

Chapter 2 – School Board Governance and Organization

SCOPE OF THE SCHOOL DISTRICT 2.10*

- (1) The School Board is the governing body of the District and is responsible for the control, operation, organization, management, and administration of public schools in the county pursuant to the provisions and minimum standards prescribed by Florida Statutes and State Board of Education rules.
- (2) The District school system is part of the state system of public education and includes all public schools, classes, and courses of instruction and all services and activities directly related to education in the District which are under the District school officials' directions.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED: 1001.30; 1001.31; 1001.32;
1001.33; 1001.41; 1001.43, F.S.**

HISTORY: ADOPTED:

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FORMERLY: NEW

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RESPONSIBILITIES AND AUTHORITY OF THE BOARD 2.20

(1) The School Board is responsible for the organization and control of the public schools of the District and is empowered to determine the policies necessary for the effective operation and the general improvement of the school system. The School Board is a public corporate entity and may take action only when the Board is meeting in official public session and a quorum is present. The School Board shall limit its action to establishing policy and to meeting the requirements prescribed by laws and rules of the State Board of Education. Individual members of the School Board have authority to take official action only when sitting as a member of the School Board in public session except when the School Board specifically authorizes the member to act. The School Board shall not be bound in any way by any action on the part of an individual board member or an employee except when such statement or action is in compliance with the public action of the School Board.

(2) The salaries of Board members shall be in accordance with Florida Statutes.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED: 1001.31; 1001.363;1001.372
1001.395; 1001.41; 1001.43;
1003.02, F.S.**

HISTORY: ADOPTED:

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FORMERLY: 1.40; 1.51; 1.721

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ORGANIZATION AND OFFICERS OF THE BOARD 2.21

(1) A chairperson and a vice-chairperson, and such other officers as the Board may determine, shall be elected annually by the School Board at its organizational meeting held on the third Tuesday after the first Monday in November; provided, however, if a vacancy occurs in the chairperson position, the School Board shall elect a chairperson at the next regular or special meeting.

(2) The chairperson shall preside at all School Board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the School Board. The vice-chairperson shall preside in the absence of the chairperson and shall perform such other duties of the chairperson as required by circumstances. The chairperson and vice-chairperson shall be bonded in the manner prescribed by the State Board of Education.

(3) The Superintendent, as provided by law, shall be the secretary and executive officer of the School Board. At any organizational meeting, the Superintendent shall act as chairperson until the organization of the School Board is completed.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.371; 1001.41;

1001.43; 1001.48, 1001.51, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY: 1.30; 1.31; 1.312; 1.313

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BOARD MEETINGS 2.22*

All official School Board meetings shall be open to the public and all informal meetings and conferences involving School Board members shall be conducted as public meetings unless specifically exempted by Florida Statutes. No official action may be taken by the School Board at any time other than an official meeting.

- (1) Regular School Board meetings shall be established at the organizational meeting which is held in November. The regular meeting date may be changed by School Board action at any previous meeting, provided that each member is notified by letter or by distribution of the minutes showing a record of the change. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.
 - (a) Special meetings shall be held at the time designated by the Superintendent, School Board chairperson, or when called by a majority of the School Board members as specified in written notice.
 - (b) Emergency meetings may be held at any time by the Superintendent either upon his/her initiative or upon the School Board chairperson's request. An emergency meeting may be called as quickly as complying with notification procedures; School Board members shall be given a tentative agenda during the notification.
 - (i) The Superintendent shall prepare and distribute an agenda prior to the emergency meeting.
 - (ii) The agenda, the need for the emergency meeting, and the results of the emergency meeting shall be available to the public within twenty-four (24) hours of said meeting.
 - (iii) Emergency meetings shall be conducted in the same manner as prescribed for regular and special meetings.
- (2) Regular, special, and emergency meetings of the School Board shall be held in the regular Board meeting room, unless changed in the manner prescribed herein. As provided by Florida Statutes, any regular or special meeting may be held at any other appropriate public place within the District by giving prior public notice of at least forty-eight (48) hours. When such a meeting is scheduled or re-scheduled at a location other than the regular meeting place, the Superintendent shall take such action to give public notice as required by Florida Statutes.

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- (3) All School Board meetings shall be conducted in accordance with *Robert's Rules of Order*.
- (4) Any item to be placed on the agenda of a regular School Board meeting shall be submitted, in writing, to the Superintendent's office no later than noon seven (7) working days prior to the meeting at which consideration is desired. This rule shall not preclude the right of any citizen to address the School Board; however, except for good cause as provided herein, the School Board shall not take action on any substantive proposal until such matter has been formally placed on the School Board agenda. Copies of the agenda for regular meetings shall be made available at least seven (7) days prior to the scheduled meeting date to the public or other parties who have expressed a desire for such copy of the agenda. Copies of the agenda for a special meeting shall be prepared at least forty-eight (48) hours prior to such meeting. Board members shall have any item added to the agenda upon their request.
- (a) In order to present any matter to the board at any meeting, the person or group of persons desiring to make such presentation shall file with the Superintendent, at least seven (7) working days before the meeting, a written request to that effect, containing the information listed below:
- (i) Name and address of the person making the request, and a designation readily identifying the organization or group, if any represented by him;
 - (ii) Descriptive summary of the matter and information to be presented, together with a copy of any material to be handed out at the meeting. Any such information or material that might be seriously derogatory of, or detrimental to, any person, shall be included in the form of an affidavit, with copies sufficient in number so that one copy may, and it shall, be sent at once to each such person;
 - (iii) An estimate of the time necessary for such presentation and discussion and action thereon; and
 - (iv) A description of the specific action desired by the Board.
- (b) Upon receipt of such request, the Superintendent shall reply either in writing or otherwise, scheduling, if he/she grants the request, the matter for consideration by the Board at the earliest regular meeting practicable in view of time probably to be consumed. Questions as

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to denials of such request shall be resolved by the Chairman of the Board after conference with the Superintendent. A copy of each request granted or denied, with the action taken thereon, shall be furnished by the Superintendent to each board member in time for study before the next meeting of the Board. The subject matter of each such request shall be investigated and considered by the Superintendent, who shall furnish to each Board member a written report of his findings and recommendations thereon, in time for study before the meeting at which the presentation is to be made.

