



Duval County Public Schools

January 18, 2017, Policy Handbook Review Committee Meeting

Ms. Paula D. Wright, Chairman
Ms. Ashley Smith Juarez, Vice-Chairman
Ms. Becki Couch
Ms. Cheryl Grymes
Ms. Lori Hershey
Mr. Warren A. Jones
Mr. Scott Shine
Dr. Nikolai Vitti, Superintendent

ATTENDANCE AT THIS MEETING OF THE DUVAL COUNTY SCHOOL BOARD: All Board Members were present with the except of Board Member Cheryl Grymes. Ms. Karen Chastain, Chief Officer of Legal Services, was also present.

Call Meeting To Order

[CALL MEETING TO ORDER](#)

Minutes: The meeting was called to order at 9:19 a.m.

Items To Be Discussed

[CONTROLLED OPEN ENROLLMENT](#)

Attachment: [Controlled open enrollmentv2redline.pdf](#)

Minutes:

Policies 5.10, 5.11, 5.45, 5.50, 5.62, 5.64, 5.67 will be reviewed at the Policy Handbook Review Committee meeting in March. Heather Crowley, Director of Employee Wellness, reviewed Chapter 5 with the Committee. The Committee agreed to the following changes.

Chairman Wright arrived at 9:42 a.m.

- Policy 5.64 - Student With HIV, Aids, Or Other Communicable Diseases
 - Section I - Introduction It is the policy of this School Board to seek to provide, in the least restrictive environment, for the educational needs of each student to the maximum extent consistent with the needs of other students and the health, safety and welfare of all. One ~~factor~~ key step necessary in implementing this policy is that of providing AIDS related education and awareness for students. Another such factor is that of adopting and implementing procedures to be followed in instances where the administration is notified by the parent/guardian, student or another employee that a student is known to have the Human Immunodeficiency Virus (HIV) or Acquired Immunodeficiency Syndrome (AIDS).
In providing communicable disease education (~~to include Hepatitis B, etc.~~) and awareness for students, an important goal will be to make it clearly and convincingly understood that, as to the present and the foreseeable future, there is no known or definitely expected cure for AIDS; and that most cases of AIDS resulted from behavior that can be avoided. HIV is addressed as a communicable disease separately.
 - Section II.A - Circumstances Warranting Special Action - No student shall be excluded from attending regular classes solely because the student has been diagnosed as having HIV or AIDS including clinical evidence of infection with HIV. However, if a child so diagnosed evidences any one of the following conditions, the ~~School Physician~~ District Medical Director with consent of the parent or guardian, will convene a multidisciplinary committee, if necessary for the purpose of making recommendations regarding the most appropriate educational placement of the student:
 - Heather Crowley, Director of Employee Wellness, indicated we no longer have a school board physician, Dr. Bowers retired. The District has replaced him with Kelli Bissell, District Medical Director.
 - Section II.B - In the event the parent or guardian refuses to authorize release of information regarding the student, the ~~School Physician~~ District Medical Director shall request a review by the Director of the Health Department. If the Director of the Health Department determines that students or school personnel are likely to be significantly exposed to body fluids of the student, ~~School Physician~~ District Medical Director may proceed with establishment of the panel, notwithstanding the refusal of the parent or guardian. Parents/guardians must be notified that the panel will be convened without parental consent due to the present health danger presented by the student to others that may be exposed to HIV or other infectious diseases.
 - Section II.C- The Multidisciplinary Committee
 1. ~~School Board Physician~~ District Medical Director

