**NEOLA POLICIES - PACKET 2**

**REVISED POLICIES VOLUME 27, NO. 1, JUNE 2026**

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**NEOLA POLICIES - PACKET 1**

**REVISED POLICIES VOLUME 27, NO. 1, JUNE 2026**

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# Revised Policy - Vol. 27, No. 2, June 2026 - PARTICIPATION BY TRANSFER STUDENTS

ADOPTED Apr 12, 2016 REVISED Mar 10, 2026

## 2431.01 - **PARTICIPATION BY TRANSFER STUDENTS**

The Governing Board recognizes the value of interscholastic athletics and the positive impact sports have on students. The Board shall comply with the rules and regulations promulgated by the Florida High School Athletic Association, Inc. (FHSAA), Florida law, and this policy when determining the eligibility of a transfer student to participate in the Authority's interscholastic athletic program.

Pursuant to the bylaws of the FHSAA, a "transfer" occurs when a student makes any change in schools after establishing residency at a school each year. A student who transfers from one school to another will be eligible at the new school provided the student qualifies under one of transfer eligibility categories set forth in the FHSAA's bylaws and meets all other eligibility requirements.

A student who transfers to a school during the school year may seek to immediately join an existing team if the roster for the specific interscholastic or intrascholastic extra-curricular activity has not reached the identified maximum size for the particular activity and if the coach for the activity determines that the student has the requisite skill and ability to participate. The FHSAA and Authority may not declare such a student ineligible because the student did not have the opportunity to comply with qualifying requirements.

~~However,~~ A ~~a~~ student may not participate in ~~a sport~~ sports at two (2) different schools during the same school year, ~~if the student participated in that same sport at another school during that school year,~~ unless the student meets one (1) of the following criteria:

A. ~~Dependent children~~ Is a dependent child of active duty military personnel whose move resulted from military orders ; ~~.~~

B. ~~Children who have~~ has been relocated due to a foster care placement in a different school zone.

C. ~~Children who move~~ has moved due to a court-ordered change in custody due to separation or divorce, or the serious illness or death of a custodial parent ; or ~~.~~

D. ~~Authorized for good cause.~~ has been granted approval by the applicable governing organization's executive director .

~~For purposes of this policy, "authorized for good cause" means the student is able to satisfactorily demonstrate to the Principal that one (1) of the following applies:~~

A. ~~The student moves to a new home address due to a move by the student and a person or person(s) with whom the student has been previously living that makes it necessary for the student to attend a different school.~~

B. ~~The student moves to a new residence following marriage of the student. The student must immediately establish a new residence that makes it necessary to attend a different school.~~

C. ~~The student is reassigned to a new school pursuant to Board policy.~~

D. ~~The student transfers from the current school within the first twenty (20) school days to a new school (i.e., acceptance into a previously applied for magnet program, charter, or private school).~~

E. ~~Special assignment by the Superintendent.~~

F. ~~Undue hardship.~~

~~The Principal of each school in the Authority shall be responsible for enforcing the FHSAA's bylaws and policies in their school. The Principal shall review and determine whether a transfer student qualifies under one of the transfer eligibility categories set forth in the FHSAA's bylaws and meets all other eligibility requirements. Upon approval of the transfer student's eligibility, a Notice of Transfer form prescribed by the FHSAA shall be submitted to the FHSAA prior to the student participating in any sport season.~~

The ~~governing organization o r~~ Superintenent must provide a determination of eligibility to the requesting student within fourteen (14) days after a request is made.

The Principal ~~or designee~~ must annually submit all eligibility reports electronically and sign all eligibility correspondence. The principal ~~or~~ ~~designee~~ shall certify that the information provided to the FHSAA is accurate and that the students named in the report are eligible to participate in accordance with the FHSAA's bylaws.

**Recruiting Prohibited/Penalties**

The Board recognizes that the recruitment of student athletes is strictly prohibited by F.S. 1006.20. The FHSAA, through its bylaws, has prescribed penalties, sanctions and an appeals process for athletic recruiting violations. A student may not be declared ineligible based on violation of recruiting rules unless the student or parent has falsified any

enrollment or eligibility document or accepted any benefit or any promise of benefit if such benefit is not generally available to the school's students or family members or is based in any way on athletic interest, potential, or performance.

**Eligibility Appeals**

If the ~~Principal~~ Superintendent determines that a transfer student is ineligible to participate in interscholastic athletics, a student may submit an appeal in accordance with Florida law and the governing organization's ~~FHSAA's~~ bylaws.

Revised 8/14/18
Revised 3/10/26

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**Legal**
Handbook and Bylaws of the Florida High School Athletic Association
F.S. 1002.20
F.S. 1006.15
F.S. 1006.195
F.S. 1006.20

VOL. 27, NO. 1, JUNE 2026

po2460

# Revised Policy - Vol. 27. No. 1, June 2026 - EXCEPTIONAL STUDENT EDUCATION

ADOPTED Apr 12 2016 REVISED Sep 15 2025

## 2460 - **EXCEPTIONAL STUDENT EDUCATION**

The Governing Board, as in accordance with its charter agreement with The School Board of Lee County, and its commitment to provide a free, appropriate, public education for students with disabilities in accordance with State and Federal laws, rules, and regulations, shall implement The School Board of Lee County's Plan for Exceptional Student Education. These documents shall include at least the components listed below, shall provide administrative procedures for Exceptional Student Education Programs, and shall be revised when required by the Florida Department of Education (FLDOE), readopted, and submitted to the FLDOE.

A. Child Identification

The CCCSA will make ongoing efforts to identify, locate, and evaluate students below twenty-two (22) years of age, who reside within the CCCSA and have a confirmed or suspected disability in accordance with all Federal regulations and State standards.

B. Procedural Safeguards

A child with a disability and his/her parent shall be provided with safeguards, as required by law, throughout the identification, evaluation, and placement process, and the provision of a free, appropriate, public education to the student.

C. Multifactored Evaluation

A student may not be given special instruction or services as an exceptional student until after s/he has been properly evaluated and found eligible as an exceptional student in the manner prescribed by rules of the State Board of Education.

