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**PART I
THE DISTRICT SCHOOL BOARD**

1.01 MEMBERSHIP OF THE SCHOOL BOARD

The School Board of Indian River County consists of five members elected for four-year terms by the qualified voters of the entire school district. One member is elected district-wide from each of the five School Board Member resident areas. Two members are elected at the general election at the time of the presidential election and three members are elected at the general election at the time of the gubernatorial election.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1001.34, 1001.36, 1001.361, 1001.32, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.02 RESPONSIBILITY AND AUTHORITY

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 general improvement of the school system. The School Board will limit its actions to establishing policy and regulations and to meeting the requirements prescribed by the regulations of the State Board of Education and by law. Board Members will have authority only when the Board is meeting in official session and a quorum is present. The School Board shall not be bound 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 action of the School Board. Without limitation, the School Board shall have those powers provided in sections 1001.41, 1001.42, 1001.43, F.S., and the Florida Administrative Procedures Act, Chapter 120, Florida Statutes, as the same may be amended from time to time. Without limitation, the School Board has the authority to act as the contracting agent for the district school system pursuant to section 1001.41(4), Florida Statutes, and has the authority to take action as the contracting agent with respect to the administration and enforcement of the contract between the School Board and its appointed Superintendent.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1001.32, 1001.42, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.03 ORGANIZATION AND OFFICERS

- A. Officers of the Board shall be elected pursuant to F.S. 1001.371.
- B. The chairman shall preside at all meetings of the Board, appoint committees, and perform such other duties as may be prescribed by law or by action of the Board. The vice-chairman shall preside in the absence of the chairman and shall perform such other duties of the chairman as necessary.
- C. The organization of the Board shall be conducted pursuant to F.S. 1001.51(1).

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1001.371, 1001.48, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.04 BOARD MEETINGS

- A. Regular meetings of the School Board will be held on the date and time set by the Board at its organization meeting. The date of a regular meeting may be changed by action of the Board taken in accordance with law. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.

- (1) Special meetings of the Board will be called pursuant to procedures established in F.S. 1001.372(1).
 - (2) All official meetings of the Board shall be open to the public and any other meetings or conferences shall be conducted as meetings in the public.
 - (3) Formal action will be taken by the Board only at a regular or special meeting.
- B. Place of meeting
- All regular and special meetings of the Board will be held in the School Board meeting room of the District Office in Vero Beach, Florida, except when the Board determines that the public interest can be served better by holding the meeting elsewhere. When such a determination is made, the meeting will be held at an appropriate public place within the School District as chosen by the School Board, provided that public notice of at least forty-eight (48) hours is given. When a Board meeting is to be held at any place other than the School Board meeting room, the Superintendent shall give due public notice as required by law.
- C. All Board meetings shall be conducted in accordance with Robert's Rules of Order, except as provided by law and these policies. Board meetings are business meetings of the School Board of Indian River County, and in applying Robert's Rules of Order, it is understood that the membership of the body subject to the Rules are the elected School Board Members and the Superintendent of schools acting as ex officio secretary to the Board.
- D. Agenda
- The Superintendent is responsible for the development of the agenda. Any Board Member may request that an item be placed on the agenda of a meeting. Any item requested in writing by a Board Member at least seven (7) business days prior to the date of a meeting shall be placed as a specific item on the discussion or action portion of the agenda for that meeting. Notwithstanding, a Board Member may discuss any matter that is in order during the portion of the agenda reserved for Board Member comments or discussion and reports. At each Board meeting before the items on the agenda are considered, the Board will adopt the agenda as presented or as amended by action of the Board.

The Superintendent shall cause the agenda for each regularly scheduled Board meeting to be prepared and distributed to members of the School Board seven (7) days before the scheduled date of the meeting. However, the agenda for a special meeting of the Board called under the authority of Section 1001.372(1) shall be prepared not less than forty-eight (48) hours before the meeting, as permitted by Section 120.81(1)(j), Florida Statutes.