(c) The Chairman may give permission for any person who has not made a written request to the board to be heard with the understanding that immediate decision is the prerogative of the Board. If the Chairman grants permission for an individual to address the Board without adhering to provisions of this rule, the individual must provide his/her name, the agency, group or organization(s) he/she represents and the item to be spoken to.

(d) At any School Board meeting, unless otherwise ordered by majority consent of the Board members present, the maximum amount of time allowed for presentation of, and discussion on, the subject matter of any such request shall be thirty minutes, distributed as follows: ten minutes to the maker of the request; ten minutes to any opponent of the proposition of such maker and ten minutes for questions and discussion by the Superintendent and the Board.

(e) Insofar as consistent with controlling law or rule, the application of this rule shall include, without being limited to, the disposition by the Board of petitions for declaratory statements to the applicability of any statutory provision or of any rule or order of the Board; but shall be subordinate to any applicable provisions of these rules relating to any specific type of proceeding.

- (5) A majority shall constitute a quorum for any School Board meeting. No business shall be transacted unless a quorum is present. There is no meeting for a minority to adjourn. Unless a majority is present, no meeting can be convened.
- (6) The vote shall be unanimous if all members audibly vote “yes” or otherwise indicate an affirmative vote. When a split vote occurs, the minutes shall show the vote of each member on the question. Each member who is present shall vote on each decision, ruling, or official act which is taken or adopted by the School Board, unless there is or appears to be a conflict of interest under the provisions of Florida Statutes. In such cases the member may abstain, but shall file a memorandum pursuant to requirements of Florida Statutes.

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- (7) The official minutes of the School Board shall be kept as prescribed by Florida Statutes. The minutes shall be kept in a safe place by the Superintendent and shall be made available by the Superintendent during the time the office is open to any citizen desiring to examine the minutes.
- (a) Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the name of the person who seconds the motion; and, the vote or action thereon shall be recorded.
 - (b) Any School Board member or Superintendent who wishes any of his/her statements to be recorded may request during the meeting that such become a part of the official minutes.
 - (c) Any other matter may be made part of the official minutes by direction of the chairman or by a majority of the School Board.
 - (d) Lengthy material such as, but not limited to, student assignments may be maintained in record books which are separate from, but supplemental to the basic record of minutes.
- (8) The public shall be informed that it is unlawful to knowingly disrupt or interfere with a School Board meeting and that any such action may result in a misdemeanor offense of the second degree. This includes individuals who advise, counsel, or instruct students or School Board employees on techniques for disrupting a School Board meeting.
- (9) Workshops may be scheduled by the School Board as deemed appropriate. No formal action may be taken by the School Board during such workshops.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: CHAPTER 112; 120.525; 120.53;

286.0105; 286.011; 286.0111;

286.012; 447.605; 877.13; 1001.32;

1001.37; 1001.372(1)(2)(3)(4); 1001.41;

1001.42; 1001.43; 1006.145, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY:1.60;1.61;1.62;1.621;1.622;1.623;1.624;1.63;1.631;1.64;1.641;1.642;1.70;

1.71;1.711;1.7111;1.7112;1.71113;1.72;1.721;1.722;1.73;1.74;1.741;1.742

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SCHOOL BOARD RULES 2.23*

As used in these rules, the term “rule” and “policy” shall have the same definition. These rules may be amended, repealed, or a new rule adopted as hereinafter prescribed. The term “rule” is defined in Florida Statutes; it does not include “curricula by an educational unit”, thereby, removing the development or prescription of curriculum by a School Board from the procedural requirements established for rule making.

(1) Unless an emergency exists, any proposal relating to a rule amendment, the repeal of any rule, or the adoption of a new rule shall be presented in writing to the School Board including a written explanation of the proposal.

- (a) The Superintendent shall give immediate and proper written notice to the public pursuant to the provisions of Florida Statutes, when the School Board has determined that it will give due consideration to the proposal for adoption, amendment, or repeal of a rule. The notice of a public hearing shall be advertised twenty-eight (28) days prior to the date of the hearing. The notice shall include a brief and concise explanation of the proposed rule’s purpose and effect, the estimate of economic impact to all individuals affected by the proposed rule or rule amendment, the specific legal authority for the School Board’s action, and the location where the text of the proposed change may be obtained.
 - (b) Any person who is substantially affected by a proposed rule, rule amendment, or the repeal of a rule, may within twenty-eight (28) days following notice of intent to adopt or repeal such rule, file a written request with the School Board seeking an administrative determination as to the validity of the proposed rule action.
 - (c) The Superintendent shall file immediately in his/her office a copy of any new rule, rule amendment, or repeal of rule adopted by the School Board; policy handbooks shall be amended accordingly.
 - (d) Such rules shall become effective upon adoption by the School Board unless a time certain date is specified therein.
- (2) Any person substantially affected by an existing School Board rule may petition the Division of Administrative Hearings, Florida Department of Administration, to conduct a hearing on the rule validity pursuant to Florida Statutes. Any hearing examiner’s decision which is adverse to the School Board may, upon the School Board’s appeal, be judicially reviewed. Any hearing examiner’s decision which is adverse to the person substantially affected may, upon that person’s appeal, be judicially reviewed.

