6Gx53-3.003 DISTRICT RULES AND REGULATIONS:

I. Staffing Plan: A staffing plan is revised annually and shall be duly adopted through the rule making process annually. The staffing plan shall be duly adopted by the Board and made a part hereof as if mentioned herein word for word.

A. When an amendment needs to be made after the staffing plan is duly adopted, the proposed amendment shall be presented to the School Board for approval prior to the occurrence of any staffing changes.

B. Amendments to the staffing plan include, but are not limited to, position upgrades and new positions.

C. School Board approved staffing plan amendments shall be incorporated in full in any subsequent staffing plan, as duly adopted by the School Board.

D. A current and up to date organizational chart shall be maintained at all times in the Human Resource Services Division.

II. Salaries: A Salary Handbook is revised annually and shall be duly adopted through the rule making process annually. The Salary Handbook shall be duly adopted by the Board and made a part hereof as if mentioned herein word for word.

A. If an amendment needs to be made after the Salary Handbook is duly adopted, the proposed amendment shall be presented to the School Board for approval prior to the occurrence of any staffing changes.

B. Amendments to the Salary Handbook include, but are not limited to, position upgrades and new or updated position classifications.

C. School Board approved Salary Handbook amendments shall be incorporated in full in any subsequent Salary Handbook, as duly adopted by the School Board.

III. State Certification:

A. Instructional Personnel: Instructional personnel who teach in classes for which FEFP funds are earned shall hold a Florida teaching certificate and shall maintain a valid teaching certificate as required by law.

B. Teaching Out-of-Field: The Superintendent may recommend and the School Board may approve Teachers to teach out-of-field under the rules prescribed by the Florida Department of Education. A copy of all such authorizations shall be filed in the Teacher's Personnel File.

IV. District Certification: It is the intent of the Board that non-degreed Vocational Instructional Personnel, Part-Time Adult Instructional Personnel, and Substitute Teachers possess the credentials, knowledge, and/or occupational expertise necessary to provide quality education in the Polk County school District.

A. Property Right: The issuance of a local certificate shall be at the discretion of the School Board and the utilization of that certificate by the School Board or any school administration shall not create any property right in the holder of a local certificate, nor any right to employment or the continuation of employment.

B. Professional Qualifications: The purpose of a local certificate is to provide evidence of professional qualifications in order to protect the interests of students, parents, and the public.

C. Procedural Manual: The Superintendent is authorized to develop a procedural manual for the employment and certification of substitute, part-time adult education, and vocational education teachers.

1. These procedures shall be consistent with Florida Statutes.

2. This manual shall be approved by the School Board and published for distribution to persons who are seeking employment in one (1) or more of these positions.

3. District certification shall be implemented and administered by the Office of Teacher Certification, County Office, Post Office Box 391, Bartow, Florida 33830, according to the Employment and Certification Procedures Handbook and Vocational, Part-Time Adult, and Substitute Instructional Personnel.

D. Certification Fees: The Board may establish reasonable fees necessary to implement and administer District certification. The fee schedule shall be reviewed and approved annually.

E. Reciprocal Certification Agreements:

1. The Board may establish reciprocal certification agreements with other Florida school districts whose employment and/or certification

requirements are comparable to those of the Polk County school district.

2. The Board shall require a candidate for employment with an out-of-district certificate not comparable to the Polk County District certificate to complete all requirements for initial employment and certification.

F. Denial/Revocation: In exercising its discretion to deny issuance of a local certificate, to revoke an existing local certificate, or to deny renewal, the School Board may consider the following:

1. The applicant or certificate holder has supplied fraudulent information or obtained a local certificate by fraudulent means.

2. The applicant or certificate holder has demonstrated through application or employment less than satisfactory qualifications or performance.

3. The applicant or certificate holder has been guilty of gross immorality or an act involving moral turpitude.

4. The applicant or certificate holder has been convicted of a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

5. There is reasonable cause to believe the applicant or certificate holder is guilty of personal conduct, which seriously reduces that person's effectiveness as an employee of the School Board.

6. Any other ground which the School Board, in the reasonable exercise of its discretion, considers sufficient to deny local certification.