- (1) The agenda shall contain the items (topic heading) in the order they will be considered. When possible, explanatory materials will be included at the time the agenda is submitted to Board Members. Recommendations and back-up material will be provided to Board Members at least forty-eight hours prior to the meeting.
- (2) At a meeting the Superintendent may request the deletion of an item from the agenda. The Board shall have the discretion to modify the agenda as requested by the Superintendent, subject to the requirement that after the agenda has been made available, a change shall be made only for good cause, as determined by the chairman or person acting as presiding officer at the meeting, with such good cause being stated in the record. The Board may overrule the presiding officer by majority vote of members present. The agenda may also be amended without a Superintendent's recommendation to amend by action of the presiding officer (which may be overridden by majority vote of Board Members present) or by a majority vote of the School Board Members present at the meeting, subject to the same requirements for determination of good cause for the amendment or revision to the agenda and such cause being stated in the record.
- (3) An item may be added to the agenda without compliance with the required time period of prior notice of the agenda if the School Board determines that there is an immediate danger to the public health, safety or welfare; and that immediate action is required because of such danger. In the event that the School Board takes action based on such

an emergency, then Board shall take such action that is fair and reasonable under the circumstances and necessary to protect the public interest.

- (4) If a Board Member wishes to move an item from the consent portion of the agenda for a separate vote or discussion, the Board Member shall notify the Superintendent of such a request at least 24 hours prior to the scheduled School Board meeting. If a Board member fails to notify the Superintendent at least twenty-four (24) hours prior to the scheduled School Board meeting, the Board Member may propose a motion to move that item from the consent agenda. If the motion is carried by a majority vote of the members present, the item shall be moved from the consent agenda.
- (5) Copies of the agenda, or any addendum, shall be made available to the media and the public upon request at the time they are submitted to the School Board.

E. Voting

The vote shall be recorded as unanimous if all members vote in the affirmative or in the negative on any issue. When a split vote occurs, the minutes shall show how each member voted.

Where a member abstains from voting because of a possible conflict of interest, this fact shall be recorded in the official minutes. Each member present at any meeting of the Board shall vote on each item for which a vote is presented, and a vote for each member shall be recorded or counted for each matter that is voted on, except when, with respect to a member, there is, or appears to be, a possible conflict of interest under the provisions of Sections 112.311, 112.313, or 112.3143, Florida Statutes.

- (1) A School Board Member who declares a conflict of interest will file with the Board secretary within 15 days of the vote a memorandum disclosing the nature of that interest, which shall be made a part of the minutes.

F. Minutes

The official minutes of the Board shall be kept as prescribed by law in F.S. 1001.42(1).

- (1) Only motions, resolutions, and the title of each such motion and resolution and only such additional information as is reasonably necessary to record the specific action approved, directed or rejected by each Board vote, or the specific matters resolved or refused to be resolved for each resolution, 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. If any member of the Board or the Superintendent wishes any of his statements recorded, he may request that such become a part of the official minutes. However, by majority vote of quorum present of the Board taken in the ordinary manner, the Board may override the request of the Board Member or Superintendent with respect to having his or her specific statements recorded. If the Board does not override and the statements are recorded as provided herein, then the recording secretary to the Board will use her best efforts to record as much of the complete statement as is reasonably possible under the circumstances, and with respect to any statement made in a public meeting there will be an audio recording made of each statement by the Board Member or Superintendent. Any other matter may be made a part of the official minutes by direction of the chairman or by a majority vote of the Board.

G. Presiding officer

The chairman shall be the presiding officer at a meeting unless he or she is absent from the meeting or passes the gavel to the vice chairman, and in the absence of the vice chairman, to another Board Member. If the chairman is absent or has passed the gavel, the vice chairman shall be the presiding officer at the School Board meeting, and he or she may pass the gavel to another Board Member during the course of such meeting. If both the chairman and vice chairman are absent from a meeting and a quorum is present, then on motion seconded and by majority vote, a presiding officer shall be appointed pro tem for that meeting.