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- (3) The School Board may determine that the public health, safety, or welfare is endangered and that immediate action is required to protect the public interest. When this occurs, the School Board, at any meeting in which a quorum is present, may adopt emergency rules, without complying with the waiting period as provided in subsection (1) herein for public hearings and other similar requirements. The Superintendent shall properly record the effective date for any such emergency rule. Any emergency rule shall not be valid in excess of ninety (90) days from the adoption or effective date.
- (4) Any School Board employee, citizen, or agency may obtain information relating to the method for proposing a rule or may submit a rule proposal to the Superintendent's office.
 - (5) A copy of the compiled rules shall be available for inspection in the Superintendent's office, the principal's office, and in the library of any school.
- (6) Copies of the School Board rules shall be assigned to various positions within the District as determined by the Superintendent.
 - (a) A copy of any rule change shall be made available by the Superintendent to each holder of the compilation who shall be responsible for entering all changes immediately upon receipt.
 - (b) A copy of the School Board rules manual shall be available to all staff members either in the principal's office or school library. The school principal shall keep the compilation current.
 - (c) The principal shall inform his/her staff members of the location of the School Board rules and any changes.
- (7) A School Board rule may be waived only to provide and implement overall goals and objectives of the School Board and to protect and preserve the health, safety, and welfare of the affected individual(s). Waiver of a School Board rule shall be addressed and a decision rendered regarding its waiver at a regular, special or emergency School Board meeting. A waiver of a School Board rule shall not render the policy void with respect to the continued implementation of the rule which is sought to be waived.

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- (8) Any citizen may appeal to the Board for a variation or waiver with regard to any policy. The appeal process shall be that a written request shall be made to the Superintendent who shall review the matter and present recommendations to resolve the problem at the next regular School Board meeting to which the item may be added as a part of the agenda. In cases where an appeal process has been developed for a specific policy, the appeal shall be made in accordance with that procedure.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 120.52 - .72; 1001.43, F.S.

HISTORY: ADOPTED:

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FORMERLY: 1.431;1.432;1.4321;1.4322;1.44

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COLLECTIVE BARGAINING AGREEMENTS 2.24+

Any provision of a collective bargaining agreement which is ratified by the School Board and affects collective bargaining members shall prevail over any School Board rule conflicting with the agreement. The School Board rule shall be deemed to be amended during the term of the agreement. If such agreement expires prior to ratification of a subsequent agreement, the provisions of the expired agreement shall be in effect until ratification of a subsequent agreement or approval by the legislative body by a Resolution of Impasse.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 447.309(3); 1001.43, F.S.

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FORMERLY: 1.76;1.761;1.762;1.763;1.764

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SCHOOL BOARD ADOPTED PLANS 2.25+

The School Board has plans, manuals, handbooks and codes which outline procedures to be followed relative to stated topics. The plans, manuals, handbooks and codes listed below may be adopted by reference as part of these rules when required by other Board rules, Florida Statutes, or other controlling requirements.

These include, but are not limited to:

Administrative Services

- Bloodborne Pathogens Training Manual
- Crisis Management Plan
- District Five-year Work Plan
- District Master In-Service Plan
- Equity Plan
- Leadership Development Plan (LEADERSHIP PAEC)
- Project Priority List
- School Plant Survey
- Transportation Procedures Manual

Instructional Services

- Attendance/Tuancy Plan
- Code of Student Conduct
- Dropout Prevention Plan
- Instructional Technology Plan
- Limited-English Proficient LEP Plan
- Student Progression Plan
- School Food Service Handbook
- School Handbooks
- School Health Procedures Manual
- School Improvement Plans
- Special Programs and Procedures Manual
- Student Education Records Manual
- Student Services Plan

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.41; 1001.43, F.S.

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SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY 2.26*+

The School Board shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to Florida Statutes and State Board of Education rules. The system shall establish the individual school as the unit for education accountability and shall conform with the provisions of planning and budgeting as required by Florida Statutes. School as used herein shall include each school-within-a-school, magnet school, self-contained educational alternative center, and satellite center.

The system shall include, but not be limited to, the following components:

- A. School improvement plans which are adopted for each District school. Each District school shall develop and present to the Superintendent, by the date set by the Superintendent, an individual school improvement plan for consideration by the School Board. The approved plan shall be implemented the next school year.
 1. The plan shall be designed to achieve the state education goals and student performance standards and shall be based on a needs assessment conducted pursuant to data collection requirements in Florida Statutes.
 2. The plan shall address school progress, goals, indicators of student progress, strategies, and evaluation procedures including adequate measures of individual student performance. Specific school safety and discipline strategies and other academic-related issues may be included.
 3. The plan for each District school shall be approved annually and shall be implemented as a new, amended, or continued school improvement plan.
 4. The plan shall be developed by School Board employees in each District school in conjunction with the school advisory council.
 5. Each school plan shall meet the requirements of Florida Statutes.
 6. Contained within the Procedures Manual are the specific procedures to be followed to resolve any conflict regarding approval of the Plan by the Board.
- B. An approval process.

