

# **Policy 7.36**

CHAPTER 7.00 - BUSINESS SERVICES

**ELECTRONIC FUNDS TRANSFERS AND PAYMENTS**

**7.36**

- I. In accordance with Section 1010.11, Florida Statutes, the School Board authorizes electronic funds transfers (EFTs) for any purpose including direct deposit, wire transfer, withdrawal, investment, or payment consistent with the provisions of Chapter 668, Florida Statutes. In accordance with Section 668.006, Florida Statutes and Rule 6A-1.0012, Florida Administrative Code, the District will establish and implement control processes and procedures to ensure adequate integrity, security, confidentiality, and auditability of business transactions conducted using electronic commerce.
  
- II. The Superintendent is authorized to enact procedures and guidelines to implement this rule.

**STATUTORY AUTHORITY:** 1001.41, 1001.42, 1010.11, F.S.

**LAW(S) IMPLEMENTED:** 215.85(5), 668.006, 1010.11, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-1.0012

**HISTORY:** ADOPTED: 05/19/15  
REVISION DATE(S):  
FORMERLY: NEW

**NOTES:** ~~Refer To: Electronic Funds Transfers and Payments Procedure~~

# **Policy 7.37\***

## CHAPTER 7.00 - BUSINESS SERVICES

### BONDED PERSONNEL

7.37\*

Each Board member shall be placed under a blanket fidelity bond as prescribed by state board rules. The superintendent and all employees of the School Board shall be placed under a blanket fidelity bond in the amount of \$15,000.

**STATUTORY AUTHORITY:** 112.08; 1001.41(2); 1001.42(~~4012~~)(h), F.S.

**LAWS IMPLEMENTED:** 112.08; 1001.43; 1001.51(11)(h); 1010.07(1), F.S.

**STATE BOARD OF EDUCATION RULE:** ~~6A-1.0692~~

**HISTORY:**

**ADOPTED:** 08/21/01  
**REVISION DATE(S):**  
**FORMORLY:** 6.112

**NOTES:**

# **Policy 7.38**

CHAPTER 7.00 - BUSINESS SERVICES

FACSIMILE AND ELECTRONIC SIGNATURES

7.38

- I. In accordance with Florida Statutes, the Superintendent and the chairperson of the School Board, after filing with the Department of State, his/her manual signature certified by him/her under oath, may execute or cause to be executed with a facsimile signature in lieu of his/her manual signature:
  - A. Any public security as permitted by Florida Statutes.
  - B. Any instrument of payment.
  - C. Any official order, proclamation, instrument of conveyance, or resolution, provided, however, that the same has been authorized by said School Board and such authorization be reflected in the minutes thereof.
  - D. Contracts with school personnel.
- II. Definitions as used in this policy are as follows:
  - A. *Public security* means a bond, note, certificates of indebtedness, or other obligation for the payment of money, issued by the Board.
  - B. *Instrument of payment* means a check, draft, warrant, or order for the payment, delivery, or transfer of funds.
  - C. *Instrument of conveyance* means an instrument conveying any interest in real property.
  - D. *Facsimile signature* means a reproduction by engraving, imprinting, stamping, or other means of the manual signature of an authorized officer.
- III. The vice-chairperson shall have no authority to sign warrants or school documents except when he/she is required to assume the duties of the chairperson, in which case, he/she shall be legally empowered to sign warrants and other legal documents as the chairperson would be empowered to sign.

~~III-IV. Electronic signatures may be used on official School Board documents in a manner consistent with Florida's Uniform Electronic Transaction Act. The Superintendent shall adopt and implement control processes and procedures to ensure integrity, security, confidentiality, and audit-ability of business transactions conducted by using electronic signatures.~~

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STATUTORY AUTHORITY: 1001.41, 1001.42, F. S.

LAW(S) IMPLEMENTED: 116.34, ~~668.006, 668.50~~, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S): ~~SA-1.0424~~

HISTORY: ADOPTED: 02/21/06  
REVISION DATE(S): 05/17/11, 06/28/15  
FORMERLY: NEW

NOTES:

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Page 1 of 2

SARASOTA 7.38

Revised: 03/12/15

**CHAPTER 7.00 - BUSINESS SERVICES**

# **Policy 7.39**



## CHAPTER 7.00 - BUSINESS SERVICES

### EXPENDITURES FOR PROMOTION AND PUBLIC RELATIONS 7.39

The Superintendent may make, or authorize to be made, expenditures for purposes of promotion, public relations activities, and hospitality of business guests of the school district. Such expenditures are restricted as to source of funds, amount of annual expenditures, and conditions for expenditures, as set forth herein.

- A. Purpose of Expenditures: The purposes for which such expenditures may be made include, but are not necessarily limited to, activities involving or in connection with:
1. Graduation of district schools;
  2. Hospitality of visiting committees and other activities in connection with accreditation studies;
  3. Orientation and work conferences for employees;
  4. Recruitment of potential employees; and
  5. Official meetings and receptions.
- B. Source of Funds: Expenditures for purposes noted above shall be made only from:
1. Profits of enterprise type activities of individual schools or of the school district, excluding food services; and
  2. Undesignated gifts or donations to the school system.
- C. Limitations on Expenditures: All expenditures for hospitality of business guests of the school district from sources noted herein shall be limited to a maximum of fifty thousand dollars (\$50,000) in each fiscal year.

**STATUTORY AUTHORITY:**

**1001.41(2); 1001.42, F.S.**

**LAWS IMPLEMENTED:**

**F.S.**

**1001.43(5); 1010.08,**

**STATE BOARD OF EDUCATION RULES:**

**6A-1.0143**

**HISTORY:**

**ADOPTED: 08/21/01  
REVISION DATE(S):  
FORMERLY: 6.119**

**NOTES:**

# **Policy 7.40**

FUND-RAISING FOR SCHOOL PROJECTS AND ACTIVITIES

7.40

All fund-raising projects and activities by schools, ~~or~~ groups within the school, or groups in the name of the school shall be approved in advance by the principal and shall contribute to the educational and extracurricular experiences of students and shall not be in conflict with the overall instructional program as administered by the Superintendent.

- I. Money derived from any school fund-raising project or activity shall be deposited in the school's internal funds account and shall be disbursed as prescribed by School Board rules and State Board of Education rules.
- II. Each school shall continuously evaluate its fund-raising projects and extracurricular activities of the school program, the promotion of education experiences, the time involved for students and teachers, and the additional demands made on the school community.
- III. The determination of the fund-raising projects and activities for a school shall be the principal and the staff's responsibility. Fund-raising activities and projects within all schools shall be kept within a reasonable limit. Before approving any project or activity, the principal shall require full justification of the need and explanation of the manner in which the funds will be expended.
- IV. A parent-teacher association or any other organizations connected with the school may sponsor fund-raising activities provided school work and time are not adversely affected. Such activities shall be conducted in accordance with School Board rules. Unlawful activity shall be prohibited by any school group or on School Board property.
- V. ~~A student shall not sell r~~Raffle tickets or games of chance may not be sold or conducted on the school grounds during the school day. Students may not sell any other item on the school grounds without first having the principal's approval.
- VI. Students shall not, as a school-related activity, make door-to-door solicitations to raise funds.
- VII. ~~The sale of F~~food and beverage services to students shall comply with Policy 8.40(IV) which are available to students shall be provided only during the school day by the food and nutrition service program. School organizations approved by the School Board shall be permitted to sell soda and juice beverage items to students in high schools even though the sale of such items is in competition with the food and nutrition service program.
  - A. School organizations are authorized to conduct the sale of food and beverage items only one (1) hour following the close of the last lunch period.