The CCCSA will provide a multifactored evaluation for students with disabilities by ensuring that:

1. children are assessed in their native language or other mode of communication;

2. tests are used for their validated purposes;

3. children are evaluated in all areas related to their suspected disability;

4. testing is conducted by a multidisciplinary team;

5. testing materials and procedures are not racially or culturally biased;

6. tests are administered by trained personnel qualified in accordance with all Federal regulations and State standards;

7. tests are administered in conformance with the instructions provided by the producer;

8. medical evaluation, when required as part of the multifactored evaluation, shall be provided at no cost to the parent by a licensed physician designated by the Superintendent or his/her designee, when other no-cost resources are not available.

The parent of an exceptional student evaluated and found eligible or ineligible shall be notified of each such evaluation and determination. Such notice shall contain a statement informing the parent that s/he is entitled to a due process hearing on the identification, evaluation, and eligibility determination or non-determination.

D. Individualized Education Program

The Authority will develop an Individualized Education Program (IEP) for each child with a disability who needs special education and related services. The IEP shall be designed to meet the unique educational needs of the child and shall be developed in meetings with the child's designated IEP Team. ~~At the initial meeting of a student's IEP team, the Authority will provide parents with information about the amount of funding the Authority receives for each of the five (5) exceptional student education support levels for a full-time student.~~

Parents of the child shall be strongly encouraged to participate in all planning conferences and IEP Team meetings. The school will provide written notice of an IEP meeting to the parent at least ten (10) days before the meeting, indicating the purpose, time and location of the meeting and who, by title or position, will attend the meeting. The IEP Team meeting requirement may be waived by informed consent of the parent after the parent receives the written notice.

The Authority will utilize FLDOE parental consent forms for the following actions in a student's IEP:

1. administer to the student an alternate assessment pursuant to F.S. 1008.22 and provide instruction in the State standards access points curriculum; and

2. place the student in an exceptional student education center.

Except for a disciplinary interim alternative placement for no more than forty-five (45) school days, if the Authority determines that there is a need to change a student's IEP as it relates to the actions described above in 1 and 2, the school must hold an IEP Team meeting that includes the parent to discuss the reason for the change.

The Authority will not implement the change without parental consent unless the Authority documents reasonable efforts to obtain the parent's consent and the child's parent has failed to respond, or the Authority obtains approval through a due process hearing.

The IEP will include the components listed in F.A.C. 6A-6.03028, *Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities.*

The child's IEP shall be reviewed and revised as often as necessary, but at least annually.

Additionally, Authority personnel will collaborate with private instructional personnel who are hired or contracted by parents in compliance with F.S. 1003.572. "Private instructional personnel" include only the following:

1. individuals certified under F.S. 393.17 or licensed under Chapter 490 or Chapter 491 for applied behavior analysis services as defined in F.S. 627.6686 and 641.31098;

2. registered behavior technicians who have a nationally recognized paraprofessional certification in behavior analysis and who practice under the supervision of individuals licensed under F.S. 393.17 or licensed under F.S. Chapter 490 or Chapter 491 by assisting such individuals in the provision of applied behavior analysis services;

   To provide services under this paragraph, a registered behavior technician must be employed by a provider described in Paraagraph 1 above. ~~an enrolled Medicaid provider.~~

3. speech-language pathologists licensed under F.S. 468.1185;

4. occupational therapists licensed under part III of 379 Chapter 468;

5. physical therapists licensed under Chapter 486;

6. psychologists licensed under Chapter 490; and

7. clinical social workers licensed under Chapter 491.

Private instructional personnel who are hired or contracted by parents to collaborate with public instructional personnel will be permitted to observe the student in the educational setting, collaborate with instructional personnel in the educational setting, and provide services in the educational setting only if the following requirements are met:

1. the student's public instructional personnel and principal consent to the time and place; and

2. the private instructional personnel satisfies the requirements of F.S. 1012.32 or 1012.321.

E. Least Restrictive Environment

The education of students with disabilities will occur in the least restrictive environment through appropriate special education programs and services designed to meet the unique needs of each disabled student. Authority personnel will use the regular school facilities and adapt them to the needs of exceptional students to the maximum extent appropriate. To the extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, shall be educated with children who are not disabled. Segregation of exceptional students will occur only when the nature or severity of the exceptionality is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

F. Confidentiality of Data

The confidentiality of personally identifiable data relating to children with disabilities and their parents and families shall be protected at collection, storage, disclosure, and destruction; one official of this Authority shall be assigned the responsibility for protecting the confidentiality of personally identifiable data. The Authority follows all Federal regulations and State standards related to the confidentiality of data. (See Policy 8330 - *Student Records.*)

G. Due Process

The Authority will use procedures to allow differences of opinion between parents and this Authority or between agencies and this Authority, to be aired and resolved. The procedures shall provide for case conferences and impartial hearings on the

Authority's proposal or refusal to initiate or change the identification, evaluation, eligibility, or educational placement of the child, or the provision of FAPE to the child.

The impartial hearings shall be conducted by an administrative law judge (ALJ) from the Florida Division of Administrative Hearings (DOAH) and shall be final. However, any party who does not agree with the findings and decision in the due process hearing, including a hearing relating to disciplinary procedures, has the right to bring a civil action with respect to the matter that was the subject of the due process hearing. The action may be brought in a State court of competent jurisdiction or in a district court of the United States without regard to the amount in dispute. In the alternative, in hearings conducted on behalf of a student who is identified as gifted, any party aggrieved by the decision of the ALJ has the right to request a review of the order by the District Court of Appeal as provided in F.S. 120.68.

During the pendency of a due process hearing or appellate proceeding regarding a due process complaint, the student shall remain in his/her current educational assignment, unless the parent and the Board otherwise agree.

H. Surrogate Parent

It shall be the policy of the Authority that whenever the parent or a person who acts in a parental role to a child with a disability or a child suspected of having a disability is determined to be legally unavailable, the child's rights shall be protected through the assignment of a surrogate parent. A surrogate parent means an individual appointed by the Superintendent and/or the court to act in place of a parent in educational decision-making and in safeguarding a child's rights under the Individuals with Disabilities Education Act. The surrogate parent shall not be an employee of the Department of Education, the School Authority, a community-based care provider, the Department of Children and Family Services, or any other public or private agency involved in the education or care of the child. The surrogate parent shall meet all statutory requirements and attend the required training to be appointed. The Superintendent shall appoint a surrogate not more than thirty (30) days after the Authority determines a particular student is in need of a surrogate.