G. Contest Denial/Revocation: Any person denied District certification, or any person whose existing district certificate is revoked or not renewed shall have a reasonable opportunity to contest the truth or accuracy of information relied upon in denying, revoking, or not renewing a local certification. The person may appear before a panel of School District Personnel appointed by the Superintendent upon notice of denial, revocation, or non-renewal.

V. Non-Certificated Instructional Personnel: Implementation of the provisions of rules and regulations of the Florida Department of Education shall be restricted to the following programs:

A. Visual and Performing Arts Program:

1. Expert Skill/Knowledge: The School Board of Polk County may employ persons as paid members of the instructional staff in the Visual and Performing Arts Program who possess expert skill in or knowledge of a particular subject or talent but do not hold a Florida certificate to teach full-time.

2. Professional Orientation Program: Such personnel shall be required to complete the modified Professional Orientation Program to assure that the individual is competent to promote student learning and to assume the responsibility for the welfare of students.

B. Vocational, Adult and Community Education Program:

1. Expert Skill/Knowledge: The School Board of Polk County may employ persons as paid or non-paid members of the instructional staff who possess expert skill in or knowledge of a particular subject or talent but do not hold a valid certificate (excluding a substitute certificate) to teach full-time or part-time.

2. Short Term Occupational and Adult Classes (less than 160 hours per calendar year**)**: The use of non-certificated teachers in the Vocational, Adult and Community Education Program shall be restricted to teaching on a part-time basis in short term occupational and adult classes as to make the securing of a certificate impractical.

3. Vocational Professional Orientation Program: Non-certificated paid full-time personnel shall be required to complete the first level of the Vocational Professional Orientation Program. Non-certificated non-paid full-time and non-certificated paid or non-paid part-time personnel shall not be required to complete the Vocational Professional Orientation Program.

C. Employment Procedures: The Superintendent shall approve all such personnel and they shall be duly appointed by the School Board.

1. Employment Agreement: Non-certificated instructional personnel shall receive an employment agreement establishing the term of employment and rate of pay when all personnel and payroll forms are completed and on file in the Personnel Services Division.

2. Written Verification of Specialty: Non-certificated instructional personnel employment applications must contain written verification considered necessary by the School Board to establish the individual's expertise as prescribed in District Procedures.

VI. Volunteers: The School Board of Polk County encourages volunteer participation by individuals and groups in schools under its governance through Volunteers in Polk Schools (VIPS).

A. Definition: A volunteer is any non-paid person, who is appointed by the School Board to serve students in Pre-K through grade 12, students enrolled in career centers and adult schools, under the supervision of school staff before, during, and after school hours.

B. Responsibility: The Coordinator of Community Involvement shall be responsible for the direction of the Volunteers in Polk Schools (VIPS) program and its compliance with all state and local regulations pertaining to volunteers, including approval, recruitment, training, and evaluation.

C. Volunteer Categories:

1. School Volunteers include, but are not limited to: family members, senior citizens, business and community members, and elementary, secondary, and college students.

2. Instructional Volunteers: Instructional volunteers provide direct services to students and staff. Services may include, but not be limited to:

a. Tutoring individuals or small group in academic subjects;

b. Mentoring students who have been identified as being in need of academic support;

c. Providing curriculum enrichment for students as community resource speakers.

3. Support Service Volunteers: Support service volunteers provide assistance to the school and teachers on a regular basis. Services include:

a. Chaperones for on site and off site activities;

b. Assistants for classroom teachers and guidance counselors in the media center, clinic, and school office.

4. Fundraising Organizations: Volunteer organizations (PTA, PTSA, PTO, Booster Clubs, etc.) support the school community for a specific purpose.

D. Procedures:

1. Volunteer applicants provide the necessary information on the volunteer application and undergo a Florida Department of Law Enforcement Level 1 Screening before being approved as volunteers in Polk County Public Schools.

2. Volunteer applicants who meet Level 1 standards are approved as volunteers by the School Board. Applicants who do not meet Level 1 standards are subject to a review process.

3. College students, who are participating in Polk County Public Schools as part of their coursework leading to an education degree, undergo a Level 2 Screening coordinated by the Senior Coordinator, Teacher Training. College students who are not education majors complete the volunteer application for approval.