**CHAPTER 7.00 - BUSINESS SERVICES**

- B. Food sold by school organizations shall comply with the provisions of State Board of Education rules.

**STATUTORY AUTHORITY:** 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 1001.51, 1006.07, 1010.01, 1011.07, F.S.

**STATE BOARD OF EDUCATION RULE(S):** ~~6A-1.085, 6A-7.0411~~

**HISTORY:** ADOPTED: 08/21/01  
REVISION DATE(S): 04/07/09  
FORMERLY: 2.111, 6.211

**NOTES:**

# **Policy 7.41**

CHAPTER 7.00 – BUSINESS SERVICES

**OUTSIDE ORGANIZATIONS**

**7.41**

All outside organizations operating in the name of a school, having a name suggesting affiliation with a school, or soliciting funds or membership on school grounds shall:

1. register with the school principal
2. disclose to the public that while the organization advocates for public school students, it is privately run and not directly school sponsored
3. comply with all School Board policies and procedures for the raising of funds and
4. permit the School Board, upon reasonable notification, to review its financial records showing the receipt and disbursement of funds

**STATUTORY AUTHORITY:**  
1001.43(5), F.S.

**1001.41,**

**LAWS IMPLEMENTED:**

~~1013.01, 1013.02, 1013.15~~  
1001.42(4),(15), 1001.43(5), F.S.

**HISTORY:**

**ADOPTED: 04/02/02**  
**REVISION DATE(S):**  
**FORMERLY:**

**NOTES:**

# **Policy 7.50**

## CHAPTER 7.00 - BUSINESS SERVICES

### PAYMENT OF VOUCHERS

7.50

Expenditures for payment of vouchers and invoices shall be made by warrants or electronic transfers of the School Board. Authorization for such payments shall be deemed approved by the Board if within amounts approved in the Board-adopted District budget or amendment thereto. In cases of expenditures exceeding approved purchasing limits, specific School Board approval is required and shall be reflected in School Board minutes. Approval of individual warrants themselves by the School Board shall not be required.

Payment for construction purchases and construction services shall be made in a timely manner as set forth in Chapter 218, Florida Statutes.

**STATUTORY AUTHORITY:** 1001.41(2); 1001.42(~~17~~12),  
F.S.

**LAWS IMPLEMENTED:** 1001.42(~~10~~12)(g); 1001.43(2)(d); 1001.51(11)(g);  
1010.02;  
1011.06; 1011.07; 1011.08; 1011.09; 218.72-75, F.S.

**HISTORY:** **ADOPTED:** 08/21/01  
**REVISION DATE(S):** 11/06/01  
**FORMERLY:** New

**NOTES:**



# **Policy 7.51**

**PAYROLL PROCEDURES**

7.51

- I. Payrolls shall be submitted for all School Board employees and shall be properly signed by a designated administrative employee. Such payrolls shall be supported, where applicable, by time records.
- II. Payroll checks or warrant distribution dates shall be established administratively to ensure that the employees are paid promptly in accordance with Florida Statutes.
- III. No payment shall be made except to properly authorized and approved personnel.
- IV. Payment shall be based on the duly adopted salary schedule for each position. From time-to-time payments in the form of a bonus or other legally authorized payment may be made.
- V. Full-time and part-time regular, probationary, and temporary employees shall be paid at the regular established pay period.
- VI. Principals-Cost center heads shall be responsible for submitting accurate payrolls in accordance with the payroll time schedules and procedures.
- VII. Salary adjustments shall be paid at subsequent payroll periods. A person whose services are terminated shall be paid the full salary balance at the regular pay period following termination. Any exceptions shall be approved by the Superintendent or designee.
- VIII. An authorized payroll deduction for an employee beyond those required by Florida Statutes shall have the Superintendent or designee's approval and shall be made only upon the written request of the employee. ~~An authorized payroll deduction may be initiated during any fiscal year in which the group or organization deduction authorization and the written request of the employee(s) are in the district office on or before the date established as the final date for the initiation of employee deductions.~~
- IX. Any employee organization certified by the Florida Public Employees Relations Commission as the official bargaining agent for a group of District employees or other groups designated by law may be entitled to a payroll deduction for membership dues. The organization may be billed annually for the cost of deducting and transmitting such dues to the organization.
- X. No payments shall be made for overtime services without prior approval of the Superintendent or designee.
- XI. There shall be no payment deductions permitted in violation of section 106.15, Florida Statute.

## CHAPTER 7.00 - BUSINESS SERVICES

**STATUTORY AUTHORITY:** 1001.41(2), ~~1001.42(5)(a)~~, F.S.

**LAWS IMPLEMENTED:** 106.15, 112.10, 112.11, 112.171, 112.175, 215.425, 447.303,  
1001.42(5)(a), 1001.43, 1011.18(5), 1011.60(3), 1011.60(4), 1012.22, ~~1012.234~~,  
1012.24, 1012.27(2), 1012.31(3)(a)4, F.S.

**STATE BOARD RULE:** 6A-1.0012; 6A-1.052

**HISTORY:** ADOPTED: 08/21/01  
REVISION DATE(S): 11/06/01  
FORMERLY: 6.114

**NOTES:**

# **Policy 7.512**

## CHAPTER 7.00 – BUSINESS SERVICES

### **403(b) AND 403(b)(7) TAX SHELTERED ANNUITIES AND CUSTODIAL ACCOUNTS**

7.512

Tax Sheltered Annuities, as defined in IRC 401(k), 403(b) and 457(b) may be established ~~with insurance companies~~. Custodial Accounts may be established with any qualified Financial financial Services services Company company (insurance companies and financial services companies are collectively referred to as *Entities* licensed to do business in the State of Florida). The School Board of Sarasota County will allow payroll deductions for any eligible employees' tax sheltered accounts and in accordance with district guidelines, as amended from time to time.

