

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

### ADMINISTRATIVE ORGANIZATION

3.10\*

The administrative head of each school is the school principal. The district may also appoint assistant principals and administrative assistants to the schools as needed.

The District staff exists to give support and direction to the schools. The Superintendent is assisted in this responsibility by administrators on staff in the positions of deputy superintendent, directors and coordinators.

Organizational Chart attached.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

120.53; 1001.42; 1001.43;  
1012.27; 1013.43, F.S.

#### HISTORY:

ADOPTED:  
REVISION DATE(S): 11/14/05  
FORMERLY: 1.112

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### SCHOOL SITE DECISION MAKING

3.12+\*

It is the Board's intent that each school have input in decisions made that affect the operation of each local school. The Superintendent shall develop procedures to implement this policy based on requirements of Florida Statutes.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, F.S.

HISTORY:

**ADOPTED:**

**REVISION DATE(S): 01/21/04 (EDITORIAL)**

**FORMERLY: NEW 11/11/02**

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### SCHOOL CALENDAR

3.18

- (1) Annually the Superintendent shall establish a School Year Calendar committee.
- (2) The committee shall prepare a proposed school year calendar for the school year following the next occurring fiscal year and present to the Superintendent for approval and recommendation to the Board.
- (3) School calendars shall adhere to the provisions of Florida Statutes.
- (4) The Superintendent/designee shall prepare a list of specific religious observance days which occur when school is in session and may result in a student's absence in accord with provisions of the Code of Student Conduct and other Board rules related to student attendance.

**STATUTORY AUTHORITY:**

**1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:**

**1001.21; 1001.42; 1001.43; 1001.51, F.S.**

**STATE BOARD OF EDUCATION RULE(S):**

**6A-1.09514; 6A-10.019**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S): 04/16/07 (CITATION); 06/11/07 (EDITORIAL)  
FORMERLY: 3.115**

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### RESPONSIBILITIES OF SUPERINTENDENT

3.20

- (1) The Superintendent shall be responsible for the administration of the entire school system as provided by law, State Board of Education and School Board rules. The Superintendent shall keep the School Board informed regarding all phases of the District school system.
- (2) The Superintendent serves as the secretary to the School Board and executive officer of the District. He/she shall keep such minutes and records as may be necessary to set forth clearly all actions and proceedings of the School Board. When possible, any matter coming before the School Board shall first be presented to the Superintendent to be included on the agenda. The Superintendent shall inform the employees of the School Board and the schools and departments of any board action relating to them.
- (3) All members of the instructional and non-instructional staff shall be under the general supervision of and subject to the direction of the Superintendent.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

1001.32; 1001.33; 1001.42; 1001.43;  
1001.464; 1001.48; 1001.49;  
1001.51; 1006.08, F.S.

#### HISTORY:

**ADOPTED:**  
**REVISION DATE(S): 01/21/04 (EDITORIAL); 02/14/05**  
**FORMERLY: 1.301, 1.304**

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### PERFORMANCE GRADE SCHOOLS

3.201\*+

- (1) The Superintendent shall establish procedures which shall be approved by the Board to give greater autonomy, including authority over the allocation of the schools' budget, to schools designated as performance grade category "A", making excellent progress and schools rated as having improved at least two performance grade categories as required by Florida Statutes.
  
- (2) Students who attend a school that has been designated as performance grade category "F" for two (2) school years in a four (4) year period shall be allowed to attend a high performing school in the district or an adjoining district or be granted a state opportunity scholarship to a private school.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

1001.42; 1001.43; 1008.34, F.S.

#### HISTORY:

ADOPTED:  
REVISION DATE(S): 11/11/02; 11/14/05 (CITATION);  
01/08/07 (CITATION)  
FORMERLY: NEW

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### **DIRECTIVES, PROCEDURES, AND ADMINISTRATIVE MANUALS 3.21**

The Superintendent shall have authority to issue such directives and to prescribe such procedures as may be necessary to carry out the purposes of School Board rules and the provisions of Florida Statutes and State Board of Education rules. The Superintendent may issue such administrative manuals or booklets of instruction as he/she may deem necessary for the effective administration of the District school system and distribute them to the employees directly concerned. Insofar as the provisions of such manuals and directives are consistent with these School Board rules, Florida Statutes, or State Board of Education rules, the provisions thereof shall be binding upon all employees.

#### STATUTORY AUTHORITY:

**1001.41; 1001.42, F.S.**

#### LAWS IMPLEMENTED:

**1001.43; 1001.51, F.S.**

#### HISTORY:

**ADOPTED:  
REVISION DATE(S):  
FORMERLY: 1.106, 1.302**

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### OPENING AND CLOSING OF SCHOOLS

3.22\*

The Superintendent shall recommend and the Board shall set the opening and closing of schools and fix uniform dates. Beginning with the 2007-2008 school year, the opening date for schools in the district may not be earlier than 14 days before Labor Day each year.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

1001.42; 1001.43, F.S.

HISTORY:

ADOPTED:  
REVISION DATE(S): 01/08/07  
FORMERLY: NEW

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### EMERGENCIES

3.23

- (1) In case of an emergency involving the welfare and safety of students and employees, the Superintendent may suspend any part of these regulations; provided, that he shall report the fact of and the reason for suspension at the next meeting of the School Board; and provided further, that the suspension shall expire at the time of such report unless continued in effect by actions of the School Board.
- (2) In case of an emergency, the Superintendent may close any school or all schools. The members of the School Board shall be informed immediately of any event or condition which requires the closing of a school or the schools of the District, and, where the public interest requires Board action, the Superintendent shall call a special meeting of the Board.

When an emergency exists affecting the health, safety, or welfare of the students, the principal may dismiss the school. Any such early dismissal shall be reported immediately by the Superintendent to the School Board together with the reasons therefore.