4. Approved volunteers are subject to School Board policies governing health, safety, manner, dress and appearance.

5. Approved volunteers are covered by the School Board Workers' Compensation Program if an accident occurs during their volunteer service. Fundraising organizations (PTA, PTSA, PTO, Booster Clubs, etc.) are responsible for providing liability insurance to cover their volunteers.

6. Volunteers may be approved to travel on behalf of the School Board of Polk County, Florida, and may be eligible for expense reimbursement. A Volunteer/Non-Employee Travel Authorization Request must be submitted at least one week in advance of the date of travel to Finance/Business Services for Superintendent or designee approval.

7. Volunteers shall work under the direction and supervision of designated school staff.

8. Volunteers will not administer medication to students, grade subjective tests, place the grade on tests, discipline students, or be left in charge of a classroom in the absence of a teacher.

9. Volunteers are subject to Florida Statute 1002.22 which protects the rights of privacy with regard to student information and records.

10. Administrators are responsible for providing proper orientation and training for faculty and volunteers under the direction of the Community Involvement Office.

11. Volunteers shall refrain from improper touching of an aggressive or sexual nature.

12. Volunteers must maintain records in the volunteer log at the school, including names, dates, hours of service, and assigned tasks. All volunteers shall sign in and out in the volunteer log while volunteering in a school.

13. Volunteers may not bring children who are not registered in the school when they are serving in a volunteer role.

14. Volunteers must transport students for school sponsored activities in approved vehicles. Volunteers who transport students in their own vehicles for school-sponsored activities do so at their own risk since the Polk County School Board's liability coverage is only in force for vehicles owned, leased, or rented by the School Board.

15. Florida Statute 39.202 mandates that persons who have reasonable cause to suspect that a child is abused, abandoned, or neglected by persons responsible for the child's welfare shall report immediately such knowledge or suspicion to the central abuse hotline (1-800-96ABUSE) at the Department of Children and Families. Volunteers should report those concerns to the designated school staff member.

E. Release Time

1. Staff may utilize release time to volunteer with supervisor approval.

2. Staff shall complete release time application and submit an online volunteer application at https://volunteer.polk-fl.net/ .

3. Service must not interfere with the completion of assigned duties or generate the need for overtime hours.

4. Staff shall record hours at the school site.

5. District Employees

a. District office employees may volunteer four hours per month at a Polk County school during normal working hours.

b. Release time cannot be used to accompany students on field trips.

6. School Based Employees

a. School based employees may mentor or tutor students at their home school during lunch time, planning time, before school or after school.

b. Instructional staff earns 30 in-service points for recertification by the completion and submission of the Student Referral and Assessment Form.

VII. Transfers: The term "transfer" shall be defined as the recommendation of the Superintendent to the School Board for an employee to move from one position to another within the school District.

A. Definition: Once appointed to a position, a move to another position shall constitute one of the following:

1. Lateral Transfers: Lateral transfer shall be defined as a move from the employee's current position to a position where the employee will receive the same rate of compensation.

2. Promotional Transfers: Promotional transfer shall be defined as a move to a position with an increase in the rate of compensation.

3. Demotional Transfers: Demotional transfer shall be defined as a move to a position with a reduction in the rate of compensation. The employee shall be entitled to full due process procedures.

B. Voluntary Transfer: A transfer requested or approved by the employee.

1. Application: Unless otherwise provided, application for such transfer shall be made in writing to the Personnel Services Division

and shall include a statement of the reasons justifying or otherwise explaining the request for the transfer.

2. Consideration: Consideration and action upon applications for voluntary transfer to any vacant or open position shall be given prior to consideration of a new appointment to the position.

3. Rate of Pay: If the granting of any request for transfer results in the employee receiving a rate of pay which is less than the employee received in the prior position, the request for the transfer shall **not** be considered as creating a claim to the higher rate of pay.

C. Involuntary Transfers: A transfer, which has not been requested by the employee.

1. Written Notice: Upon request, a written notice of such transfer shall be furnished to the employee stating the reasons for such transfer and shall be given to the employee at the earliest possible date, or as otherwise provided in the various Collective Bargaining Agreements.

2. Conference: The employee given such notice may request a conference to discuss the transfer with the person responsible for making the decision.

a. The employee shall be granted such a conference no later than five (5) working days after the request is received.

b. The employee shall have the right to be accompanied and assisted by a representative of his/her choice at any such conference.