- I. Application Process - All *Entities* must qualify under and agree to the requirements established in district guidelines before an application submitted on behalf of an employee for payroll deductions will be accepted and processed.
- II. Recruitment and/or Solicitation of employees are subject to district guidelines and collective bargaining agreements.
- III. Eligible Employees
  - A. All regularly scheduled employees, with the exception of elected school board members, student workers and contractors are eligible to contribute to a tax sheltered account through salary reduction.
  - B. Employees may commence such salary reductions via payroll deductions at any time during the year according to cut-off dates available to active *Entities*. An employee can commence, restart, increase or decrease the amount of a payroll deduction at any time. All salary reduction transactions require the execution of a Salary Reduction Agreement by the employee.
  - C. When an employee goes to unpaid status, their salary reduction for a tax sheltered account will cease. A new Salary Reduction Agreement must be initiated to restart following a break in employment or unpaid leave.
  - D. If the salary reduction is stopped for a sixth month period by the district after the employee takes a Hardship Distribution from their account as required under IRS guidelines, the employee must submit a new Salary Reduction Agreement in order to resume contributions.

**STATUTORY AUTHORITY:**

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

**LAW(S) IMPLEMENTED:**

**1001.43, 1011.60, 1012.22, F.S.**

**HISTORY:**

**ADOPTED: 12/12/95**  
**REVISION DATE(S): 05/07/02, 1/3/06, 10/21/08**  
**FORMERLY: 6.124**

**NOTES:**

# **Policy 7.52\***

**TRAVEL EXPENSE REIMBURSEMENT**

**7.52\***

- I. Travel expenses incurred by employees or other authorized persons involved in conducting School Board business may be reimbursed when authorized by the Superintendent or his/her designee or the Board based on Section 112.061. The mileage reimbursement rate for all in-county and out-of-county travel, using a private vehicle, shall be at the rate established by the Internal Revenue Service for each calendar year.
- II. The expenditure of public funds for travel shall be consistent with the provisions of Florida Statutes.

**STATUTORY AUTHORITY:**

**1001.42, F.S.**

**LAW(S) IMPLEMENTED:**

**112.061, 1001.39, 1001.43, 1011.09, F.S.**

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

**6A-1.056**

**HISTORY:**

**ADOPTED: 08/21/01**  
**REVISION DATE(S): 04/20/04, 01/29/07, 09/01/09**  
**FORMERLY: 6.105**

**NOTES:** \_\_\_\_\_

~~**Refer to: Financial Services Procedures Manual Section 12.8**~~

# **Policy 7.53**



## EXPENDITURES FOR FRINGE BENEFITS FOR EMPLOYEES

7.53

The Superintendent is authorized to provide for fringe benefits as provided herein. When specifically provided, funds may be expended to cover all or a part of the cost of such benefits.

- I. Retirement: Any employee who is appointed to a full-time or part-time regularly established position shall be a member of the Florida Retirement System, unless specifically excluded on the basis of chapter 22B-1.04, Rules of the Florida Retirement System. The School System shall make all contributions to the Retirement System at the rates established by law.
- II. Social Security: Any employee who participates in the Florida Retirement System shall participate in the federal Social Security Program. The School System shall make the required employee matching contributions at the rates prescribed by federal law. All ~~part-time non-appointed~~ employees shall be enrolled in a social security alternative program.
- III. Medicare: ~~Any All employees who fills a temporary position for less than four consecutive months, and is thereby ineligible for the Florida Retirement System,~~ shall ~~belong to participate in~~ the federal Medicare System. The School System shall make the required employer matching contributions at the rates prescribed by federal law.
- IV. Worker's Compensation: All employees of the School System are protected against costs of injury or disability arising out of or in the course of their employment, pursuant to the Worker's Compensation law.
  - A. The School Board shall be self-insured for the purpose of complying with the Worker's compensation law, and shall contract with an administrator for determination of eligibility, payment of medical and related expenses, and payments for disability to the employee.
  - B. Any employee who is injured on the job shall file a report of injury within a period of twenty-four hours ~~with his/her cost center head~~. Each employee also has the responsibility to report any unsafe conditions on School Board property to the ~~Supervisor of Health and Safety Facilities~~ Safety Officer, and to report any unsafe vehicle conditions to the Transportation Safety Officer.
  - C. The School Board reserves the right to specifically name all health care providers which may be utilized by employees for treatment or care. An exception may be made for treatment for bona fide emergencies, when the nearest emergency treatment facility is used.
  - D. Any employee or other person who fraudulently claims a worker's compensation injury shall be subject to dismissal ~~in accordance with~~

## CHAPTER 7.00 - BUSINESS SERVICES

~~Section 440.37, Florida Statutes~~, and shall also be subject to criminal penalties in accordance with ~~Sections 775.082, 775.083, and 775.084~~, Florida Statutes.

- V. Hospitalization Insurance: The School System shall provide and pay for the costs of hospitalization insurance coverage for all full-time employees of the board, working at least 20 hours per week, pursuant to Section 112.08, Florida Statutes.
- A. Each full-time board appointed employee shall be afforded the opportunity to purchase spouse and/or family coverage at his individual expense.
  - B. Pursuant to Section 112.0801, Florida Statutes, retirees of the School System shall retain rights to participate in all insurance plans offered active employees. Such participation shall be at the retiree's expense. At time of retirement, each employee shall be notified of his right to continue participation in the Board's insurance programs. The employee must be participating in the benefit, prior to retirement, to continue the benefit in retirement.
- VI. Cafeteria Plan: A cafeteria plan shall be provided for all full-time board appointed employees working at least 20 hours per week. The School Board reserves the right to name the administrator of the Plan.
- A. The School Board reserves the right to discontinue the provision of a cafeteria plan if Internal Revenue code changes disallow cafeteria plans, or substantially change the provisions of the cafeteria plan. The School Board shall not be liable for any damages as a result of any negative Internal Revenue Service ruling regarding the tax exempt status of the cafeteria plan.
- VII. Continuation of Health Benefits: Effective January 1, 1987, all employees and/or dependents who participate in the hospitalization plan (including a Health maintenance Organization) offered by the School Board shall be eligible for the continuation in health benefits as provided by Public Law 99-272, title X, otherwise known as the "Consolidated Omnibus Budget Reconciliation Act (COBRA)." The only exception to continuation of benefits is for an employee who may be terminated for gross misconduct. The continuation of health benefits under this provision shall be at the expense of the employee or dependent, based on the group rate established for regular employees of the School Board.
- A. This extension of health benefits shall be offered the employee and/or his dependents when one or more of the following conditions exist:
    - 1. Termination of the employee (except for gross misconduct);
    - 2. Death of the employee;

## CHAPTER 7.00 - BUSINESS SERVICES

3. Employee becomes eligible for Medicare;
4. Divorce or separation of the employee;
5. A child of the employee loses dependent status as per the provisions of the health plan; or
6. The employees working hours are reduced so the employee is no longer eligible for hospitalization.

B. Upon any status change, as noted in (a) above, the employee or applicable dependent shall be notified by letter of the right to continue coverage as provided by law.

VIII. Life Insurance: The School Board shall provide life insurance in the amount of ~~\$50,000~~ established in its Collective Bargaining Agreement(s) for all board appointed full-time employees working at least 20 hours per week. The Board reserves the right to name the insurance carrier or to self-insure the life insurance program.

### STATUTORY AUTHORITY:

1001.41(2); 1001.42, F.S.