Whenever the term "chairman" is used in these policies, such term shall mean the presiding officer in accordance with this rule. A decision of the presiding officer may be overridden by a majority vote on motion, seconded by the members of the School Board in attendance.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 286.012, 1001.371, 1001.372(1), 1001.372(2), 1001.372(4), 1001.42(1),
1001.43(10), 1001.32, F.S.
Adopted: 9/27/83
Amended: 9/27/83, 5/6/97, 4/14/98, 10/14/03, 3/8/05, 1/22/08

1.05 OPPORTUNITY FOR CITIZEN INPUT AT BOARD MEETINGS, AND ADDITIONAL POLICY RELATED TO THE CONDUCT OF BOARD MEETINGS

Board meetings are business meetings of the School Board of Indian River County, but the public is encouraged to attend the Board meetings as they are open to the public under the open government laws of the State of Florida. Citizen input and comments at Board meetings are encouraged, but are subject to the policies and procedures set out in this policy. The Board determines that this policy is necessary to ensure the orderly conduct of the public's business at Board meetings.

A. Item on the agenda for open public comment.

There will be a place indicated on the agenda for public comment at each regular and special Board meeting (but not including workshops and due process hearings that are quasi-judicial in nature). During this item on the agenda, citizens are encouraged to address the Board regarding an item on the meeting agenda or any other matter relating to the School Board or school district business or issues.

- (1) Each person wishing to speak shall complete the form that is prescribed for citizens who wish to speak at a Board meeting. This form is available from the Superintendent or designee.
- (2) Each person will be limited to three (3) minutes at each meeting for presentation to the Board.
- (3) The chairman shall have the discretion to set a maximum time limit for all speakers at a meeting, in which case persons shall be permitted to speak in the order in which they completed the prescribed form.
- (4) The chairman shall have the discretion to require that a representative or representatives of a group or faction present to speak on an issue, do so, rather than hearing from all members of the group or faction. Similarly, the chairman shall have the authority to terminate the presentation of a particular speaker if the presentation becomes cumulative, redundant, or repeats matters that other speakers have already presented to the Board. Additionally, the chairman shall have the authority to terminate the presentation by any speaker who is out of order, makes personal attacks on any other person, and for the breach of the right of confidentiality held by a student. The chairman or other presiding officer shall have the discretion to determine whether any person is interfering with the meeting or otherwise disrupting the expeditious or orderly process of such meeting, and may order the removal from the meeting of such person. As provided in Section 1001.372(3), Florida Statutes, the presiding officer shall first issue a verbal warning that the continued behavior will constitute a continued interference with the orderly process of the meeting and will result in removal. Any law enforcement officer or sergeant-at-arms designated by the officer shall remove any person ordered to be removed by the chairman or other presiding officer at the meeting. The Board may overrule any decision made by the chairman or other presiding officer during the course of any School Board meeting, including any decision permitted by this policy, by majority vote of members present, consistent with the policies set out in School Board policy 1.04G.