D. Discrimination: In no case shall any request for transfer be granted or denied for reasons which may result from personal bias or discrimination by virtue of age, race, creed, color, religious belief, national origin, political affiliation, sex, or marital status.

VIII. Temporary Duty Leave: Temporary duty leave is authorized for all employees who are assigned by the Superintendent to be on duty at such place or places removed from their regular place of duty.

A. Superintendent's Authority: The Superintendent is authorized under these policies to reassign employees to temporary duty as deemed necessary and to execute payment for reimbursement of expenses.

B. Procedures for Approval: Temporary duty requests should be submitted to the Assistant Superintendent of Human Resource Services at least one week prior to the date of the leave in order to have prior approval.

C. List of Approved Temporary Duty Leave: A list of approved temporary duty leaves will be available in the Human Resource Services Division in the office of the Administrative Assistant to the School Board, and copies provided to School Board members.

D. Overnight Stays**:** With proper prior approval from an employee's supervisor, overnight stays are permitted for out of county travel (including Tampa and Orlando) and will be reimbursed according to policy. For example, Principals/Area Superintendents may approve overnight stays for school based staff, and Assistant Superintendents/Superintendent may approve overnight stays for District staff.

IX. Health, Safety, and Welfare:

A. Health Services: The Polk County Schools Health Services Manual is revised as necessary and adopted by the Board and made a part hereof as if mentioned herein word for word and shall include without limitation the following:

1. Communicable Disease Policy and Guidelines: The communicable disease policy and guidelines developed in 1992 to be applicable to both students and employees shall continue to be a part of the Health Services Manual incorporated herein by reference.

2. Blood Borne Pathogens Exposure Control Plan: Part II of the Communicable Disease Policy and Guidelines entitled Blood Borne Pathogens Exposure Control Plan, which was prepared and adopted in accordance with the Occupational Safety and Health Administration Blood Borne Pathogen Standard as adopted by the U.S. Department of Labor, shall be included in the Polk County schools Health Services Manual and is incorporated herein by reference.

B. Weapons/Firearms: It is the expressed policy of this School Board that no person shall possess or discharge weapons or firearms, as defined by Florida law, at a school, school sponsored event, or on School Board Property by any one other than law enforcement personnel. Specifically, the School Board waives the exception contained in F.S. 790.115 (2) (a) 3 permitting weapons or firearms in vehicles. It is this School Board's policy

that no weapons or firearms shall be permitted in vehicles on property owned or leased by the School Board.

1. Violations: All persons including school personnel violating the provisions of this policy on School Board property or while attending school activities, wherever located, shall be immediately reported to the proper law enforcement authority.

a. Procedures: Employees violating the above provisions shall also be reported to the School Board and to the Professional Practice Commission.

b. Suspension/Dismissal: The Superintendent shall report any employee violation of the provisions hereof to the School Board and shall also include a recommendation for disciplinary action, which may include suspension or dismissal.

2. Exceptions: Authorized school programs, classes, or functions like ROTC, showmanship, a firing range, sporting events, or theatrical presentations, which have been approved in advance by the principal, or Superintendent or designee, requiring the usage of weapons or firearms shall be excepted pursuant to F.S. 790.115 (2) (a) and (2) (a) 1. Persons transporting firearms to approved programs shall use a case. The utmost safety shall be used by anyone handling weapons or firearms at authorized school programs.

C. Drug-Free Workplace: Pursuant to the Drug-Free Workplace Act of 1988, Sections 112.0455, 440.101 and 440.102, Florida Statutes, State of Florida Department of Labor and Employment Security Division of Workers' Compensation Drug Testing Rule 38F-9, and Chapter 10E-18, Florida Administrative Code - Drug-Free Workplace Standards, the School Board has adopted the following Drug-Free Workplace policy.

1. Definitions: When used in this subsection 3.003C, the following words or phrases shall be defined as follows:

a. "Controlled substance" or "substance" means a controlled substance as defined by Title 41, United States Code Section 706 or as defined by Section 893.02, Florida Statutes.

b. "Drug-Free Workplace" means any property, building, facility, site, location or place wherein employees engage in

school-related activities or otherwise act within the scope of their employment.