- 4. District Nurse Manager
4-6 will be renumbered
- 8. Medical Director, Department of Health - Duval.
- o Section II.D - Guidelines And Procedures For Case Review And Placement Alternatives
 - D.1.- ~~CASE REVIEW AND PLACEMENT ALTERNATIVES--Case Review and Placement~~
 - a. ~~Infected Student Who Shows No Signs or Symptoms of AIDS and Poses No Threat of Transmitting the AIDS Virus-student who shows no signs or symptoms of AIDS and poses no threat of transmitting the AIDS virus: No alternative placement needed.~~
 - b. ~~Infected Student With a Mentally, Emotionally, or Physically Handicapped Condition as a Result of a Communicable Disease student with a mentally, emotionally, or physically handicapped condition as a result of a communicable disease:~~
 - c. ~~Infected Student With a Medical Condition or Behavior That Poses Significant Risks of Transmission of a Communicable Disease student with a medical condition or behavior that poses significant risks of transmission of a communicable disease:~~
 - o Section D.II.2- ~~Infected Student's Request For Exemption From Compulsory School Attendance- INFECTED STUDENT'S REQUEST FOR EXEMPTION FROM COMPULSORY SCHOOL ATTENDANCE~~ Infected student's request for exemption from compulsory school
When a parent requests that an infected student be considered for exemption from compulsory school attendance because of medical reasons, the student's physician must make a written recommendation to the ~~school-School physician-District Medical Director~~ for review and processing in accordance with Florida Statutes.
 - o Section II.D.3.- Change from the title to lower case. Board Member Couch asked for clarity on this section concerning which student would be temporarily excluded from school until the parents presents a statement from a physician that the student may continue attendance or until the Duval County Health Department determines that the outbreak is no longer a threat. This information will be provided as part of the agenda item.
 - o Section II.4 - ~~APPROVAL OF PLACEMENT RECOMMENDATION~~ Approval of Placement Recommendation
The ~~School Physician~~ District Medical Director will review the Multidisciplinary Committee's recommendation for an appropriate educational program and setting for the infected student and submit it to the Superintendent of Schools for final approval.
 - o Section ~~V~~IV.C - Confidentiality - ~~Should~~ School Board Employees with HIV infection may choose to disclose their HIV status to school or district administrators. ~~the~~ The information will be treated as highly confidential and may not be disclosed further or be used as a cause for dismissal or other prejudicial treatment.
- Policy 5.70 - Student Records - This policy is still being worked on. Karen Chastain, Chief of Legal Services, requested the policy be

deferred.

- Policy 5.20 -Student Assignment- The following changes were made in the introduction: Where the word "school" was used it will change to "district" because of the new legislation.
 - Section II. - ~~No~~ With the exception of the controlled open enrollment provisions set forth in the Student Transfer Policy (the provisions of which shall control over anything to the contrary in this subsection), no student shall be permitted to cross district lines for the purpose of attending school in the School District or outside the School District, except under a written agreement as provided in Florida Statutes. Any such agreement between the School Board and any other Florida school district shall be duly recorded in the official School Board minutes. Such transfers shall be on a nondiscriminatory basis and shall not result in reducing desegregation in either school district or in reinforcing the dual school system.
 - Pearl Roziers, Executive Director School Choice/Pupil Assignment Operations, stated with controlled open enrollment student will be able to move any time and will count in the school grade.
 - Section II.A The assigned school for an out-of-district student shall be designated on the basis of space available, pursuant to section and Policy 1002.31, Florida Statutes. ~~Such assignment shall not occur after the February FTE (full-time equivalency) count, except under the provisions of the contract with another District school system or upon recommendation of the Superintendent and approval of the School Board.~~
 - Section III - As required by Florida Statute, any student(s), who has been attending a school that has been designated as performance grade category "F" ~~failing to two (2) make adequate progress for two (2) school years in a four (4) year period, low performing based on criteria established in Florida Statutes~~ may choose to attend a higher performing school in the District or an adjoining district. Vice-Chairman Smith Juarez recommended referencing Florida Statute 1003 or Chapter 1008. Karen Chastain will add the correct Statute.
 - III - B and C- Delete paragraphs

Board Member Hershey left the meeting and did not return.

- Policy 5.22 - Student Transfer Policy
 - Section I. - Purpose - To establish the procedures for initiating and approving the within-county transfer of students within the District and the transfer of students pursuant to controlled open enrollment.
 - Section II. - Background - Most students attend the school within the established attendance area in which they reside. ~~A~~ However in accordance with Florida Statutes, a request for a student to attend a school outside such attendance area may be initiated by the parent/guardian/eligible student (18 years of age or older), or special services staff. ~~However, no student is guaranteed assignment to a particular school.~~ Florida statutes

