large boxes, packages, band instruments and similar objects shall be secured in such a manner that a sudden stop would not cause the material to move and possibly cause injury to a passenger.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1012.22, 1006.21, Fla. Stat; Fla. Admin. Code R. 6A-3.017

History: New, June 12, 1989

Revised: June 12, 1996; April 12, 2011; June 28, 2016

CHAPTER SIX BUSINESS AFFAIRS

PURCHASE AND SALE OF TRANSPORTATION EQUIPMENT

6.308

Except when specifically approved by the School Board, all new school buses shall be purchased through the state pool purchase plan administered by the Department of Education. The Board shall designate the number of and size of buses to be purchased each year.

Where possible, other transportation equipment and supplies shall be purchased in accordance with bid prices established by the State Board of Education or by the Division of Purchasing of the Department of General Services unless the same quality of merchandise can be purchased otherwise at a lower price.

Sale and Disposal of Transportation Equipment. District-owned transportation equipment purchased entirely or in part with funds provided by the State may not be sold within a calendar period of five (5) years of the date of the initial Florida title being issued unless the conditions specified in § 1002.42, Fla. Stat. are met.

No individual school shall be permitted to own a school bus.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1002.42, Fla. Stat; Fla. Admin. Code R. 6A-3.006

History: New, June 12, 1989

Revised: June 12, 1996

CHAPTER SIX BUSINESS AFFAIRS

INSPECTION, MAINTENANCE AND REPAIR OF VEHICLES

6.309

The Supervisor of Transportation shall be responsible for a planned program of inspection and maintenance in order to keep all vehicles operating in a safe and efficient manner. The program shall include:

1. Instruction of bus drivers in methods of anticipating and noting maintenance problems;
2. Inspection of all vehicles every thirty (30) school days;
3. Periodic servicing of all vehicles;
4. Maintenance of service and repair records on each vehicle;
5. A planned and scheduled program of preventive maintenance through major overhaul and repair of all equipment; and
6. An inservice training program for apprentice mechanics.

Procedures for Inspection. School bus safety inspections shall be conducted in accordance with procedures and include all items listed in the Florida School Bus Safety Inspection Manual obtained from the State Department of Education.

Withdrawal of School Buses from Use. An examination of the mechanical condition of each school bus shall be made each month of operation. A detailed inspection of each bus shall be made annually. Any school bus which does not meet the requirements of law shall be withdrawn from use immediately and until it meets such requirements with the repairs being documented. Any school bus removed from service so as to disrupt the safety inspection schedule shall be reinspected prior to being returned to service.

School Board Automotive Equipment. All automotive equipment owned by the School Board shall be maintained in proper operating condition.

No such equipment may be used for any purpose other than a school purpose and any employee violating the provisions of this rule shall be subject to suspension or dismissal.

Failure of the operator of any piece of automotive equipment to notify the Transportation Department as to any mechanical defect or malfunction shall be cause for the employee's suspension or dismissal.

Any mechanical defect of equipment, where repairs are needed shall be the responsibility of the Transportation Department and repairs shall be made as soon as possible; provided that the vehicle may be withdrawn from use by the Supervisor of Transportation until the repairs are made. The School Board will not assume any financial responsibility for purchases or contracts for repairs on any automotive equipment or tractor equipment unless such had prior approval of the Supervisor of Transportation.

Except under emergency conditions, no equipment shall be repaired by a private shop or private individual unless approved by the Supervisor of Transportation.

The person to whom a vehicle is assigned shall be responsible for bringing the vehicle to the garage for inspection when required by the Supervisor of Transportation.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.21, 1006.22, Fla. Stat.; Fla. Admin. Code R. 6A-3.017(8)

History: New, June 12, 1989

Revised: June 12, 1996; February 13, 2018

CHAPTER SIX BUSINESS AFFAIRS

SCHOOL BUS SAFETY DRILLS

6.310

School Bus Emergency Evacuation Drills. The Supervisor of Transportation shall instruct the bus drivers in the procedures to be followed in conducting a bus emergency evacuation drill. Initial instruction shall be provided at some time during the week immediately preceding the opening day of school for students. The second period of instruction shall occur during the first two weeks of the second semester.

The principal shall inform the bus drivers by written notice as to the day on which a practice emergency evacuation drill is to be held. A drill shall occur during the first six (6) weeks of each semester. The bus driver shall hold the drill as directed and shall report in writing to the principal the results of the drill.

The record of any drill shall be filed in the principal's office, and a copy filed with the Supervisor of Transportation and the Superintendent.

Instruction in Safety Practices. The principal of each school shall during the first six (6) weeks of the first semester provide instruction for all transported students regarding safe practices on and off the school bus. The principal shall determine the most effective and practical manner in which to provide such instruction.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.21, 1012.28, 1006.22, Fla. Stat.; Fla. Admin. Code R. 6A-3.017

History: New, June 12, 1989

Revised: June 12, 1996

STORAGE AND USE OF DISTRICT OWNED VEHICLES

6.311

School Buses. The bus driver shall park his/her assigned bus overnight in the location designated or approved by the Supervisor of Transportation. A parked bus shall not be open to the public for use in any way and under no conditions may the bus be used for personal or private purposes, or for convenience of the bus driver.

Other Vehicles. The Superintendent or his/her designee may assign certain employees the responsibility of driving a District-owned, operated, or controlled vehicle to their residence after school hours. This shall be an employment condition and the vehicle shall only be driven to the employee's residence or an approved work center and returned to the school or work center for use during the duty day. The Superintendent or his/her designee shall designate employees that will use the vehicles and determine the parking location of the vehicles. The use of District-owned vehicles for personal use shall be prohibited.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.21, 1006.22, Fla. Stat.