- (5) Individual speakers may not increase the time available of other speakers by giving to them a portion of their time for speaking.
- B. Referral to the Superintendent.
When questions, concerns, and issues are presented by a member of the public at a Board meeting, the matter shall be referred to the Superintendent, although the chairman or the Board, by majority vote, shall reserve the right to comment or respond in his, her or its discretion. Complaints regarding employees or procedures in the School District should ordinarily be referred to the Superintendent before the person presents at a Board meeting, although this is not required. The attorney employed by the School Board shall respond to questions at the direction of the chairman or by majority vote of the members present of the School Board. The School Board attorney is not available to respond to questions from members of the public or give advice to members of the public. The Superintendent may, in his or her discretion, respond to a question or comment made by a member of the public at a Board meeting. If the Superintendent elects not to respond because further investigation or research is required, then, either the School Board in its discretion may request the Superintendent to report back a response to the matter at a future meeting; or, in his or her discretion, the Superintendent may investigate and report back to the School Board at a future meeting regardless of whether the School Board has requested such further report.
- C. No content based discrimination.
These policies governing the conduct of the meetings are solely for the purpose of insuring the orderly and expeditious conduct of the business meetings of the School Board. No application or modification of these policies shall be based upon the content of any message being communicated or that a speaker wishes to communicate; nor shall the application or modification of these policies be implemented because of the identity of any particular speaker or prospective speaker or the identity of any group or organization of which such person is a member or affiliated.
- D. Exceptions to these procedures.
(1) This policy does not apply with respect to persons who are invited by the Board to speak before the Board in any meeting, including any workshop.
(2) Nothing in this policy prohibits the Superintendent from presenting on any relevant topic to the extent he or she determines is appropriate in his or her discretion. Nor does anything in this policy prohibit the Superintendent from requesting an employee of the School District from presenting on any relevant topic to the extent that the Superintendent shall determine is appropriate in his or her discretion. However, in all events, the chairman shall have the right to control the conduct of the meeting, including the duration or nature of any presentation, subject to being overridden by a majority vote of the members of the School Board present at the meeting.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Amended: 12/13/88, 2/28/95, 2/23/99, 10/14/03, 1/22/08

1.06 SCHOOL BOARD POLICIES

The School Board is the body that determines all questions of policy to be employed in the administration of the public schools in the School District of Indian River County. All of the School Board's policies shall be in conformity with the Federal and Florida Constitutions, applicable Federal and Florida laws, and the applicable requirements of the policies of the Florida State Board of Education.

A. Matters to be adopted as policies.

The term "rule" shall also mean the policies of the School Board. The School Board shall adopt as a policy pursuant to the requirements of the Florida Administrative Procedures Act, each School Board statement of general applicability that implements, interprets, or prescribes law or policy, or describes the procedure or practice requirements of the School District. Any form which imposes any requirement or solicits information not specifically

required by a statute or other existing rule shall also be adopted as a School Board policy. An amendment or repeal of a School Board policy shall also be accomplished in accordance with the provisions herein.

B. Matters that are not School Board policies.

The following matters are not School Board policies and need not be adopted in accordance with the requirements of this policy or the Florida Administrative Procedures Act:

- (1) Internal management memoranda which have no application outside of the School District and which do not affect the private interest of any person.
- (2) Any legal memorandum or opinion issued by an attorney employed on behalf of the School Board.
- (3) Preparation or modification of School District budgets.
- (4) Contract provisions reached as a result of collective bargaining.
- (5) Preparation, adoption, or modification of curricula.
- (6) Preparation, development, adoption, or modification of any tests, test scoring criteria, testing procedures, or any matters related to implementation of or compliance with educational tests developed or administered by the Florida Department of Education pursuant to Sections 1003.43; 1003.438; 1008.22; or, 1008.25, Florida Statutes, or any other state-wide educational tests required by law.

C. Procedures for adoption of policies.

The requirements of the Florida Administrative Procedures Act relating to the adoption of administrative policies shall be followed by the School Board of Indian River County in its adoption of School Board policies. These statutory requirements include those set out in Sections 120.54 and 120.81, Florida Statutes.

- (1) The School Board is not required to include the full text of the proposed rule or rule amendment in notices relating to the adoption of School Board policies.
- (2) Only after the Board votes to direct him or her to do so, the Superintendent shall cause notice of the intended adoption, amendment, or repeal of any School Board policy to be published in a newspaper of general circulation in Indian River County not less than twenty-eight (28) days prior to the intended action. The proposed rule will be available for inspection in the office of the Superintendent and may be copied by members of the public at the time of the publication of the notice. However, nothing herein shall limit the authority of the Superintendent to make revisions to the draft proposed rule after the date of publication, so long as the essential nature of the rule and its intended purpose and effect are not materially altered from the information published in the notice.
- (3) The notice will state the intended action and set forth a short, plain explanation of the purpose and effect of the proposed action, and shall include a reference to any section or subsection of Florida Statutes or the law of Florida being implemented, interpreted or made specific. Notwithstanding, pursuant to Section 120.81, the School Board may adopt any policy to implement the general powers of the School Board under Section 1001.41, Florida Statutes and for the implementation of any authority or power provided to the School Board pursuant to Florida law, including Article IX, Section 4, Florida Constitution.
- (4) In addition to publication in a newspaper of general circulation in Indian River County, the required notice shall also be sent by mail to all persons who have made requests of the School Board for advance notice of its proceedings and the notice shall also be posted in the customary places where the School District posts notices of its public meetings.

