



SCHOOL BOARD OF OKEECHOBEE COUNTY

**AGENDA FOR REGULAR MEETING
JULY 23, 2015
6:00 P.M.**

Chairperson
Joe Arnold
Vice Chairperson
Malissa Morgan
Members
Dixie Ball
India Riedel
Jill Holcomb

Vision

*Achieving Excellence:
Putting Students First*

Mission

*To prepare all students
to be college or career
ready and to possess the
attitudes and values
necessary to function as
productive citizens.*

Core Values

Perseverance

Respect

Integrity

Dependability

Ethics

I. Call to Order

- A. Prayer
- B. Pledge of Allegiance

II. Request to Address the Board.....Shannon Stripling

III. Items for Action

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- C. Agreement with Optimal Phone Interpreters 11
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V. Information Items:

- A. Superintendent
- B. School Board Members
- C. School Board Attorney
- D. Public

The School Board will conduct a public hearing on the 2015-16 proposed millage rates and budget on Tuesday, July 30, 2015, at 6:00 p.m.

The next regular School Board Meeting is Tuesday, August 11, 2015, at 6:00 p.m.

Persons are advised that if they decide to appeal any decisions made at this meeting, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be made.

TO: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **TENTATIVE MILLAGE RATES FOR 2015-16 FOR ADVERTISEMENT**
DATE: July 23, 2015

RECOMMENDATION:

That the tentative Required Local Effort millage rate of 5.060 for the 2015-16 operating budget be approved for advertisement for public hearing.

RECOMMENDATION:

That the tentative Discretionary Local Effort millage rate of 0.748 for the 2015-16 operating budget be approved for advertisement for public hearing.


RECOMMENDATION:

That the tentative millage rate of 1.500 for the 2015-16 Capital Outlay budget be approved for advertisement for public hearing.

BACKGROUND INFORMATION:

<u>Millage Type</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>
Required Local Effort	5.678	5.650	5.215	5.143	5.060
Discretionary	0.748	0.748	0.748	0.748	0.748
SUBTOTAL	6.246	6.398	5.963	5.891	5.808
Capital Outlay	<u>1.500</u>	<u>1.500</u>	<u>1.500</u>	<u>1.500</u>	<u>1.500</u>
TOTAL MILLAGE	7.926	7.898	7.463	7.391	7.308
Millage Increase					
Millage Decrease	(0.195)	(0.028)	(0.435)	(0.072)	(0.083)

RECOMMENDED BY:


 Ken Kenworthy
 Superintendent of Schools

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **TENTATIVE BUDGET FOR 2015-16 FOR ADVERTISEMENT**
DATE: July 23, 2015

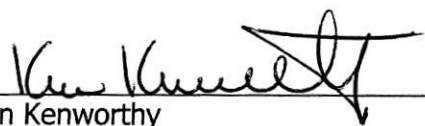
RECOMMENDATION:

That the tentative budget for the 2015-16 fiscal year for the Okeechobee County School District be approved for advertisement for public hearing.

BACKGROUND INFORMATION:

The tentative budget for the 2015-16 fiscal year will be presented and available at the meeting.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools

TO: The Okeechobee County School Board

FROM: Ken Kenworthy, Superintendent

SUBJECT: **ADVERTISEMENT TO AMEND BOARD POLICY 5.321 BULLYING AND HARASSMENT**

DATE: July 23, 2015

RECOMMENDATION:

That the Board approve advertisement to amend School Board Policy 5.321 Bullying and Harassment to add language regarding the reporting of suspected bullying and/or harassment incidents while a child is on a school bus en route to school or at a bus stop.

BACKGROUND INFORMATION:

The proposed amendment of Board Policy 5.321 is recommended by the District's consultant for School Board policies based on audit recommendations of the Office of Safe Schools. Policy 5.321, with revision noted, is attached and is available upon request in the Superintendent's office.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools



Chapter 5.00: Students

5.321*

BULLYING AND HARASSMENT

POLICY

I. Statement Prohibiting Bullying and Harassment

- A. It is the policy of the Okeechobee County School District that all of its students and school employees have an educational setting that is safe, secure, and free from harassment and bullying of any kind. The District will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
- B. The District upholds that bullying or harassment of any student or school employee is prohibited:
 - 1. During any education program or activity conducted by a public K-12 educational institution;
 - 2. During any school-related or school-sponsored program or activity.
 - 3. On a school bus of a public K-12 educational institution;
 - 4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K-12 education institution within the scope of the School District, meaning regardless of ownership, any computer, computer system, computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or
 - 5. Through the use of data or computer software that is accessed at a non-school-related location, activity, function, or program, or through the use of technology or an electronic device that is not owned, leased, or used by the School District or a school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. School staff is not required to monitor any non-school-related activity, function, or program.

II. Definitions

- A. Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, graphic, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably

interfere with the individual's school performance or participation; and may involve but is not limited to:

1. Teasing;
2. Social exclusion;
3. Threat;
4. Intimidation;
5. Stalking;
6. Physical violence;
7. Theft;
8. Sexual, religious, disability, or racial/ethnic harassment;
9. Public or private humiliation; or
10. Destruction of property.