The District process for initial approval and subsequent annual approvals of school improvement plans shall provide for each school improvement plan to be reviewed and approved or disapproved by the School Board. The Superintendent shall refer any disapproved school improvement plans to the appropriate agency as required by law.
- C. A two-year individualized assistance and intervention plan for schools that do not meet or make adequate progress, as defined in Florida Statutes and State Board of Education rules, in satisfying the goals and standards of their approved school improvement plan.

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D. The District notification procedures to the Florida Commissioner on Education Reform and Accountability and the State Board of Education to identify any school that has completed a two-year (2) individualized assistance and intervention plan without making adequate progress in satisfying the goals and standards of its approved school improvement plan.

E. A communication program, to inform the public about student performance and educational programs in District and school reports.

F. Funds for schools to develop and implement school improvement plans.

G. A reporting procedure to provide the Florida Commission on Education Reform and Accountability with annual feedback on the progress of implementing and maintaining a system of school improvement and education accountability. Items specified in Florida Statutes shall be included in all feedback reports.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 24.121(5)(c);

1001.10; 1001.42; 1001.43;

1001.452; 1003.413; 1008.345;

1008.385; 1011.01, F.S.

HISTORY: ADOPTED:

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FORMERLY: 1.774;3.60;3.61;3.62;3.63;3.64

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COMPREHENSIVE EDUCATIONAL PLANNING 2.261+

The Superintendent shall develop and present to the School Board a system of planning and budgeting which places primary emphasis on the school as the basic unit for planning and implementation.

- (1) Such plan shall include specific goals and objectives for the school system with latitude in the accomplishment of such objectives at the school level.
- (2) Seek the advice and opinion of the people of the school district.
 - (3) Require each school and the district staff members to cooperate in keeping the public informed of all newsworthy events which would be of interest or concern to the citizens of the district and which would promote the welfare of the school system; provided, that any news release by a particular school be approved by the principal and that any adverse information released be approved by the Superintendent.
- (4) The Superintendent is responsible for providing public information for release to the press and other local channels of communication.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.41; 1001.43; 1001.51, F.S.

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FAMILY AND SCHOOL PARTNERSHIP FOR STUDENT ACHIEVEMENT 2.262*

- (1) The school district and each school principal are encouraged to strengthen family involvement and family empowerment in the school. The district will coordinate integrate parental involvement strategies with school improvement, Title I, Title II, Title IV, Title VI, Community Involvement Programs, Business Partnerships, and other community involvement activities.
- (2) The district will provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective and comprehensive parent involvement programs, based on the National Standards for Parent/Family Involvement Programs, which include:
 - (a) Communication between home and school is regular, two-way and meaningful.
 - (b) Responsible parenting is promoted and supported.
 - (c) Parents play an integral role in assisting student learning.
 - (d) Parents are welcome in school and their support and assistance are sought.
 - (e) Parents are full partners in the decisions that affect children and families.
 - (f) Community resources are utilized to strengthen school programs, family practices and student learning.
- (3) The district will communicate parental choices and responsibilities to parents.
 - (4) The district shall develop and distribute a parent guide to successful student achievement. The guide shall contain information that parents need to know about their child's educational progress and how parents can help their child's success in school.
- (5) The district will provide professional development opportunities for staff members to enhance understanding of effective parent involvement strategies through the district professional development plan.

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- (6) The District, to the extent practicable, shall provide full opportunities for parents with disabilities, parents with limited English proficiency and parents of migratory children to participate in school and parental involvement activities and programs.
- (7) The district will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy:
 - (a) To determine the effectiveness in increasing parent participation.
 - (b) To identify barriers to greater parent participation.
 - (c) To report the findings to the State Board of Education.
- (8) The district will use the findings of the evaluations in designing strategies for school improvement and revising, if necessary, the parent involvement policies.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 1000.21, 1002.23, 1001.42, 1001.51, 1001.54, 1002.20, 1003.33, 1006.07, 1008.25, 1012.72, 1012.98 F.S.

NO CHILD LEFT BEHIND ACT OF 2001, P. L. 107-110

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SPECIAL COMMITTEES OF THE SCHOOL BOARD 2.27

- (1) Special committees may be appointed by the School Board Chairperson when deemed necessary. The duties of any such committee shall be outlined at the time of appointment; the committee shall be automatically dissolved when the School Board accepts the committee's final report. Each School Board member shall be notified of all committee meetings, but shall have no vote unless the member is serving as a committee member. All meetings of School Board committees shall be advertised and open to the public.
- (2) Special committees or individuals who serve on special committees shall take no action which is binding upon the School Board.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.41; 1001.43, F.S.

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FORMERLY:1.75;1.751;1.752;1.753;1.754

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SCHEDULE FOR LEGAL ADVERTISEMENTS 2.28

- (1) The School Board shall inform the general public of certain actions through legal advertisements (e.g, Notices of Public Hearing, Invitation to Bid). Items of interest to the public shall also be advertised.
- (2) Notification to all appropriate agencies and individuals to amend, adopt, or repeal a School Board rule shall be given twenty-eight (28) days prior to the date of intended School Board action.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 120.54; 1001.43, F.S.

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FORMERLY:1.4321

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AUTHORITY TO ENTER INTO JOINT PROJECTS 2.29

The Jackson County School board is authorized to participate and enter into contracts for joint projects with one or more other school districts. Examples of

Such projects include but are not limited to:

- (1) Panhandle Area Educational Consortium (PAEC) – The Panhandle Area Educational Consortium is an Educational Consortium which provides joint programs and services to this school district and others pursuant to joint agreement among the district.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.41; 1001.42; 1001.43, F.S.