- (3) In any case or condition not covered by these regulations, the Superintendent shall base the decision on his/her best judgment.
- (4) During times of general public emergency, the Superintendent is authorized to use all available resources of the District in cooperation with other agencies to alleviate the emergency.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

1001.33; 1001.43, F.S.

#### HISTORY:

**ADOPTED:**  
**REVISION DATE(S):**  
**FORMERLY: 1.303, 2.117**

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### SUPERINTENDENT SALARY

3.24

The base salary of the Superintendent shall be set by the School Board at a rate which is twelve per cent (12) higher than the highest paid position on the Washington County School Board District salary schedule or the amount specified on the salary formula in Chapter 145, Florida Statutes, which ever is higher.

**STATUTORY AUTHORITY:**

**1001.41; 1001.42; 1012.23, F.S.**

**LAWS IMPLEMENTED:**

**1001.43; 1001.50, F.S.**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S):  
FORMERLY: 1.305**

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### **AUTOMATIC EXTERNAL DEFIBRILLATORS**

**3.25**

- (1) The School Board authorizes the use of an automatic external defibrillator (AED) in a perceived medical emergency.
- (2) All persons who are reasonably expected to use an AED shall be trained to use the device. Training shall include a course in cardiopulmonary resuscitation (CPR) or a basic first aid course which includes CPR and demonstrated proficiency in the use of an AED.
- (3) Each school that is a member of the Florida High School Athletic Association shall have an operational AED on school grounds. The device shall be readily available for use. The location of the device shall be registered with the local emergency medical services director. All persons who are reasonably expected to use the device shall be notified of its location.
- (4) The Superintendent or designee shall develop procedures to implement this policy. Procedures for use of the AED are on file at each school and at the district office.

#### **STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

#### **LAW(S) IMPLEMENTED:**

**401.2915, 768.1325, 1001.42,  
1001.43, 1006.165, F.S.**

#### **HISTORY:**

**ADOPTED: 06/11/07  
REVISION DATE(S):  
FORMERLY: NEW**

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### RESPONSIBILITIES OF PRINCIPALS

3.30

The principal is assigned direct and primary responsibility for his/her school and serves as the administrative and supervisory head of the school. Each principal is responsible for the enforcing of Florida Statutes, State Board of Education rules, School Board rules and directives of the Superintendent. Each principal shall carry out all duties as reflected in the Board adopted job description.

STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

LAWS IMPLEMENTED:

1001.32; 1001.43; 1001.54; 1006.09, F.S.

HISTORY:

ADOPTED:  
REVISION DATE(S):  
FORMERLY: 4.115

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### DOMESTIC SECURITY

3.39+

- (1) The Superintendent shall establish a District domestic security plan that is consistent with the requirements of National Incident Management System (NIMS). The District plan shall include a plan for each school and facility operated by the School Board. The Superintendent shall ensure that the plan is consistent with NIMS requirements.
- (2) The domestic security plan shall include the following components:
  - (a) Access Control

The District shall control access to and enhance the security of school campuses, District facilities, and transportation by implementing access control procedures and practices.
  - (b) Emergency Equipment

The District shall ensure that emergency equipment and supplies are available and operable and that communication between school/District personnel and first responders is readily available.
  - (c) Training

Initial and follow up training shall be provided for school/District personnel, students, and state and local partners. New employees shall receive training relevant to the position. When an employee is reclassified to a different position; his/her training record shall be reviewed and appropriate training shall be provided.
  - (d) Communication and Notification Procedures

The District shall ensure that external and internal communication and notification procedures are developed and implemented.
  - (e) Coordination with Partners

The District shall ensure coordination with state and local partners by establishing and maintaining a close working relationship with local law enforcement agencies, first responders and the county emergency operations center and participating on the Regional Domestic Security Task Force (RDSTF).

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(f) Vulnerability Assessment

The District shall establish standards for assessment and shall assess vulnerability of all District school and facilities.

- (3) The District plan including all school and facility plans shall be reviewed annually or more frequently if needed. Modifications shall be made and communicated to relevant school/district personnel and emergency management officials. Conditions which may warrant interim review and possible modification of the plan include addition to or renovation of a facility, change in the use of a facility, change of grades served by a school, new programs added to the school and change in security threat level.
- (4) The Superintendent shall request documentation of compliance with the National Incident Management System (NIMS) standards from the county emergency management agency and shall obtain certification of compliance from the Commissioner of Education.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**1001.43, 1001.51, 1001.54, 1006.07,  
1006.08, 1006.09, 1006.21, 1013.13, F.S.**

**STATE BOARD OF EDUCATION RULE(S):**

**6A-1.0403, 6A-3.0171**

**HISTORY:**

**ADOPTED: 01/08/07  
REVISION DATE(S): 04/14/08 (EDITORIAL)  
FORMERLY: NEW**

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### CAMPUS DISORDERS AND TRESPASSING

3.40

- (1) No person who is not a student in good standing, teacher, or employee of the School Board, or any person who is not required by his/her employment to be on a school campus or school grounds shall enter upon said school campus or school grounds without first registering at the principal's office and obtaining a visitor's pass or otherwise receive permission for access to school grounds.
- (2) A student who is suspended or expelled is not in good standing and is not permitted on the school campus, school grounds, or at a school sponsored activity.
- (3) This policy shall apply not only during school hours, but at any time students in good standing, teachers, employees and other such persons are on the school campus or school grounds, and shall also apply for all school activities which are held after school hours.
- (4) Any person on a school campus or school grounds not in accordance with this policy is hereby declared to be a trespasser and shall be asked to leave immediately by any staff member. Each principal shall keep a log of such incidents which shall provide the name of the person asked to leave and other pertinent information. If said person shall again be seen upon the school campus or school grounds, any staff member shall immediately notify the principal or appropriate local law enforcement officials without further warning.
- (5) Individuals who enter School Board property without a legitimate reason or refuse to leave the property when asked by the principal or person in charge are subject to criminal penalty as provided in Florida Statutes. The principal shall contact appropriate law enforcement officials in cases of disruptive activity or refusal to leave the school grounds and take appropriate action to have the offender punished as prescribed by law. The Superintendent shall be notified immediately of any such action.
- (6) No person, except law enforcement and security officers, may have in his/her possession any weapon, illegal substance, or dangerous substance while on school property or at school-sponsored events.