The term *bullying* shall include cyberbullying whether or not specifically stated.

- B. Cyberbullying means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.
- C. Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:
1. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
 2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
 3. Has the effect of substantially disrupting the orderly operation of a school.
- D. Bullying and harassment also encompass:
1. Retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
 2. Perpetuation of conduct listed in the definition of bullying (including cyberbullying) or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:
 - a. Incitement or coercion;
 - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system;

- c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.
- E. Cyberstalking, as defined in Florida Statute, means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

III. Behavior Standards

- A. The Okeechobee County School District expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- B. The District believes that standards for student behavior must be set cooperatively through interaction among the students, parents/legal guardians, staff, and community members producing an atmosphere that encourages students to grow in self-discipline. The development of this atmosphere requires respect for self and others, as well as for District and community property on the part of students, staff, and community members. Because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying or harassment.
- C. Students have the responsibility to conform to reasonable standards or socially acceptable behavior; respect the person, property, and rights of others; obey constituted authority; and respond to those who hold that authority as stated in the *Code of Student Conduct*.

IV. Consequences for Committing, or Wrongful and Intentional Accusation of an Act of Bullying or Harassment

- A. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
- B. Consequences and appropriate remedial action for students who commit acts of bullying or harassment or for students found to have wrongfully and intentionally accused another as a means of bullying or harassment may range from positive behavioral interventions up to and including suspension or expulsion, as outlined in the *Code of Student Conduct*.
- C. Consequences and appropriate remedial action for a school employee, found to have committed an act of bullying or harassment, or found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined in accordance with District policies, procedures, and agreements. Additionally, egregious acts of harassment by certified educators may result in a sanction against an educator's state issued certificate as stipulated in the *Code of Ethics and Principles of Professional Conduct of the Education Profession in Florida*.
- D. Consequences and appropriate remedial action for a visitor or volunteer found to have committed an act of bullying or harassment, or found to have wrongfully and

intentionally accused another as a means of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including possible exclusion from school grounds, and, if appropriate, reported to appropriate laws enforcement officials.

V. Reporting an Act of Bullying or Harassment

- A. At each school, the principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.
- B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.
- C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.
- D. The principal of each school in the District shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
- E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.
- F. A school employee, school volunteer, student, parent/legal guardian or other person who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in the District policy is immune from a cause of action for damages arising out of the reporting itself or any failure to remedy the reported incident.
- G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.
- H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
- I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

VI. Investigation of a Report of Bullying or Harassment

- A. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and shall begin with a report of such an act. Incidents that require a reasonable investigation when reported to appropriate school authorities shall include alleged incidents of bullying or harassment allegedly committed against a child while the child is en route to school aboard a school bus or at a school bus stop.
- B. The principal or designee shall select an individual(s) trained in investigative procedures to initiate the investigation. The person may not be the accused perpetrator (harasser or bully) or victim.

- C. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
 - D. The investigator shall collect and evaluate the facts including but not limited to:
 - 1. Description of incident(s) occurred;
 - 2. Context in which the alleged incident(s) occurred;
 - 3. How often the conduct occurred;
 - 4. Whether there were past incidents or past continuing patterns of behavior;
 - 5. The relationship between the parties involved;
 - 6. The characteristics of parties involved, *i.e.*, grade, age;
 - 7. The identity and number of individuals who participated in bullying or harassing behavior.
 - 8. Where the alleged incident(s) occurred;
 - 9. Whether the conduct adversely affected the student's education or educational environment;
 - 10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
 - 11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
 - E. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include:
 - 1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
 - 2. A written final report to the principal.
 - F. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
 - G. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.
- VII. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of the District
- A. The principal or designee will assign an individual(s) who is trained in investigative procedures to initiate an investigation of whether an act of bullying or harassment is within the scope of the School District.
 - B. The trained investigator(s) will provide a report on results of investigation with recommendations for the principal to make a determination if an act of bullying or harassment falls within the scope of the District.
 - 1. If it is within the scope of the District, a thorough investigation shall be conducted.

2. If it is outside the scope of the District and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.
3. If it is outside the scope of the District and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.

VIII. Notification to Parents/Guardians of Incidents of Bullying or Harassment

A. Immediate notification to the parents/legal guardians of a victim of bullying or harassment.

1. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).
2. If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parent/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart w, Section 9532) that states “. . . a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”

B. Immediate notification to the parents/legal guardians of the perpetrator of an act of bullying or harassment.

The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

C. Notification to local agencies where criminal charges may be pursued.

Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, all appropriate local law enforcement agencies will be notified by telephone and/or in writing.

IX. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

When bullying or harassment is suspected or when a bullying incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.

- A. The teacher or parent/legal guardian may request informal consultation with school staff, e.g., school counselor, school psychologist, and/or crisis counselor to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents or legal guardians are included.