I. Testing Programs

Students with disabilities shall participate in local and State-wide testing programs to the maximum extent appropriate. Individual exemptions and/or waivers shall be granted only as permitted under Florida law and State Board of Education rules. Exceptional students with disabilities shall have access to testing sites.

Further, pursuant to State law, the IEP team may determine that end-of-course assessment cannot accurately measure the abilities of the student and may, therefore, waive the use of the results of the end-of-course assessment for purposes

of determining the student's course grade and middle school promotion or award of high school credits.

If the IEP Team determines that a student with a disability is prevented by a "circumstance" or "condition" as defined in F.S. 1008.212 from physically demonstrating the mastery of skills that have been acquired and are measured by the Statewide standardized assessment, a Statewide standardized end-of-course assessment, or an alternate assessment under F.S. 1008.22(3)(c), the IEP Team may submit to the superintendent a written request for an extraordinary exemption from the administration of the assessment, pursuant to F.S. 1008.212. The request may be made at any time during the school year, but not later than sixty (60) days before the assessment for which the request is made. The superintendent will recommend to the Commissioner of Education whether the request should be granted or denied, and the Commissioner will grant or deny the requested exemption within thirty (30) days. A copy of the Authority's procedural safeguards as required in F.A.C. 6A-6.03311 shall be provided to the parent. If the parent disagrees with the IEP Team's recommendation, the dispute resolution methods described in the procedural safeguards shall be made available to the parent.

A parent who disagrees with the Commissioner's denial of a requested extraordinary exemption may request an expedited hearing before DOAH pursuant to F.S. 1008.212.

J. Right to be Accompanied at Meetings Pertaining to Students with Disabilities

Parents of students with disabilities, or eligible students with disabilities, may be accompanied by another person of their choice at a meeting with Authority personnel. Such meetings include, but are not limited to, meetings related to the eligibility for exceptional student education or related services; the development of an individual family support plan (IFSP); the development of an individual education plan (IEP); the development of a 504 accommodation plan issued under Section 504 of the Rehabilitation Act of 1973; the transition of a student from early intervention services to other services; the development of postsecondary goals for a student with a disability and the transition services needed to reach those goals; and other issues that may affect the student's educational environment, discipline, or placement of a student with a disability.

Authority personnel will not object to the attendance of such adult or discourage or attempt to discourage through any action, statement, or other means, parents or an eligible student, from inviting another person of their choice to attend a meeting. Parents, eligible students, or other individuals invited to attend such meetings by parents of students with disabilities or eligible students with disabilities on school grounds shall sign-in at the front office of such school as a guest.

Parents of students with disabilities, or eligible students with disabilities, and

Authority personnel shall sign Form 5780 F1 at the meeting's conclusion which states whether or not any Authority personnel have prohibited, discouraged or attempted discourage the parents, or eligible student, from inviting a person of their choice to the meeting pertaining to their child's, or their own, educational environment, placement, or discipline.

K. Early Literacy Skills for Retained Prekindergarten Students

A parent of a student with a disability who is enrolled in prekindergarten at the age of 4 and is fully funded through the Florida Education Finance Program may retain their child in consultation with the student's IEP team. A student with an IEP who has been retained pursuant to this paragraph and has demonstrated a substantial deficiency in early literacy skills shall receive instruction from the Authority in early literacy skills.

L. Transfer of Parental Rights at Age of Majority

Unless an exception applies under the rules of the State Board of Education, when a student with a disability reaches the age of eighteen (18), the right of prior written notice is retained as a shared right of the parent and the student. All other parent rights under the IDEA then transfer to the student. At least one (1) year before the student reaches the age of eighteen (18), the Board will provide information and instruction to the student and the student's parent(s) on self-determination and the legal rights and responsibilities regarding the educational decisions that transfer to the student upon attaining the age of eighteen (18). The information and instruction will include written notice that the rights afforded to parents under Part B of the IDEA transfer to the student at age eighteen (18) except in specified circumstances referenced in F.A.C. 6A-6.03311, a description of the rights that transfer to the student, and the ways in which the parent may continue to participate in educational decisions, including:

1. informed consent to grant permission to access confidential records protected under the Family Educational Rights and Privacy Act (FERPA) as provided in F.S. 1002.22;

2. powers of attorney as provided in F.S. Chapter 709;

3. guardian advocacy as provided in F.S. 393.12;

4. guardianship as provided in F.S. Chapter 744; and,

5. supported decision-making agreements as provided in F.S. 709.2209.

5. Right to Notice and Access Regarding Related Services

If a related service identified in a student's IEP is not provided as scheduled, the

Authority ~~D istrict~~ shall notify the student's parent or guardian in writing or by electronic means within ten (10) school days. The notice shall explain the reason the service was not provided and address a plan for make-up services.

If requested, a parent or guardian shall have the right to access all service provider logs or progress notes within fifteen (15) days after such service is provided. Parents and guardians shall be advised of this right of access at each IEP meeting.

**Placement by the Department of Children and Family Services**

After the Department of Children and Family Services provides written notification to the Authority that an exceptional student has been placed in a private residential care facility, the receiving school district shall, within ten (10) business days, review the student's IEP and shall:

A. provide educational instruction to the student;

B. contract with another provider to provide the educational instruction;

C. contract with the private residential care facility in which the student resides to provide the educational instruction; or

D. decline to provide or contract for educational instruction, in which case the school district in which the legal residence of the student is located shall provide or contract for the educational instruction of the student.

The Superintendent shall administer the local implementation of these State procedures, in accordance with State and Federal laws, rules, and regulations, which shall ensure fulfillment of this policy.