D. Initiation of rulemaking.

Only the Superintendent or a member of the School Board may initiate a proposal to the School Board for a new policy or an amendment to an existing policy. At a School Board meeting, the Member or Superintendent shall present to the School Board a written copy of the proposal and a written explanation of the proposal for a new policy or amendment to policy. The Board may act at the meeting or at its next scheduled meeting to determine whether or not it will consider for adoption the proposed action. If a majority of quorum present votes to approve the initiation of rulemaking, then the procedures described in this

policy shall be implemented for the development of the policy or amendment and the publication of the notice.

This initial consideration by the School Board of a proposed policy shall be the first reading of the policy. If the Board decides not to further consider the proposed policy, then the policy adoption procedures are completed. However, if the vote is to proceed, then the Board shall direct the Superintendent to comply with the requirements set out in this policy for the adoption of the policy or amendment, including publication of the required notice.

E. Hearings and economic impact statement.

- (1) The School Board shall schedule a public hearing on the proposed policy no less than twenty-one (21) days after the publication of the notice. This hearing shall constitute the second reading of the proposed policy; and the prior meeting at which the Board directed the publication of the notice is the first reading. At this public hearing the Board will consider any material pertinent to the issues under consideration that are submitted to the Board or to the Superintendent within twenty-one (21) days from the date of the publication of the notice and will consider materials submitted at the public hearing; and all such materials will be made a part of the record of the rulemaking proceeding.
- (2) In its discretion the Board may make changes to the proposed policy before it is adopted as a result of information in the record of the rulemaking proceeding or presented at the public hearing.
- (3) The School Board may adopt the policy by vote following the public hearing and the policy or amendment will be effective on the date of adoption by the Board or on a later date as specified in the policy. A policy may be repealed only by the procedures set out in this policy.
- (4) The Superintendent is encouraged to prepare a statement of estimated regulatory costs in accordance with Sections 120.54(3)(b)1 and 120.541, Florida Statutes, at the time the proposed policy is presented to the School Board at first reading. And, the Superintendent shall prepare the statement of estimated regulatory costs if directed to do so by the School Board. If a substantially affected person timely and properly submits a good faith written proposal for a lower cost regulatory alternative, then the Superintendent shall consider the proposal and will comply with the requirements of the Florida Administrative Procedures Act, including Section 120.541, Florida Statutes.

F. Review and updating policies.

The Superintendent shall continuously monitor conditions in the District and new laws and regulations imposed by federal and state authorities, and shall recommend to the School Board the adoption, amendment, or repeal of policies that are required or advisable in the discretion of the Superintendent as a result of circumstances in the District or changes in law. Notwithstanding the Superintendent's ongoing duty to recommend changes in policy, the School Board shall periodically review its policies on the schedule set out as follows: The School Board shall review policies in each even numbered year, beginning with the year 2010.

G. Emergency policies.

- (1) The School Board may adopt an emergency rule, if it finds that an immediate danger exists to the public health, safety, or welfare. Under these circumstances, the School Board may adopt any policy reasonably necessitated by the immediate danger by any procedure that is fair under the circumstances and reasonably necessary to protect the public interest.
- (2) An emergency policy will be limited to that action reasonably necessary to protect the public interest under the emergency procedure.
- (3) The School Board shall publish, in writing at the time of or prior to its action, the facts and reasons for finding an immediate danger to the public health, safety, or welfare; and its reasons for concluding that the procedure used is fair under the circumstances.
- (4) An emergency policy is effective only for ninety (90) days and is not renewable except during the pendency of a policy challenge against the subject of the emergency policy.

