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1 PUBLIC REQUESTS, SUGGESTIONS, AND COMPLAINTS

2 | Any person or group, having ~~a legitimate~~ an interest in the operations of this District
3 shall have the right to present a request, suggestion, or complaint concerning
4 District personnel, the program, or the operations of the District. At the same time,
5 the Board has a duty to protect its staff from unnecessary harassment. It is the
6 intent of this policy to provide the means for judging each public complaint in a fair
7 and impartial manner and to seek a remedy where appropriate.

8 It is the desire of the Board to rectify any misunderstandings between the public and
9 the District by direct discussions of an informal type among the interested parties. It
10 is only when such informal meetings fail to resolve the differences shall more formal
11 procedures be employed.

12 Students and parents will use the grievance procedure outlined in the Code of
13 Student Conduct and Board Policy 5710, *Student Grievances* for matters arising
14 under the Code.

15 Employees will use the grievance procedure provided in the applicable collective
16 bargaining agreement, or if no collective bargaining agreement exists, the grievance
17 procedure set forth in Policy 1470, *Grievance Procedures*; Policy 3470, *Grievance*
18 *Procedures*; and Policy 4470, *Grievance Procedures*.

19 **Requests and Suggestions**

20 Any request or suggestion reaching the Board, Board members, or the
21 administration shall be referred to the Superintendent for consideration according to
22 administrative procedure.

23 **Complaints Regarding District Employees**

24 Allegations of employee misconduct may first be brought to the attention of the
25 employee's worksite supervisor. If a satisfactory solution is not achieved by
26 discussion with the employee's supervisor, then the complainant may submit a
27 written complaint to the Superintendent. The complaint should include:

28 A. the name, address, telephone number, and signature of the
29 complainant;

30 B. the specific nature of the complaint and a brief statement of the facts
31 giving rise to it;

1 C. the action which the complainant wishes to be taken and the reasons
2 why it is felt that such action should be taken.

3 The Human Resources Department will process District-level complaints against
4 employees. Investigative results will be handled in accordance with Florida statutes.

5 If the complainant contacts an individual Board member to discuss the matter, the
6 Board member shall inform the complainant that the complainant must follow the
7 procedure described in this policy.

8 **Matters involving suspected child abuse, substance abuse, or affecting the**
9 **health, welfare, and safety of a student**

10 Alleged misconduct by District employees which involves suspected child abuse or
11 substance abuse or affects the health, safety, or welfare of a student shall be
12 reported to the Superintendent. The matter shall be investigated and, if necessary,
13 appropriate action taken. (See Policy 8141, *Mandatory Reporting of Misconduct*)

14 **Matters Regarding the Superintendent**

15 Should the matter be a concern regarding the Superintendent which cannot be
16 resolved through discussion with the Superintendent, the complainant may submit
17 a written complaint to the Board chairman.

18 **Complaints Regarding District Services or Operations**

19 If the complaint relates to a matter of District program, procedure or operation, it
20 should be addressed, initially, to the principal or appropriate work-site supervisor. If
21 the matter cannot be satisfactorily resolved at that level, the complainant may bring
22 the matter to the attention of the Superintendent.

23 F.S. 1001.42, 1001.43, 1012.23
24 Adopted 7/17/07
25 Revised _____

1 C. Distribution/Posting of Literature

2 No outside organization or staff member or student representing an
3 outside organization may distribute or post literature on that
4 organization's behalf on District property without the permission and
5 prior review of the principal and/or site administrator.

6 The Superintendent shall establish administrative procedures which
7 ensure that:

- 8 1. criteria established in Policy 5722, *Student Publications and*
9 *Productions* - are used to make a decision regarding materials
10 that students seek to post or distribute;
- 11 2. distribution or posting of materials employees wish to distribute
12 on behalf of an employee organization comply with the terms of
13 negotiated collective bargaining agreements;
- 14 3. the District's school mail system is not used by the community,
15 students, or staff for distribution of nonschool-related materials;
- 16 4. no materials from any profit-making organization are distributed
17 for students to take home to their parents;
- 18 5. the time, place, and manner of distribution of all nonschool-
19 related materials is clearly established and communicated.