Revised 11/18/22
Revised 5/7/24
Revised 9/17/24
Revised 5/13/25
Revised 9/16/25

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**Legal**
F.S. 1001.41
F.S. 1001.42
F.S. 1002.20
F.S. 1003.01(3)
F.S. 1003.4156
F.S. 1003.4282

F.S. 1003.57
F.S. 1003.5715
F.S. 1003.572
F.S. 1008.212
F.S. 1008.22
F.S. 1008.24
Statewide Assessment for Students with Disabilities, F.A.C. 6A-1.0943
Florida Alternate Assessment Requirements, F.A.C. 6A-1.09430
Procedural Safeguards and Due Process Procedures for Parents and Students with Disabilities, F.A.C. 6A-6.03311
Procedural Safeguards for Exceptional Students Who Are Gifted, F.A.C. 6A-6.03313
Surrogate Parents, F.A.C. 6A-6.0333
Definitions, ESE Policies and Procedures, and ESE Administrators, F.A.C. 6A-6.03411
20 U.S.C. 1400 et seq.
20 U.S.C. 1401 et seq.
34 C.F.R. Part 300

VOL. 27, NO. 1, JUNE 2025

po3120

# Revised Policy - Vol. 27, No. 1, June 2026 - EMPLOYMENT OF INSTRUCTIONAL STAFF

ADOPTED Mar 10, 2026

## 3120 - **EMPLOYMENT OF INSTRUCTIONAL STAFF**

The Governing Board recognizes that it is vital to the successful operation of the CCCCSA that positions created by the Board be filled with highly qualified and competent personnel.

The Board may establish reciprocal certification agreements with other Florida school Districts whose employment and/or certification requirements are comparable to those of this School system.

For purposes of this policy, instructional staff includes: classroom teachers, librarians/media specialists, school ~~guidance~~ counselors, social workers, career specialists, school psychologists, other instructional staff (such as: primary specialists, learning resource specialists, instructional trainers, and adjunct educators), and additional CCCCSA-defined positions, including registered nurses, audiologists, and speech pathologists.

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

The Superintendent shall also conduct employment history checks of all candidates for instructional staff positions. The employment history check shall include, but not be limited to, contacting any previous employer, reviewing each affidavit of separation from previous employers pursuant to F.S. 1012.31, and screening the candidate through the use of the screening tools described in State law. If contact with (a) previous employer(s) cannot be made, the Superintendent shall document the efforts made to do so.

Any instructional staff member's misstatement of fact material to qualification for employment or the determination of salary shall be considered to constitute grounds for dismissal.

A candidate shall be disqualified from employment in any position that requires direct contact with students if the candidate is ineligible for such employment under F.S.

1012.315, or if the candidate has been terminated or resigned in lieu of termination for sexual misconduct with a student.

A person is ineligible for educator certification or employment in any position that requires direct contact with students if:

A. they are on the disqualification list maintained by the Florida Department of Education under F.S. 1001.10(4)(b);

B. they are registered as a sex offender as described in 42 U.S.C. 9858f(c)(1)(C);

C. they are ineligible based on a security background investigation under F.S.435.04;

The Agency for Health Care Administration shall determine the eligibility of employees in any position that requires direct contact with students in a CCCCSA school.

D. they would be ineligible for an exemption under F.S. 435.07(4)(c); or

E. they have been convicted or found guilty of, have had adjudication withheld for, or have pled guilty or nolo contendere to (1) any criminal act in another state or under Federal law which, if committed in Florida, constitutes a disqualifying offense under F.S. 435.04(2) or (2) any delinquent act committed in Florida or any delinquent or criminal act committed in another state or under Federal law which, if committed in Florida, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under F.S. 943.0435.

The Board shall approve employment, upon the recommendation of the Superintendent.

Individuals who apply for employment are governed by the law and rules in effect at the time of application for employment, provided that continuity of employment is maintained.

Upon Board approval of employment, each instructional staff member shall execute a written contract as required by State law and Policy 3128 - *Contracts: Instructional Personnel.*

**INSTRUCTIONAL PERSONNEL**

Qualifications of instructional personnel shall be as required by law and Florida Administrative Code. To be eligible for appointment in any position in the CCCCSA, a person must be of good moral character; must have attained the age of eighteen (18) years; and must, when required by law, hold a certificate or license issued under rules of the state Board of Education or the Department of Children and Family Services, except when employed pursuant to F.S. 1012.55 or under the emergency provisions of F.S. 1012.24.

Previous residence in this State shall not be required in any school of the State as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

Any employee who does not achieve a passing score on any subtest of the general knowledge examination will be provided information regarding the availability of State-level and CCCCSA-level supports and instruction to assist him/her in achieving a passing score. Such information will include, but is not limited to, State-level test information guides, School CCCCSA preparation resources, and preparation courses offered by State universities and Florida college system institutions.

**CERTIFICATION**

A. State Certification

For purposes of this policy, "primary instructor" refers to any instructional employee of a Florida public school CCCCSA who provides direct support in the learning process by planning, delivering, and evaluating instruction, including through virtual or blended environments, for all students during the entire class period.

Teachers who teach in classes for which FEFP funds are earned shall be certified teachers as defined in F.S. 1012.56 and the Florida State Board of Education Administrative Rule, F.A.C. 6A-1.0503 and 6A-1.0502.

B. In-Field

To be considered "in-field", a primary instructor must meet one of the following qualifications:

1. the teacher is assigned to a course covering subject matter for which the teacher holds a certificate per F.S. 1012.55; or

2. demonstrates sufficient subject matter expertise as determined by F.A.C. 6A-1.0503, (2)(a)-(h).

F.S. 1012.42

**NONCERTIFICATED INSTRUCTIONAL PERSONNEL**

The Superintendent is hereby authorized to select and recommend noncertificated instructional personnel for appointment, pursuant to State Board of Education Rule F.A.C. 6A-1.0502, in a critical teacher shortage area, as identified by the Board. To be eligible for employment under this provision, such individuals must hold a Bachelor's or higher degree and possess expert skill in or knowledge of a particular subject or talent, but not hold a Florida teaching certificate. Instructional personnel employed under this policy will

not be entitled to receive a contract and shall be governed by the criteria found in the Lee County School District's Board Noncertificated Instructional Personnel Procedures.

**CERTIFICATED PERSONNEL**

Any person employed in a position requiring certification shall possess a valid certificate issued pursuant to Florida law or issued by the Board of Lee and shall file said certificate with the Superintendent.