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**STATUTORY AUTHORITY:**

**1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:**

**316.614; 1001.37(3) 1001.43;  
1001.51; 1006.145; 1006.062;  
1006.07; 1013.03, F.S.**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S):  
FORMERLY: 2.106, 6.135**

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### DISRUPTIONS AT SCHOOL BOARD FUNCTIONS

3.41

No person shall knowingly disrupt or interfere with a School Board function. This includes persons who knowingly advise, counsel, or instruct any student or School Board employee to disrupt any function or activity. The School Board chairperson, Superintendent, or designee shall inform a person who is disrupting or interfering with a School Board function or activity that he/she may be found guilty of a second degree misdemeanor. The person shall be advised to immediately leave the school premises or facility where the function is being conducted.

- (1) Any person who purchased an admission ticket to a school event shall forfeit his/her rights under this rule by having disrupted or interfered with the event.
- (2) Any person who has been given notice by a school official and either fails to leave the premises or leaves the premises and subsequently returns to the premises shall be deemed a trespasser. The school official shall sign an affidavit for the trespassing offense subsequent to giving notice to the trespasser.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

1001.37; 1001.43; 1006.145, F.S.

#### HISTORY:

ADOPTED:  
REVISION DATE(S):  
FORMERLY: 2.111, 6.120

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### DRUG FREE SCHOOLS

3.42

No person shall be in possession of or be under the influence of an intoxicating beverage or an illegal mood or behavior-modifying or controlled substance or use or be in possession of tobacco or tobacco products, as defined by Florida Statutes, while on school property, at school-sponsored activities, or while on school trips involving students.

- (1) The following words and phrases shall be the following meanings, unless the context requires otherwise.
  - (a) Other Drugs means any substance other than food or water that is intended to be taken or administered (ingested, injected, applied, implanted, inhaled, etc.) for the purpose of altering, sustaining, or controlling the recipient's physical, mental, or emotional state. Drugs may include, but not be limited to, alcoholic beverages; controlled substances such as marijuana, hallucinogens, cocaine, barbiturates, amphetamines, narcotic, and non-authorized prescription drugs.
  - (b) "Controlled substances" include those substances specifically identified as having potential for abuse and those identified in Schedules I through V of Section 202 of the Controlled Substances Act (21 USC \*21) and as further defined by regulation at 21 CAR 1300.11 through 1300.15.
  - (c) "Sale" means the actual, constructive, or attempted transfer from one (1) person to another for any consideration or remuneration whatsoever.
  - (d) "Distributing" means the actual, constructive or attempted transfer from one (1) person to another without remuneration whatsoever.
  - (e) "Possesses" means having or holding of property or the state of owning or having in one's hands.
  - (f) "Extra Curricular Activities" any school sponsored activity that is not credit earning or that is not a requirement for a credit earning course. Participation in graduation and baccalaureate exercises is excluded as it pertains to paragraphs (2) and (3) below.

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- (2) Any student who sells, or is otherwise distributing intoxicating beverages, controlled or harmful substances, or drugs to any person on the School Board property or at any school sponsored activity shall be suspended for a period of at least ten (10) school days and denied participation in all extracurricular activities for at least one (1) calendar year from the first day of the initial suspension, and may be expelled from school for the remainder of the school year. For the purpose of this policy, extra curricular shall not include the baccalaureate or the graduation exercises. However, if the incident occurs during the last nine (9) weeks, the student may also be expelled for all or a portion of the next school year. The School Board may require a determined number of hours of community work experience and mandatory school probation in lieu of expulsion for all or a portion of the next year.
- (3) Any student possessing or under the influence of intoxicating beverages, controlled or harmful substances, and/or drugs, on school board property or at any school-sponsored activity shall be suspended for ten (10) school days, and denied participation in all extracurricular activities for one (1) calendar year from the first day of the initial suspension and may be expelled from school for the remainder of the school year. For the purpose of this policy, extra curricular shall not include the baccalaureate or the graduation exercises. However, the student may also be expelled for all or a portion of the following school year. Any student possessing or under the influence of controlled substances as defined herein shall have a mandatory hearing before the School Board, prior to expulsion.
- (4) The appropriate law enforcement agency shall be notified immediately in each instance where a student is found to be in violation of this policy.
- (5) Pursuant to Florida Statutes, if a student is adjudicated guilty for the unlawful possession or sale of any controlled substance under chapter 893, Florida Statutes, the student shall automatically be subject to the above provisions.
- (6) At all elementary schools in circumstances involving possession, the elementary principal shall try to determine intent prior to enforcing suspension. On first offense cases if the principal determines that a legitimate use exists (e.g., medication), the student shall be reprimanded and parent(s) or legal guardian notified of the violation and warned of their child's suspension if subsequent violation of the possession rule occurs.
- (7) All school personnel shall report, in good faith, to the principal of the respective school or the principal's designee any suspected unlawful use,

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possession or sale of any controlled substance as defined by Section 893.02(3). Florida Statutes, any controlled substance or any alcoholic beverage. Only the principal or the principal's designee shall contact a parent(s) or legal guardian of a student regarding this issue.