- provides for choice options for parents/legal guardians to enroll their child in any school in the State of Florida that has not reached capacity as determined by the school district.
- III.- Pearl Roziers indicated anytime a student enters the school district they become our student. They would have the option of starting a portfolio if they do not have one from their previous school.
 - D- Add - Process for transfers(excluding, however, controlled open enrollment transfers set forth in subsection E below
 - D. - 1- General - The word "district" changes to capital "D"s.
 - E. - Add language per attachment- "1-9". Capacity is defined as 95% of the schools capacity for each school in the District.
 - III.A2 - Delete - No longer needed because it is no longer in statute.
 - III.B4- Transfer requests submitted after the deadline will not be accepted unless the student is a new resident of Duval County, pursuant to controlled open enrollment, or there is bona fide emergency or event that could not have been foreseen prior to the deadline. A student must enroll in and attend his/her projected school while the transfer is being processed. We will also reference State Statute for the definition of an emergency in this section. The reason we use 95% for capacity is because of emergencies.
 - III.D- Capitalize the "D" in District and "D" will become "C" and the section below it will become "D".
 - III.E- See attachment for added language.
 - Pearl Roziers, Assistant Superintendent, School Choice/Pupil Assignment, indicated the School Choice Office began in October to advertise to the public where seats are available. The information is updated every Friday at 3:00 p.m. They go to the State's website and pull each schools information. We look at class size as well as capacity and we verify with the school to determine space availability.
 - Policy 5.44 - Attendance Boundaries
 - IV.B - Appropriate District staff shall review District planning data and enrollment of each school, utilize criteria listed below, and determine whether a given school can remain at status quo or whether alternative student enrollment options should be initiated for the next school year. A For purposes of this policy, a school shall be considered at capacity so long as its enrollment falls between 85% and up to and including 105% of its capacity as defined by utilization exclusion (it being understood that capacity determinations established in the Student Transfer Policy to implement controlled open enrollment may be different). The criteria utilized in making this determination may include, but not be limited to, the following:
 - Policy 5.46 - Magnet Schools And Choice Programs
 - VI.- Application and Admission Process - Between January 1 and February 28/29 of each school year, the District shall make applications for magnet schools and choice programs available by parent portal, at the Magnet Programs Office, and online at

www.duvalchoice.com. To be eligible for consideration for the lottery for fall admission to a magnet school or choice program, parents of applicants must return the completed application to the Magnet Programs Office no later than the last day of February.

- VII. J - Residency in the District: Pursuant to the controlled open enrollment provisions in the Student Transfer Policy, priority will be assigned to students residing in Duval County compared to students residing outside of Duval County.
- V.A- Language will be clarified concerning the wording related to mandating student to wear uniforms.
- Pearl Roziers indicated that starting next school year, prekindergarten student applications at John E. Ford and J. Allen Axson Elementary will go through the magnet lottery. She has been meeting with the principals from the Montessori magnet schools since late October to work on solutions for the three and four year old program at J. Allen Axson Elementary. She received a request from the Board for data which she shared with the principals of all of the Montessori magnets. At that time we decided we needed to redo the lottery process for prekindergartens.

Students who lived in the prior attendance area for J. Allen Axson Elementary receive priority one status. Principals are reaching out to daycares to inform parents that if they lived in the prior attendance area, they will receive this priority.

Board Members agreed that, they need to have another meeting to discuss the magnet process further.

The number one goal of the magnet programs is diversity. In November, the team of principals gave a variety of choices to keep the three and four year old programs. The cost to pay for the three and four year old programs are less than the cost of most daycares. Seats can be reserved based on policy for socioeconomic status. The Early Learning Coalition pays on average 50% of the prekindergarten tuition and about 70% of the extended day for the other part of the day.

Prior to the Board being informed of the changes in the magnet process the Board made a decision to phase out the three and four year old program at J. Allen Axson Elementary. The principals at the Montessori schools will be informed that changes may still be made to the magnet process.

Chairman Wright stated that moving forward there will not be a meeting without staff present.

Speakers

Paula D. Wright, Chairman
Ashley Smith Juarez, Vice-Chairman
Becki Couch, Board Member

Lori Hershey, Board Member
Scott Shine, Board Member
Heather Crowley, Director of Employee Wellness
Pearl Roziers, Assistant Superintendent, School Choice/Pupil Assignment
Karen Chastain, Chief of Legal Services

CHAPTER 6 - DRAFT REVISIONS

Attachment: [Board Policy Chp 6 Draft Revisions 1-18-17.pdf](#)

Minutes:

Vice-Chairman Smith Juarez left at 12:16 p.m. and did not return.