### LAWS IMPLEMENTED:

121; 440; 112.08; 112.10; 112.11; 112.0801;  
112.0804;  
112.0805; ~~1001.40~~; — 1012.69

F.S.

### HISTORY:

ADOPTED: 08/21/01  
REVISION DATE(S): 02/07/12, 07/21/15  
FORMERLY:

6.120

### NOTES:

# **Policy 7.60\***

## CHAPTER 7.00 - BUSINESS SERVICES

### AUDITS

7.60\*

- I. District Audits.
  - A. Periodic audits shall be made of the accounts records, financial practices, and program elements of the District pursuant to Florida Statutes and State Board of Education rules.
  - B. The School Board may select an independent auditor to perform audit(s) of the District when the Auditor General advises an audit will not be completed within the twelve (12) month period immediately following the fiscal year or if otherwise deemed needed by the School Board.
    1. Selection of the financial auditor shall be pursuant to provisions in ~~Section 11.45~~, Florida Statutes. Other auditors may be selected as permitted by law.
    - ~~2. The certified public accountant who coordinates the financial audit shall have completed twenty four (24) hours of in service training in government or governmental auditing as approved by the Board of Accountancy within the last three (3) years.~~
    - ~~32.~~ At the conclusion of the audit field work, the preliminary findings shall be discussed with the Superintendent or designee. The auditor's comments shall reflect items which are intended to be included in the final audit report.
- II. Audits of Internal Accounts
  - A. ~~Each principal shall report in writing to the auditor of internal accounts within ten (10) days of receiving an audit report. The written report shall address the audit report and any discrepancies cited therein. All schools' internal accounts shall be audited annually by an independent certified public accounting firm. The auditor's comments shall reflect items which are intended to be included in the final audit report.~~
  - B. The Superintendent may direct an audit of a school's internal accounts without prior notification. Such audits may be conducted by a School Board employee or an independent certified public accounting firm.
- III. Non-financial audits shall be conducted by persons or entities qualified to conduct audits of the program, functions, or service to be audited.
- IV. Results of all audits shall be provided to the School Board for information and appropriate action consistent with law, if action is required.

**CHAPTER 7.00 - BUSINESS SERVICES**

**STATUTORY AUTHORITY:** 1001.41(2); 1001.42, F.S.

**LAWS IMPLEMENTED:** 11.45; ~~218.390~~; ~~218.391~~; 1001.42; 1001.43; ~~1008.35~~;  
~~1008.35~~; 1010.04; 1010.06; 1010.07, 1010.30, F.S.

~~**STATE BOARD OF EDUCATION RULE:** 6A-1.087~~

**HISTORY:** ADOPTED: 08/21/01  
REVISION DATE(S): 11/06/01  
FORMERLY: 6.209

**NOTES:**

# **Policy 7.61+**

## CHAPTER 7.00 - BUSINESS SERVICES

### ENERGY CONSERVATION POLICY

7.61+

The School Board of Sarasota County, is responsible to insure that every effort is made to conserve energy and natural resources while exercising sound financial management and providing a secure, safe, and healthy environment for students, staff and visitors on all school campuses.

- I. The implementation of this policy is the joint responsibility of the board members, administrators, teachers, students and support personnel and its success is based on cooperation at all levels.
- II. The district will maintain accurate records of energy consumption and cost of energy and will provide information to the School Board on the goals and progress of the energy conservation program.
- III. The principal will be accountable for energy management on his/her campus with energy audits being conducted and conservation program outlines being updated. Judicious use of the various energy systems of each campus will be the joint responsibility of the principal and head custodian to ensure that an efficient energy posture is maintained on a daily basis.
- IV. To ensure the overall success of the energy management program, the following specific areas of emphasis will be adopted:
  - A. Every student and employee will be expected to contribute to energy efficiency in our district. Every person will be expected to be an "energy saver" as well as an "energy consumer."
  - B. Effective immediately, all unnecessary lighting in unoccupied areas will be turned off. All lights not related to safety and security will be turned off when students and teachers leave school. Custodians will turn on lights only in the areas in which they are working. The location and run time of all designated security lighting will be determined by the District following consultation with Energy Education and the Chief of School Police/Director of Safety, Security & Emergency Management.
  - C. Energy management on his/her campus will be ~~taken into consideration as a part of the principal's annual evaluation~~ discussed with the principal annually.
  - D. The head custodian at each school will be responsible for a complete and total shutdown of the facility when closed each evening given local health and safety limitations.
  - E. ~~Within sixty (60) days, administrative guidelines will be adopted that will be the "rules of the game" in implementing our energy program.~~
- V. The School Board bears responsibility for the best use of tax dollars.
- VI. Public education can provide leadership in developing a realistic energy ethic and awareness of energy needs and costs.
- VII. The School Board of Sarasota County directs the superintendent and/or his/her agents to develop short and long range strategies in the areas of facilities



## CHAPTER 7.00 - BUSINESS SERVICES

management and curriculum development dealing with energy awareness and conservation.

**STATUTORY AUTHORITY:** 1001.41; 1001.42, F.S.

**LAWS IMPLEMENTED:** 1001.42, 1001.43(4),  
F.S.

**HISTORY:** **ADOPTED:** 08/21/01  
**REVISION DATE(S):** 01/16/07  
**FORMERLY:** 6.519

**NOTES:**

# **Policy 7.70\***

## CHAPTER 7.00 - BUSINESS SERVICES

### **PURCHASING AND ~~BIDDING COMPETITIVE SOLICITATIONS~~ 7.70\***

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The Superintendent or designee shall be responsible for all purchases of materials, equipment, and services from District school funds. Only persons authorized by the Superintendent or School Board rules may make any purchase involving the use of school funds. Unauthorized expenditures shall not be approved by the School Board. The following provisions shall govern purchasing and bidding procedures other than for capital projects that are covered by separate Board rules. "Bids" shall refer to Invitations to Bid, Requests for Proposal or Invitations to Negotiate. "Bidder" shall refer to bidder, proposer or negotiator.

The District will avoid acquisition of unnecessary or duplicative items. Consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

- I. Authorization to Execute Purchase Orders - The Director of Materials Management or other designees of the Superintendent shall be authorized to sign purchase orders.
- II. Requirements for Competitive Bids - Except as authorized by law or rule, competitive solicitations shall be requested from three (3) or more sources for any authorized commodities or contractual services exceeding \$50,000. A particular item or group of similar items which is anticipated to exceed the provisions of State Board of Education rules during the fiscal year shall be subject to the bid requirements as described herein.
  - A. Contractors that participate in the development or drafting of specifications, requirements, statements of work, or invitations for bids or requests for proposals shall be excluded from competing for such procurements.
  - B. The non-Federal entity must conduct procurements, when paid for from Federal funds, in a manner that prohibits the use of the statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws.
  - C. Authorization for the Use of Procurement by Noncompetitive Solicitation in addition to State Rules, when paid for from Federal funds
    1. A contract for commodities or contractual services may be awarded without competitive solicitations if the Federal awarding agency or pass-through entity expressly authorizes noncompetitive solicitations in response to a written request from the non-Federal entity.