- (8) When two or more school officials have reasonable suspicion that a student at the Washington Holmes Technical center is under the influence of intoxicating beverages or controlled substances the student will be asked to submit to a urinalysis at School Board expense. In the event that a student refuses to be tested, he/she will be dismissed from the instructional program and forfeit all paid fees. If the student submits to testing, he/she will be allowed to attend classroom instruction prior to the receipt of the results, but may not use any equipment or be involved in class activities that may pose a danger to himself/herself or others if under the influence. If the urinalysis is negative the student will return to all activities and reasonable accommodations will be made to allow the student to make up any missed work or activity.

If there is a positive result the student will not be allowed to attend any classes or activities on School Board property until a careful review is made by the administration. The student may be required to complete a substance abuse program prior to re-entry. In all cases, the student will be tested prior to return to class and will be responsible for the expense of the return to class testing as well as for follow-up testing that may be required by the school officials.

The referral or dismissal of any student for positive drug testing results will be handled in a confidential manner to avoid any potential embarrassment to the student.

- (9) All principals are hereby directed to advise an individual who has an alcoholic beverage in his/her possession to leave the school premises immediately.
- (10) Any person having purchased an admission ticket to a school event shall forfeit his/her rights under this rule by having an alcoholic beverage in his/her possession at the event.
- (11) Any person who has been given notice by a school official and either fails to leave the premises or leaves, but returns to the premises in possession of an alcoholic beverage shall be deemed a trespasser. The police or other proper law enforcement agency may be notified to arrest the trespasser.

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- (12) While on school-sponsored trips, the following action may become necessary:
- (a) Alcoholic beverages in possession of minors will be seized.
  - (b) Students and/or adults in possession of alcoholic beverages may be sent back and/or other appropriate action taken.

**STATUTORY AUTHORITY:**

**1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:**

**1001.43; 1012.22; 1012.27, F.S.**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S): 11-11-02  
FORMERLY: 2.116, 3.107, 3.108,  
3.160, 6.170, 8.212**

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### PUBLIC INFORMATION AND INSPECTION OF RECORDS

3.50+

All public records pursuant to Florida Statutes shall be available for inspection or copying at reasonable times during normal office hours of the District office or other offices in which records are maintained.

- (1) Photocopying or other reproduction of any record shall be performed upon a person's request. Charges for photocopying or reproducing shall be in accordance with the School Board Rule entitled "Copying of Public Records" (3.51).
- (2) Records maintained by the District which are exempt from public inspection include:
  - (a) Personally identifiable records of students pursuant to Florida Statutes and the Federal Family Educational Rights and Privacy Act (FERPA).
  - (b) Portions of personnel records pursuant to Florida Statutes;
  - (c) All work products developed in preparation for collective bargaining pursuant to Florida Statutes;
  - (d) Appraisals, offers, and counter offers relating to purchase of real property pursuant to Florida Statutes;
  - (e) Legal records prepared by an attorney exclusively for civil or criminal litigation pursuant to Florida Statutes, and litigation files regarding employees while the case is active;
  - (f) Data processing software obtained under a licensing agreement which prevents its disclosure, and data processing software designated by the School Board as "sensitive" pursuant to Florida Statutes;
  - (g) Sealed responses to request for bids or proposals, until such time as they are publicly opened pursuant to Florida Statutes.
  - (h) Employee and student health and medical records as prescribed by Florida Statutes and PL 104-191, Health Insurance Portability and Accountability Act of 1996 (HIPPA).

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**STATUTORY AUTHORITY:**

**1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:**

**119.07(3); 447.605; 1002.22;  
1001.43; 1012.31; 1013.14, F.S.  
34CFR 99; P.L. 103-382; 104-191**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S): 10/13/03 (EDITORIAL); 01/10/05 (EDITORIAL)  
FORMERLY: 1.113**

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### COPYING OF PUBLIC RECORDS

3.51

Copies of public records may be obtained by making a request to the lawful custodian of the records. Charges for copies of public records not exceeding 8 ½" x 14" in size shall be fifteen (15) cents for each one-sided copy or twenty (20) cents for each two-sided copy, unless a different fee is otherwise prescribed or permitted by Florida Statutes. A one dollar (\$1.00) fee shall be assessed for a certified copy of a public record. Copies shall be made by the appropriate staff members and reproduced at a time which does not interfere with the normal work duty.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

119.07; 1001.43; 1001.52, F.S.

#### HISTORY:

ADOPTED:  
REVISION DATE(S): 11/14/05 (CITATION)  
FORMERLY: NEW

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### COPYRIGHTED MATERIALS

3.52

The District shall abide by all provisions of the copyright laws.

- (1) Commercial materials, whether printed or non-printed, may not be duplicated without prior written permission from the owner or copyright holder.
- (2) The School Board does not sanction or condone illegal duplication in any form, the use of illegally duplicated materials, or the improper use of commercially duplicated materials.
- (3) Procedures and guidelines for the legal duplication of materials for instructional purposes may be obtained from the school or District office.
- (4) Employees who willfully infringe upon current copyright laws may be subject to disciplinary action by the School Board.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

119.07; 1001.43, F.S.

#### HISTORY:

ADOPTED:  
REVISION DATE(S): 01/10/05 (CITATION); 04/16/07 (CITATION)  
FORMERLY: NEW

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### FLAG DISPLAY AND PLEDGE

**3.60**

- (1) The pledge of allegiance to the flag shall be recited at the beginning of each school day in elementary, middle, and secondary schools.
- (2) A student may be excused from instruction and / or reciting the pledge of allegiance when his / her parent, as defined by Florida Statutes, files a written request with the school principal.
- (3) The United States flag and the official flag of Florida shall be displayed daily on a suitable flag staff on the grounds of each school and School Board facility when the weather permits.
- (4) Each classroom and auditorium shall display the United States flag.
- (5) All flags shall meet the requirements of Florida Statutes.