**ALTERNATIVE CERTIFICATION**

The alternative certification program is a competency-based program designed to expand the pool of educators to include non-education majors committed to making a positive impact on student achievement. The procedures for this program may be found in the Lee County Alternative Certification Program.

**LICENSED PERSONNEL**

Speech pathologists, occupational therapists, physical therapists, and audiologists will receive contracts, salary, and benefits. To be eligible for employment, these individuals must hold a license to practice in the State of Florida.

**Heroes in the Classroom**

An honorably discharged or retired military veteran or retired first responder who commits to joining the teaching profession as a full-time classroom teacher is eligible for a one-time sign-on bonus administered by the Department of Education (FLDOE), subject to legislative appropriation. An eligible veteran or first responder may receive an additional bonus for teaching a course in a high-demand teacher need area, as identified by the FLDOE. For any such eligible veteran or first responder employed by it, the Board will provide any necessary information requested by the DOE and, in a manner established by the FLDOE, notify the eligible veteran or first responder that employment may impact their pension from a previous employer.

**Nondisclosure or Confidentiality Agreements**

Employees shall not be required or otherwise incentivized to sign a nondisclosure or confidentiality agreement, and the Authority ~~District~~ shall not impose conditions on employment to circumvent this prohibition.

Revised 2/9/21
Revised 3/9/21
Revised 12/14/21
Revised 11/18/22

Revised 5/7/24
Revised 3/10/26

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**Legal**
F.S. 1012.01
F.S. 1012.22
F.S. 1012.24
F.S. 1012.27
F.S. 1012.315
F.S. 1012.32
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F.S. 1012.55
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F.S. 1012.575
F.A.C. 6A-1.0502
F.A.C. 6A-1.0503
20 U.S.C. 6301
20 U.S.C. 7801

# Revised Policy - Vol. 27, No. 1, June 2026 - ATHLETIC COACHES

ADOPTED Apr 12, 2016 REVISED Sep 16, 2025

3120.03 - **ATHLETIC COACHES**

Each person who is employed and renders service as an athletic coach in any Authority school shall hold a valid temporary or professional certificate or an athletic coaching certificate. The athletic coaching certificate may be used for either full-time or part-time positions. (The provisions of this policy do not apply to any athletic coach who voluntarily renders service and who is not employed by any public school district in this State.)

All employed public school coaches shall be certified in Cardiopulmonary Resuscitation ("CPR"), first aid, and the use of an Automated External Defibrillator ("AED"). Such certification must be "consistent with national evidence-based emergency cardiovascular care guidelines".

In addition to the requirements for certification provided for in Policy 3120, athletic coaches shall complete a sports safety course that shall count for six (6) hours of required Authority in-service instruction for athletic coaching certification if the course is approved by the Florida High School Athletic Association (FSHAA) Board of Directors and meets specified requirements. The course must consist of at least eight (8) modules, must immediately provide an individual with a "merit" certificate at the time of successful completion, and must be delivered through hands-on and online teaching methods. The hands-on course material must be less than 120 pages. In addition, the course must be taught by either a State-licensed athletic trainer who holds a current certificate from the Board of Certification or a member of the American Academy of Orthopedic Surgeons. The course must cover sports safety specifically, excluding coaching principles and procedures for cardiopulmonary resuscitation. The course must be authorized or approved by at least ten (10) health care professionals, must be revised and reviewed for updates at least once every thirty (30) months, and must be available to the general public for a retail price under $50. Also, each course examination must be automated and taken online with a score of eighty percent (80%) or

better for successful completion.

Each athletic coach and sponsor of extra-curricular activities involving outdoor practices or events shall annually complete training in exertional heat illness identification, prevention,

and response, including effective administration of cooling zones.

**Use of Personal Funds by the Head Coach of an Athletic Team**

If permitted in accordance with FHSAA Bylaws, the head coach of an athletic team may support the welfare of a student they coach by using personal funds to provide, in good faith, effects such as food, transportation, and recovery services, so long as the following requirements are met:

1. current FHSAA bylaws permit the use of personal funds;
2. written consent is obtained from the student's parent before any personal funds are provided to the student;
3. only one (1) head coach per athletic team may use personal funds;
4. the head coach follows all reporting requirements set forth in FHSAA's bylaws;
5. personal funds are not used for recruiting purposes; and,
6. the maximum amount of personal funds a head coach may use per athletic team per year does not exceed $15,000.

The Superintendent shall develop appropriate Authority ~~District~~ reporting and disclosure procedures, liability waivers, and other local controls.

F.S. 100 6 .165
F.S. 1006.20

Revised 9/16/25

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**Legal**
F.S. 1012.55(2)

# Revised Policy - Vol. 27, No. 1, June 2026 - PART-TIME EXTRA-CURRICULAR PERSONNEL

ADOPTED Apr 12, 2016 REVISED Sep 16, 2025

3120.08 - **PART-TIME EXTRA-CURRICULAR PERSONNEL**

Part-time extra-curricular personnel may be employed in positions paid on the instructional supplemental salary schedule (primarily coaching positions). Such persons will not be eligible for employee benefits.

**Additional Requirements for Employment of Athletic Coaches Who are Not Full-Time Employees of the Governing Board**

Persons who are not full-time employees of the Board and hold an athletic coach's certificate or athletic trainer's license issued by the State of Florida, may be recommended by the Superintendent and appointed by the Board to perform designated secondary school coaching and training responsibilities, and the contracted employment conforms to rules and regulations of the State Board of Education and the bylaws of the Florida High School Athletic Association (FSHAA), and the policies of the Board and administrative procedures established by the Superintendent. (See Policy 3120.03)

All employed public school coaches shall be certified in cardiopulmonary resuscitation ("CPR"), first aid, and the use of an Automated External Defibrillator ("AED"). Such certification must be "consistent with national evidence-based emergency cardiovascular care guidelines".

Each athletic coach and sponsor of extracurricular activities involving outdoor practices or events shall annually complete training in exertional heat illness identification, prevention, and response, including effective administration of cooling zones.