## CHAPTER 7.00 - BUSINESS SERVICES

- III. Bid Receipt, Opening, and Tabulation - Sealed bids shall be received in the Purchasing Office at the time and date designated in the request for bids. All bids shall be opened publicly in the presence of at least two (2) School Board employees.

The bid tabulation shall be signed by the Director of Materials Management or other designated person and the other School Board employee in attendance. Bids received after the designated time shall not be accepted or considered.

- IV. Award of Bids - Each bid shall be awarded on the basis of the lowest and best bid which meets specifications with consideration being given to the specific quality of the product, conformity to the specifications, suitability to school needs, delivery terms and service, and past performance of the vendor. Samples of products may be requested when practical. The School Board shall reserve the right to reject any and all bids.
- V. Public Inspection of Bids - Sealed bids, proposals or replies in response to a competitive solicitation shall be exempt from public inspection or copying as provided in §119.071, F.S. When documents are no longer exempt, they may be inspected and copied. The fee for photocopying shall be in accordance with the School Board rule 3.51, Copying of Public Records. Original bids and quotations and the transmittal envelopes shall not be removed from the Purchasing Office.
- VI. Award to Other Than The Low Bidder - Any bid recommendation other than the low bid shall be accompanied by a written statement signed by the Director of Materials Management or other designated agent giving the reasons and justification for such action as provided herein. Single or combination items may be considered in determining the recommendation. This award criteria does not apply to Requests for Proposal or Invitations to Negotiate. The School Board may remove the name of any firm which has proven to be unreliable or unqualified from the bid list.
- VII. Bid Withdrawal - A bidder may withdraw a bid before the designated time for opening bids by submitting a written request to the Director of Material Management and identifying the reason(s) for the desired bid withdrawal. A bidder shall not be permitted to withdraw a bid for any reason after the designated time for opening bids unless mutually agreed upon by both parties.

- VIII. Emergency ~~Situations Purchases~~ - ~~Occasionally, situations arise which necessitate immediate action in order to ensure the health and safety of students and staff, or to keep a facility in operation. In such cases, at the determination of the Superintendent, the normal procedures may be waived and all Board members will be notified of such action as soon as practicable. The Purchasing Office shall be required to make contacts to request quotations, determine availability and ability to deliver services or products in a timely manner. All such contacts must be documented. The Superintendent shall be given all facts relating to the problem and a recommendation for the purchases necessary to resolve the problem. Upon the Superintendent's or designee's approval, the~~

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## CHAPTER 7.00 - BUSINESS SERVICES

~~lowest and best bidder will be given authorization to proceed. A formal tabulation, giving complete details and justification, shall be submitted in a timely manner to the School Board for ratification. The requirements for competitive solicitations may be dispensed with for the emergency purchase of commodities or contractual services when the Superintendent determines in writing that an immediate danger to the public health safety or welfare or other substantial loss to the District requires emergency action. After the Superintendent makes such a written determination, the Purchasing Department may proceed with the procurement of commodities or contractual services necessitated by the immediate danger, without requesting competitive solicitations. However, such an emergency purchase shall be made by obtaining pricing information from at least two prospective vendors, which must be retained in the contract file, unless the Superintendent determines in writing that the time required to obtain pricing information will increase the immediate danger to the public health, safety, or welfare or other substantial loss to the District.~~

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- IX. Requisitions - Each purchase utilizing a purchase order shall be based upon a requisition originating from the principal or District department head. Each requisition or contract shall be properly financed, budgeted, and encumbered prior to issuing a purchase order. Under extreme emergencies, the Director of Materials Management or designee may grant permission for a purchase without a requisition; provided, however, any emergency purchase shall be followed immediately with an emergency requisition. A purchase shall not precede a requisition except under emergency conditions.
- X. Quotations for Purchases Below the Formal Bid Threshold – Written quotations for purchases of at least ten percent (10%) to one hundred percent (100%) of the bid threshold established by State Board of Education rules shall be solicited from at least three (3) sources.
- A. Additional Requirements for Quotations for Purchases Below the Formal Bid Threshold Paid for From Federal Funds
1. Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (2 CFR 200.67). Micro-purchases for commodities and services under this threshold, shall be distributed equitably, (when practical), among qualified suppliers without soliciting competitive quotes if the Superintendent considers that the price is reasonable.
  2. Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, and other property that exceed the micro-purchase threshold (2 CFR 200.67), but do not exceed ten percent (10%) of the bid threshold established by State Board of Education rules. Small purchase procedures require that price or rate quotations be obtained from an adequate number of qualified suppliers).

## CHAPTER 7.00 - BUSINESS SERVICES

- XI. Subject to provisions of law, the Superintendent may authorize purchases based upon bids approved by the ~~state~~ State of Florida, or other government agencies.
- XII. Acquisition of Professional or Educational Services - The Superintendent is authorized to contract for professional or educational services to complete projects or activities authorized or approved by the School Board.
- A. Selection of an architect, professional engineer, landscape architect, or land surveyor to perform professional services for a School Board project shall be in accordance with the School Board rule entitled, "Selecting Professional Services."
- B. Contracts or commitments exceeding limits established by State Board of Education rule for educational services or professional services shall be approved by legal counsel and the School Board prior to execution.
- XIII. Conflict of Interest - The following provisions shall apply for conflict of interest. Any violation of these provisions by a School Board employee may be grounds for dismissal.
- A. No contract for goods or services may be made with any business organization in which:
1. The Superintendent or School Board member has any financial interest of five percent (5%) or more;
    - a. The five percent (5%) rule does not apply when paid for from Federal Funds: No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.
  2. A spouse or child of the Superintendent or School Board member has an employment relationship or material interest as defined by Florida Statutes; or,
  3. A School Board employee has an employment relationship or material interest as defined by Florida Statutes.
- B. No School Board employee may directly or indirectly purchase or recommend the purchase of goods or services from any business organization in which his/her spouse or child has a material interest as defined by Florida Statutes.
- C. School Board employees or officials may not use bid prices or school prices or receive gifts or any preferential treatment in making personal

**CHAPTER 7.00 - BUSINESS SERVICES**

purchases. A School Board employee shall not be prohibited from participating in any activity or purchasing program that is publicly offered to all School Board employees or in District surplus sales provided there is no preferential treatment.

D. Nothing in this section prevents any individual from participating in and being awarded a purchase or competitive solicitation as permitted by Florida Statute.

XIV. The School Board of Sarasota County, Florida, will receive and give consideration to the prices available to it through the use of the program for on-line procurement of commodities and contractual services as referenced in section 287.057(23)(a) (22), under the rules of the Department of Management Services, Division of Purchasing.

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XV. Purchasing Cards – The Superintendent or designee is authorized to issue procedures governing the use of purchasing cards and to delegate authority to individuals to make purchases using the cards.