However, the School Board may ratify the emergency policy by taking the identical action for normal rulemaking procedures set out in this policy.

- H. Distribution of the policy manual. A copy of the policies of the School Board shall be available for inspection in the office of the Superintendent, each school, public libraries, and other locations as determined by the School Board or the Superintendent.
- I. The policy manual or any part thereof may be purchased by the public. The fee for photocopying shall be that permitted to be charged for copying of public records in accordance with the Florida Public Records Act. A copy of the entire policy manual may be purchased at no more than cost. Upon adoption of each new policy, amendment, or repeal, the Superintendent shall prepare a copy of such immediately for distribution to the holders of compilations of the policy manual.
- J. In his or her discretion, the Superintendent may satisfy this requirement for distribution of the policy manual or any part thereof by electronic means, availability through the website of the School District, DVD, or any other means of distribution. Compiled copies of the policies and regulations of the School Board will be numbered and assigned a position in the policy manual by the Superintendent. All employees of the School District are required to comply with School Board policies as they are adopted and amended. A copy of the compiled policies and regulations of the School Board will be available to all members of the instructional, non-instructional, and administrative staff in the school library of each school, in the professional library of the District Office, or in such other places as may be determined by the Superintendent. The Superintendent shall establish and maintain procedures for familiarizing new employees with the policies pertinent to the employment and will provide for training so that employees are periodically trained and updated on policies that are relevant to their employment.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 120.53, 120.55, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.07 BOARD AND STAFF ROLES AND RELATIONSHIPS

The School Board is vested by law with the overall responsibility to operate, control, and supervise schools. Responsibility for administration and management of the schools is vested in the Superintendent. Staff members of the school system are governed by a complex web of statutes, rules, policies, guidelines, job descriptions, and professional standards. In light of the complex system the Board, Superintendent, and staff accept the critical importance of each other's role; and shall operate to enhance, complement, and reinforce each other's role to promote the best interests of the school system. For this purpose the following operating philosophies and procedures shall be utilized:

- A. The Board shall give the Superintendent and his staff full administrative authority for properly discharging their professional duties and shall hold the Superintendent responsible for acceptable results.
- B. The Board shall give direction to the Superintendent, acting only as a whole, and shall do this through policy, through the formal approval of a specific action item, and through goal setting.
- C. The Superintendent shall provide the Board all necessary information, evaluation, alternatives, and recommendations relative to any policy question or decision.
- D. The Board shall refer all complaints and personal criticisms of any employee to the Superintendent for appropriate investigation and action; and shall work through the Superintendent in investigating, in evaluating, and in seeking information from staff.
- E. The Superintendent shall see that all staff members follow Board policies and effectively implement goals, objectives, and program directions. The Board shall solicit and respect the Superintendent and the staff's advice on school operation and direction.

- F. The Board and Superintendent shall recognize that good communication, mutual respect, and support for each other's role are the responsibility of each party; and that the relationship between the Superintendent and the Board set the tone for all other system relationships.
- G. The Board shall evaluate the Superintendent each year in accordance with the requirements of the contract by which the Board employs the Superintendent.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
 Implemented: 1001.42, 1001.47, 1001.33 F.S.
 Adopted: 6/23/87
 Amended: 10/14/03, 1/22/08

1.08 BOARD MEMBER TRAVEL AND DEVELOPMENT

It is the duty and responsibility of each School Board Member to be informed and knowledgeable about current issues in education. Travel to various conferences/meetings, such as the National and State School Board Association meetings, shall be considered as desirable to enhance professional growth as well as to promote and protect the best interest of the School District. School Board Members will be reimbursed in accordance with School Board policy 7.01 and travel authorization must have the signature of the Superintendent. Any issue over appropriate travel that is unresolved shall be referred to the Board as a whole.