2. Prohibited Acts: The use, sale, purchase, possession, manufacture, distribution, or dispensation of controlled substances (illegal drugs) on School Board property is against the law and School Board policy and is cause for immediate discharge. The School Board's policy is to employ a work force free from the use of illegal drugs and the abuse of alcohol. Any employee determined to be in violation of this policy is subject to disciplinary action, which may include termination, even for the first offense. It is a standard of conduct for employees and a condition of employment with the School Board that employees shall not use illegal drugs and shall not abuse alcohol. In order to maintain this standard, the School Board shall establish and maintain the programs, rules, and drug/alcohol testing program set forth in the School Board's Drug-Free Workplace Program rules.

3. Written Rules: The School Board will provide each employee with the written Polk County School Board Drug-Free Workplace Program rules.

4. Awareness Program: The School Board will provide the employees with substance abuse education programs which will help employees to identify personal and emotional problems which may result in the misuse of alcohol and/or other drugs and the legal, social, physical, and emotional consequences of the misuse of alcohol and other drugs.

5. Referral Services: The School Board maintains an Employee Assistance Program (EAP), which provides employees with professional, counseling for, but not limited to, substance abuse problems. The EAP is designed to be an employee resource for overcoming personal problems, which affect work performance.

6. Substance Abuse Testing: Drug testing will be conducted for all final job candidates. Immediate re-testing shall be performed for perspective employees who fail the initial drug screening. Drug testing will also be conducted for active employees in the following instances:

a. Reasonable cause to believe an employee is involved in substance abuse;

b. On-the-job injury;

c. Upon return to duty from a substance abuse rehabilitation program;

d. As a part of a consistently scheduled physical examination; or

e. As a part of a random selection process for employees in predetermined departments and/or high-risk positions.

7. Employee Violation: Any employee violating the drug-free workplace policy shall be immediately suspended by the Superintendent of Schools and the Superintendent is hereby directed to immediately report any such violation to the School Board for one of the following appropriate actions:

a. Termination, or

b. Referral to a substance abuse rehabilitation program structured and monitored closely by the School Board Employee Assistance Provider (EAP). Employees who successfully complete a rehabilitation program may return to duty upon the written recommendation of the EAP or their Substance Abuse Rehabilitation Treatment provider.

8. Failure to Report: Failure by any employee of this Board to report a known violation of the foregoing drug-free workplace policy would constitute an act of insubordination and willful neglect of duty.

D. Smoke-Free Environment: The Board approved making school facilities smoke-free in cooperation with local health associations.

1. Effective Date: As of June 30, 1991, all School Board buildings will be smoke-free.

2. Designated Smoking Areas: Smoking will be permitted only in the designated smoking areas outside of the school building.

a. Responsibility for Designated Smoking Areas: Employees at each school site will be responsible for providing the designated smoking area at no expense to the School Board.

b. View of Students**:** Excepting Ridge and Traviss Vocational Centers and the adult and community schools, the designated smoking area will not be within view of students.

3. Presence of Students: Excepting Ridge and Traviss Vocational Centers and the adult and community schools, all employees should refrain from smoking in the presence of students while on duty.

4. Employee Assistance: The School Board will provide assistance to any employee, who wishes to quit smoking, including participation in smoking cessation programs and/or workshops.

5. Compliance: Compliance is expected and required. Violations of this policy will result in appropriate action being taken, the same as a violation of any other School Board policy.

6. Transportation: Smoking is prohibited in School buses and all district-owned or leased vehicles.

E. Mandatory Drug Testing of Employees Required to Hold a Commercial Driver's License: The School Board's policy to deter the use of drugs and alcohol in the workplace by establishing standard procedures for drug and alcohol testing for all employees required to hold a commercial driver's license is set out in School Board Policy Number 6Gx53-7.005.

X. Tutoring: Members of the instructional staff shall not receive compensation for professional services offered to students enrolled in the teacher's class during the regular school term.

Statutory Authority: Florida Statutes: 1001.32, 1001.41, 1001.42, and 1001.43

Laws Implemented: Florida Statute, Chapter 1012, Personnel

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January 9, 2007

August 14, 2007

April 22, 2008

October 14, 2008