XVI. ~~Contract Cost and Price—The following provisions apply for procurement actions that exceed the Simplified Acquisition Threshold paid for from Federal funds.~~

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A. ~~The District will perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, however, independent estimates will be made prior to receiving bids or proposals.~~

B. ~~For procurement actions where there is no price competition or when a cost analysis is performed, the District will negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.~~

**STATUTORY AUTHORITY:** 1001.41, 1001.42, F.S.

**LAW(S) IMPLEMENTED:** 112.312, 119.071, 120.57, 212.0821, 255.04, 274.02, 287.017, 287.057, 1001.421, 1001.43, 1010.01, 1010.04, 1013.47, F.S.

**STATE BOARD OF EDUCATION RULE(S):** 6A-1.012, 6A-1.0862, 6A-1.087, 6A-10.081

**STATE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES RULE(S):** 5P-1.003

**CHAPTER 7.00 - BUSINESS SERVICES**

**CODE OF FEDERAL REGULATIONS:**

**2 CFR 200.67,  
2 CFR 200.317-321,  
2 CFR 200.323, 2 CFR 200.326  
2 CFR 200.88, 48 CFR 2.101**

**HISTORY:**

**ADOPTED: 08/01/03  
REVISION DATE(S): 12/09/03, 04/03/07, 05/06/08, 10/25/11,  
02/07/12, 12/07/24/12, 12/12/16, 06/20/17  
FORMERLY: 6.101, 6.205**

**NOTES:**



# **Policy 7.701**

**RESOLUTION OF PROTESTS FROM THE CONTRACT BIDDING  
PROCESS**

**7.701**

The following procedures shall govern the resolution of protests from contract bidding procedures prior to initiation of formal or informal proceedings pursuant to Chapter 120, Florida Statutes.

- I. The School Board encourages fair and prompt resolution of all disputes with the business community. In order to resolve disputed matters in an equitable manner, the following procedures are adopted.
  - A. Notice of an intended decision shall be given by posting the bid tabulation at the location where the bids were opened and on the School District's website. This notice shall contain the following statement: "Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the protest bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."
  - B. To qualify a protest for consideration, the protester(s) must establish a substantial interest in the outcome of the protest. The next bidder, who, but for the successful bidder, would have been the successful bidder, is hereby deemed to have such a substantial interest. If the protester does not have a substantial interest in the outcome of the protest, it will be administratively dismissed. If doubt exists whether the protester has standing to protest, his/her standing to challenge the successful bidder will be determined by the School Board's representative.
- II. Any person who is adversely affected by the School Board's intended decision shall file with the School Board a notice of protest, in writing, within seventy-two (72) hours, excluding Saturdays, Sundays, and legal holidays, after the posting of the bid tabulation and a formal written protest within ten (10) days after the date the notice of protest was filed.
  - A. Any protest involving the specifications, the terms and conditions and any other aspect of the invitation to bid or request for proposal must be filed, in writing, within seventy-two (72) hours, excluding Saturdays, Sundays, and legal holidays, after the receipt of notice of the project plans and specifications or intended project plans and specifications in an invitation to bid or request for proposal. The formal written protest shall be filed within ten (10) days after the notice of protest is filed.
  - B. Failure to file a notice of protest within the time prescribed in Florida Statutes, or failure to post the protest bond or other security required by law within the time allowed for filing a bond, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

## CHAPTER 7.00 - BUSINESS SERVICES

- C. Only the reasons identified in the initial formal written protest shall be heard in each step of the protest resolution process. Failure to file a formal written protest shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Protests are to be filed with the Purchasing Office and a telegraphic or facsimile notice of the formal written protest will not be accepted.
- D. The formal written protest shall state with particularity the facts and law upon which the protest is based. The formal written protest shall contain the bid title, the name and address of the protesting party and the title or position of the person submitting the protest, a statement of the facts alleged and the rules, regulations, statutes, and constitutional provisions entitling the protesting party to relief, and a statement indicating the relief sought by the protesting party.
- III. Upon receipt of a formal written protest which has been timely filed, the School Board shall stop the bid solicitation process or the contract award process until the subject of the protest is resolved unless the School Board's representative sets forth in writing particular facts and circumstances which require the continuance of the bid solicitation process or the contract award process without delay to avoid an immediate and serious danger to the public health, safety or welfare.
- A. Cost Deposit - The protesting party shall deposit an amount equal to one percent (1%) of the estimated contract value in the form of a protest bond, cashier's check or money order made payable to The School Board of Sarasota County, Florida, no later than the deadline for filing of the formal written protest. This provision does not apply to matters arising under subsection B. below:
1. Said amount shall be deposited with the Director of Materials Management to defray the costs incurred in considering the protest; and
  2. Said amount shall be recovered, without interest, if the protesting party should prevail.
- B. Bond - Pursuant to Section 255.0516, Florida Statutes, with respect to protests relating to educational facilities or public buildings, the protester shall be required to post a protest bond amounting to:
1. Twenty-five thousand dollars (\$25,000.00) or two percent (2%) of the lowest accepted bid, whichever is greater, for projects valued over five hundred thousand dollars (\$500,000.00); ~~and/or~~
- ~~Five-five~~ percent (5%) of the lowest accepted bid for all other projects; ~~conditioned on payment of costs and fees which may be adjudged against the protester.~~

## CHAPTER 7.00 - BUSINESS SERVICES

2. Said bond shall be submitted to the Director of Materials Management.
- C. Failure to comply with the bond/security requirements stated herein shall be deemed as a nonconforming protest and shall not be heard.
- IV. The School Board, on its own initiative or upon the request of a protester, shall provide an opportunity to resolve the protest by mutual agreement between the protester and the School Board's representative within seven (7) days, excluding Saturdays, Sundays, and legal holidays, after receipt of a formal written protest, unless both parties agree to a later date.
  - A. If the subject of a protest is not resolved by mutual agreement within seven (7) days, excluding Saturdays, Sundays, and legal holidays, after receipt of the formal written protest, and if there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to Florida Statutes.
  - B. If the subject of a protest is not resolved by mutual agreement within seven (7) days, excluding Saturdays, Sundays, and legal holidays, after receipt of the formal written protest, and if there is a disputed issue of material fact, the School Board shall refer the matter to the Division of Administrative Hearings of the Department of Administration for a formal hearing pursuant to Florida Statutes.
- V. All documents required or permitted to be filed pursuant to this section shall be deemed filed when received by the Purchasing Office during normal business hours (8:00 a.m. to 4:30 p.m.). Any document received after 4:30 p.m., shall be filed as of 8:00 a.m. on the next regular business day.
- VI. In a competitive procurement protest, no submissions made after the bid or proposal opening amending or supplementing the bid or proposal shall be considered. Unless otherwise provided by statute, the burden of proof shall rest with the party protesting the proposed School Board action.