Sonita Young, Assistant Superintendent, Human Resource Services, reviewed Chapter 6 with the Board. The Committee agreed to the following changes:

- Policy 6.01 - Employment Of Personnel
 - Section III. - The District shall implement a recruitment program to attract and maintain a well qualified, ~~ethnically~~ diverse workforce (as set forth in the School Board's Equity Policy 1.22), to the greatest extent practicable.
- Policy 6.07 - Recruitment Of Faculty And Administrative Staff
 - Section III. - Monitoring and Evaluation - Not later than November 1 each year, the Superintendent shall prepare a report for the Board detailing the gender and racial composition of the faculty and the administrative staff in each school within the District and describing the recruiting efforts undertaken by the Division of Human Resource Services to attract minority applicants for faculty posts. When a school has a faculty that is substantially unrepresentative of the district-wide gender or racial composition, the Superintendent or his/her designee shall take appropriate steps to achieve the goal of diversity to the extent practicable.
- Policy 6.08 - Appointment Or Employment Requirements
 - Section VI. - Initial Employment - ~~C.D.~~ Any ~~instructional~~ contractual or instructional persons under contract to the School District to operate student programs, student teachers, persons participating in short-term teacher assistance experiences or

- field experiences who have direct contact with students must meet the requirements of this section. College of education students who are participating in an observation requirement who remain in the direct line of sight of the classroom teacher and do not have unsupervised contact with students shall not be required to meet this requirement.
- Sonita Young, Assistant Superintendent, Human Resource Services, indicated this language applies to college students only.
 - Section VII. - Reconsideration and Appeal- Applicants who have been denied employment, and probationary employees who have been denied permanent employment, on the basis of their criminal record and/or background check, may request reconsideration by the ~~Director~~Assistant Superintendent, Professional Standards Human Resource Services only if they present new information not previously available to the committee.
 - Policy 6.11 - Open Hiring/Equal Employment Opportunity Affirmative Action
 - Section I.-The Division of Human Resource Services shall implement a recruitment program to attract and maintain a well-qualified, ~~ethnically-diverse~~ workforce (as set forth in the School Board's Equity Policy, 1.22) to the greatest extent practicable.
 - Section II.- The School Board shall promote and provide for equal opportunity in recruitment, selection, and promotion of all personnel and nondiscriminatory practices in employment and in employee rights regarding race, sex, age, religion, marital status, pregnancy, disability, creed, or national origin and other protected groups as set forth in School Board Policy 1.22. ~~See also Equity Policy 1.22.~~ Any School District employee who feels he/she has been discriminated against or who has been denied any rights described herein may file a complaint with the District's Office of Professional Standards/Equity and Inclusion. Any employee who has knowledge of any discrimination or other activities which violate this policy shall immediately report it according to established procedures and shall take any other appropriate steps necessary to procure its cessation. All completed and closed investigations (including the completion of any period of time set forth by law for confidentiality) will be reported to the Board on a quarterly basis.
 - Policy 6.12 - Employment Of Athletic Coaches Who Are Not Full Time Employees Of The School Board
 - Section III.B - Agreement by the contracted employee to abide by ~~*The Code of Ethics and the Principles of Professional Conduct of the Education Profession in Florida.*~~
 - Policy 6.27 - Contracts: Instructional And Administrative Personnel
 - Section II. - Contracts With Administrative Staff - Each member of the administrative staff on initial employment shall be given a written contract for a period not to exceed one (1) year. The probationary period first ninety-seven (97) days of the initial contract shall for one year be a probationary period during which

the employee may be dismissed without cause. This will align administrative staff