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FORMERLY: 1.45

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SCHOOL ADVISORY COUNCILS 2.30*+

The School Board authorizes the establishment of a school advisory council in each District school to assist in the enhancement of school site decision-making, to serve in an advisory capacity to the principal and to assist in the development of the educational program and in the preparation and evaluation of the school improvement plan required pursuant to Florida Statutes. The Superintendent shall develop guidelines pursuant to Florida Statutes to assist school advisory councils in order to ensure their active role in school site decision-making. School advisory councils shall not assume any of the powers or duties now reserved by law for the School Board or its professional staff. Nothing contained in the District and/or local school accountability process shall be construed to lessen or otherwise alter the authority of the school principal as provided for in law, rules or regulations.

(1) **Composition and Selection of Councils** - Council members shall include the school principal and an appropriately balanced number of teachers, education support employees, students, parents, and business and community representatives.

(a) Members shall be representative of the ethnic, racial, and economic community served by the council.

(b) Student representation shall be required for school advisory councils established at technical centers and high schools and may be included for school advisory councils serving middle schools. Student representation shall not be required for school advisory councils serving elementary schools.

(c) The term education support “employees” as used herein shall refer to any person who is employed at the school for twenty (20) or more hours during a normal working week and who does not meet the definition of instructional or administrative personnel pursuant to Florida Statutes.

(d) The term “teacher” as used herein shall include classroom teachers, certified student services personnel, and media specialists.

(e) A majority of members must be persons who are not employed at the school.

(f) Appropriately balanced as used herein shall mean a proportionate number of council members considering each peer group being represented on the council, excluding the school principal. The size of the school advisory council and the ratio of representatives among the peer groups, excluding the school principal, shall be set forth in the bylaws establishing procedures adopted by each school advisory council.

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- (2) Selection of Council Members - New council members shall be elected by their respective peer group, except for business and community representatives and the school principal.
- (a) The following council members shall be elected in a fair and equitable manner as determined by their respective peer group and as set forth in the bylaws of the school advisory council.
- (i) A teacher(s) shall be elected by teachers;
 - (ii) An education support employee(s) shall be elected by education support employees;
 - (iii) A student(s), when appropriate, shall be elected by students; and,
 - (iv) A parent(s) shall be elected by parents, as defined by Florida Statutes.
- (b) The school advisory council shall select business and community member(s) to serve on the school advisory council after reviewing the list of nominees prepared by the school principal.
- (i) Business and community representatives shall be selected initially through a nomination and selection process facilitated by the school principal of each school advisory council.
 - (a) The school principal shall seek candidates who are interested in making a commitment to participate on the school advisory council by representing businesses and the community.
 - (b) Letters, newsletters, or other media releases shall be used by the school principal to seek candidates.
 - (c) The school principal shall prepare a list of individuals seeking nomination to the school advisory council and shall present the list to the school advisory council for selecting the business and community representative(s).
 - (ii) Subsequent to the initial selection as described in subsection (2)(b)(i) herein, the operational guidelines of the school advisory council shall set forth procedures for nominating business and community representatives to serve on the school advisory council.

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- (c) The principal shall submit the list of council members to the Superintendent for review of each school to determine compliance with subsection (1) herein. The membership list shall contain the name of each council member and the peer group which is being represented by each member and a description of how the council represents the ethnic, racial, and economic community served by the school.
- (3) Confirmation of the School Advisory Council - The Superintendent shall submit to the School Board for review and approval the membership list for each school advisory council in the District. The School Board shall determine if a school advisory council meets criteria specified in subsection (1) herein; additional members shall be appointed by the School Board when it is required to achieve the proper representation on the school advisory council.
- (4) Responsibilities of Councils - Each school advisory council shall establish operational bylaws. The bylaws shall contain procedures required by Florida Statute and shall include but not be limited to:
 - (a) Review the results of any needs assessments conducted by the school administration.
 - (b) Assist in the development of the school improvement plan and provide recommendations on specific components of the plan, such as the goals of the school, indicators of school and student progress, and strategies and evaluation procedures to measure student performance. The school advisory council shall be the final decision-making body at the school relating to school improvement.
 - (c) Define adequate progress for each school goal; obtain public input when defining adequate progress for school goals; negotiate the definition of adequate progress with the School Board; and notify and request assistance from the School Board when the school fails to make adequate progress in any single goal area.
 - (d) Monitor students' and the school's progress in attaining goals and evaluate the appropriateness of the indicators of student progress and strategies and evaluation procedures which are selected to measure student performance.
 - (e) Prepare and distribute information to the public to report the status of implementing the school improvement plan, the performance of students and educational programs, and progress in accomplishing the school goals.
 - (f) Make recommendations on the accumulation and reporting of data that is beneficial to parents.
 - (g) Serve as a resource for the principal and advise the principal in matters pertaining to the school program.
 - (h) Provide input on the school's annual budget and the use of school improvement funds, and shall assist in the preparation of the school budget.

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- (i) Inquire about school matters, identify problems, propose solutions to problems, suggest changes, and inform the community about the school.
 - (j) Act as a liaison between the school and the community.