- B. School personnel or the parent/legal guardian may refer a student to the school-based intervention team for consideration of appropriate services. Parent or legal guardian involvement shall be required when the student is referred to the school-based intervention team.
 - C. If a formal discipline report or formal complaint is made, the principal or designee must refer the student(s) to the school-based intervention team for determination of counseling support and interventions. Parent or legal guardian involvement shall be required.
 - D. The school-based intervention team may recommend:
 - 1. Counseling and support to address the needs of the victims of bullying or harassment;
 - 2. Research-based counseling or interventions to address the behavior of the students who bully and harass others, e.g., empathy training, anger management, small group counseling, and/or classroom training; and/or
 - 3. Research-based counseling or interventions which include assistance and support provided to parents/legal guardians, if deemed necessary or appropriate.
- X. Reporting Incidents of Bullying and Harassment
- A. Incidents of bullying or harassment shall be reported in the school's report of data concerning school safety and discipline data required under Florida Statute. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. Cyberbullying incidents shall be included within the bullying incidents category. The report shall also include each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incidents.
 - B. The District will utilize Florida's School Environmental Safety Incident Reporting (SESIR) Statewide Report on School Safety and Discipline Data, which includes bullying and harassment as incident codes as well as bullying-related as a related element code.
 - 1. Bullying and/or harassment incidents shall be reported in SESIR with the bullying ([BUL](#)) or harassment ([HAR](#)) code. [Unsubstantiated incidents of bullying or harassment shall be coded UBL or UHR.](#)
 - 2. If the bullying/harassment results in any of the following SESIR incidents, the incident will be coded appropriately using the relevant incident code and the bullying-related code. Such incidents are:
 - a. Alcohol
 - b. Arson
 - c. Battery
 - d. Breaking and Entering
 - e. Disruption on Campus
 - f. Drug Sale/Distribution Excluding Alcohol
 - g. Drug Use/Possession Excluding Alcohol
 - h. Major Fighting
 - i. Homicide
 - j. Kidnapping
 - k. Larceny/Theft
 - l. Robbery

- m. Sexual Battery
- n. Sexual Harassment
- o. Sexual Offenses
- p. Threat/Intimidation
- q. Trespassing
- r. Tobacco
- s. Vandalism
- t. Weapons Possession
- u. Other Major (Other major incidents that do not fit within the other definitions)

- C. Discipline and referral data shall be recorded in Student Discipline/Referral Action Report and Automated Student Information System.
- D. The District shall provide bullying incident, discipline, and referral data to the Florida Department of Education in the format requested, through Surveys 2, 3, and 5 from Education Information and Accountability Services, and at designated dates provided by the Department.
- E. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability shall include the incident basis. Victims of these offenses shall also have the incident basis (sex, race, or disability) noted in their student records.

XI. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment

- A. The District shall ensure that schools sustain healthy, positive, and safe learning environments for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other non-instructional staff such as bus driver, custodians, food service personnel, media specialists; parents/legal guardians; and students.
- B. Students, parents/legal guardians, teachers, all non-instructional staff members, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the District's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying in schools.

XII. Reporting to a Victim's Parents/Legal Guardians the Actions Taken to Protect the Victim

The principal or designee shall by telephone, personal conference, and/or in writing report the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone, personal conference, and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

XIII. Publicizing the Policy

- A. At the beginning of each school year, the Superintendent or designee shall in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the District's student safety and violence prevention policy.
- B. Each District school shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and through other reasonable means.
- C. The Superintendent shall also make all contractors contracting with the District aware of this policy.
- D. Each school principal shall develop an annual process for discussing the school district policy on bullying and harassment with students.
- E. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed around each school and on the District school buses.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

~~784.048, 815.03~~, 1001.43, 1003.04, 1003.31, 1003.32, 1006.07, 1006.08, 1006.09, 1006.10, 1006.147, F.S.; 20 USC 1232g

STATE BOARD OF EDUCATION RULES:

HISTORY:

Adopted: 06/12/2007
Revision Date(s): 11/18/2008, 03/11/2014
Formerly: New

©EMCS

To: The Okeechobee County School Board

FROM: Ken Kenworthy, Superintendent of Schools

SUBJECT: **ADVERTISEMENT TO AMEND BOARD POLICY 6.45 ALCOHOL AND DRUG-FREE WORKPLACE**

DATE: July 23, 2015


RECOMMENDATION:

That the Board approve advertisement to amend Board Policy 6.45 Alcohol and Drug-Free Workplace to update circumstances for ordering an employee drug test.

BACKGROUND INFORMATION:

The proposed amendment of Board Policy 6.45 is recommended by the District's consultant for School Board policies based on current statutes and federal law. Policy 6.45, with revisions noted, is attached and is available upon request in the Superintendent's office.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools



Chapter 6.00: Personnel

6.45

ALCOHOL AND DRUG FREE WORKPLACE

POLICY

- I. No employee shall possess, consume, or sell alcoholic beverages or manufacture, distribute, dispense, possess, use, or be under the influence of, on the job or in the workplace, any narcotic, drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in the Controlled Substances Act (21 USC 812) and as further defined by regulations at 21 CFR 1300 or Florida Statutes Chapter 893, without a valid prescription.
- II. Any employee who violates the terms of this policy may be non-renewed or his/her employment may be suspended or terminated. When an employee has a positive confirmed drug test, such action by the School Board will be considered to be for cause. However, at the discretion of the School Board an employee may be allowed to satisfactorily participate in and complete a Board approved drug abuse assistance or rehabilitation program in lieu of a non-renewal, suspension, or termination. Where a job applicant has a positive confirmed drug test, the School Board may refuse to hire the applicant, and such refusal to hire will be considered to be for cause.
- III. The School Board will not discharge, discipline, or discriminate against an employee solely upon the employee's voluntarily seeking treatment, while under the employ of the School Board, for a drug related problem if there has been no communication to the employee of a demand for a drug test and the employee has not previously tested positive for drug use and the employee enters an employee assistance program for drug related problems or an alcohol and drug rehabilitation program. A request for voluntary treatment under these conditions does not constitute reasonable suspicion for ordering a drug test. (The intent is to allow an employee one (1) opportunity to voluntarily seek treatment for a substance abuse problem.)
- IV. Sanctions and discipline against employees including non-renewal, suspension, and termination shall be in accordance with prescribed School District procedures, and in the event of violation of Section 1 herein shall be commenced within thirty (30) days of receiving notice of an employee's conviction. Within ten (10) days of receiving notice of an employee's conviction in violation of this rule, the Superintendent shall notify the State and Federal Departments of Education
- V. A drug free awareness program is hereby established and is to be implemented by the Superintendent to inform employees of the dangers of drug abuse in the workplace, of the School Board's policy of maintaining a drug free workplace, of available drug counseling, rehabilitation and assistance programs, and of the penalties to be imposed upon employees for drug abuse violations occurring in the workplace. As a part of this program, all employees and applicants for employment shall be given notice of the School Board's policy regarding the maintenance of a drug free workplace.

- VI. Except where the context otherwise requires, as used in this policy:
- A. "Drug" means alcohol including distilled spirits, wine, malt beverages and intoxicating liquors; amphetamines; cannabinoids; cocaine; phencyclidine (PCP); hallucinogens, methalqualone; opiates; barbiturates; benzodiazepines; synthetic narcotics; designer drugs; or a metabolite of any of the substances listed herein.
 - B. "Initial drug test" means the first drug test which is used to identify negative and presumptive positive specimens. The initial test for alcohol shall be by enzyme oxidation methodology and the initial test for all other drugs shall use a sensitive and reliable Food and Drug Administration approved immunoassay procedure.
 - C. "Confirmation test," "confirmed test," or "confirmed drug test," means a second analytical procedure run on a sample that is positive on the initial screening test. The confirmation test must be different in scientific principle from that of the initial test procedure. This confirmation method shall be capable of providing requisite specificity, sensitivity, and quantitative accuracy. The confirmation test for alcohol will be gas chromatography, and the confirmation test for all other drugs will be gas chromatography/mass spectrometry.
 - D. "Prescription or non-prescription medication" means a drug or medication obtained pursuant to a prescription as defined by Section 893.02(17), Florida Statutes, or a medication that is authorized pursuant to federal or state law for general distribution and use without a prescription in the treatment of human diseases, ailments, or injuries.
 - E. "Reasonable suspicion drug testing" means drug testing based on a belief that an employee is using or has used drugs in violation of the School Board's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
 - 1. Observable phenomena while at work, such as direct observation of drug use or the physical symptoms or manifestations of being under the influence of a drug.
 - 2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - 3. A report of drug use in the workplace provided by a reliable and credible source which has been independently corroborated.
 - 4. Evidence that an individual has tampered with a drug test during his employment with the School Board.
 - 5. Evidence that an employee has caused or contributed to an accident while at work.
 - 6. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on any School Board premises or while operating a School Board vehicle, machinery, or equipment.
 - F. "Specimen" means a product of the human body capable of revealing the presence of drugs or their metabolites.
 - G. "Workplace" is defined to mean the site of the performance of work done in connection with employment. That includes any school building or any school premises; any vehicle owned, leased, rented, or used on official business by the School Board; and any vehicle used to transport students to and from school and school activities off school property during any school sponsored or school activity, event or function such as field trip or athletic event where students are under the jurisdiction of the School District.
 - H. "Employee Assistance Program" means the program provided by the Employee Health Care Program or a similar School Board approved drug abuse assistance or rehabilitation program.

VII. The School Board will communicate to the employees prior to conducting the drug test the reasons for ordering the test and will conduct drug testing in the following circumstances:

A. Job Applicant Drug Testing

This drug testing will be required of all job applicants. Refusal of the job applicant to submit to a drug test or a positive confirmed drug test is a basis for refusal to hire a job applicant.

B. Reasonable Suspicion Drug Testing

This will apply where there is a reasonable suspicion that an employee is using or has used drugs in violation of the School Board's policy. The facts and inferences outlined under "Reasonable Suspicion Drug Testing" (see VI.E. 1-6) shall be used in determining whether a reasonable suspicion exists.

C. Routine Fitness for Duty Drug Testing

The School Board will require an employee to submit to a drug test if the test is conducted as part of a routinely scheduled employee fitness for duty medical examination that is part of or becomes part of the School Board's established policy or that is scheduled routinely for all members of an employment classification or group.

D. Post Accident Testing

An employee shall be subject to a drug screen immediately following a work related accident or injury.