#### STATUTORY AUTHORITY:

**1001.41; 1001.42, F.S.**

#### LAWS IMPLEMENTED:

**1000.06; 1000.21; 1001.43; 1002.20; 1003.42;  
1003.44, F.S.**

#### HISTORY:

**ADOPTED:  
REVISION DATE(S): 08/15/05; 11/14/05;  
01/08/07 (EDITORTIAL); 04/16/07 (CITATION)  
FORMERLY: 2.113, 6.175**

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**A MOMENT OF SILENCE**

**3.61**

A moment of silence, not to exceed two (2) minutes, may be provided for students at the beginning of each school day.

**STATUTORY AUTHORITY:**

**1001.41; 1001.42, F.S.**

**LAWS IMPLEMENTED:**

**1001.43; 1003.45, F.S.**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S):  
FORMERLY: NEW**

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### BACKGROUND SCREENING FOR CONTRACTORS/VENDORS 3.68+

- (1) Contractual personnel who are permitted access on school grounds when students are present, who have direct contact with students or who have access to or control of school funds must meet level two (2) screening requirements as described in Florida Statutes. Contractual personnel shall include any vendor, individual or entity under contract with a school or the School Board. Each vendor, individual contractor or employee of a contractor as described in this section must provide verification that he/she has met the level two (2) screening requirements prior to accessing a school campus.
- (2) An employee or contractor of an employer who offers a high school student internship(s) must meet level 2 background screening requirements if he/she has direct, unsupervised access to the student intern(s).
- (3) A noninstructional contractor who has been convicted of any disqualifying offense, as defined in Florida Statutes, shall not have access to school grounds when students are present.
- (4) Contractual personnel must also meet the level two (2) screening requirements every five (5) years following entry into a contract. If the fingerprints of an individual under contract with the School Board have not been retained by the Florida Department of Law Enforcement, the individual must submit a complete set of fingerprints to the District.
- (5) Each person under contract as described in sections (1) and (2) must agree to inform the party with whom he/she is under contract within forty-eight (48) hours if convicted of any disqualifying offense while under contract. If it is found that a person under contract does not meet the level two (2) requirements, the individual shall be immediately suspended from working in a contractual position and shall remain suspended until final resolution of any appeals. A person who is working with an intern will not be allowed to continue in an unsupervised situation.
- (6) The following noninstructional contractors shall be exempt from level 2 screening:
  - (a) A contractor who is under direct, line of sight supervision of a District employee or contractor who has met level 2 screening requirements;

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- (b) A contractor who is required by law to undergo level 2 screening for licensure, certification, employment, or other purpose and provides appropriate documentation;
  - (c) A law enforcement officer who is assigned or dispatched to school grounds;
  - (d) An employee or medical director of a licensed ambulance provider who is providing services;
  - (e) A contractor at a site where students are not permitted and a six (6) foot chain link fence separates the work site from the remainder of the school grounds; or
  - (f) A contractor who provides pickup or delivery services that involve brief visits to school grounds when students are present.
- (7) A noninstructional contractor, as described in section (6), who is exempt from level 2 screening shall be subject to a search of the registry of sexual offenders and sexual predators maintained by the Florida Department of Law Enforcement and the National Sex Offender Public Registry maintained by the U.S. Department of Justice. The District shall conduct the registry search without charge to the contractor. If a contractor is identified as a sexual predator or offender and not allowed on school grounds, the District shall notify the vendor, individual or entity under contract within three (3) business days.
- (8) All expenses associated with background screening will be the responsibility of contracted personnel.
- (9) The Superintendent shall develop procedures to implement this policy.

**STATUTORY AUTHORITY:**

**1001.41, 1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**1001.43, 1003.496, 1012.32, 1012.465,  
1012.467, 1012.468, F.S.**

**HISTORY:**

**ADOPTED: 11/14/05  
REVISION DATE(S): 04/14/08**

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

### **AGENTS, SOLICITORS AND SALESPERSONS**

**3.70**

Because there are legitimate and necessary calls from business and professional representatives who provide supplies and services regularly used in the schools, agents, salespersons and delivery persons may visit schools at the discretion of the principal. All such persons shall sign in at the school's main office upon arrival.

The principal shall prohibit all forms of canvassing or soliciting of teachers or students on school premises during school hours except as otherwise approved in writing by the Superintendent. No literature or materials from out-of-school sources shall be distributed to homes by students without the approval of the Superintendent/designee. Student or school surveys by outside groups or organizations require the recommendation of the Superintendent and approval of the Board.

#### STATUTORY AUTHORITY:

**1001.41; 1001.42, F.S.**

#### LAWS IMPLEMENTED:

**1001.42; 1001.43, F.S.**

#### HISTORY:

**ADOPTED:  
REVISION DATE(S): 11/14/05 (EDITORIAL)  
FORMERLY: NEW**

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

### VISITOR IDENTIFICATION MEASURE

3.701+

The Superintendent/designee shall develop a plan for visible identification of visitors or other persons who are not students or employees of the school and shall periodically provide the School Board with the details of this plan. In developing and implementing the plan, consideration shall be given to the organization and grade level of the school and to receive input from the principals as to the feasibility of implementing such safety measures.

**STATUTORY AUTHORITY:**

**1001.42, F.S.**

**LAWS IMPLEMENTED:**

**1001.43, F.S.**

**HISTORY:**

**ADOPTED:  
REVISION DATE(S):  
FORMERLY: 2.131**

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

### SCHOOL VOLUNTEERS

3.80

A school volunteer is any non-paid individual who gives his/her time to a school or school staff member while performing assigned duties. Duties assigned to school volunteers shall be consistent with Florida Statutes and State Board of Education rules.