History: New, June 12, 1989

Revised: June 12, 1996

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AUTHORITY OF BUS DRIVERS OVER TRANSPORTED STUDENTS

6.312

Students are under the direct control and jurisdiction of school bus drivers at all times while being transported to and from school and school-sponsored or school-related activities and while the school bus is present at the bus stop. All rules of the School Board relating to student conduct shall be in full force during such periods of time. Each principal shall delegate to the school bus driver such authority as is necessary for the control and safety of students being transported.

The school bus driver shall preserve order and good behavior on the part of all students being transported but he/she shall not suspend a student from riding the school bus.

Should an emergency develop resulting from misconduct of students on the bus, the bus driver is empowered to take whatever reasonable steps are necessary to protect the safety of students on the bus, notwithstanding the limitations prescribed above. Such authority shall include the permissible use of any reasonable force necessary to protect the safety of him/herself or students on the bus.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.10, 1006.22, 1006.07, Fla. Stat; Fla. Admin. Code R. 6A-3.017

History: New, June 12, 1989

Revised: June 12, 1996, May 13, 1997

EMPLOYEE SEAT BELT POLICY

6.313

All Bay County School Board employees must wear seat belts while driving or riding in school district vehicles, as required by Florida Law.

Authority: §1001.41, Fla. Stat.

Law Implemented: §§ 316.614, 316.6145, Fla. Stat.

History: New, December 14, 2007

**CHAPTER SIX
BUSINESS AFFAIRS**

**PART FOUR
FOOD SERVICE**

GENERAL FOOD SERVICES POLICY

6.401

The school food service program shall operate according to requirements set forth in § 1006.06 and § 1001.42, Fla. Stat., Fla. Admin. Code R. 6A-7.040 through 6A-7.049, and federal laws. The federally reimbursed breakfast and lunch program, the summer feeding program, ala carte food, beverage offerings, or other components that are available to students at all school facilities during the school day.

The school food service program shall be an integral part of the District's educational program, offering nutritional and educational opportunities for students.

The school food service program shall be primarily for the benefit of students and shall be operated on a non-profit basis. School meal prices shall be established by the School Board and may be changed as required to cover operational costs. Free and reduced price meals shall be provided in accordance with School Board rules.

Except as may be provided to the contrary herein, the foods and beverages available in schools shall be only those which meet the nutritional needs of students and contribute to the development of desirable health habits.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.06, 1001.42, Fla. Stat.; Fla. Admin. Code R. 6A-7.040 through 6A-7.049

History: New, June 12, 1989

Revised: April 10, 1996; September 13, 2006

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FREE AND REDUCED PRICE MEALS

6.402

The School Board has established the following free and reduced price meal policy with respect to determining the eligibility of and providing service to children in attendance.

Free or reduced price meals shall be served to all children who are determined to qualify based on the established eligibility criteria.

The Income Eligibility Guidelines for free or reduced price meals shall be in accord with the scale provided by the Department of Education. The free and reduced scales include household size and income by week, month, or year. Any child who is a member of a family which has a weekly, monthly, or annual income not above the applicable family size income level set forth in the scale must be served a free or a reduced price meal, whichever is indicated. The scale shall be that adopted by the State Board of Education based upon income guidelines prescribed by the U. S. Secretary of Agriculture.

Eligibility standards shall be applicable to all schools under the jurisdiction of the School Board and they shall provide that all children from a family meeting the eligibility standards and attending any school under the jurisdiction of the School Board shall be provided the same benefits.

Definitions.

"Family" means a group of related or nonrelated individuals, who are not residents of an institution or boarding house, but who are living as one economic unit.

An "economic unit" is a group of related or unrelated people who share housing and/or all significant income and expenses of its members. Students who are temporarily away at school, e.g., students attending boarding schools or colleges, should be counted as members of the household.

"Meal" means any meal pattern as defined by Federal Regulations and Guidelines.

"Free or Reduced Price Meal" means a meal that is priced below the full price of the meal and one which neither the child nor his/her family shall be required to supply an equivalent value in work for the school or the school's food service program.

"Service Institution" means a private, non-profit institution or a public institution, such as a child day care center, which provides day care, or other child care where children are not maintained in residence.

"Income" means income before deductions for income taxes, employee's social security taxes, insurance premiums, bonds, etc. It is gross income and includes the following:

- (1) Monetary compensation for services, including wages, salary, commissions, or fees;
- (2) Net income from non-farm self-employment;
- (3) Net income from farm self-employment;
- (4) Social Security;
- (5) Supplemental Security Income (SSI);
- (6) Dividends or interest on savings or bonds, income from estates or trusts or net rental income;
- (7) Public assistance or welfare payments;
- (8) Unemployment compensation;
- (9) Government, civilian employee or military retirement, or pensions, or veterans' payments;
- (10) Private pensions or annuities;
- (11) Alimony or child support payments;
- (12) Regular contributions from persons not living in the household;
- (13) Net royalties; and
- (14) Other cash income.

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The determination of eligibility of a family for free or reduced meals is managed in the Food Service Office using a comprehensive computer program that scans the annual family application.

Applications. Listed below are the procedural steps used in accepting applications for free and reduced price lunches.

At the beginning of each school year, all parents of children attending school will be notified by letter about the free and reduced price meals outlined in these rules. They will be provided an application form. Families of children enrolling in the school at any time during the school year will receive this same information at the time of enrollment.

Applications will be completed and signed by an adult member of the family. A family may file an application any time during the school year.

The information requested shall be limited to that needed to demonstrate that the family does not meet the criteria in the school's approved eligibility standards and will be in accordance with the guidelines issued by the U. S. Department of Agriculture.

The information requested concerning the annual income of the family shall be limited to:

- (1) The type or types of such income, such as salary, wages, or commissions from employment; earnings from self-employment, including farming; or annuities; and other cash income.
- (2) The amount of gross income for the family in total or by type.

The application shall contain clear instructions with respect to the submission of the completed application to the official designated to make eligibility determinations.