- Policy 6.28 - Probationary Status For Educational Support Personnel
 - Upon initial employment or reassignment based on a probation,- noninstructional support employees shall serve a probationary period. If a collective bargaining agreement does not provide for the conditions of a probationary period then the following provisions shall govern the implementation of this policy.
- Policy 6.32 - Teaching Out of Field
 - Section I.- An instructional staff member shall satisfy the course work requirements as specified in State Board of Education rule prior to being assigned, reassigned, or reappointed to instructional certificated position in a subsequent school year (s). However, the superintendent shall have the authority to approve assignment, reassignment or reappointment of instructional employees to an instructional area in the employee's current certification for a subsequent year.
 - Section II.- Each principal shall report to the Staffing office the need and justification to place a teacher in an assignment to teacher a subject (s) for which he/she is not properly certified. The actual placement shall not be made until approval from the Staffing Supervisor has been granted. Additionally, each principal shall certify to the district's Certification office at the end of each academic year that no instructional personnel with out of field requirements has been placed out of field contrary to this policy.
 - The main reason for this change is we do not have the capacity to terminate teachers who remain certified because they did not satisfy an out-of-field requirement. The last two years we have come to the Board and ask to waive the policy as they could teach in their area of certification.
- Policy 6.37-Tobacco-Free Environment
 - No change to this policy. The question was if this policy was voted on. It was addressed at the May 2014, Regular Board Meeting.
- Policy 6.57 - Annual Leave
 - Section VII. - Full time twelve (12) month personnel (working at least 260 days) not represented by a bargaining unit shall be granted four (4) additional holiday days between Christmas and the new year. These days shall not be counted against the employee's accrued leave, nor shall they be cumulative if for any reason they are not used by the employee. ~~In addition, school based principals shall be granted five (5) additional holiday days, which shall coincide with the student Spring break. These days shall not be counted against the employee's accrued leave, nor shall they be cumulative if for any reason they are not used by an employee.~~
- Policy 6.59 - Sick Leave
 - Section III. - Any claim for sick leave shall be filed with the Superintendent, or his/her designee, within ~~threefive~~ (35) working days upon return of the employee to duty.
 - Section IV.- The leave may be extended for the next school year

by the School Board for the following reasons: insufficient accumulated sick leave days to cover the duration of illness; extended illness or health problems causing temporary disability; or inability to work due to pregnancy or pregnancy-related illness. Multiple extended leave requests or requests to cover multiple school years that are not concurrent will not be granted.

- Policy 6.60 - Illness-Or-Injury In The Line Of Duty
 - Section II. - Any employee member of the bargaining unit shall be entitled to illness-or-injury-in-line-of-duty leave at regular pay, reduced by the amount of workers' compensation received in the form of temporary disability paid by reason of such injury or illness, for a period not to exceed the first seven (7) days of the disability when he/she has been absent from his/her duties because of an accidental compensable injury arising out of work performed in the course and the scope of employment, and for which the District is unable to accommodate the work restrictions. A temporary disability determination can only be made by the District's authorized workers' compensation physician. ~~personal injury or illness received in the discharge of duty.~~
 - Section III.A -The employee must provide written testimony or evidence that his/her injury was received in the line of duty as determined by the District's approved workers compensation ~~or a letter from an approved medical doctor, who treated the patient,~~ stating that in his/her opinion, there is a strong probability that the illness was contracted at the work site.
 - Section IV.- If the employee is unable to resume work at the end of the -a seven (7) work day period, he/she may elect to use accrued sick leave to augment their workers compensation payment and receive salary payments.
 - Section V.- New section added -In no case shall the combined leave and workers compensation pay result in compensation that exceeds the employee's normal daily pay.
- Policy 6.68 - Use Of Sick Leave By Family Members
 - Section I.a-Sick Leave donated as provided in I cannot be used until all of the recipient's ~~sick~~ leave has been depleted, excluding sick leave from any existing Sick Leave Bank, if the recipient participates in a Sick Leave Bank.
 - Section II.d -The minimum number of hours needed by the recipient to participate in the donated Sick Leave program must be equal to five (5) consecutive full workdays for the recipient. The maximum number of donated Sick Leave Days that may be utilized by the recipient is thirty (30) per academic/fiscal year.
- Policy 6.73 - Suspension And Dismissal
 - Section V.- For a member of the instructional staff, a supervisor or school principal, the first ~~ninety seven (97) year~~ days of an initial contract shall be a probationary period. During the probationary period, the employee's contract may be terminated without cause.
- Policy 6.78 - Deferred Retirement Option Program (DROP)