**Use of Personal Funds by the Head Coach of an Athletic Team**

If permitted in accordance with FHSAA bylaws, the head coach of an athletic team may support the welfare of a student they coach by using personal funds to provide, in good faith, effects such as food, transportation, and recovery services, so long as the following requirements are met:

1. current FHSAA bylaws permit the use of personal funds;

2. written consent is obtained from the student's parent before any personal funds are provided to the student;

3. only one (1) head coach per athletic team may use personal funds;

4. the head coach follows all reporting requirements set forth in FHSAA's bylaws;

5. personal funds are not used for recruiting purposes; and,

6. the maximum amount of personal funds a head coach may use per athletic team per year does not exceed $15,000.

The Superintendent shall develop appropriate Authority ~~District~~ reporting and disclosure procedures, liability waivers, and other local controls.

F.S. 1006.165
F.S. 1006.20

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**Legal**
F.S. 1012.01
F.S. 1012.55(2)
F.A.C. 6A-1.0502(11)

# Revised Policy - Vol. 27, No. 1, June 2026 - APPOINTMENT, ASSIGNMENT, TRANSFER, AND PROMOTION OF INSTRUCTIONAL STAFF

ADOPTED Apr 12, 2016 REVISED Apr 14, 2026

## 3130 - **APPOINTMENT, ASSIGNMENT, TRANSFER, AND PROMOTION OF INSTRUCTIONAL STAFF**

The Governing Board believes that the appropriate placement of qualified and competent staff is essential to the successful functioning of the Authority.

### Appointment and Assignment

When developing his/her recommendation for appointments of instructional staff, the Superintendent shall consider nominations for staff appointments submitted by the principals. Further, if the Superintendent intends to recommend placement of a staff member in a school who was not nominated by the principal, the Superintendent will consult with that principal. In accordance with State law, a principal may refuse to accept the Superintendent's proposed assignment of an instructional staff member to his/her school unless that instructional staff member has a performance rating of effective or highly effective under F.S. 1012.34.

After such required consideration and consultation, the Superintendent shall submit written recommendations with regard to the appointment and assignment of instructional staff for Board action.

The Board shall act not later than three (3) weeks following the receipt of State-mandated testing scores and data, including school grades, or June 30th, whichever is later, on the Superintendent's nominations of supervisors, principals, and members of the instructional staff.

In accordance with State law, the Board may reject the Superintendent's recommendation for initial appointment and assignment, or re-appointment and assignment, for good cause.

It is only for the purposes of initial appointment and assignment and re-appointment and assignment, that the term "good cause" means the Board has determined any of the following: that the nominated employee fabricated or materially exaggerated their

credentials or background; that the nominated employee does not meet the minimum requirements for the position; or that the nominated employee's educator certificate has been revoked by another state.

The Board authorizes the Superintendent to temporarily reassign employees when the Superintendent determines that it is in the employee's and/or Authority's best interest(s).

**Assignment to Schools Graded "D" or "F"**

Pursuant to statutory requirements, the percentage of inexperienced teachers, teachers in need of improvement, or out-of-field teachers assigned to schools graded "D" or "F" under State law shall not be greater than the Authority average. As used in this policy, "inexperienced teacher" means a teacher who has been teaching for three (3) years or less.

A newly hired instructional staff member may be assigned to a school that has earned a grade of "F' in the previous year, or any combination of three (3) consecutive grades of "D" or "F" in the previous years, if the individual:

A. has received an "effective" or "highly effective" rating in the immediate prior year's performance evaluation;

B. has successfully completed or is enrolled in a teacher preparation program, is provided with high-quality mentoring during the first two (2) years of employment, holds a professional certificate and holds a probationary contract; or

C. holds a probationary contract, holds a professional certificate and has successful teaching experience, and if, in the judgment of the school principal students would benefit from the placement of that individual.

The Superintendent will annually certify to the Commission of Education that these requirements are being met.

**Assignment to Teacher Preparation Programs**

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in which candidates demonstrate an impact on student learning growth must have evidence of "clinical educator" training, a valid professional certificate and at least three (3) years K-12 teaching experience and must have earned an "effective" or "highly effective" rating on the prior year's performance evaluation or be a peer evaluator under the Authority's evaluation system.

All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates an impact on student learning growth, through a Florida online or distance program must have received "clinical educator" training or its equivalent in that state, hold a valid

professional certificate issued by the state in which the field experience takes place, and have at least three (3) years of K-12 teaching experience.

~~All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates an impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received "clinical educator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least three (3) years of K-12 teaching experience.~~

**Teachers Teaching Out-of-Field**

"Out-of-field" means a teacher is assigned to a course covering subject matter outside the field for which the teacher holds a certificate pursuant to F.S. 1012.55 or for which the teacher has not demonstrated sufficient subject matter expertise pursuant to F.S. 1012.42 and as determined by F.A.C. 6A-1.0503, (2)(a)-(h)

A. Approval of Out-of-Field Teachers

A teacher considered out-of-field per F.A.C. 6A-1.0503, (1)(c), shall be approved by the Board to teach out-of-field after a determination that a teacher with appropriate certification coverage is not available. All evidence of such qualifications and approval must be reflected in the individual's official personnel record; however, such approval may be granted by the Board only under one (1) of the conditions listed in F.A.C. 6A-1.0503, (3) (a)-(c).

B. Notification Requirements and Transfer Requests

When a teacher is assigned instructional duties in a class containing subject matter outside the field in which the teacher is certified, outside the field that was the applicant's minor field of study, or outside the field in which the applicant has demonstrated sufficient subject area expertise, as determined by the State Board of Education rule (F.A.C. 6A-1.0503), the parents of all students in the class shall be notified in writing of such assignment.

The Board shall report out-of-field teachers on the District's website and in newsletter form by October 1st and February 1st each year.

A parent whose student is assigned an out-of-field teacher may request that their child be transferred to an in-field classroom teacher within the school and grade in which the student is currently enrolled through the process set forth in Policy 5780.

**Promotion and Transfer**

Pursuant to State law, the Superintendent's primary consideration in recommending an individual for promotion must be the individual's demonstrated effectiveness pursuant to State law.

Before transferring an instructional staff member from one (1) school to another, the Superintendent shall consult with the principal of the school to which the teacher will be assigned and allow the principal the opportunity to review the teacher's records, including student performance demonstrated under F.S. 1012.34, and interview the teacher. If, in the judgment of the principal, students would not benefit from the placement, an alternative placement may be sought. A principal may refuse to accept the Superintendent's assignment or transfer of an instructional staff member who holds a professional teaching certificate to his/her school, unless that instructional staff member has a performance rating of effective or highly effective under F.S. 1012.34.