The application shall include immediately above the space for signature, that the person signing it certifies that all information on the application is true and correct and that all income is reported, that the person signing it understands that the information is being given for the receipt of federal funds, that school officials may verify the information on the application and that deliberate misrepresentation of the information may subject the applicant to prosecution under applicable state and federal laws.

Within ten (10) school days of the receipt of the application, parents will be notified in writing if their application is approved or denied. The reason will be given and the parent will be notified that an appeal may be made. The procedure for making this appeal will be stated at the time the parent is notified. Prior to initiating the hearing procedure, the parent or the principal may request a conference to provide an opportunity for the parent and the Food Service Official to discuss the situation, present information, and obtain an explanation of data submitted in the application and decisions rendered. Such a conference shall not in any way prejudice or diminish the right to a fair hearing.

When a child transfers from one school to another within the same school system, any records pertaining to his/her eligibility for free or reduced price meals can be transferred with him/her.

At the beginning of the school year, those students who were eligible the previous school year shall continue to receive their free or reduced price meals until the new application is received, but no longer than for the first thirty (30) days of school.

All applications, approved and disapproved, will be preserved for a period of three (3) years for audit purposes.

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Local officials may complete an application for a student known to be needy if the household fails to apply. When exercising this option, the school official must complete an application on behalf of the student based on the best household size and income information available and make an eligibility determination. The source of the information **MUST** be noted. Social security numbers of household members need not be secured and these applications may be excluded from verification. The household must be notified that the student has been certified and is receiving free or reduced price benefits. This option is intended for use in individual situations and does not allow eligibility determinations for categories or groups of children.

In all cases, an application must be on file for each child receiving a free or reduced price meal and the application must be signed either by an adult member of the family or by an adult who is aware of the child's need and approved by the Food Service Official.

The District Food Service Office will coordinate a direct certification program annually which identifies students eligible for "free meals" using a computer match with the Department of Health and Rehabilitative Services database. This program will be conducted during the summer period and eligible parents/guardians notified of their students' qualifications. However, all students will receive an application at the beginning of the school year to preclude overt identification of free meal status.

Verification. The verification process will be a focused sample conducted by the Food Service Office beginning October 1 and completed by November 15 of each year.

Hearing Procedure for Appeals.

A hearing may be requested whenever an appeal is made by the parents on the decision of the Food Service Official or the verification process, relating to the providing of free or reduced price meals. The family may ask the Food Service Director for such a hearing. The request may be oral or written.

The hearing will be held within a month after the appeal is made and the family will be given two (2) weeks notice as to the time and place of the hearing. The family will be consulted as to a mutually convenient time and place for such a hearing to be held.

The family will be offered the opportunity:

1. To be assisted or represented by an attorney or another person in presenting their appeal;
2. To examine, prior to and during the hearing, the documents and records presented to support the decision under appeal;
3. To present oral and documentary evidence and arguments supporting its position without undue interference; and
4. To question or refute any testimony or other evidence and to confront and cross-examine any adverse witness.

The hearing shall be conducted and the decision made by a member of the District staff who did not participate in making the decision under appeal. The decision of the hearing official shall be based on the oral and documentary evidence presented at the hearing and made a part of the hearing record. The family and any designated representative will be notified in writing of the decision made by the hearing official.

A written record of such hearing will be made. This record will include:

1. The decision under appeal;
2. Any documentary evidence;
3. A summary of any oral testimony presented at the hearing;

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4. The decision of the hearing official, including the reasons for such decision; and
5. A copy of the notification to the family of the decision of the hearing official.

This written record will be preserved for a period of three (3) years and will be available for examination by the family or their designated representatives, at any reasonable time and place during such period.

This same hearing procedure shall be followed when the school challenges the continued eligibility of any child for a free or reduced price meal. During the process of such challenge the child shall continue to receive the free or reduced price meal to which he/she was originally determined to be eligible based on the information supplied in the application.

Procedure for Collecting Payments and Other Non-discrimination Practices. The School Board shall establish procedures for collecting payments from paying children in a manner which protects the anonymity of children receiving free and reduced price meals.

The Superintendent shall take action necessary to insure that the names of children eligible to receive free or reduced price meals shall not be published, posted or announced in any manner and that there shall be no overt identifications of any such children by the use of special tokens or tickets, or by any other means. Children eligible for a free or reduced price meal shall not be required to:

1. Work for their lunch;
2. Use a separate food service facility;
3. Go through a separate serving line;
4. Enter the cafeteria through a separate entrance;
5. Eat meals at a different time from other students; or
6. Eat a meal different from the meal sold to children paying the full cost.

If a school employs student helpers who are eligible for free or reduced price meals, they are not to work in any capacity except at the written request of the parents. Parents and/or guardians are to clearly understand that the children would receive a free or reduced price meal even if the students did not work.

Public Announcements. The Superintendent shall publicly announce the standards for determining the eligibility of children for free and reduced price meals. The public announcement shall be made in the following two ways:

1. A letter shall be sent to all parents on or before the beginning of each school year. When a child enrolls in school after the beginning of the school year, the letter shall then be distributed to his/her parents. The letter will contain or be accompanied by:
 - a. A copy of the Free and Reduced Price Meal Application;
 - b. A copy of the Income Eligibility Scale which has been uniformly adopted by the State Board of Education;
 - c. Information regarding how to make an application for a free or reduced price meal;
 - d. Information regarding how a family may appeal the decision of the principal with respect to such application under the hearing procedures described in herein.
2. A public press release, containing the same information supplied to the parents, shall be made available to the informational media, unemployment offices, any major employers who are contemplating layoffs in the area from which the school draws attendance before the beginning of each school year, and whenever there is a change in the policy. A copy of this press release may be obtained by any interested party at the Office of the Superintendent.