### STATUTORY AUTHORITY:

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

### LAW(S) IMPLEMENTED:

**120.53, 120.57, 255.0516, F.S.**

### HISTORY:

**ADOPTED: 08/21/01**  
**REVISION DATE(S): 05/20/03, 01/27/06**  
**FORMERLY: 6.10**

### NOTES:

# **Policy 7.702**

## CHAPTER 7.00 - BUSINESS SERVICES

### PROCUREMENT CODE OF CONDUCT

7.702

- I. This written code of conduct shall govern the performance, behavior and actions of School Board members, employees, volunteers or agents who are engaged in any aspect of procurement, including but not limited to, purchasing goods and services, award of contracts and grants, or the administration and supervision of contracts supported entirely or in part by USDA National School Lunch Program (NSLP) funds.
- II. No employee, volunteer or agent of the district shall participate in the selection, award or administration of a bid or contract if a conflict of interest is real or apparent to a reasonable person. Conflicts of interest may arise when any employee, volunteer or agent of the district has a financial, family or any other beneficial interest in the vendor firm selected or considered for an award.
- III. No employee, volunteer or agent of the district shall do business with, award contracts to, or show favoritism toward a member of his or her immediate family, spouse's family or to any company, vendor or concern who either employs or has any relationship to a family member, or award a contract or bid which violates the spirit or intent of federal, state and local procurement laws and policies established to maximize free and open competition among qualified vendors.
- IV. The district's employees, volunteers or agents shall not accept directly or indirectly, anything of value including, but not limited to, gifts or gratuities, loans, rewards, promises of future employment, favors, or services valued at more than \$25 from present or potential vendors ~~or potential vendors~~ which might influence or appear to influence purchasing decisions.
- V. As permitted by law, rule, policy or regulation, the district shall pursue appropriate legal, administrative or disciplinary action against an employee, volunteer, vendor or vendor's agent who is alleged to have committed, has been convicted of or pled no contest to a procurement related infraction. If said person has been convicted, disciplined or pled no contest to a procurement violation, said person shall be removed from any further responsibility or involvement with grants management, procurement actions or bids, consistent with School Board, state or federal policy.

**STATUTORY AUTHORITY:**

**1001.41, F.S.**

**LAW(S) IMPLEMENTED:**

**1001.42, F.S.**

**HISTORY:**

**ADOPTED: 06/01/04**  
**REVISION DATE(S):**  
**FORMERLY: NEW**

**NOTES:**

# **Policy 7.71**

## CHAPTER 7.00 - BUSINESS SERVICES

### SELECTION POLICY FOR PROFESSIONAL CONSTRUCTION RELATED SERVICES

7.71

#### I. Introduction

- A. Purpose - The Professional Services Selection Committee (Committee) is designated by The School Board of Sarasota County, Florida (Board) to select companies to provide professional construction related services. These services include, but are not limited to, architectural, engineering, landscape architecture, land surveying, testing laboratories, construction management and design/build, which services will be provided either for single specific projects or based on continuing contracts.
- B. Solicitation of Applicants - The Board encourages interested parties to apply for providing professional construction related services for Sarasota County School Board projects. Prior to January 1<sup>st</sup> each year, the Board shall solicit applicants to provide professional construction related services as per Section I.A. The Committee shall review the applicants' credentials and submit a list of acceptable applicants to the Superintendent of Schools (Superintendent) or his/her Designee for Board approval as certified to provide professional construction related services. Applicant companies may be added or deleted from this list at any time subject to Board certification.

#### II. Committee

- A. Membership - The membership of the Committee shall consist of the following:

Seat 1 Director – Construction Services (or Administrative

Designee) Seat 2 Director – Facilities Services (or Assistant  
Director)

Seat 3 Building Code Administrator – Construction  
Services (or Administrative  
Designee)

Seat 4 Project Manager – Construction Services (or Facilities

Services) Seat 5 Executive Director of Elementary Education (or  
Administrative



## CHAPTER 7.00 - BUSINESS SERVICES

Designee) – or –

Executive Director of Middle School Education

(or Admini

Executive Director of High School Education (or

Administrative Designee)

- B. Orientation - The Chairperson shall meet separately with new Committee members to review the items on the Awareness Sheet (substantially as in Appendix A).
- C. Terms - All members shall have perpetual membership.
- D. Officers - The Director of Construction Services shall convene the meetings and serve as Chairperson (Chairperson), or in case of his absence, his administrative designee shall serve as Chairperson.
- E. Administrative Procedures - The Committee may adopt additional administrative policies and procedures. *Robert's Rules of Order* shall be the parliamentary authority for all matters of procedure not specifically covered by these policies.
- F. Quorum - A quorum constitutes five (5) Committee members.
- G. Meetings - Committee meetings shall be open to the public and are subject to the Florida government in the sunshine law. Notice of all Committee meetings shall be posted in the Construction Services Department office.
- H. A School Board employee shall be designated by the Chairperson to serve as Committee secretary and shall not be a voting Committee member.
- I. Scoring and Voting - All eligible Committee members shall score and vote. The Committee shall score all sections on the Project Score Sheet (substantially as in Appendix B or Appendix C, whichever is applicable). The Committee shall score in full point increments only. All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results.

### III. Definitions

- A. A "Major Single project" is a single project involving either the construction of a single project, where the basic construction cost of the project is estimated to exceed the threshold amount provided in Florida Statute 287.017 for Category Five, or for a planning or study activity where the fee for professional services for the planning or study activity is estimated to exceed the threshold amount provided in Florida Statute 287.017 for Category Two. A "Major Single project" does not include any individual project ("sub-project") that is assigned under

## **CHAPTER 7.00 - BUSINESS SERVICES**

any continuing contract which has been entered into pursuant to the selection procedures herein applicable to continuing contracts, either for professional services or for design/build.

- B. A "Design/Build Single project" is a single construction project with a design build firm for the design and construction of a single construction project.
- C. A "Professional Services Continuing Contract" is a contract, or more than one contract, for professional services entered into between one or more professional services firms and the Board whereby the professional services firms each agree to be contractually available, on a non-exclusive basis, to provide professional service to the Board for projects in which the estimated construction cost of each individual project under the contract does not exceed the monetary threshold established in Florida Statutes for individual projects, or for study activity if the fee for professional services for each individual study does not exceed the monetary threshold established in Florida Statutes for study activity. The contracts will be for a fixed period of time and will specify the manner in which each individual sub-project will be assigned and how an individual contract, or purchase order, will be entered as to each individual sub-project after it is assigned.
- D. A "Design/Build Continuing Contract" is a contract, or more than one contract, for design/build services entered into between one or more design/build firms and the Board whereby the design/build firms each agree to be contractually available, on a non-exclusive basis, to provide design/build services to the Board for projects in which the estimated construction cost of each individual project under the contract does not exceed the monetary threshold established in Florida Statutes for individual projects, or for study activity if the fee for services for each individual study does not exceed the monetary threshold established in Florida Statutes for study activity. The contract will be for a fixed period of time and will specify the manner in which each individual sub-project will be assigned and how an individual contract will be entered as to each individual sub-project after it is assigned.

### **IV. Selection Procedures**

A. Selection Criteria - The Committee shall advertise, short-list, and as deemed necessary, conduct interviews on Major Single projects, Design/Build Single projects and for all instances in which Professional Services Continuing Contracts or Design/Build Continuing Contracts will be issued.