 - (k) Assist in the preparation of the feedback report to the Florida Commission on Education Reform and Accountability as required by and pursuant to Florida Statutes.
 - (l) Identify other duties and functions of the school advisory council.
- (5) Operation of Council - Operational guidelines shall be established and mutually agreed upon by members of the school advisory council.
- (a) The guidelines shall:
 - (i) State the duties and functions of the council.
 - (ii) Indicate the procedure for electing council members and the nomination process for selecting business and community representatives.
 - (iii) Identify the procedure for electing officers, including a chairperson, vice-chairperson, and recording secretary, and determine the term of office for each position.
 - (iv) Establish the membership term for each peer group.
 - (v) Specify the proportionate number of council members for each peer group for the purpose of achieving an appropriately balanced council.
 - (b) Regular meetings shall be held. The council shall determine the date, time, and place of the meetings.
 - (c) The agenda shall be advertised to the school community at least seven (7) days in advance of the scheduled meeting.
 - (d) Members of the advisory council shall be notified (3) days in advance, in writing of any matter that is scheduled before the council for a vote.
 - (e) All meetings shall be open, public, and subject to Chapter 286, Florida Statutes.
 - (f) The school advisory council shall be subject to maintaining records pursuant to Article 1, Section 24, and Article XII, Section 20, of the Florida Constitution.
 - (g) School improvement plans which require waivers of the terms or conditions in negotiated agreement(s) shall be subject to the approval of the Board and Bargaining Agent.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1000.21; 1001.43; 1001.452; 1008.385, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY: 3.60;3.61;3.62;3.63;3.64

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LEGAL COUNSEL – BOARD 2.40

The School Board shall obtain an attorney, from outside its own membership, who shall act as legal advisor to the Board and the Superintendent. The Board shall provide a written contract for its attorney which shall specify duties and responsibilities for the duration of the contract with renewal and termination provisions and compensation to be paid. Special counsel may be retained to assist the Board attorney in any litigation or other matter when specifically approved by the School Board.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.41; 1001.43; 1012.26, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY: 1.314

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LEGAL COUNSEL – SUPERINTENDENT 2.41

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

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.43; 1012.26, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY:1.314

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LEGAL SERVICES FOR EMPLOYEES 2.42

- (1) The School Board shall provide legal services for any School Board member or employee who is sued for any action arising out of or in the course of employment by the District.
- (2) Legal services for School Board employees shall be provided only upon the Superintendent's and Board's determination that the employee was at the assigned place of duty and was not guilty of willful neglect of duty, gross negligence, or improper conduct.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.43; 1012.26, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY:1.46

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PARTICIPATION IN ACTIVITIES 2.50

Each member of the Board is encouraged to participate in the activities and programs conducted by state, regional and national associations of the School Board. The Superintendent shall include an amount in each proposed annual budget to cover expenses to support the participation of the Board in activities and programs conducted by the State and other organizations as the Board chooses. Any reimbursement for Board member travel outside of the state of Florida requiring overnight travel must be approved by the School Board.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.41; 1001.43, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY:1.52

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PROGRAM OF AWARDS 2.60*+

The Superintendent shall establish a program of awards for approval by the School Board.

- (1) Individuals who are eligible for receiving an award shall include:
 - (a) Employees with long and meritorious service or distinguished service in the performance of duty.
 - (b) Students who have excelled in scholarship, athletics, music, subject matter areas, citizenship, attendance, and any other areas recommended by the Superintendent and approved by the School Board.
 - (c) School volunteers or advisory council members who have contributed outstanding and meritorious service.
- (2) The criteria for awards granted at individual schools shall be established by the principal and the instructional staff, and shall be submitted in writing to the Superintendent.
- (3) The criteria for awards distributed at the District level shall be developed by the Superintendent with the assistance of representatives of the supervisory, administrative, instructional, and non-instructional staffs.
- (4) Non-monetary awards may be in the form of a certificate, plaque, ribbon, photograph, medal, trophy, or any appropriate award.
- (5) The amount of a monetary award shall be established by the School Board pursuant to Florida Statutes.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAWS IMPLEMENTED: 1001.43, 1012.22, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY:NEW

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PROHIBITING DISCRIMINATION, INCLUDING SEXUAL AND OTHER FORMS OF HARASSMENT 2.70+

A. Policy Against Discrimination

(1) No person shall, on the basis of race, color, gender, age, ethnic or national origin, marital status, disability, political or religious beliefs, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity, or in any employment conditions or practices conducted by this School District, except as provided by law.

(2) The School Board shall comply with all state and federal laws, which prohibit discrimination and are designed to protect the civil rights of applicants, employees, and/or students, or other persons protected by applicable law.

(3) The School Board shall admit students to District Schools, programs, and classes without regard to race, color, religion, gender, age, ethnic or national origin, marital status, disability or handicap.

(4) The Superintendent shall develop procedures to notify employees and applicants for employment and students regarding their rights under this policy.

B. Policy Against Sexual Harassment or Other Forms of Harassment Prohibited by Law

(1) The School Board desires to maintain an academic and work environment in which all employees, volunteers, and students are treated with respect and dignity. A vital element of this atmosphere is the Board's commitment to equal opportunities and the prohibition of discriminatory practices. The board's prohibition against discriminatory practices includes prohibitions against sexual harassment, or any other form of harassment based upon a person's membership in a protected class and specifically prohibited by applicable state or federal law. The School Board forbids sexual harassment, or any other form of illegal harassment, of any employee, student, volunteer or visitor. The Board will not tolerate sexual harassment, or any other form of illegal harassment by any of its employees, students, volunteers or agents.

(2) The prohibition against discrimination including sexual and other forms of illegal harassment shall also apply to non-employee volunteers who work subject to the control of school authorities, and to all vendors or service providers who have access to School Board facilities.