- (1) The school principal and each staff member who is assigned a school volunteer shall be responsible for assigning duties to school volunteers which are consistent with Florida Statutes, State Board of Education rules, and School Board rules.
- (2) School volunteers shall meet level two (2) screening requirements.
- (3) School volunteers shall be recommended by the Superintendent and approved by the Board.
- (4) The Superintendent shall issue directives concerning school volunteers as may be deemed necessary.
- (5) A school volunteer shall be accorded the same protection of Florida Statutes as accorded to certificated instructional personnel provided the school volunteer has officially recorded his/her attendance in the school where he/she is rendering services under an administrative or instructional staff member.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

110.504(4) (5); 440.02(15)(d)6,  
768.28; 943.04351; 1001.43; 1012.01, F.S.

#### STATE BOARD OF EDUCATION RULE(S):

6A-1.070

#### HISTORY:

ADOPTED:

Revision Date(s): 11/14/05; 01/08/05; 01/08/07(CITATION)

FORMERLY: NEW

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

### CHARTER SCHOOLS

3.90

The purpose of this policy is to ensure the highest quality of instruction and safety for all Charter School participating students and to maintain accountability for the appropriate use of all allocated resources.

(1) Eligibility to Apply

- (a) A proposal for a new charter school may be made by an individual, teachers, parents, group of individuals, a municipality, or any legal entity organized under the laws of the state of Florida. The school shall organize as a nonprofit organization prior to receiving approval as a charter school with the School Board.
- (b) The principal, teachers, parents and/or the school advisory council at an existing public school that has been in operation at least two (2) years may submit a proposal for converting the school to a charter school, provided that they demonstrate the support of at least 50 percent of the teachers then currently employed at the school and 50 percent of the parents whose children are then currently enrolled in the school.
- (c) Private schools, parochial schools and home education schools are not eligible for charter status. A charter school may not be affiliated with a nonpublic sectarian school or religious institution and shall be nonsectarian in programs, admission policies, employment practices and operations.

(2) Timelines for Approving Charter Schools

- (a) The School Board shall annually accept applications on or before August 1, and staff may provide technical assistance to organizations and individuals submitting proposals. The School Board shall by a majority vote of the full Board, approve or deny a formal application no later than sixty (60) days after receiving the completed application during the submission period, following a public hearing to ensure community input.
- (b) If the Board denies an application for a conversion charter, the Board shall provide notice of denial to the applicants in writing within thirty (30) days after the meeting at which the Board denied the application. The notice must specify the exact reasons for denial and must provide documentation supporting those reasons.

## CHAPTER 3.00 - SCHOOL ADMINISTRATION

### (3) Application

Proposals for charter schools shall be submitted on a standard application format approved by the School Board for this purpose. No proposal will be accepted until the application is complete and all appropriate signatures are obtained. The application does not constitute the charter which will be considered the legal contract between the School Board and the school organizational body.

#### (a) The application shall include:

(i) All items required by Florida Statutes.

(ii) Proof of insurability from an adequate rated insurer with a policy of no less than \$1,000,000 for errors and omissions and general liability coverage to include but not limited to prior Acts, Sexual harassment, civil rights and employment discrimination, breach of contract, insured vs. insured, consultants and independent contractors.

(iii) Coverages for property and casualty equal to replacement costs for school structures and contents, automobile and worker's compensation.

(iv) An indemnification or hold harmless agreement releasing the School Board of all liability for actions by the charter school governing body or its employees.

(b) The applicants and members of the governing body of the proposed charter school shall submit with the application a complete set of fingerprints taken or by an employee of the school district who is trained to take fingerprints. These fingerprints shall be submitted to the appropriate state and federal law enforcement agencies for processing with the cost borne by the applicant and charter school governing body members.

### (4) Charter

(a) Within sixty (60) days of approving a charter school application, the District shall provide an initial proposed charter contract to the charter school.

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- (b) The applicant and the District shall have seventy-five (75) days to negotiate the charter and provide notice for final approval of the charter contract.
- (c) The following elements shall be included in the school's charter agreement with the School Board:
  - (i) School vision and mission
  - (ii) Students to be served (ages, grades, current school or zone and projected FEFP categories)
  - (iii) Student criteria for admissions, selection process and dismissal procedures
  - (iv) Marketing/recruitment plan
  - (v) Method for achieving racial and ethnic balance of student population
  - (vi) FTE enrollment verification process
  - (vii) Focus of the curriculum with emphasis on reading
  - (viii) Instructional methods to be used, including service to ESE, ADA and ESOL students and students who are reading below grade level
  - (ix) Current baseline standard of student achievement, outcomes to be achieved and method(s) of measurement
  - (x) Methods used to identify the educational strengths and needs of students and how well goals are met by the students
  - (xi) Participation in the statewide assessment program
  - (xii) Method for determining that a student has met graduation or promotion requirements
  - (xiii) Code of Student Conduct consistent with district policies and discipline code

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- (xiv) Method of identification and acquisition of appropriate technologies needed to improve educational and administrative performance
- (xv) Means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards
- (xvi) Nature of parent involvement
- (xvii) Conflict resolution strategies for students, parents and staff
- (xviii) Methods for resolving conflict between School Board and governing body of the charter school
- (xix) Program evaluation and reporting plan
- (xx) Annual progress reports to include state required information
- (xxi) Status as a private or public employer
- (xxii) Staff status related to certification or subcontracting
- (xxiii) Strategies that will be used to recruit, hire, train, and retain qualified staff to achieve best value
- (xxiv) Staff selection process, including fingerprinting and criminal background check
- (xxv) Qualifications of teachers which must be disclosed to parents
- (xxvi) Professional development plan
- (xxvii) Alternative arrangements for students and teachers at a converting public school who choose not to participate