After the required considerations and consultations, the Superintendent shall submit written recommendations with regard to the promotion or transfer of instructional staff for Board action.

In accordance with State law, the Board may reject the Superintendent's recommendation for the transfer or promotion of an instructional staff member for good cause.

**Required Reporting**

The Superintendent must annually notify the parent of any student who is assigned to classroom with a teacher having two (2) consecutive annual performance evaluation ratings of unsatisfactory, two (2) annual performance evaluation ratings of unsatisfactory within a three (3) year period, or three (3) consecutive annual performance evaluation ratings of needs improvement or a combination of needs improvement and unsatisfactory.

**Duties, Days, and Hours**

The Superintendent shall make known through administrative channels the duties, days, and hours of the various classes of instructional personnel.

A. Instructional staff members shall perform the duties required by Florida statutes and Board policy, as well as other reasonable duties as may be assigned by their immediate supervisor. Failure to perform such duties in an acceptable manner shall constitute a violation of the instructional staff member's contract.

B. Instructional staff members are responsible for student control and supervision at any location on campus or during school-sponsored activities.

C. Instructional staff members shall not permit their family members or friends by their presence to interfere with performance of their duties during working hours.

**Employment and Supervision of Relatives (Nepotism)**

For purposes of this policy, a "relative" is an individual included within the definition of "relative" set forth in F.S. 112.3135, which includes the following individuals: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

Neither the superintendent nor a Board member may appoint or employ a relative to work under their direct supervision. These limitations do not apply to employees appointed or employed before the election or appointment of the superintendent or a Board member.

Two (2) or more relatives shall not work in the same administrative unit except by permission of the Superintendent. In the event that an instructional staff member, due to some unusual circumstance, may have been placed in the same working unit with a close relative, the instructional staff member may continue in the position until s/he can be reassigned to a position of comparable grade, pay, and reasonable personal convenience.

A. A relative may be employed in the same school when specifically recommended by the principal and approved by the Superintendent on the grounds that it is to the educational advantage of the school.

B. Under no circumstances shall a person supervise the work of a relative.

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Revised 4/14/26

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**Legal**
F.S. 112.3135
F.S. 1001.32
F.S. 1004.04
F.S. 1012.22
F.S. 1012.23
F.S. 1012.2315
F.S. 1012.27
F.S. 1012.28
F.S. 1012.42
F.S. 1012.795
F.S. 1012.796
F.A.C. 6A-1.0503

VOL. 27, NO. 1, JUNE 2026

po3211

# Revised Policy - Vol. 27, No. 1, June 2026 - WHISTLEBLOWER PROTECTION

ADOPTED Apr 12, 2016 REVISED Apr 14, 2026

3211 - **WHISTLEBLOWER PROTECTION**

The Governing Board expects all its employees to be honest and ethical in their conduct, and to comply with applicable State and Federal law, Board policies and administrative procedures. ~~Pursuant to State law, the Board expects~~ Instructional ~~i nstructional~~ staff members must ~~to~~ report in a signed, written report, the following to the Superintendent:

A. any violation or suspected violation of any Federal, State or local law, policy, or regulation committed by any employee, or agent of an agency or independent contractor which is doing business with the Board, which creates and presents a substantial or specific danger to the public's health, safety, or welfare; and

B. ~~to their immediate supervisors. Additionally, pursuant to State law, instructional staff members are expected to report~~ any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of an agency or independent contractor which is doing business with the Board.

~~It is the responsibility of an employee who is aware of conduct on the part of any Board member or employee that possibly violates Federal or State law, or Board policy, to call this conduct to the attention of their immediate supervisor. If the employee's immediate supervisor is not responsive or is the one whose behavior is in question, the employee should report the alleged misconduct to the Superintendent.~~

~~After such a report is made, the immediate supervisor will ask that the employee's report be put in writing.~~

Any employee making such a report in a signed written report shall not be ~~protected from~~ subject to dismissal, discipline, ~~retaliation, or reprisal~~ or any other adverse personnel action as defined in F.S. 112.3187 for making such report ~~as long as the employee made a reasonable and good faith effort to determine the accuracy of any information reported, and such report meets the requirements of the Florida's Whistleblower's Act.~~ unless the employee knows the information to be false.

Employees are subject to disciplinary action, up to and including termination, for purposely, knowingly, or recklessly making a false report under this policy. Conversely, employees ~~are~~ may be subject to disciplinary action, up to and including termination, if they are aware of a violation of Federal, State, or local law that the Board has the authority to correct and they do not make a signed written report to the Superintendent. c~~onfirmed in writing to their immediate supervisor.~~

If the alleged misconduct that is reported involves a Board member or the Superintendent, the signed, written report is to be filed directly with the Board Attorney, who is hereby authorized to engage outside counsel to conduct the investigation concerning the alleged misconduct.

Upon receipt of a legally sufficient report made by an instructional staff member pursuant to this policy, an investigation shall be conducted by the Superintendent or Board Attorney. ~~consistent with the procedures described in F.S. 112.3189.~~

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**Legal**
F.S. 112.3187
~~F.S. 112.3189~~

# Revised Policy - Vol. 27, No. 1, June 2026 - EVALUATION OF INSTRUCTIONAL PERSONNEL

ADOPTED Apr 12, 2016 REVISED Apr 14, 2026

## 3220 - **EVALUATION OF INSTRUCTIONAL PERSONNEL**

Pursuant to State law, evaluations shall be conducted for the purpose of increasing student learning growth by improving the quality of instructional services in the Authority. Except for classroom teachers who are newly hired in the Authority and excluding substitute teachers, a performance evaluation must be conducted for each instructional staff member at least once per year. Newly hired teachers must be observed and evaluated twice during their first year of teaching in the Authority.

The Principal is responsible for the performance of all personnel employed by the Governing Board and assigned to the school to which the Principal is assigned. The Principal shall appropriately and effectively apply the personnel evaluation system that has been recommended by the Superintendent and approved by the Board, and approved, as required by State law, by the Florida Department of Education (FLDOE).