20 D. Solicitation of Funds

21 Any outside organization or staff member representing an outside
22 organization desiring to solicit funds on school property must
23 receive permission to do so from the Superintendent.

24 Permission to solicit funds will be granted only to those organizations
25 or individuals who meet the permission criteria established in the
26 District's administrative procedures. Solicitation must take place at
27 such times and places and in such a manner as specified in the
28 administrative procedures. In accordance with Board Policy 5830,
29 *Student Fund-Raising*, no District student may participate in the
30 solicitation without the Superintendent's approval.

- 31 1. The Board disclaims all responsibility for the protection of, or
32 accounting for, such funds.

1 Students shall not be required to complete surveys to provide
2 marketing information to vendors, or to provide to vendors any
3 personal information, including but not limited to names, addresses,
4 and telephone numbers, except as may be required by law.

5 See also Policy 2416, *Student Privacy and Parental Access to*
6 *Information*, and AP 2416.

7

8 F.S. 1013.10

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10 Adopted 7/17/07

11 Revised _____

1 I. Direct Advertising/Appropriation of Space:

2 1. corporate logos or brand names on school equipment (e.g.,
3 marquees, message boards or score boards);

4 2. ads, corporate logos, or brand names on book covers, student
5 assignment books, or posters;

6 3. free samples (e.g., of food or personal hygiene products).

7 **Advertising Guidelines**

8 The following guidelines shall be followed with respect to any form of advertising on
9 school grounds:

10 A. When working together, schools and businesses must protect
11 educational values. All commercial or corporate involvement should be
12 consistent with the District's educational standards and goals.
13 Advertisements may be rejected by the school district if determined to
14 be inconsistent with the educational objectives of the school district,
15 inappropriate, or inconsistent with the guidelines set forth in this
16 policy.

17 B. No advertisement shall promote or contain references to alcohol,
18 tobacco, drugs, drug paraphernalia, weapons, or lewd, vulgar, obscene,
19 pornographic or illegal materials or activities, gambling, violence,
20 hatred, sexual conduct or sexually explicit material, X or R rated
21 movies, or gambling aids.

22 C. No advertisement shall promote any specific religion or religious, ethnic
23 or racial group, political candidate or ballot issue.

24 D. No advertisement may contain libelous material.

25 E. No advertisement may be approved which would tend to create a
26 substantial disruption in the school environment or inhibit the
27 functioning of any school.

28 F. No advertisement shall be false, misleading or deceptive.

29 G. Each advertisement must be reviewed in advance for age
30 appropriateness.

1 H. Students shall not be required to advertise a product, service, company
2 or industry.

3 I. The Superintendent is responsible for screening all advertising.

4 J. The inclusion of advertisements in school district publications, in
5 school district facilities, or on school district property does not
6 constitute or imply approval and/or endorsement of any product,
7 service, organization, or activity.

8 **Accounting**

9 Advertising revenues must be properly reported and accounted for.

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11 F.S. 1001.32, 1001.41, 1001.42, 1001.43, 1013.10
12 Adopted 7/17/07
13 Revised _____

1

CHARTER SCHOOLS

2 The Board may sponsor charter schools for the purpose of increasing learning
3 opportunities for students, with special emphases on low-performing students and
4 reading, encouraging the use of innovative learning methods, increasing choices for
5 students, and creating new professional opportunities for teachers.

6 **Responsibility of the District School Administration**

7 A. Receive and review all charter applications, and recommend action to
8 the Board in a timely fashion in accordance with Florida statutes.

9 B. Develop a charter contract in cooperation with the applicant.

10 C. Monitor charter school operations and make recommendations to the
11 Board.

12 **Eligibility for Charter Application**

13 The Board may sponsor charters for schools to serve any grade or combination of
14 grades from kindergarten through grade twelve. Eligible applicants are any
15 individual, teachers, parents, group of individuals, municipality, business partner,
16 legal entity organized under Florida law, or public school which requests to convert
17 to a charter school with fifty percent (50%) or more support of parents, and fifty
18 percent (50%) or more support of teachers. Private schools, parochial schools, and
19 home education programs are not eligible to become charter schools.