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- (xxviii) Charter School Board members and background checks including fingerprinting for governing body
- (xxiv) Articles of incorporation and governance structure, including names, addresses, financial disclosure to include the same requirements as in Florida Statutes.
- (xxx) Financial and administrative management of school
- (xxxi) Internal financial controls and audit process
- (xxxii) Proposed budget including salary and benefits of staff and letter of credit or other funds to cover start-up costs
- (xxxiii) Procedure for notification by auditor if school is in a state of financial emergency or deficit financial position
- (xxxiv) Insurance coverage at specified limits no less than \$1,000,000 for errors and omissions and general liability and property equal to replacement costs of all structures and contents
- (xxxv) Indemnification or hold harmless agreement
- (xxxvi) Transportation, food service or other plans and agreements with the District or other contractors
- (xxxvii) Facilities to be used and their location and evidence of all codes having been met
- (xxxviii) Length of agreement
- (xxxix) Renewal and modification of the agreement
- (xxxx) Provision for cancellation of the agreement for insufficient progress;
- (xxxxi) Implementation timetable

### **CHAPTER 3.00 - SCHOOL ADMINISTRATION**

- (d) The district shall provide academic student performance data to charter schools for each of their students coming from the district, as well as rates of academic progress of comparable student populations in the district school system.
  - (e) The governing body shall exercise continuing oversight over charter school operations.
  - (f) The governing body shall participate in governance training approved by the Department of Education.
  - (g) After a public hearing to ensure community input, the governing body of the charter school and the District shall sign the charter.
- (5) Approval
- (a) The School Board shall receive and review all completed applications for a charter school received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the District's next school year. The School Board shall by a majority vote of the full Board approve or deny a formal application no later than 60 days after receiving the completed application during the submission period, following a public hearing to ensure community input.
  - (b) If the Board denies an application for a charter, the Board shall provide notice of denial to the applicants in writing within ten (10) days after the meeting at which the Board denied the application. The notice must specify the exact reasons for denial, based on good cause, and must provide documentation supporting those reasons (see (15.) for Appeals Process). The notification shall also be submitted to the Department of Education.
- (6) Selection Criteria
- The School Board shall consider, but is not limited to using the following criteria to evaluate applications for charter school approval:
- (a) Quality and breadth of instructional program.
  - (b) Safeguards for the physical and emotional safety of students to be served.
  - (c) Innovativeness of approach to teaching and learning.

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- (d) Representativeness of student population and impact upon other schools.
  - (e) Soundness of the financial plan, including sufficient start up funds or line of credit equivalent to three months operating costs.
  - (f) Adequacy of insurance to include property and casualty, general liability, automobile, workers' compensation and errors and omissions, including specific coverage for civil rights and employment discrimination claims, and indemnification of the School Board.
  - (g) Qualifications and diversity of staff, governing body and organizers including criminal background checks, fingerprinting and bonding as necessary.
  - (h) Adequacy of facilities.
  - (i) Extent of parent involvement.
  - (j) Representativeness of governance structure including full financial disclosure on the forms required by the School Board of all members of the governing body.
  - (k) Level of student performance expectations relative to state education and other significant goals.
  - (l) Sufficiency of elements required in the charter by law or policy.
- (7) Nonrenewal or Termination of Charter
- (a) At the end of the term of a charter, the School Board may choose not to renew the charter for any of the following grounds:
    - (i) Failure to participate in the state's education accountability system or failure to meet the requirements for student performance stated in the charter.
    - (ii) Failure to meet generally accepted standards of financial management.
    - (iii) Violation of law, or

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- (iv) Other good cause shown.
  - (b) During the term of a charter, the School Board may terminate the charter for any of the grounds listed in paragraph 8(a) or if the health, safety, or welfare of the student(s) is threatened.
  - (c) At least 90 days prior to renewing or terminating a charter, unless a state of emergency exists, the School Board shall notify the governing body of the school of the proposed action in writing, detailing the grounds for the action and stipulating that a request for an informal hearing may be requested within 14 days of receipt of the notice. The School Board shall conduct an informal hearing within 30 days after receiving a written request. The charter school's governing body may, within thirty (30) days after receiving the School Board's decision to terminate or refuse to renew the charter, appeal the decision to the State Board of Education.
  - (d) In the event a charter is not renewed or is terminated, the school district may assume the operation of the school, or the school shall be dissolved and students assigned to other public schools. All unencumbered funds, as well as property and improvements, furnishings and equipment purchased with public funds shall automatically revert to full ownership of the School Board.
  - (e) If a charter is not renewed or is terminated, the governing body of the school is responsible for all debts of the charter school. The District shall not assume the debt from any contract for services made between the governing body of the school and a third party, except for a debt that is previously detailed and agreed upon in writing by both the governing body of the school and the School Board and that may not reasonably be assumed to have been satisfied by the District.
  - (f) If a charter is not renewed or is terminated, any unencumbered capital outlay funds provided pursuant to 1013.62, F.S., and federal charter school program grant funds shall revert to the Department of Education for redistribution among other eligible charter schools.
- (8) Tuition Prohibition
- A charter school shall not charge tuition or fees, except those fees normally charged by other public schools.

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### (9) Rule Exemptions

A charter school shall be exempt from all School Board policies except those pertaining to health, safety, civil rights, financial records, accountability related to student enrollment reports, financial audits, and collective bargaining agreements if the staff chooses to remain part of the District bargaining unit(s).