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Changes in Eligibility Standards During the Year. Any changes or amendments in the eligibility standards during the school year which have been approved by the Department of Education, shall be publicly announced in the same manner as the original standards were announced herein.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.06, 1001.42, Fla. Stat.; Fla. Admin. Code R. 6A-7.042(2)(f)

History: New, June 12, 1989

Revised: April 10, 1996; September 13, 2006

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RESPONSIBILITIES OF THE DISTRICT FOOD SERVICE DEPARTMENT

6.403

The Food Service Department shall be responsible for providing supervision and coordination to ensure that the school food service program of the school district is operated in accordance with federal law and regulations, Florida Administrative Code and School Board rules. This responsibility shall include, but not be limited to, the following:

1. Develop the food service part of the annual District budget.
2. Supervise the implementation of the centralized food service accounting system and develop and distribute the necessary forms.
3. Develop and implement an ongoing system of in-service training for all food service employees of the school system.
4. Develop specifications for food service equipment and food and non-food supplies for the food service program.
5. Assist the principal in identifying needs for maintenance and repair of equipment and facilities in the school food service program and recommend such needs to the Director of Maintenance/Capital Improvement.
6. Inspect periodically all food preparation and serving areas to ensure that all health and sanitation standards are being met.
7. Assist principals in the selection of personnel for recommendation to the Superintendent for employment in the food service program.
8. Administer the USDA Donated Foods Program, including acquisition, warehousing and storage, and allocation and distribution to schools.
9. Process and approve all family applications for those who wish to apply for free and reduced meals and conduct income verification annually.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.06; 1001.42; 1012.23, Fla. Stat.

History: New, April 10, 1996

Revised: September 13, 2006

CHAPTER SIX BUSINESS AFFAIRS

SALE PRICES OF MEALS

6.404

Student Meals. The Board shall annually establish sale prices for all federally reimbursed meals served as a unit in school cafeterias. Each student, unless qualified under Section 6.402 for a free or reduced meal, shall pay the full price for each meal.

Adult Meals. The Board shall annually establish sale prices for all meals served as a unit to adults in school cafeterias. The following additional provisions shall apply to adult meals:

1. Only adults who are on school business at lunch time, School Board employees, and others approved by the School Food Service Director may purchase food in the cafeteria based on the principal's or his/her designee's approval.
2. Parents and other interested citizens may eat in the cafeteria once they have signed in as a visitor at the front office. They are encouraged to give prior notice to the teacher, office personnel, or the Food Service Manager/Lead. Prearrangement is encouraged in order to ensure that the food supply is adequate.
3. Only full-time, part-time, and substitute food service employees shall receive meals as part of their compensation.
4. All other School Board employees shall pay the established adult price for the meal.

Payment Method.

1. Prepayments for meals may be accepted. No meal or meals may be sold to an adult on a credit basis. Elementary and secondary students will be permitted to charge up to three (3) days. Alternative meals will be provided for all students without funds up to a maximum of three alternative meals.
2. Prices of individually priced food and beverage items shall be determined by the Food Service Director.
3. Students who qualify for free meals will no longer have a charge on their lunch account. The meals previously charged will now be listed on their account as a free meal.
4. Students are not allowed to charge a la carte items.
5. Overt identification is avoided through the meal counting/claiming software. Students enter their account number on the keypad. The cashiers address each student by name, verifying the student. The student's meal is correctly claimed at the point of sale.
6. The food service staff are to be trained at the beginning of each school year on the meal charge policy. The staff is given a copy of the presentation for future reference.
7. The information on this meal policy will be communicated in the student handbook for students and parents to view.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1001.42, Fla. Stat.; Fla. Admin. Code R. 6A-7.042

History: New, June 12, 1989

Revised: April 10, 1996; September 13, 2006; June 23, 2010; May 26, 2015; April 24, 2018

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RESPONSIBILITY OF PRINCIPAL FOR FOOD SERVICE PROGRAM

6.405

It shall be the duty and responsibility of each principal to insure that the food service program in his school is operated in conformance with all applicable laws, regulations, and rules. The principal shall also:

1. Schedule lunch periods so that maximum participation may be realized.
2. Perform evaluation of Food Service employees.
3. Make the entire school staff conscious of the opportunities for using the school food service as a laboratory for teaching nutrition, health and social development and for correlating the program with other areas of instruction.
4. Ensure that any organization desiring to use the kitchen or cafeteria shall complete forms BU-BCSB-15A and BU-BCSB-15B. A Food Service Manager or other qualified food service employee shall be present and reimbursed, if appropriate, when food is to be prepared or kitchen equipment is to be used. The District shall compensate the Food Service Manager or other qualified food service employee who is entitled to such reimbursement and shall collect funds from the organization to cover such reimbursement.
5. Take the appropriate measures to ensure that the food service program does not compete with commercial establishments.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.06, 1012.22, 1001.42, Fla. Stat.

History: New, June 12, 1989

Revised: April 10, 1996; September 13, 2006

CUSTODIAL RESPONSIBILITIES

6.406

The principal, following consultation with the Food Service Manager, shall annually assign custodial staff responsibility for cleaning of school food service areas. A schedule for such cleaning activities shall be jointly developed by the principal and the Food Service Manager. Specific duties to be included in the schedule shall include:

1. Cleaning the dining room floors daily and waxing periodically, where appropriate. Kitchen floors are to be spot cleaned by food service personnel, but are to be scrubbed on schedule by the custodian.
2. Cleaning the windows of the school food service area.
3. Cleaning fans, hoods and any equipment that requires the use of high ladders.
4. Removal of garbage cans from the food service area, and cleaning and sanitizing such cans.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1001.42, Fla. Stat.