20 **Responsibility of the Applicant**

21 A. Become informed on the law and policies pertaining to charter school
22 application procedures and deadlines.

23 B. Notify the Board of an intent to apply for a charter contract, and
24 consult with representatives of the Board during development of the
25 application.

26 C. Make arrangements for an appropriate school facility, including
27 planning for costs, timeliness, necessary renovations, or other start-up
28 obligations.

29 D. Be knowledgeable of State and local academic accountability
30 requirements for public schools, and the academic curriculum
31 necessary for students in the proposed school.

1 **Legal Entity and Requirements**

2 A charter school shall:

- 3 A. organize as, or be operated by, a not-for-profit organization;
- 4 B. be non-sectarian in its admission practices, employment practices and
5 program offerings;
- 6 C. charge no tuition or fees except those fees charged by other public
7 schools;
- 8 D. meet health and safety standards of regular schools;
- 9 E. publish an annual progress report;
- 10 F. provide to the Board an annual financial audit similar to that of the
11 School District;
- 12 G. state the yearly academic progress expected for students;
- 13 H. assess the progress of each student;
- 14 I. analyze and compare student performance;
- 15 J. comply with Florida statutes applicable to public schools as they relate
16 to civil rights, student health, safety, welfare, public records, public
17 meetings, public inspections, and penalties;
- 18 K. provide for Level 2 criminal history background screening of its
19 governing board members, all administrators and staff, and all
20 contractual personnel, including vendors of goods and services, in
21 accordance with Policy 1121.01, *Criminal Background and Employment*
22 *and History Checks*; Policy 3121.01, *Criminal Background and*
23 *Employment and History Checks*; and Policy 4121.01, *Criminal*
24 *Background and Employment and History Checks*.

25 **Student Eligibility**

- 26 A. Participation and attendance of any student in a charter school is
27 voluntary. If a public school converts to a charter school, parents may
28 request non-participation and receive an assignment to another public
29 school.

- 1 B. All students attending a public school which converts to a charter
2 school will be eligible to attend.
- 3 C. All students residing in the District are eligible for participation.
4 Students whose primary legal residence is in the District shall be given
5 preference over nonresident students with respect to admission to a
6 charter school.
- 7 D. Students who are at-risk of academic failure, as defined in the statute,
8 may be targeted. Equal opportunity shall be provided for exceptional
9 education students and limited English proficient students.

10 **Charter School Boundaries**

11 A charter school shall be open to any student residing in the School District, unless
12 the school limits the enrollment process to target students residing within a
13 reasonable distance of the school.

14 **Student Selection for Charter Schools**

- 15 A. When a public school converts to charter status, enrollment preference
16 shall be given to students who would have otherwise attended that
17 public school.
- 18 B. The charter school shall enroll a student who submits a timely
19 application. The charter school may give enrollment preference to a
20 sibling of a student enrolled in the charter school, to the child of a
21 member of the governing board of the charter school, or the child of an
22 employee of the charter school.
- 23 C. If the number of eligible students exceeds the capacity of the program,
24 class, grade level or building, a random selection of students will be
25 made.

26 **Student Assessment**

27 The charter school must implement a program to assess student achievement. At a
28 minimum, the school must participate in State and local testing programs
29 established to comply with the state-wide assessment program and District-required
30 evaluations. The Board will coordinate the administration of these instruments and
31 will charge the school on an actual cost basis for this service.

1 **Student Records**

2 The charter school must maintain both active and archival records for
3 current/former students. The District will assist the school in establishing
4 appropriate record formats. All records of students leaving the school, whether by
5 graduation, transfer to the public school system, or withdrawal to attend another
6 school, must be transferred to the school system in accordance with Policy 8330 -
7 *Student Records* ~~and State law~~.

8 **FTE Reporting**

9 Funding for a charter school is based on the number of full-time-equivalent (FTE)
10 students. Records of student attendance shall be maintained in a format consistent
11 with State reporting requirements. The Board will assist the charter school in
12 establishing mechanisms for reporting FTE. The charter school will, however, be
13 fully responsible for collecting and maintaining accurate and appropriate records
14 and for reporting attendance in a timely manner to the Board.

15 **Withdrawal and Transfer of Students**

16 A. Parents may withdraw a student from a charter school at any time. The
17 student either will return to the zoned school or to a school with an
18 appropriate program.