### (10) Personnel Options

- (a) Charter school employees may bargain collectively as a separate unit or as part of the existing applicable District collective bargaining unit(s).
- (b) If teachers at a charter school choose to be part of a professional group that subcontracts with the charter school to operate the instructional program under the auspices of a partnership or cooperative that they collectively own, they shall not be considered public employees.
- (c) Employees of the School District may take leave for up to three years to accept employment in a charter school upon the approval of the School Board and shall maintain seniority accrued in the School District. They may continue to be covered by the benefit program of the School District only if the charter school and the School Board agree to the arrangement and its financing.
- (d) Teachers employed or under contract to a charter school shall be certified as required by Florida Statutes or if not certified, contracted with according to the provisions defined in Florida Statutes.
- (e) All governing board members and employees of a charter school shall be fingerprinted and shall undergo a background screening as provided for in Florida Statutes.
- (f) The governing body of a charter school may elect to participate in the Florida Retirement System after proper application and approval under Florida Statutes.

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### (11) Funding

Students enrolled in a charter school shall be funded the same as students enrolled in a basic or special program in any other public school in the District.

- (a) Each charter school shall report its student enrollment to the District School Board as required by Florida Statutes and School Board policy and procedures. The School Board shall include each charter school's enrollment in the District's report of students.
- (b) Charter schools whose students or programs meet the eligibility criteria in law shall be entitled to their proportionate share of all Florida Education Finance Program and General Appropriations Act funds, gross state and local funds, discretionary funds, categorical program funds and federal funds. Total funding for each charter school will be recalculated during the year to adjust for the actual weighted full-time equivalent and eligible students reported by the school and the revised calculations under the Florida Education Finance program, following the October and February Full Time Equivalent (FTE) counts.
- (c) Any administrative fee charged by the School District to the charter school shall be no more than five (5%) percent of the available funds defined in (11) (b). The District may only withhold an administrative fee for enrollment up to and including five hundred (500) students. Administering the contract includes providing technical assistant, monitoring policy compliance and processing financial, student and other records or required reports. This does not include contract(s) for other specific services to staff or students participation in the benefit packages or other special programs. The fees for these services will be negotiated and will be determined on an actual cost basis.
- (d) The School District shall make every effort to ensure that charter schools receive timely and efficient reimbursement with payment issued no later than ten (10) working days after receipt of, or pay a penalty of one percent (1%) interest per month. Under no circumstances will the School District advance funds before a charter school is open, but the School Board may approve a charter before the applicant has secured space, equipment or personnel if the applicant indicates approval is necessary for it to raise working capital.

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### (12) Facilities Requirement

A charter school shall utilize facilities which comply with the Florida Building Code adopted pursuant to Florida Statutes, the Florida Prevention Code, pursuant to Florida Statutes and the comprehensive land use plan as adopted by the authority in whose jurisdiction the facility is located. A lease agreement and evidence that all applicable codes have been met shall be provided no less than three (3) weeks prior to the opening of the school year or the school will not be permitted to be open to students.

### (13) Length of the School Year

A charter school shall provide instruction for at least 180 days and may provide instruction for additional days. Reimbursement for additional days of instruction will be subject to the limits of the Florida Education Finance Program, General Appropriations Act and other rule or programs that restrict funding to the School District. Upon approval of a charter application, the initial startup must be consistent with the beginning of the school year calendar(s) adopted by School Board.

### (14) Monitoring and Review

The Superintendent, or designee, and the District internal auditor shall have ongoing responsibility for monitoring the health, safety and well being of students and the fiscal responsibility of all approved charter schools. The Superintendent, the Superintendent's designee, the District internal auditor and all School Board members shall have free and open access to the charter school at all times. Annually, no later than forty-five calendar days following the end of the regular school term, the governing body of the charter school shall submit the following for School Board review:

- (a) The charter school's progress towards achieving the goals outlined in its charter,
- (b) The charter school's annual report to parents pursuant to Florida Statutes,
- (c) An annual financial audit report obtained by the school reflecting generally accepted financial accounting standards,

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- (d) Salary and benefit levels of school employees;
- (e) Certification status of instructional personnel; and
- (f) Any other information provided by the school, the Superintendent or the internal auditor.

Upon receipt of the required annual report, the School Board shall forward the report to the Commissioner of Education at the same time as other annual school accountability reports.

If a certified public accountant or an auditor finds that a charter school is in a state of financial emergency, the charter school shall file a detailed financial recovery plan with the District no later than thirty (30) days after receipt of the audit. The Superintendent or designee shall monitor implementation of the recovery plan.

A charter school that receives a school grade of D shall report to the District regarding areas of deficiency. A charter school that receives a grade of D for two (2) consecutive years or a grade of F shall submit a school improvement plan. The Superintendent or designee shall monitor implementation of the plan in accordance with Florida Statutes.

### (15) Appeal Process

- (a) An applicant may appeal any denial of an application for a charter school to the State Board of Education no later than 30 days after the School Board's final decision. The State Board of Education must accept or reject the decision of the School Board no later than ninety (90) days after an appeal is filed, and remand the application with its written recommendation to the School Board.
- (b) The School Board shall act upon the recommendation of the State Board of Education no later than 30 days after it is received.
- (c) The decision of the State Board of Education is a final action subject to judicial review.
- (d) A governing body may appeal the School Board's decision not to renew or to terminate a charter following the same steps described in (15) (a) - (c).

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### (16) Immunity

For the purposes of tort liability, the governing body and employees of a charter school shall be governed by Florida Statutes. The School Board shall assume no liability for actions of the governing body of the charter schools or its employees.

#### STATUTORY AUTHORITY:

1001.41; 1001.42, F.S.

#### LAWS IMPLEMENTED:

1001.02; 1001.43; 1002.33, F.S.

#### STATE BOARD OF EDUCATION RULE:

6A-6.0781

#### HISTORY:

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