History: New, June 12, 1989

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USDA DONATED FOODS

6.407

The Director of School Food Service shall be responsible for the distribution of commodities to the schools. The following procedures shall be followed in the distribution and use of commodities:

1. Records and receipts of the arrival and distribution of commodities shall be maintained by the Director of School Food Service and the Finance Department.
2. Donated food may not be sold, exchanged for any purpose, or used in any manner violative of federal regulations. These commodities may be used for emergency feeding in designated shelters.
3. Food Service Managers shall plan the use of donated foods in such a manner as to avoid any unnecessary carryover from year to year.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: §§ 1006.06, 1001.42, Fla. Stat.
History: New, June 12, 1989
Revised: April 10, 1996*

LEFTOVER FOOD AND GARBAGE

6.408

Each Food Service Manager shall plan meal preparation in a manner to minimize over-production.

Leftover Food. Leftover food may not be taken from the school food service area by any person, including employees. This includes both purchased food as well as donated food. Any leftover food may be disposed of in the following manner:

1. Sold as seconds to students.
2. Stored properly and incorporated in future meals.
3. Discarded as appropriate.

Garbage and Swill. Employees of the school system may not remove garbage or swill from the school.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: §§ 1006.06, 1001.42, Fla. Stat.
History: New, June 12, 1989
Revised: April 10, 1996*

**CHAPTER SIX
BUSINESS AFFAIRS**

**UNAUTHORIZED PERSONS
IN FOOD PREPARATION AREAS**

6.409

The Food Service Manager shall be responsible for the control of unauthorized persons in the school food preparation areas. Admission to such area or areas shall be limited to the food service staff, the principal, and school personnel on official business.

Students may be allowed in the kitchen area provided they are:

1. Employed in accordance with child labor laws;
2. On tour as part of an educational project prearranged with the principal and the School Food Service Manager; or
3. Under the supervision of a school staff member.

Relatives of school food service personnel shall not be allowed in the kitchen area during food preparation or serving.

Unauthorized adults shall not be allowed in food preparation areas at any time except for making repairs or using the facilities as authorized by the Superintendent.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1006.06, 1001.42, Fla. Stat.

History: New, June 12, 1989

Revised: April 10, 1996

CHAPTER SIX BUSINESS AFFAIRS

PART FIVE SCHOOL FACILITIES

USE OF SCHOOL PROPERTY

6.501

School property, facilities and equipment are intended primarily for educational purposes and for the benefit of students. No other use shall interfere with these purposes. The Principal may approve the use of school property, facilities and equipment for any group or organization ("Lessee") as herein provided. The Principal shall be responsible for safeguarding of such property, facilities and equipment. In addition, the Principal shall see that the rules of the School Board are observed, and that proper lease forms are executed, risks are assessed and mitigated, user liability insurance is in place, the school calendar is accurate and up to date, lease documentation files are maintained, and that required lease payments are made.

School leasing files shall be subject to periodic audit for compliance with this Board Policy and with procedures as approved by the Superintendent in respect to consistent and orderly administration of this Board Policy. Lease forms shall be executed at least ten (10) days in advance of the use or event.

Use of School Property Without Charge. The Principal may authorize the use of school facilities without charging school fees and the Superintendent's designee may waive district fees, except labor costs as may be required for supervision or clean-up, under the following conditions. The Superintendent shall be notified, in writing, of each authorization for the use of school facilities without charge. If there is any doubt as to the eligibility of an organization to use facilities without charge, the matter shall be referred to the Superintendent or designee for resolution.

School facilities and equipment may be made available for any District educational purpose, or for use by employees in accordance with provisions of a collective bargaining agreement.

School facilities may be made available to national youth groups operating under the sponsorship of a county organization provided that the group is properly supervised. District use agreements may be executed with the community organization for all schools or for an individual school.

School facilities and equipment shall be made available for civil defense use as directed by the Superintendent who shall notify the Principal of the school affected.

School facilities may be made available to the Board of County Commissioners for voting places in any election, provided that the Principal can make such arrangements to prevent the election from interfering with the operation of the school.

School facilities may be made available to any governmental, community agency or other organization when specifically approved by the School Board as being in the public interest or for the benefit of the school system or its employees.

Use of Facilities With a Charge Being Made. The Principal, or other designated administrator, may permit the use of school facilities for non-school activities under the following conditions:

School facilities may be made available for specific, temporary, or short-term purposes to organizations which are civic, religious or community connected, upon the payment of the fee established herein.

If the use is to be repetitious for a period of more than six (6) months, approval must be given by the School Board, upon recommendation of the Principal.

CHAPTER SIX BUSINESS AFFAIRS

The Principal shall be responsible for seeing that the facilities are under sufficient supervision and that adequate custodial service is provided. School kitchens and food service facilities shall not be accessed or used by any outside organizations. Organizations using stadiums and sports fields (or indoor facilities for large crowd events) shall be required to have at the organization's expense, at least one (1) uniformed security officer for the entire time of use. The Principal may require use of and payment for other specialized school or district employees or other personnel to properly operate facility lighting systems, sound systems, curtains and set rigging systems, scoreboard, and other specialized equipment. The Principal shall approve of the labor plan for supporting the use or event.

Payment for labor for custodial, supervisory, security, or special technician employees shall be made by the organization using the facility directly to the personnel providing services for the event, not to the school or district. Labor rates shall be as agreed between the user organization and the personnel performing the event support services. Lessee shall provide written documentation to the Principal for labor payments actually made in support of Lessee's use or event. Such labor payments for required services shall be in addition to the space fees charged for usage. Charges shall also be assessed for any damage to the facility, furnishings, or equipment, and reimbursement for such charges shall be made by the organization using the facility.

Booking Deposit. At the time of booking the event in the school calendar, a non-refundable deposit must be paid to the school to reserve the space. The booking deposit shall be the greater of \$250 or 20% of the total lease fee, unless the total lease fee is less than \$250 in which case the total lease fee is due at the time of booking. The booking deposit will be credited toward the total fees to be paid to the school. Booking deposits are specific to one calendar time frame and cannot be applied to multiple bookings.