- o Section I.- Participation in DROP - All members of the Florida Retirement System enrolled in the pension plan are eligible for DROP. Members electing to participate in DROP must meet the eligibility and timeline requirements outlined in Florida.
- o Section II.B-Employees (~~except those in the AFSCME Bargaining Unit~~), who elect to participate in DROP, may receive terminal sick leave payments distributed according to the years of participation of DROP. Terminal sick leave payments will be automatically sheltered in a ~~Bencor account~~ District sponsored IRC401(a). ~~Employees in the AFSCME Bargaining Unit can receive their sick leave upon termination of DROP and may elect to shelter their sick leave in a Board approved tax sheltered annuity.~~
- o Section II.F- Annual leave payments will be sheltered in a District Sponsored IRC401(a) account. Annual leave earned prior to entering DROP which exceeds the maximum lump sum payment allowed by Board policy may be used during DROP, however, the employee shall not be entitled to compensation at the end of DROP for any unused portion of the accumulated leave. Employees will earn annual leave during the DROP period as prescribed by Florida Statute, Board policy and/or union contract.
- o Section G.- Annual leave accumulated dDuring DROP participation will not be paid to the employee at the end of DROP participation, except to the extent the employee has earned additional annual leave which combined with the original payment does not exceed the maximum lump sum payment allowed by Board policy.
- Policy 6.80- Professional Ethics
 - o Section II - Instructional personnel - Instructional personnel and administrators shall abide by and uphold the standards of ethical conduct in the ~~Code of Ethics of the Education Profession in Florida, and the~~ The Principles of Professional Conduct for the Education Profession in Florida.
- Policy 6.90 - Compensation
 - o Section VII.A. - Principals, Compensation Plan - Effective July 1, ~~2006~~2016, principal salaries shall be based upon a calculated compensation system that has the following ~~three elements and~~ complexity components:
 - o Section VII.A.1.- ~~School's Base Salary~~ – The School's Base Salary as approved in the Salary Schedule for Principals and differentiated by school type, will include a fixed component and complexity components of school type, student population and SES population.
 - o Section VII.A.2.- ~~Experience as a principal~~School Type as calculated based on school level and student enrollment, and
 - o Section VII.A.3 - ~~Performance compensation for student gains. Student Performance level in Reading and Math, calculated based on the percentage of students at or above grade level in each area, and~~
 - o Section VII. A.3-4- An annual performance amount of up to 5% of the base salary.

- Policy 6.94 - Group Health And Hospitalization Insurance
 - Retired personnel of the School District and their eligible dependents currently covered shall be provided an opportunity in accordance of F.S. 112.0801 to continue participation in the group health and hospitalization insurance program of the District.
- All of Chapter 6 will be ready for a vote in April.

Speakers

Becki Couch, Board Member

Sonita Young, Assistant Superintendent, Human Resource Services

[POLICY 7.78 - SELECTING PROFESSIONAL SERVICES](#)

Attachment: [7.78 Selecting Professional Services v2.pdf](#)

Minutes:

Karen Chastain, Chief of Legal Services, reviewed Board Policy 7.78 with the Board. The Committee agreed to the following changes:

- Policy 7.78 - Selecting Professional Services
 - Section I. - The Superintendent, or his/her designee, shall develop procedures for the selection of professional services in accordance with ~~the Board Purchasing Policy. Contracts – 7.70.~~
 - Section III. - The Superintendent, or his/her designee, may authorize outside consultants to provide professional reviews, assistance or training.
 - Section IV- Full or part-time employees of the Board or the District shall not contract for additional service to the Board or the District as consultants.
 - Section V.- The School Board shall approve all “continuing contracts” authorized pursuant to section 287.055, F.S. The Superintendent, or his/her designee, shall provide to the School Board written quarterly reports within the fiscal year identifying all letters of activation or contracts issued for work conducted pursuant to all continuing contracts.
 - Board Member Couch indicated this came about because of when the Board discussed the boundary changes. We were told it was not going to cost any additional money and then we found out through the continuing contract mechanism, work had been done that did cost the District more money. There was no mechanism for us to know that it had happen. This policy will be ready for a vote in April.

Adjournment

ADJOURNMENT

Minutes:

The meeting was adjourned at 1:06 p.m.

CSM

Superintendent

Chairman