~~D~~E. Follow-Up Drug Testing

This will be required if the employee in the course of employment enters an employee assistance drug related program or an alcohol or drug rehabilitation program. Such an employee will be required to submit to a drug test as a follow-up to such a program on a quarterly, annual, or semi-annual basis for up to two (2) years thereafter.

F. OTETA Requirements

An employee who is subject to the requirements of the Omnibus Transportation Employees Testing Act (OTETA) shall be subject to random drug testing, post accident drug testing and return to duty testing as required by federal law.

VIII. The following procedures shall apply to drug testing under this policy:

A. Samples shall be collected with due regard for the privacy of the individual providing the sample and in a manner reasonably calculated to prevent substitution or contamination of the sample.

B. Specimen collection shall be documented and the documentation procedures shall include:

1. Labeling specimen containers so as to reasonably preclude the likelihood of erroneous identification of test results; and,
2. A form for the employee or job applicant to provide any information he/she may feel is relevant to the test. Such information may include currently or recently used prescription or non-prescription medication or any other relevant medical information. Providing such information shall not preclude the administration of a drug test, but shall be taken into account in interpreting any positive results.

C. Specimen collection, storage, and transportation to the testing site shall be performed in a manner which will reasonably preclude specimen contamination or adulteration.

- D. Each initial and confirmation test, not including the taking or collection of a specimen to be tested, shall be conducted by a laboratory licensed by the state of Florida criteria established by the National Institute on Drug Abuse. The laboratory shall confirm to the mandates of Section 112.0455(12), Florida Statutes, and applicable rule of the Department of Children and Family Services.
- E. Specimens for drug testing may be collected or taken by any of the following persons:
 - 1. A physician, a physician's assistant, a registered professional nurse, a licensed practical nurse, or a nurse practitioner.
 - 2. A certified paramedic who is present at the scene of an accident for the purpose of rendering emergency medical services or treatment.
 - 3. A qualified person employed by a licensed laboratory who has the necessary training and skills for the assigned tasks.
- F. A person who collects or takes a specimen for a drug test will collect an amount sufficient for two (2) drug tests as determined by the Department of Children and Family Services.
- G. A drug test may be conducted at any reasonable time during the employee's workday.
- H. Every specimen that produces a positive, confirmed result shall be preserved by the licensed laboratory that conducts the confirmation test for a period of at least 210 days from the time the results are mailed or otherwise delivered to the School Board. However, if an employee or job applicant undertakes an administrative or legal challenge to the test result, the employee or job applicant shall notify the laboratory and the sample shall be retained by the laboratory until the case or administrative appeal is settled. During the 180 day period after the written notification of a positive test result, the employee or job applicant who has provided the specimen shall be permitted by the School Board to have a portion of the specimen re-tested at the employee's or applicant's expense at another laboratory licensed and approved by the Department of Children and Family Services chosen by the employee or applicant. The second laboratory must test at equal or greater sensitivity for the drug in question as the first laboratory. The first laboratory which performed the test for the School Board shall be responsible for the transfer of the portion of the specimen to be re-tested and for the integrity of the chain of custody during such transfer.
- I. Within five (5) working days of the receipt of a positive, confirmed test result from the testing laboratory, the Superintendent will inform the employee or job applicant in writing of such positive test results, the consequences of such results, and the options available to the employee or job applicant.
- J. The School Board will provide to the employee or the job applicant upon request a copy of the test results.
- K. Within five (5) working days after receiving notice of a positive, confirmed test result, the employee or job applicant may submit information to the School Board explaining or contesting the test results and why the results do not constitute a violation of the School Board's policy.
- L. If an employee's or job applicant's explanation or challenge of the positive test results is unsatisfactory to the School Board, within fifteen (15) days of receipt of the explanation or challenge, the School Board shall issue to the employee or job applicant a written explanation as to why the employee's or job applicant's explanation is unsatisfactory along with a report of positive results, and all such documentation shall be kept confidential by the School Board pursuant to the confidentiality section of this policy and shall be retained by the School Board for at least one (1) year.