19 B. Charter schools may not dismiss a student involuntarily, unless the
20 student commits a serious breach of conduct, in which event the
21 school will notify the Board prior to dismissal and the school will
22 cooperate with the Board in the provision of due process.

23 **Transportation and Food Services**

24 A. Transportation and food services are the responsibility of charter
25 schools, and must be provided according to District, State, and Federal
26 rules and regulations.

27 B. A charter school may, if feasible, contract with the Board for
28 transportation or food service, or may contract with a private provider.

29 **Application for Charter School**

30 A. An application must be in compliance with the Florida Application for
31 Charter Schools format, current as of the time of application.

- 1 B. Applicants who anticipate a request for District services (e.g.,
2 transportation, payroll services, use of facilities, etc.) must include with
3 the application a proposed contract for each service desired.
- 4 C. Applications shall be submitted to:
- 5 The Superintendent of Schools
6 The School Board of Alachua County
7 620 East University Avenue
8 Gainesville, Florida 32601
- 9 D. All completed applications must be received in the Superintendent's
10 office no later than 5 p.m. on the first work day in October. All
11 applications will be stamped with the date and time when they are
12 received. Applications received after the prescribed due date will not be
13 considered for a charter for the next school year.
- 14 E. The Superintendent shall review all applications and make a
15 recommendation for acceptance or denial of each application.
- 16 F. The Board must, by a majority vote, approve or deny all applications
17 no later than sixty (60) days after the application is received. However,
18 the Board and the applicant may mutually agree to postpone the vote
19 to a specific date.
- 20 G. The application must include the following information in the order
21 requested:
- 22 1. the charter school's mission statement;
- 23 2. the specification of the students to be served by ages and grade
24 levels;
- 25 3. definition of the curriculum focus of the school;
- 26 4. a description of the teaching methods to be used;
- 27 5. the goals for the school and the performance standards for
28 students;
- 29 6. strategies for attainment of the goals and performance
30 standards specified;

1 **Calendar**

2 Charter schools must begin operation at the beginning of the District's school year
3 and shall provide instruction for at least the number of days required by law for
4 other public schools. It is expected that charter schools will follow the District's
5 school calendar in terms of beginning and ending dates of school and dates that
6 students will be in attendance.

7 **Facility**

8 It is the responsibility of the applicant to have an appropriate facility consistent with
9 all applicable Florida statutes or provide evidence that one will be available for the
10 beginning of the school year.

11 **Funding**

12 A. Funding for student enrollment in a charter school shall be the sum of
13 District operating funds from the Florida Education Finance Program,
14 including gross State and local funds, discretionary lottery funds, and
15 discretionary operating millage funds, divided by total District-funded
16 weighted full-time-equivalent students, times the weighted full-time-
17 equivalent students of the particular charter school. Charter schools, if
18 eligible, shall also receive their proportionate share of categorical
19 program funds included in the Florida Education Finance Program.

20 B. Any eligible student enrolled in a charter school shall be provided
21 Federal funds for the same level of service provided to other eligible
22 students in the school operated by the Board.

23 C. Beginning in July, school funding will be based on FTE projections, by
24 funding category, confirmed in writing by the charter school on June
25 1st. Total funding shall be recalculated during the school year to reflect
26 actual weighted FTE students reported by the charter school during
27 the FTE student survey periods.

28 D. A charter school shall not levy taxes or issue bonds secured by tax
29 revenue.

30 E. If a charter is not renewed or is terminated, the governing body of the
31 charter school is responsible for all debts of the charter school. Any
32 unencumbered funds from the charter school shall revert to the Board.
33 In that event, all charter school property and improvements,
34 furnishings, and equipment purchased with public funds shall revert
35 automatically to full ownership by the Board.

1 F. Payment shall normally be issued no later than ten (10) working days
2 after the Board receives a distribution of State or Federal funds,
3 beginning with the second distribution in July. Payment shall be on a
4 monthly basis in arrears based upon the estimated number of FTE
5 students in membership during the FTE survey periods. The final
6 payment during any fiscal year shall be adjusted to reflect the number
7 of actual FTE students in membership during the FTE survey periods.