Fees. The fees in Exhibit A shall be set out in a signed lease agreement and charged for each use of school facilities for any event in which an admission fee is charged or financial profit is expected, or for any other use deemed appropriate for charges by the Principal. The purpose of the district fees and charges is to recover district costs for energy, field paint, supplies, pool chemicals, etc.

If the use of the facility is for a profit-making activity, the organization shall be assessed a fee equal to ten percent (10%) of the gross proceeds or the fees set forth in Exhibit A, whichever is greater.

Payment of Required Fees and Reimbursements. Lease fees shall be paid, by check made payable to the Bay District Schools, ten (10) days in advance of the use of the facilities. Reimbursement for additional expenses, gate share, or any damage costs shall be made within ten (10) days of date of billing and shall be paid by check made payable to the Bay District Schools.

Liability and Insurance Coverage. Each organization proposing to utilize school facilities, whether without or with charge, shall agree in writing to hold the School Board harmless from any liability which might accrue to the Board as a result of such use. In addition, the organization, except school booster clubs and parent-teacher groups, shall provide public liability insurance coverage in the amount of at least \$100,000 per person and \$300,000 per occurrence ten (10) days prior to the use of the facility. Without a certificate in hand proving this insurance coverage is in effect, the facility use shall not be permitted.

CHAPTER SIX BUSINESS AFFAIRS

Prohibited Uses of School Facilities. No school facilities, equipment, or grounds shall be permitted for any of the following purposes:

- (a) Programs involving any form of gambling or other illegal activity.
- (b) Private teaching, unless specifically approved in advance by the School Board. Supplemental educational services under Florida Statutes §1008.331 shall not require special School Board approval. This does not prohibit student development activities such as clinics, camps, or workshops for sports, academics, theater, cheer, band, choir or other student club or booster club activities that are approved by the Principal.
- (c) Programs which would be in violation of any law or School Board Rule.
- (d) Use by political groups for the purpose of fund raising activities or rallies.

Special Provisions. The following special provisions shall apply to all organizations using school facilities. It is the responsibility of the Principal to see that these provisions are enforced or observed.

- (a) Restrooms will be made available for organizations renting school facilities.
- (b) No alcoholic beverages or controlled substances shall be allowed on school property.
- (c) No smoking or the use of tobacco products or electronic cigarettes shall be permitted at any location.

Appeal to School Board. When any organization feels that the use of school facilities has been improperly denied, or that an improper charge or fee has been applied, a written appeal may be made to the School Board for resolution.

**CHAPTER SIX
BUSINESS AFFAIRS**

Exhibit A – Schedule of Space Fees

Space Fees	School \$ Per Hour	District \$ Per Hour
Classroom	\$22	\$4
Cafeteria / Multi-Purpose Room	\$32	\$12
Small Multi-Purpose Room / Band Room	\$22	\$9
Media Center	\$42	\$12
Gymnasium (Middle School)	\$31	\$60
Gymnasium (High School)	\$103	\$60
Locker Room High School or Middle School)	\$30	\$18
Auditorium - Arnold HS	\$200	\$60
Auditorium – St. Andrew School	\$125	\$30
Fine Arts Center - Mosley HS	\$200	\$60
Grand Piano - Mosley HS FAC	\$250	
Fine Arts Center - Bay HS	\$200	\$60
Auditorium - Rutherford HS	\$160	\$60
Football / Soccer Field / Track (no lights)	\$100	
Football / Soccer Field / Track (with lights)	\$100	\$70
Baseball / Softball Field (no lights)	\$100	
Baseball / Softball Field (with lights)	\$100	\$70
Practice Field	\$75	
School Board Room - Nelson Building		\$80
Staff Development / Training Room – Nelson Building		\$50
Tommy Oliver Stadium		\$250
Gavlak Stadium		\$200
Bozeman Stadium		\$200
Swimming Pool - Mosley HS		\$75

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1013.02, 1001.42, Fla. Stat.

History: New, June 12, 1989

Revised: January 11, 1990, July 15, 1993; December 12, 2001; June 9, 2010; November 22, 2011; August 27, 2013; November 14, 2017

CHAPTER SIX BUSINESS AFFAIRS

AVAILABILITY OF SCHOOL FACILITIES TO SECONDARY STUDENTS FOR MEETINGS

6.502

In accordance with The Equal Access Act, the School Board authorizes school facilities to be made available to secondary students who wish to conduct meetings during non-instructional time. Non-instructional time shall be defined as the time set aside by the school in the morning before actual classroom instruction begins, or in the afternoon after actual classroom instruction ends, exclusive of the optional periods offered by the School Board. The use of school premises for these meetings may be approved by the principal in accordance with the following provisions:

- (1) The meeting:
 - (a) Is voluntary and student-initiated;
 - (b) Does not materially and substantially interfere with the orderly conduct of educational activities within the school;
 - (c) Is not directed, conducted, controlled, or regularly attended by nonschool persons;
 - (d) Does not require additional tax funds; and
 - (e) Is not otherwise unlawful.
- (2) The length of the meeting shall not extend beyond 5:00 P.M. unless extended by individual school policy.
- (3) Admission fees are not charged during the course of the meeting.
- (4) Application for use of elementary, middle, secondary, or post-secondary school premises is properly executed by the student initiating the request, utilizing forms that may be secured from the school office where use is being requested.
- (5) There shall be no sponsorship of the meetings by the school, the School board or its agents or employees. The term "sponsorship" includes the act of promoting, leading, or participating in a meeting. The assignment of a teacher, administrator, or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting. Employees or agents of the school or School Board may be present at meetings only in a non-participatory capacity.
- (6) Use of school premises shall not be denied on the basis of the number of participants or on the basis of the content of the speech at such meetings, e.g., religious, political, philosophical; however, nothing in this Rule shall be construed to limit the authority of the school, its agents or employees, to maintain order and discipline on school premises, to protect the well-being of students and faculty, and to assure that attendance of students at meetings is voluntary.
- (7) Denial by the principal of the use of school premises to any student-initiated group for the purposes of conducting a meeting during non-instructional time may be appealed to the Superintendent.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1013.02, Fla. Stat.; P.L. 98-377, 20 U.S.C. 4071