- M. The School Board may not discharge, discipline, refuse to hire, discriminate against, or request or require rehabilitation of an employee or job applicant on the sole basis of a positive test result that has not been verified by a confirmation test.
 - N. If an initial drug test is negative, the School Board may at its sole discretion seek a confirmation test.
 - O. All positive initial tests shall be confirmed using gas chromatography in the case of alcohol and chromatography/mass spectrometry for all other drugs.
 - P. If testing is conducted based on reasonable suspicion, within seven (7) days after testing of an employee has been completed the School Board will promptly detail in writing the circumstances which formed the basis of the determination that reasonable suspicion existed to warrant the testing. A copy of this documentation shall be given to the employee upon request, and the original documentation shall be kept confidential by the School Board pursuant to the confidentiality provisions of this policy and retained by the School Board for at least one (1) year.
- IX. The School Board shall pay the cost of all drug tests, initial and confirmation, which it requires of employees and job applicants. An employee shall pay the costs of any additional drug tests not required by the School Board.
 - X. The School Board will keep all results of drug tests confidential to the extent mandated by Section 440.102, Florida Statutes.
 - XI. Employees and job applicants who are using prescription and non-prescription medication may report such facts to the School Board before or after being tested by a signed, dated letter to his/her department supervisor, principal, or Human Resources Director, as the case may be. A list of the most common medications by brand name and common name and chemical name which may alter or affect a drug test may be obtained from the office of the Director of Human Resources.
 - XII. When an employee refused to submit to a drug test, the School Board authorizes the Superintendent to take appropriate action including, but not limited to, recommending the dismissal of that employee from employment with the School Board. A job applicant who refuses to submit to a drug test will not be considered for employment.
 - XIII. There is no physician/patient relationship created between an employee or job applicant and the School Board or any person performing or evaluating a drug test solely by the establishment or implementation or administration of this drug testing program.
 - XIV. Nothing in this policy shall be construed to prevent the School Board from establishing reasonable work rules related to an employee's possession, sale, or solicitation of drugs including convictions for drug related offenses, and taking action based upon any violation of those rules.
 - XV. Nothing in this policy will be construed to prohibit the School Board from conducting medical screening or other tests required by any statute, rule, or regulation for the purpose of monitoring exposure of employees to toxic or other unhealthy substances in the workplace or in performance of job responsibilities. Such screening tests shall be limited to the specific substances expressly identified in the applicable statute, rules, or regulations unless prior written consent of the employee is obtained for other tests.

STATUTORY AUTHORITY:

893.01, 1001.41, 1012.22, 1012.23, 1012.27, F.S.

LAWS IMPLEMENTED:

440.102, 1001.41, 1001.43, 1012.795, F.S.

Drug Free Workplace Act of 1988;

[34](#) CFR Part 85, Subpart F

STATE BOARD OF EDUCATION RULES:

HISTORY:

Adopted: 07/14/1998

Revision Date(s):

Formerly: C-47, C-48

©EMCS

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **SCHOOL STARTING AND DISMISSAL TIMES FOR 2015-16**
DATE: July 23, 2015

RECOMMENDATION:


That the Board approve the starting and dismissal times for students for the 2015-16 school year as follows:

	<u>Starting Time</u>	<u>Ending Time</u>
South Elementary School	8:10 a.m.	3:50 p.m.
All Other Elementary Schools	8:10 a.m.	2:50 p.m.
Middle Schools	8:55 a.m.	3:35 p.m.
Okeechobee Freshman Campus	7:15 a.m.	1:50 p.m.
Okeechobee High School	7:00 a.m.	2:10 p.m.
Okeechobee Achievement Academy	7:15 a.m.	1:50 p.m.
Pre-K	8:10 a.m.	2:50 p.m.

BACKGROUND INFORMATION:

The school hours for South Elementary will allow students to continue receiving an additional 60 minutes of reading instruction per day. Funding for the additional hour will come from the Supplemental Academic Instruction (SAI) and the Reading Instruction allocations.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **RESOLUTION FOR PARTICIPATION IN THE SMALL SCHOOL DISTRICT COUNCIL CONSORTIUM**
DATE: July 23, 2015

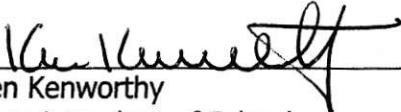
RECOMMENDATION:

That the Board adopt a resolution for participation in the Small School District Council Consortium (SSDCC) for the 2015-16 fiscal year and payment of an annual membership fee of \$2,850.00.

BACKGROUND INFORMATION:

This is an annual membership renewal with no increase in membership dues. The resolution is included in Board member agendas and is available upon request in the Superintendent's office.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools

TO: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **APPOINTMENT OF INSTRUCTIONAL PERSONNEL ON ANNUAL CONTRACT**
DATE: July 23, 2015

RECOMMENDATION:

That the following Instructional personnel be appointed for the 2015-16 school year on Annual Contract:

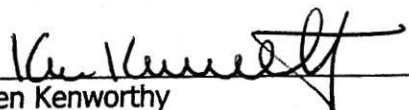
Okeechobee Achievement Academy

Maggio, Christina
Sanchez, Manuel

Okeechobee High School

Whitlock, Jeffery

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **SCHEDULING OF BOARD WORKSHOP FOR STRATEGIC PLANNING**
DATE: July 23, 2015

RECOMMENDATION:


That the Board schedule a date, time, and location for a workshop session on Strategic Planning. A few suggested dates and times are:

- Monday, August 17, 2015, at 5:00 or 6:00 p.m.
- Wednesday, August 19, 2015, at 5:00 or 6:00 p.m.
- Thursday, August 20, 2015, at 5:00 or 6:00 p.m.
- Monday, August 24, 2015, at 5:00 or 6:00 p.m.