8 **Insurance and Indemnification**

9 A. The governing board and employees of a charter school are governed
10 by F.S. 768.28.

11 B. The Board, its Superintendent, Board members, and employees will not
12 be held liable for any claim, action, loss, damage, injury, liability, cost,
13 or expense of whatsoever kind or nature including, but not limited to,
14 attorney's fees and court costs arising out of injury to persons or
15 damage to property as a result of the negligence of the charter school
16 or its agents, employees, invitees, or contractors.

17 C. The charter school must maintain appropriate commercial general
18 liability insurance, automobile liability insurance, workers'
19 compensation insurance, and school leaders' errors and omissions
20 insurance and property insurance. The Board must be listed as an
21 additional named insured on these policies.

22 **Access to Information**

23 The sponsor may request, with appropriate notice, and the charter school shall
24 provide access to any and all details of operation of the charter school.

25 **Student Rights, Discipline, and Safe Learning Environment**

26 An applicant must describe, in writing, the charter school's rules pertaining to
27 student rights, discipline, and safe learning environment.

28 **Employees of Charter Schools**

29 A charter school shall select its own employees and implement employee labor and
30 other relations pursuant to the requirements of F.S. 1002.33. Members of the
31 governing Board of the charter school and the charter school employees shall also
32 undergo background screening as provided in F.S. 1012.32.

1 A charter school shall disqualify instructional personnel and school administrators,
2 as defined in F.S. 1012.01, from employment in any position that requires direct
3 contact with students if the personnel or administrators are ineligible for such
4 employment under F.S. 1012.315.

5 The governing board of a charter school shall adopt policies establishing standards
6 of ethical conduct for instructional personnel and school administrators.

7 The policies must require all instructional personnel and school administrators, as
8 defined in F.S. 1012.01, to complete training on the standards; establish the duty of
9 instructional personnel and school administrators to report, and procedures for
10 reporting, alleged misconduct by other instructional personnel and school
11 administrators which affects the health, safety, or welfare of a student; and include
12 an explanation of the liability protections provided under F.S. 39.203 and 768.095.

13
14 A charter school, or any of its employees, may not enter into a confidentiality
15 agreement regarding terminated or dismissed instructional personnel or school
16 administrators, or personnel or administrators who resign in lieu of termination,
17 based in whole or in part on misconduct that affects the health, safety, or welfare of
18 a student, and may not provide instructional personnel or school administrators
19 with employment references or discuss the personnel's or administrators'
20 performance with prospective employers in another educational setting, without
21 disclosing the personnel's or administrators' misconduct. Any part of an agreement
22 or contract that has the purpose or effect of concealing misconduct by instructional
23 personnel or school administrators which affects the health, safety, or welfare of a
24 student is void, is contrary to public policy, and may not be enforced.

25
26 Before employing instructional personnel or school administrators in any position
27 that requires direct contact with students, a charter school shall conduct
28 employment history checks of each of the personnel's or administrators' previous
29 employer(s), screen the instructional personnel or school administrators through use
30 of the educator screening tools described in F.S. 1001.10(5), and document the
31 findings. If unable to contact a previous employer, the charter school must
32 document efforts to contact the employer.

1 **Technical Assistance**

2 It is the responsibility of the applicant to request technical assistance, in writing,
3 from the Florida Department of Education.

4 **Termination**

5 The Board has the right to terminate any charter contract:

6 A. if the charter school fails to meet the requirement for student
7 performance as specified in the charter/contract;

8 B. if the charter school fails to meet generally accepted standards of fiscal
9 management;

10 C. if the charter school violates the law, including the Sunshine Law; ~~or~~

11 D. for other good cause shown; or

12 E. if the charter school knowingly fails to comply with the requirements
13 for employment and training in F.s. 1002.33(12)(g) ~~section (8) (F.S.~~
14 ~~1002.33(g))~~.

15
16 F.S. [39.203](#), [768.095](#), [1001.10\(5\)](#), [1001.41](#), [1002.33](#), [1002.33\(12\)\(g\)](#), [1002.335](#),
17 [1012.01](#), [1012.315](#), [1012.32](#)
18 Chapter 96-186(1) Laws of Florida

19
20 [Adopted 7/17/07](#)

21 [Revised _____](#)