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C. Definition of Sexual Harassment

- (1) Prohibited sexual harassment includes, but is not limited to, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when:
 - (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
 - (b) Submission to or rejection of the conduct by an individual is used as the basis for employment or academic decisions affecting the individual.
 - (c) The conduct has the purpose or effect of having a negative impact on the individual's academic performance or employment, unreasonably interfering with the individual's education or employment, or creating an intimidating, hostile, or offensive educational or employment environment.
 - (d) Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding any term or condition of employment, employment or academic benefits, or services, honors, programs, or activities available at or through the school.

- (2) Types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:
 - (a) Graphic verbal comments about an individual's body or appearance.
 - (b) Sexual jokes, notes, stories, drawings, pictures or gestures.
 - (c) Sexual slurs, leering, threats, abusive words, derogatory comments or sexually degrading descriptions.
 - (d) Unwelcome sexual flirtations or propositions for sexual activity or unwelcome demands for sexual favors, including but not limited to repeated unwelcome requests for dates.
 - (e) Spreading sexual rumors.
 - (f) Touching an individual's body or clothes (including one's own) in a sexual way, including, but not limited to, grabbing, brushing against, patting, pinching, bumping, rubbing, kissing, and fondling.
 - (g) Cornering or blocking normal movements.
 - (h) Displaying sexually suggestive drawings, pictures, written materials, and objects in the educational environment.

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D. Definition of Other Forms of Prohibited Harassment

(1) Illegal harassment on the basis of any other characteristic protected by state or federal law is strictly prohibited. This includes verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, disability, marital status, citizenship or any other characteristic protected by law and that:

(a) Has the purpose or affect of creating an intimidating, hostile or offensive work or academic environment;

(b) Has the purpose or effect of interfering with an individual's work or academic performance; or

(c) Otherwise, adversely affects an individual's employment or academic performance.

(2) Examples of prohibited actions, which may constitute harassment include, but are not limited to, the following:

(a) Epithets, slurs or negative stereotyping;

(b) Threatening, intimidating or hostile acts, such as stalking; or

(c) Written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the school or district office premises or circulated in the workplace or academic environment.

E. Retaliation Prohibited

(1) Any act of retaliation against an individual who files a complaint alleging a violation of the District's anti-discrimination policy and/or sexual or illegal harassment policy or who participates in the investigation of a discrimination complaint is prohibited.

(2) Retaliation may include, but is not limited to, any form of intimidation, reprisal or harassment based upon participation in the investigation if, or filing a complaint of, discrimination.

STATUTORY AUTHORITY: 120.54; 1001.41; 1001.42; 1012.23, F.S.

LAWS IMPLEMENTED: 112.51; 119.07; 760.001 *et.seq*; 1000.05;

1000.21; 1001.43; 1012.22, F.S. ;

34 CFR 99; 34CFR200.43(C); P.L. 201-44

STATE BOARD OF EDUCATION RULE: 6A-19.001 *et.seq*

HISTORY: ADOPTED:

REVISION DATE(S):

Formerly:1.78;1.781;1.792;4.90;4.91;4.92;4.93;4.94;5.60;

5.61;5.62;5.63;5.64;6.60;6.61;6.62;6.63;6.64

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REPORTING CHILD ABUSE 2.80

A. Definitions of Child Abuse, Abandonment or Neglect

- (1) “Abuse” means any willful or threatened act that results in any physical, mental or sexual injury or harm that causes, or is likely to cause the child’s physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal Discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
- (2) “Abandonment” means a situation in which the parent or legal custodian of a child, or in absence of the parent or legal custodian, the care giver responsible for the child’s welfare, while being able, makes no provision for the child’s support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations.
- (3) “Neglect” occurs when a child is deprived of or is allowed to be deprived of, necessary food, clothing, shelter or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child’s physical, mental, or emotional health to be significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability, unless actual services for relief have been offered and rejected. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child shall not, for that reason alone, be considered a negligent parent or legal custodian.

B. Prohibition Against Child Abuse, Abandonment or Neglect

The School Board strongly prohibits any action or omission constituting child abuse, neglect, or abandonment by any of its employees, agents, volunteers, or by other persons affiliated in any way with the School district. Further, all employees, agents, and volunteers of the School District must comply with Florida law requiring reporting of child abuse, neglect, or abandonment.

C. Notification of Responsibility

A notice providing the following information shall be posted in a prominent place in each school:

- (1) All employees of the District have the responsibility to report all actual and suspected cases of child abuse, abandonment or neglect; immunity from liability if they report such cases in good faith; and the responsibility to comply with child protective investigations and all other provisions of law related to child abuse, abandonment or neglect.
- (2) Statewide toll-free telephone number for the central abuse hotline.

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D. Requirements for Reporting Child Abuse, Abandonment or Neglect

(1) Florida Statute requires that any person, including, but not limited to, any:

- (a) Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care or treatment of persons;
- (b) Health or mental health professional other than one listed in (a);
- (c) Practitioner who relies solely on spiritual means for healing;
- (d) School teacher or other school official or personnel;
- (e) Social worker, day care center worker, or other professional child care, foster care, residential, or institutional worker; or
- (f) Law enforcement officer or judge who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, care giver, or other person responsible for the child's welfare, shall report such knowledge or suspicion to the Department of Children and Family Services.

(2) Each report of known or suspected child abuse, abandonment, or neglect shall be made immediately to the Department of Children and Family Service's abuse hotline, on the single statewide toll-free telephone number. The teacher or staff member may also contact the principal, a school designee, district office or support person to let them know the case has been reported, and for their own documentation and protection file a District County Schools Child Abuse Incident Referral Report.

(3) Reporters in the categories specified in (1) above, will be required to provide their names to hotline staff. The extent of confidentiality of the reporter's name, with respect to the Department's records, is governed by Florida Statute.