### Instructional Personnel Evaluation System

The performance evaluation of instructional personnel must be based upon the performance of students assigned to their classrooms. The performance evaluation system must be based upon sound educational principles and contemporary research in effective educational practices. The Authority's performance evaluation system is not limited to basing unsatisfactory performance of instructional personnel and school administrators solely upon student performance, but may include other criteria to evaluate instructional personnel and school administrators' performance, or any combination of student performance and other criteria. All personnel must be fully informed of the criteria, data sources, methodologies, and procedures associated with the evaluation process before the evaluation takes place. Additionally, the Principal shall assist the teachers within the school to use student assessment data, as measured by student learning growth gains pursuant to State law for self-evaluation and improvement.

The evaluation system for instructional personnel will:

A. be designed to support effective instruction and student learning growth, and performance evaluation results must be used when developing Authority and

school-level improvement plans;

B. provide appropriate instruments, procedures, timely feedback, and criteria for continuous quality improvement of the professional skills of instructional personnel, and performance evaluation results must be used when identifying professional learning;

C. include a mechanism to examine performance data from multiple sources, including opportunities for parents to provide input into employee performance evaluations when appropriate;

D. identify those teaching fields for which special evaluation procedures and criteria are necessary;

E. differentiate among four (4) levels of performance as follows:

1. highly effective

2. effective

3. needs improvement or, for instructional personnel in the first three (3) years of employment who need improvement, developing

4. unsatisfactory

F. provide for training and monitoring programs based upon guidelines provided by the Department of Education to ensure that all individuals with evaluation responsibilities understand the proper use of the evaluation criteria and procedures.

**Evaluation Procedures and Criteria**

Evaluation procedures and criteria must comply with, but are not limited to, the following:

A. Performance of Students

At least one-third (1/3) of the performance evaluation of instructional personnel must be based upon the data and indicators of student performance of the teacher's students as determined by the Authority in accordance with F.S. 1012.34(7). The performance of students' criterion shall also include growth or achievement data of the teacher's students for at least three (3) years or, if less than three (3) years is available, the years for which data are available. The proportion of growth or achievement data may be determined by instructional assignment.

For classroom teachers of grades and subjects for which their students' performance is assessed by Statewide standardized assessments, the Authority may

measure student learning growth using the formulas approved by the Commissioner and the standards for performance levels adopted by the State Board for courses associated with the Statewide, standardized assessments administered under F.S. 1008.22 no later than the school year immediately following the year the formula is approved by the Commissioner (see F.A.C. 6A-5.030 and 6A-5.0411).

For classroom teachers of grades and subjects for which their students' performance is not assessed by Statewide, standardized assessments, the Authority shall measure student performance using the methodology set forth in the Authority's evaluation plan that is submitted to and approved by the FLDOE to measure the student's performance upon which to base one-third (1/3) of the performance evaluation.

For instructional personnel who are not classroom teachers, the Authority shall use the methodology set forth in the Authority's evaluation plan that is submitted to and approved by the FLDOE to measure the student's performance upon which to base one-third (1/3) of the performance evaluation.

Pursuant to State law, the proportion of growth or achievement data in the Authority-determined student performance measures may be determined by instructional assignment.

B. Instructional Practice

At least one-third (1/3) of the performance evaluation must be based upon instructional practice. Evaluation criteria used when annually observing classroom teachers, as defined in F.S. 1012.01(2)(a), excluding substitute teachers, must include indicators based upon each of the Florida Educator Accomplished Practices adopted by the State Board of Education. For instructional personnel who are not classroom teachers, or certified school counselors, evaluation criteria must be based upon indicators of the Florida Educator Accomplished Practices and may include specific job expectations related to student support. For certified school counselors, evaluation criteria must be based upon indicators of the Florida School Counseling Standards adopted by the State Board of Education. This section does not preclude a school administrator from visiting and observing classroom teachers throughout the school year for purposes of providing mentorship, training, instructional feedback, or professional learning.

C. Other Indicators of Performance

The remainder of a performance evaluation may include, but is not limited to, professional and job responsibilities as recommended by the State Board of Education or identified by the Board. The performance evaluation may also include peer reviews, objectively reliable survey information from students and parents

based on teaching practices that are consistently associated with higher student achievement, and other valid and reliable measures of instructional practice.

The individual responsible for supervising the employee must evaluate the employee's performance. The evaluation system may provide for the evaluator to consider input from other personnel trained under F.S. 1012.34(2). The evaluator must submit a written report of the evaluation to the Superintendent for the purpose of reviewing the employee's contract. The evaluator must submit the written report to the employee no later than ten (10) days after the evaluation takes place. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his or her personnel file.

The evaluation shall be completed and on file in accordance with the time schedule established by the Superintendent. The written report of the evaluation must be on file and provided to the employee within ten (10) days after the evaluation conference. The evaluator must discuss the written evaluation report with the employee. The employee shall have the right to initiate a written response to the evaluation, and the response shall become a permanent attachment to his/her personnel file. The evaluator may amend an evaluation based upon assessment data from the current year if the data becomes available within ninety (90) days after the close of the school year.

If an employee is not performing his/her duties in a satisfactory manner, the evaluator shall notify the employee in writing of such determination.

An evaluation shall be submitted at the time an instructional staff member leaves the Authority if services terminate prior to annual evaluations.

An instructional staff member shall be given a copy of any documents relating to his/her performance that are to be placed in the personnel file.

A portion of each instructional staff member's compensation shall be based on the employee's performance evaluation as required by State law.

In addition, the Superintendent shall annually report the evaluation results of instructional staff members using the four (4) levels of performance set forth in State law to the FLDOE. The results shall be provided by school and shall be disaggregated by classroom teachers, as defined in State law, excluding substitute teachers, and all other instructional personnel, also as defined in State law.

The Superintendent shall also notify the FLDOE of any instructional staff members who receive two (2) consecutive unsatisfactory evaluations, as well as any instructional personnel who are given written notice by the Authority of intent to terminate or not renew their employment.

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F.S. 1012.01
F.S. 1012.22
F.S. 1012.28
F.S. 1012.31
F.S. 1012.34
F.A.C. 6A-5.030
F.A.C. 6A-5.0411