BACKGROUND INFORMATION:

No Board action will be taken at this workshop. The workshop is open to the public.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools

TO: The Okeechobee County School Board

FROM: Ken Kenworthy, Superintendent of Schools

SUBJECT: **SUBSTITUTE TEACHERS FOR 2015-16**

DATE: July 23, 2015

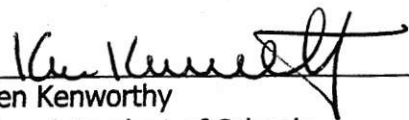
RECOMMENDATION:

That the following be approved as a Substitute Teachers for the 2015-16 school year:

<u>Name</u>	<u>Rank</u>	<u>Name</u>	<u>Rank</u>	<u>Name</u>	<u>Rank</u>	<u>Name</u>	<u>Rank</u>
Aguilar, Ana	I	Delagall, Ciara	III	Letcher, Celena	III	Scott, Brenda	III
Aguirre, Angela	I	Denney, John	III	Lopez, Shayne	I	Sheffield, Teal	I
Alexander, Maurice	III	Felton, Phalondria-OIHH	III	Louis, Yulonda	II	Shockley, Anna	II
Anderson, Robert	III	Ford, Sara	I	Marquis, Jennifer	III	Shockley, Leigh	III
Armstrong, Krystal	III	Freeman, Veronica	I	Martinez, Linda	III	Shockley, Sherman	III
Attaway, Glenn	II	Garcia, Leslie	II	McCormick, Martin	I	Shorter, Kari	I
Bartfield, Catherine-Interpreter Only	II	Gilliland, Anna	I	McCreedy, Robert	III	Simmons, Daniel	III
Bartlett, Linda Kay	I	Gomez, Amanda	I	McKane, Kasey	II	Singleton, Richardean	III
Bartley, Tonya	III	Gonzalez-Groso, Ibis	III	Miller, Kristi	II	Smith, Steven	III
Bishop, Michelle	II	Grant, Patricia	III	Morris, Eureka	II	Smith, Susan	III
Blitch, Norma	I	Grant, Tremeca	II	Myers, Jeanne	I	Sniff, Shannon	II
Booker, Eyvonne	I	Griesemer, Brandon	I	Nielson, Faith	I	Solis, Cely	I
Bostic, Victoria	II	Gullett, Bonita	III	O'Connor, Patricia	I	Somerville, Darcee	I
Burford, Dawn	II	Harden, Brandi	III	Padgett, Patti	III	Starnes, Ashley	III
Burnham, Jamie	II	Harwas, Oliver R.	III	Palmer, George	III	Stripling, Shannon	I
Butler, Jamie	II	Haygood, Luanne	III	Pellan, Sharon	I	Talavera, Jairo- G4S	III
Childers, Mildred	I	Helton, Robert	II	Pickett, Bonnie	I	Tumoszwicz, Heather	II
Christian, Jessica	II	Higgins, Caitlan	II	Poulson, Deanna	I	Varson, Angela	III
Clark, Sherry	I	Hortman, Carol	I	Radebaugh, Dean	I	Varson, Carolyn	I
Close, Byron	II	Hubert, Roland	III	Rawls, Crystal	I	Viens, Zachary	III
Coffey, Whitney	III	Huddleston, Mary-G4S	II	Receveur, Linda	III	Walker, Candice	III
Coker, Sharon	III	Huff, Mary	III	Riles, Demetre	III	Warthen, Tesa	II
Collins, Samantha	I	Huff, Nellie	III	Rodriguez, Andrea	I	Wasson, Lydia	III
Cowan, Nathaniel	III	James, Steward- G4S	III	Rothrock, Teresa-Interpreter Only	I	Watson, Barbara	I
Crosby, Heidi	III	Johnson, Maria	II	Rudd, Maureen	III	Whitehead, Rebecca	III
Daniel, Dawn	I	Jones, Jimmeria	I	Runyon, Brittany	II	Widdifield, Delores	I
Davis, Danielle	I	Kaufman, Jane	I	Samuel, Daisy	II	Williams, Florence	III
Delagall, Charlotte	III	Lefevre, Heidi	II	Sanders, Michelle	III	Zapata, Marialejandra	I
						Zeller, Marguerite	III

Rank I – Less than 60 college credit hours
 Rank II – 60 or more college credit hours
 Rank III – Bachelor's degree or higher

RECOMMENDED BY:


 Ken Kenworthy
 Superintendent of Schools

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **PAYMENTS TO PERSONNEL**
DATE: July 23, 2015

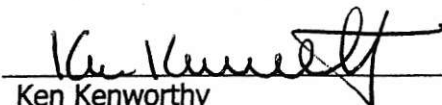
RECOMMENDATION:

That the Board approve the following payments to personnel:

<u>Name/Group</u>	<u>Purpose</u>	<u>Rate of Pay</u>	<u>Time Period (Maximum)</u>	<u>Funding Source</u>
Burkes, Lila	ESOL Endorsement- 60 Hours	\$250.00	2015	Project #1637 – ESOL Trng
Box, Beth	<u>Additional Class Period – 7th Period</u> AP Psychology	Hourly Rate of Pay	2015-16	High School Budget
LaFlam, Clint LaFlam, Courtney Bowen, Christopher	Summer Band Camp Instruction	\$20.00 Per Hour	100 Hours Each 7/27/15-8/7/15	High School Budget
Ellinger, Reid VanNess, Regan	Summer Band Camp Instruction	\$20.00 Per Hour	58 Hours Each 7/7/15-8/7/15	High School Budget
Instructional Personnel Non-Instructional Personnel	Attend C@mp IT Trainings/Workshops	<u>Instructional</u> \$13.50 Per Hour <u>Non-Instructional</u> \$8.00 Per Hour	8 Hours Per Day 8/6/15-8/7/15	#1577 – Digital Classroom
Instructional Personnel	Facilitate C@mp IT Trainings/Workshops (as approved by Coordinator of Instructional Technology	\$24.00 Per Hour	8 Hours Per Day 8/6/15-8/7/15	#1577 – Digital Classroom
5 Teachers Everglades Elementary	Jump Start Program	\$20.00 Per Hour	8 Hrs Each Per Day 7/13/15-7/30/15	#1604 – SAI Summer School
5 Teachers Everglades Elementary	Jump Start Program – Planning	\$13.50 Per Hour	7 Hours Each 7/10/15	#1604 – SAI Summer School

Note: All professional development shall comply with provisions in the negotiated personnel contracts.