(4) In accordance with state law, the Department of Children and Family Services, in conjunction with applicable law enforcement agencies, are responsible for investigating allegations of child abuse, abandonment, or neglect.

(5) Complaint Against School District Employee, Volunteer or Agent: If a complaint is made against a School District employee, volunteer, agent or other person affiliated with the School District which, if true, would constitute child abuse, neglect or abandonment by that person, that complaint shall be immediately forwarded to the Superintendent. The Superintendent shall forward the complaint to the Department of Children and Family Services for investigation as provided by statute. The person accused of child abuse, abandonment or neglect may be suspended or reassigned from duties involving interaction with children pending investigation of the allegations. If the allegations are substantiated by the Department of Children and Family Services, the Superintendent shall take appropriate disciplinary action. School District staff shall in good faith cooperate with, and participate only as directed

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by, the Department of Children and Family Services and law enforcement during the investigation, and with respect to any subsequent criminal proceedings.

(6) When a report of child abuse, neglect or abandonment has been made to the Department of Children and Family Services or law enforcement agencies, a teacher, staff member, volunteer or agent should not take it upon himself/herself to interview the child, talk with the suspected abuser, discuss the allegations with other potential witnesses or otherwise investigate the case. Nor should a teacher, staff member, volunteer or agent divulge information relating to the complaint to persons other than school officials, the Child Protection Team, the Department of Children and Family Services, law enforcement, the State Attorney or other court designee. If a parent, caregiver, or legal guardian desires information related to a complaint of child abuse, that person should be directed to contact the Department of Children and Family Services and/or the applicable local law enforcement agency.

(7) Florida Statute provides that a person required by state law to report child abuse, abandonment, or neglect, but who willingly and knowingly fails to do so, or prevents another from doing so, is guilty of a first degree misdemeanor. Likewise, knowingly and willingly filing a false report of child abuse, neglect, or abandonment or advising another to do so constitutes a third degree misdemeanor.

(8) Child Abuse Prevention Training for School district employees, staff, volunteers shall be provided in compliance with, and as specified in Florida Statute.

STATUTORY AUTHORITY: 120.54; 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 39.0015; 39.01; 39.201; 39.202; 39.203; 39.205; 39.206; 1001.43; 1006.061, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY: NEW

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EQUITY IN EDUCATIONAL PROGRAMS 2.82+

The educational programs, educational opportunities, and educational activities afforded the students enrolled in the schools of this district shall be provided each student without regard to race, color, gender, sexual preference, national origin, disability, or religious creed. The Superintendent shall prepare and submit to the Board, for review and approval, a district plan, as required by Florida Statutes, for the implementation of this policy. The plan submitted for review and approval shall be prepared in compliance with law and shall contain elements relating to non-discrimination of students in at least the following areas:

- (1) Guidance and counseling services, materials and promotional events stressing academic, career and vocational opportunities.
- (2) Equal access to programs and courses, provided however, that provisions shall be made to meet the needs of students with identified limited proficiency in English or exceptional education students.
- (3) Equal access for all students participating in inter-scholastic or intramural team activities, excluding body contact sports and the provision for separate toilet, shower, and locker-room facilities.
- (4) Methods and strategies to increase participation of all students in programs and courses which have heretofore been traditionally under-represented by given groups of students including, but not limited to, mathematics, science, computer technology, engineering, and vocational education.
- (5) The Superintendent shall timely submit such plan in order to meet the deadline required by the State Board of Education.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

LAWS IMPLEMENTED: 1001.42; 1001.43, F.S.

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY: 1.79;1.791

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TOBACCO USE IN DISTRICT FACILITIES 2.90

In accordance with law and other governing regulations, the use of tobacco products in any form is prohibited in facilities, vehicles, and/or on any School Board property.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.
LAWS IMPLEMENTED: 386.201-.209; 1001.43, F.S.
HISTORY: ADOPTED:
REVISION DATE(S):
FORMERLY: NEW

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COMPARABILITY 2.91

Comparability shall be assured by continual maintenance of a Jackson County School District single salary schedule, equivalence among schools in teachers, administrators and other staff and equitable distribution of materials and supplies.

STATUTORY AUTHORITY: 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED: CHAPTER I, PUBLIC LAW 97-35;
1001.43, F.S.**

HISTORY: ADOPTED:

REVISION DATE(S):

FORMERLY: 1.423

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WELLNESS PROGRAM 2.95*+

The Superintendent shall establish a Wellness Program that shall include, but not be limited to, the following components:

- (1) Goals for nutrition education, physical activity and other school-based activities that are designed to promote student wellness;
- (2) A plan for implementing the goals of the program;
- (3) Nutrition guidelines for all foods available on each school campus and District facility during the school/work day;
- (4) A plan for evaluating the implementation of the wellness program;
- (5) Designation of a person within the local educational agency charged with operational responsibility for ensuring that the school meets the local wellness policy; and
- (6) Involvement of parents, students, representatives of the school food authority, the School Board, school administrators and the public.

This program shall meet the requirements of the National School Lunch Act and the Child Nutrition Act of 1966.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: P.L. 108-265, SECTION 204

RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT (42 USC 1751 *et seq.*)

CHILD NUTRITION ACT OF 1966 (42 USC 1771 *et seq.*)

1001.43, 1003.453, 1006.06, 1006.0606 F.S.

STATE BOARD OF EDUCATION RULE(S) 6A-7.040, 6A-7.041, 6A-7.042

HISTORY: ADOPTED:

REVISION DATES:

FORMERLY: 3.445