- A. The Superintendent shall include with each proposed budget an amount for Board Member travel and development. This item in the budget may be modified and will be adopted by the Board in accordance with the procedures and requirements pertaining to the adoption of the District's budget.
- B. It is acknowledged that certain Board Members in any given year may have a need to travel and incur travel related expenses in an amount disproportionate to that of other Board Members because of assigned duties; such as, the responsibility to meet with legislators and their staff at the state and national level with respect to matters of interest to the school District, or as a result of a Board Member's position or office in an organization that promotes the interest of public education in Florida or of the School District.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
 Implemented: 112.061, 1001.39 F.S.
 Adopted: 12/13/88
 Amended: 4/14/98, 10/14/03, 1/22/08

PART II THE SUPERINTENDENT

1.10 RESPONSIBILITIES

- A. The Superintendent shall be responsible for the administration of the entire school system as provided by Florida Statute 1001.49 and 1001.51, other applicable statutes, State Board of Education regulations, and rules and policies of the School Board. The Superintendent shall keep the School Board informed about all phases of the District school system.
- B. The Superintendent serves as the secretary and executive officer of the School Board. He shall keep such minutes and records as may be necessary to clarify all actions and proceedings of the School Board.
- C. All members of the instructional, administrative, and non-instructional staffs shall be under the general supervision and subject to the direction of the Superintendent.
- D. The Superintendent as executive officer shall have responsibility for:
 - (1) execution and signing of contracts approved by the School Board
 - (2) signing other documents approved by the Board

Authority: 120.536, 120.54, 120.81, -1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1001.32, 1001.33, 1001.30, 1001.48, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.11 DIRECTIVES, PROCEDURES, AND ADMINISTRATIVE MANUALS

The Superintendent shall have authority to issue directives and to prescribe procedures to carry out the purposes of School Board regulations and policies and provisions of law and State Board of Education regulations.

- A. The Superintendent may issue such administrative manuals or booklets of instruction as necessary for the effective administration of the school system and to distribute them to the employees directly concerned. Insofar as the provisions of such manuals and directives are not in conflict with these policies and regulations, with officially adopted policies of the Board, or with law or state board regulations, the provisions thereof shall be binding upon the employees. The Superintendent may not, however, issue any directive which has the force of a rule.
- B. The Superintendent will identify and compile all administrative manuals or booklets that are promulgated and in use in the District, including the handbooks and procedures or policies established at each school. These administrative materials shall be maintained in the office of the Superintendent and available for inspection by the Board Members and are public records in accordance with Chapter 119, Florida Statutes. The Superintendent shall be responsible to insure that all such materials, including those promulgated and maintained at the school-level, are in conformance with law and School Board policies. The Superintendent may request the Board attorney review any such administrative materials to determine compliance. The Superintendent shall amend any administrative material as required to maintain such items in conformance with Board policy or law. The Superintendent shall require that any administrative manual or other document in use at a school shall be amended as necessary to comply with School Board policies or law. The Superintendent may satisfy the requirement that these materials be compiled and maintained in his or her office through any means of storage as determined in his or her discretion, including availability through the website of the School District, DVD, or other means of electronic storage.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1001.32, 1001.33, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.12 EMERGENCIES

In the event of an emergency involving the welfare and safety of children, the Superintendent may suspend any part of these regulations; provided that he shall report the fact of and the reason for the suspension at the next meeting of the School Board, and provided, further, that the suspension shall expire at the time of such report unless continued in effect by action of the Board.