History: New, June 12, 1989

CHAPTER SIX BUSINESS AFFAIRS

IMPROVEMENTS TO SCHOOL FACILITIES AND GROUNDS

6.503

Any group, including a parent-teacher association, which desires to improve a school site, to add facilities, to install equipment, or to make any improvement which would place an additional load on the electrical system shall submit a written proposal to the principal and Superintendent for approval. All plans and specifications must be reviewed and approved by the Director of Facilities/ Maintenance to ensure compliance with Chapter 6A-2, Fla. Admin Code and other applicable building codes. The building must be inspected and accepted by the Director of Facilities/Maintenance upon completion. The Superintendent shall not approve any request until it is determined that adequate electrical service is available and plans have been approved as provided herein. Any such improvement or addition shall become the property of the School Board.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: § 1001.42, Fla. Stat.
History: New, June 12, 1989*

BREAKING AND ENTERING OR VANDALISM

6.504

Where breaking and entering or vandalism occurs to school property outside of school hours, or by persons not subject to jurisdiction of the school, the principal shall report the matter within 48 hours to the Supervisor of Facilities and Maintenance and to the proper law enforcement agency giving all available information.

Where a student willfully damages school property, he/she shall be properly disciplined and his parents or guardian shall be requested in writing to restore or replace such damaged or destroyed property as determined by the true value established by the Director of Facilities and Maintenance. In extreme cases of vandalism, a student shall be subject to suspension or dismissal from school under the charge of serious misconduct. Each school shall formulate local school rules to properly deal with the abuse of school property by students.

Where vandalism or theft of school property is known to have been committed by a minor and the parents or guardian refuse to restore or replace the property, a civil action against the parents or guardian may be instituted by the School Board to recover damages in an amount not to exceed the limit prescribed by law.

In any case of willful or negligent damage to school property by a person other than a student, the user or person responsible for the damage shall be responsible for the replacement of the property or for payment of the damages in accordance with the true value as determined by the Director of Facilities and Maintenance.

Each organization which is granted permission for the use of public property shall be responsible for any undue damage to the buildings, equipment or grounds and shall pay for any such damage in accordance with the true value as determined by the Director of Facilities and Maintenance Operations. Failure to comply with a request for payment of such assessed damages shall result in the individual, group, or organization being ineligible for further use of school property and such legal action as the School Board deems proper to recover the amount of damages.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: §§ 1001.42, 741.24, Fla. Stat.
History: New, June 12, 1989*

CHAPTER SIX BUSINESS AFFAIRS

DISPOSAL OF SCHOOL PROPERTY

6.505

Real property may be disposed of only after having been officially declared unnecessary or unsuitable for school purposes by resolution of the School Board.

When such property, in the opinion of the School Board, has an estimated value of less than \$5,000, the Board shall determine the procedure to be followed for disposal, which may be by either public sale, private sale, or negotiation.

When such property, in the opinion of the School Board, has an estimated value in excess of \$5,000, the Board shall dispose of the property by public sale in the manner prescribed by Section 6A-2.22, State Board of Education Rules.

Notwithstanding the provisions herein, the School Board may transfer any real property, regardless of value, to another governmental unit for whatever consideration the Board determines to be in the best interest of the District.

Tangible personal property shall be disposed of in the manner prescribed by Chapter 274, Fla. Stat.

Unless determined to the contrary at time of sale, the School Board shall reserve all mineral rights to any land acreage legally owned and controlled by the Board, if and when such property is disposed of in any manner.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: §§ 1001.42, 1013.28, Chapter 274, Fla. Stat.
History: New, June 12, 1989*

ALTERING SCHOOL PROPERTY

6.506

No school building or other fixed property of the School Board may be constructed, altered, or removed in any way without the specific approval of the School Board.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: § 1001.42, Fla. Stat.
History: New, June 12, 1989*

CHAPTER SIX BUSINESS AFFAIRS

EMERGENCY DISASTER PLAN

6.507

In the event of an emergency or disaster, school centers may be made available for Civil Defense use as emergency shelters or centers. In the event a storm is predicted to hit in or near this geographical area, each school principal shall be available in order to make the school for which he is responsible available as an emergency center upon receipt of such instructions from the Superintendent. When the principal is absent from the district, the Superintendent shall designate a member of the administrative or instructional staff to open and be responsible for the facility.

Each principal shall provide an emergency disaster plan for his/her school in the event of a hurricane, tornado or similar emergency. This plan shall be in print and shall be known to all concerned parents and the school faculty.

Upon the release of the school facility by the requesting agency the following procedures shall be observed:

1. School Board employees shall conduct a complete inventory of their assigned areas and perform such other duties as the principal or department head may assign.
2. The complete inventory report shall be forwarded by the principal or department head to the Superintendent by no later than the second day following the release of the property.
3. The Superintendent will determine when students will return to school except where Board action is deemed to be appropriate.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: §§ 1013.02, 1001.42, Fla. Stat.
History: New, June 12, 1989*

MAINTENANCE OF FACILITIES

6.508

The Maintenance Department shall be responsible for major repairs and the maintenance of buildings and equipment for the District.

The number of Maintenance Department employees required to hold the Commercial Driver License (CDL) will not exceed twenty-five percent (25%) of the total number employed by the Maintenance Department at any given time.

As facility manager, the principal is responsible for maintaining his/her assigned facility in an attractive, clean, healthy and safe condition that will enhance the educational program.