RECOMMENDED BY:


 Ken Kenworthy
 Superintendent of Schools

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **AGREEMENT WITH OPTIMAL PHONE INTERPRETERS**
DATE: July 23, 2015


RECOMMENDATION:

That the Board approve an Interpretation Services Agreement with Optimal Phone Interpreters.

BACKGROUND INFORMATION:

This is a renewal agreement. The rate of \$1.59 per minute for services has not changed from the original 2006 agreement. A minimum monthly charge of \$50 is now being added to the agreement. The 2014-15 total charges were slightly less than \$500. With the addition of a minimum monthly charge, it is expected that the yearly charge will not exceed the \$600 minimum. The agreement is included in Board member agendas and is available upon request from the Director of Student Services.

RECOMMENDED BY:


Ken Kenworthy
Superintendent of Schools

To: The Okeechobee County School Board

FROM: Ken Kenworthy, Superintendent of Schools

SUBJECT: **AGREEMENT WITH NORTH EAST FLORIDA EDUCATIONAL CONSORTIUM (NEFEC) FOR VIRTUAL INSTRUCTION PROGRAM**

DATE: July 23, 2015

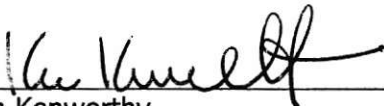
RECOMMENDATION:

That the Board approve an agreement with the District School Board of Putnam County on behalf of the North East Florida Educational Consortium (NEFEC) to provide Virtual Instruction Program Services effective July 1, 2015, through June 30, 2016.

BACKGROUND INFORMATION:

This is a renewal agreement that allows eligible Okeechobee students to participate in online instruction through NEFEC, a facilitator of a virtual instruction program for grades K-12 students. Funding is from a legislative appropriation and FTE. The agreement, including fee schedule, is included in Board member agendas and is available upon request from the Director of Student Services.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **CONTRACTS FOR CHILDCARE SERVICES FOR TEEN PARENTING PROGRAM**
DATE: July 23, 2015

RECOMMENDATION:


That the Board approve contracts with the childcare facilities listed below to provide childcare services for the Teen Parenting Program for the 2015-16 fiscal year.

- Stepping Stones Academy I, Inc.
- Stepping Stones Academy II, Inc.

BACKGROUND INFORMATION:

These are renewal contracts. A requirement of the Teen Parenting Program is that childcare is provided during the time that the mothers are in school. Contracting for private childcare has been successful, and continuation of contracted services through private childcare providers is recommended for the 2015-16 school year including summer school. There has been no change in the daily rate from last year. A copy of the standard contract is included in Board member agendas, and copies of the contracts listed above are available upon request from the Director of Student Services.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **AGREEMENT WITH HPS, HELPING PEOPLE SUCCEED, INC.**
DATE: July 23, 2015

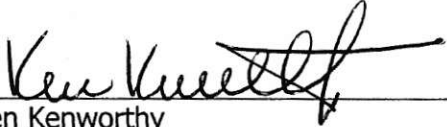
RECOMMENDATION:

That the Board approve an agreement with HPS, Helping People Succeed, Inc. for student mental health services effective August 1, 2015, through July 31, 2016.

BACKGROUND INFORMATION:

This is a renewal agreement. Referrals for services are made by the school psychologists or guidance counselors to the school social worker who then contacts the agency. There are no fees assessed to the School Board unless there are special circumstances approved by the Coordinator of Exceptional Student Education. Special circumstance services are paid from IDEA Project 4649 for non-Medicaid students. The agreement is included in Board member agendas and is available upon request from the Coordinator of Exceptional Student Education.

RECOMMENDED BY:



Ken Kenworthy
Superintendent of Schools

To: The Okeechobee County School Board
FROM: Ken Kenworthy, Superintendent of Schools
SUBJECT: **AGREEMENT WITH C.F. PHYSICAL THERAPY, INC.**
DATE: July 23, 2015

RECOMMENDATION:

That the Board approve an agreement with C.F. Physical Therapy, Inc. (aka Physical Therapy of Okeechobee) to provide physical therapy services for ESE students effective August 1, 2015, through July 31, 2016.

BACKGROUND INFORMATION:

This is a renewal agreement with no changes. Medicaid will be billed for reimbursement of services. The agreement is included in Board member agendas and is available upon request from the Coordinator of Exceptional Student Education.

RECOMMENDED BY:


Ken Kenworthy
Superintendent of Schools