- A. In case of an emergency, the Superintendent may close any or all schools. The members of the School Board shall be informed immediately of any event or condition which requires the closing of a school or schools in the District; and when the public interest requires Board action, the Superintendent shall call a special meeting of the Board.
- B. Administrative procedures to accommodate emergencies including closing of school(s) will be developed by Superintendent and approved by the Board. The Superintendent shall have the authority to enter into contracts that are reasonably necessary for emergency repairs to School District property or for the protection of property of the District. These procedures shall also include provision for emergency leave for employees who are unable to work on account of any emergency. The Superintendent shall report to the School Board, on the next

available agenda at a School Board meeting, each contract entered as authorized by this policy for emergency repairs or for the protection of property during emergency circumstances; and the School Board shall consider the same for ratification and shall ratify in the ordinary course such contracts unless there is good cause to refuse ratification. Good cause to refuse ratification shall include, but not be limited to, an impropriety or irregularity with respect to the contract at issue or the means or circumstances under which the contract was entered by the Superintendent.

- C. In any case or condition not covered by these regulations, the Superintendent shall base the decision on his best judgment.

Authority: 120.536, 120.54, 120.81, -1001.41, -1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
 Implemented: 1001.33, 1001.32, 1001.49, 1001.51, F.S.
 Amended: 3/25/85, 10/14/03, 1/22/08

1.13 EMERGENCY MEASURES DURING A STRIKE

The Superintendent of Schools is authorized to take emergency measures to employ replacements for strikers and initiate administrative procedures and special programs in order to keep schools operating and to continue the educational process for the students of Indian River County.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
 Implemented: 1001.33, 1012.24, F.S.
 Effective Date: 10/28/76
 Repromulgated: 8/30/83
 Amended: 10/14/03, 1/22/08

1.14 INTERLOCAL AGREEMENTS AND PROJECTS

The School Board encourages interlocal agreements and projects with other governmental entities that are of mutual benefit. Each intergovernmental project shall be reflected in an interlocal agreement. The School Board shall approve interlocal agreements as any other contract, subject to this policy.

- A. The interlocal agreement will be considered by the School Board on at least an annual basis.
 B. The governmental parties to an interlocal agreement shall not waive their respective sovereign immunity, including those benefits and limitations of liability set out in Section 768.28, Florida Statutes.
 C. The School Board may require changes to the interlocal agreement as a condition of the extension of the project or agreement at the time the interlocal agreement is presented for annual consideration or renewal by the Board.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
 Amended: 8/30/83, 10/14/03, 1/22/08

PART III THE DISTRICT STAFF

1.20 THE ADMINISTRATIVE STAFF

The District administrative staff consists of the Superintendent, District level professional administrative assistants, supervisors, principals, and other persons employed as administrative assistants to the Superintendent or to the principal of a school.

- A. The administrative staff shall have such duties and responsibilities as may be assigned by the Superintendent or as prescribed by law, the job description handbook, and School Board policies.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1000.01(4), 1001.32, 1001.42, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.21 INSTRUCTIONAL PERSONNEL

Shall mean any member of the instructional staff as defined by regulations of the state board and shall be used simultaneously with the word teacher, and shall include teachers, attendance assistants, librarians, guidance counselors, occupational specialists, and others engaged in an instructional capacity in the schools.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1012.53, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.22 NON-INSTRUCTIONAL STAFF

The non-instructional staff includes all persons employed as administrative staff members, support personnel, clerical workers, maintenance, custodial, transportation, school food and nutrition service, teacher aides, and any other employee not classified as a member of the instructional staff.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1001.42, F.S.
Amended: 8/30/83, 10/14/03, 1/22/08

1.23 ORGANIZATIONAL STRUCTURE

The Superintendent shall, in May of each year, establish and recommend for Board approval an organizational chart for the administrative staff of School District of Indian River County.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1012.23, F.S.
Amended: 7/12/88, 5/6/97, 10/14/03, 1/22/08

1.24 NON-ADMINISTRATIVE PROFESSIONAL/TECHNICAL SERVICES

The non-administrative professional/technical services staff shall include those positions considered as professional/technical rather than administrative, instructional, confidential, or those included in the blue and white collar classification.

Authority: 120.536, 120.54, 120.81, 1001.41, 1001.51, 1001.49, 1001.42(17), 1001.43, F.S.
Implemented: 1012.22, F.S.
Adopted: 11/25/86
Amended: 10/14/03, 1/22/08