The principal or administrator shall be responsible for initiating all maintenance requests of the school or facility. Maintenance services must be requested by forwarding a work request form to the Maintenance Department for approval and forwarding of copies to the appropriate persons.

In case of an emergency which endangers the lives, health or safety of students or other persons, the principal or other person acting in his/her absence shall report the need for emergency repairs by telephone to the Supervisor of Maintenance.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: 1001.42, Fla. Stat.
History: New, June 12, 1989
Revised: November 8, 1989, August 8, 1991*

CHAPTER SIX BUSINESS AFFAIRS

ALARM SYSTEMS

6.509

The principal shall check or cause to be checked the alarm system of the school at weekly intervals. Any malfunction of the alarm system shall be reported immediately by telephone to the Supervisor of Maintenance who shall have the needed repairs made without delay. Any failure to make prompt repairs shall be reported to the Superintendent by the principal.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: §§ 1001.42, 1013.01, Fla. Stat.; 6A-2.43, SBER
History: New, June 12, 1989*

SANITATION

6.510

The principal shall be responsible for maintaining satisfactory standards of sanitation and housekeeping. The principal or his/her designee shall make a formal inspection of all buildings under his supervision at least once every two (2) months, including all restrooms, storage areas, garbage disposal areas, and student occupied areas. Those findings and the action taken to correct any unsatisfactory condition shall be on file in the principal's office.

Custodial Handbook. The Superintendent shall develop and disseminate a Custodial Handbook which shall include, but not be limited to:

1. Duties of custodians in the area of housekeeping and safety to life;
2. Property and procedures; and
3. Responsibilities in the overall school program.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: §§ 1001.42, 1013.12, Fla. Stat.
History: New, June 12, 1989*

TOXIC SUBSTANCES IN SCHOOL WORK AREAS

6.511

The Superintendent shall develop and implement a program to ensure that employees will be given information concerning the nature of toxic substances with which they are working. The program shall include, as a minimum:

1. Notification to each employee of the person to whom requests for information concerning such substances may be directed;
2. An orientation session, within 30 days of employment for all new employees to advise them of any adverse health effects which might occur as a result of their contact with toxic substances; and
3. Provision to disseminate information regarding the use of any toxic substances to the local fire department.

*Authority: § 1001.41, Fla. Stat.
Law Implemented: § 442, Fla. Stat.
History: New, June 12, 1989*

CHAPTER SIX BUSINESS AFFAIRS

BUILDING INSPECTIONS

6.512

Each school building or other facility shall be inspected annually for compliance with the fire safety and sanitation standards of Chapter 2, State Board of Education Rules. Such inspections shall be made by personnel certified by the Department of Education to perform such inspections. The inspecting officer shall use approved inspection forms and provide one copy of the report to the Superintendent, one to the school principal, and one to the Department of Education.

Deficiencies reported that are determined to be an immediate danger to life shall be corrected immediately. The School Board shall be advised of such deficiencies and of corrective action. Other hazardous conditions shall be corrected in the following priority:

1. Causative factors of fire, accidents, and contagion.
2. Effective egress of facilities.
3. Early detection of fire.
4. Prevention of the spread of fire and unsanitary conditions.
5. Fire protection equipment, machine guarding, and personnel protection.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1013.12, 1001.42, Fla. Stat.

History: New, June 12, 1989

CHANGE ORDERS IN CONSTRUCTION CONTRACTS

6.513

The Superintendent shall have authority to approve change orders in contracts for the construction or alteration of school facilities in an amount not to exceed \$25,000, upon determination that all requirements of law and the State Board of Education have been fully complied with.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1013.48, Fla. Stat.

History: New, June 12, 1989

Revised: June 9, 1994, November 10, 1998

CHAPTER SIX BUSINESS AFFAIRS

ACQUISITION OF SCHOOL PROPERTY

6.514

Prior to taking action to purchase any real property for school use, the Superintendent shall obtain one or more appraisals from persons who are members of an appraisal organization listed in Section 253.025(7)(b), Fla. Stat.

- If the purchase price of the property is estimated to be less than \$500,000, at least one (1) such appraisal must be obtained.
- If the purchase price of the property is estimated to be \$500,000 or more, at least two (2) such appraisals must be obtained.

If the agreed purchase price of the property exceeds the appraisal in (1), or the average of the appraisals in (2), an affirmative extraordinary vote of at least four (4) members shall be required to approve the purchase.

Purchases of property of \$100,000 or less may, on an individual basis and by ordinary vote, be exempted from the appraisal requirement above.

Pursuant to law, all appraisals, offers, or counteroffers relating to proposed purchases of real property may be maintained in a confidential form until:

1. An option contract is executed, or
2. 30 days prior to consideration for purchase or approval by the School Board.

Authority: § 1001.41, Fla. Stat.

Law Implemented: § 1013.14, Fla. Stat.; Chapter 84-298, Laws of Florida

History: New, June 12, 1989

LONG-RANGE FACILITY PLANNING

6.515

The Superintendent shall develop and implement procedures for periodically recommending revisions to the Long-Range School Facility Program for approval of the School Board. Such Program shall be based upon the latest School Plant Survey conducted or approved by the Department of Education and shall form the basis for:

1. Acquisition of school sites;
2. Erection of new buildings;
3. Expansion of existing buildings;
4. Modernization and rehabilitation of existing buildings.
5. Re-purposing or closing of schools;
6. Re-zoning of attendance areas.

An amended Educational Plant Survey should be performed whenever a school enrollment meets any of the following conditions:

1. Decline of 5% per year for a period of five (5) years;
2. Less than 60% of permanent capacity after being in operation for five (5) years;
3. Exceeds the permanent capacity by more than 25%.

Authority: § 1001.41, Fla. Stat.

Law Implemented: §§ 1001.42; 1001.51; 1013.31, Fla. Stat.

History: New, June 12, 1989

Revised: May 26, 2004