B. Advertisement - Each Major Single project, each Design/Build Single project and each instance in which continuing contracts, either Professional

## **CHAPTER 7.00 - BUSINESS SERVICES**

Services or Design/Build, shall be issued, shall be identified by name in an advertisement, with an indication of either the probable cost or professional fee range, and the general scope of services. To advertise means to publicly announce at least one (1) time in at least one (1) designated newspaper for each project or group of projects and to send a copy of such advertisement to each company which has been Board certified. Copies of such advertisement may be sent to companies which are not currently Board certified, but may have particular interests in the project being advertised.

C. Mandatory Pre-application/Pre-submission Meeting - A mandatory pre-application/pre-submission meeting will be held, at a designated location, to review the requirements of the Application or the Statement of Qualifications, whichever may be applicable. All companies interested in submitting an Application or a Statement of Qualifications, whichever may be applicable, are required to attend this meeting and any company not attending will not be considered for selection.

D. Application or Statement of Qualifications - Except as may otherwise be specified in the legal advertisement, for Major Single projects and for instances in which Professional Services Continuing Contracts will be issued, the Committee shall use the Sarasota County School Board Professional Qualification Supplement (PQS) (substantially as in Appendix E for Architects/Consultants/Engineers or Appendix F for Construction Managers) to serve as a portion of the application package to be completed by each applicant company. The Chairperson may modify Exhibit E or F for each selection process as needed to solicit the information most appropriate for the evaluation of applications. Additional information and/or documentation as per the legal advertisement shall complete the application package. Requested data shall comply with Florida Statute. Because consultants can be a major factor in the selection process, an awarded company cannot change any consultant listed in the PQS and/or application package without first receiving the Committee's approval.

For Design/Build Single projects, and for instances in which Design/Build Continuing Contracts will be issued, all firms desired to be considered by the Committee shall submit a Statement of Qualifications in accordance with the advertisement for said project.

E. Cone of Silence – To foster fair and open competition throughout the selection process, all firms who attend the mandatory pre-application/pre-submission meeting shall communicate solely through the Director of the Construction Services Department or the designee noted in the mandatory pre-application/pre-submission meeting. Such communication restrictions start at the mandatory pre-application/pre-submission meeting and terminates seventy-two (72) hours after notification of the rankings are posted. All communications regarding the solicitation will be via email.

## CHAPTER 7.00 - BUSINESS SERVICES

Violation(s) of the above mentioned paragraph may be cause for immediate disqualification of the responsible company or individual, subject to a right to appeal or administrative hearing.

### F. Short-listing -

1. For all Major Single Projects, Professional Services Continuing Contracts, and Design/Build Continuing Service Contracts, applications received after the deadline cited in the public notice/advertisement will not be considered. Columns A-E are utilized by the Committee to construct a short-list. Companies will be ranked based on a total number of points gained from columns A-E. Prior to Short-listing, Columns A and B on the Major & Continuing Contract Project Score Sheet (substantially as in Appendix B) shall be completed administratively. The Committee shall convene to review the applications and score applications on the Major & Continuing Contract Project Score Sheet (substantially as in Appendix B). Information provided by companies to the Committee shall be translated into a scoring system as indicated herein. Committee members shall individually score Columns C, D and E for each applying company. All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results. The average score is the official score. The total average scores of columns A, B, C, D, and E shall be each company's official score for the purpose of short-listing the applicants. The following categories shall be used by the Committee to develop a short-list:

<u>Column</u>	<u>Category</u>	<u>Score Range</u>
A	Minority Company	0 or 1
B	Location	1 - 5
C	Team Qualifications	1 - 15
D	List of Projects	1 - 10
E	Related Experience	1 - 20

Column A – The applicant receives a “1” (one) point entry if the company is a certified Minority Business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985. Any other applicant receives a “0” (zero) point entry.

Column B – Points obtained from the Location Rating Table in Appendix G.

Column C – Points obtained by evaluating information contained in the Team Qualifications section of the PQS.

Column D – Points obtained by evaluating information contained in the List of Projects section and/or from submitted references with similar projects, as cited on the PQS.

## **CHAPTER 7.00 - BUSINESS SERVICES**

Column E – Points obtained by evaluating information contained in the Related Experience section of the PQS.

Those companies short-listed shall be deemed as acceptable to provide the professional construction related services required for the specific project, *i.e.*, should the Committee deem appropriate or the scope and/or estimated cost of the project require interviews, or a contract not be successfully negotiated, any of those companies short-listed would be acceptable to provide the professional construction related services required for the specific project.

For projects or continuing contracts with estimated construction costs under the threshold amount established by Florida Statutes or design or consulting fees under the threshold amount established by Florida Statutes, the Committee shall vote to interview. If the Committee elects to interview, the Committee shall vote to determine the number of highest ranked companies to interview. If the Committee elects not to interview, the three (3) highest ranked companies shall be submitted to the Superintendent or his/her Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval. For projects or continuing contracts with estimated construction costs in excess of the threshold amount established by Florida Statutes or when design or consulting fees are in excess of the threshold amount established by Florida Statutes, the Committee must interview and shall vote to determine the number of highest ranked companies to interview.

2. For Design/Build Single Projects, Statements of Qualifications received after the deadline cited in the public notice/advertisement will not be considered. Statements of Qualifications will be evaluated by the Design Criteria Architect and reviewed by the Professional Services Selection Committee. Columns A-F are utilized by the Committee to construct a short-list. Entities will be ranked based on a total number of points gained from Columns A-F. Prior to Short-listing, Columns A and B on the Design/Build Score Sheet (substantially as in Appendix C) shall be completed administratively. The Committee shall convene to review the submitted documents and score submissions on the Design/Build Score Sheet (substantially as in Appendix C). Information provided by companies to the Committee shall be translated into a scoring system as indicated herein. Committee members shall individually score Columns C, D, E, and F for each applying entity. All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results. The average score is the official score. The total average scores of Columns A, B, C, D, E and F shall be each entity's official score for the purpose of ranking the applicants. The Professional Services Selection Committee will short-list a minimum of three (3)

## CHAPTER 7.00 - BUSINESS SERVICES

entities for further consideration. The following categories shall be used by the Committee to develop a short-list:

<u>Column</u>	<u>Category</u>	<u>Score Range</u>
A	Minority Company	0 or 1
B	Location	1 – 5
C	Layout	1 – 10
D	Organization & Staff	1 – 20
E	Construction Ability	1 – 20
F	Related Experience	1 – 20

Column A – The applicant receives a “1” (one) point entry if the company is a certified Minority Business enterprise as defined by the Florida Small and Minority Business Assistance Act of 1985. Any other applicant receives a “0” (zero) point entry.

Column B – Points obtained from the Location Rating Table in Appendix G.

Column C – Points obtained by evaluating the information contained in Layout section of the Statement of Qualifications.

Column D – Points obtained from evaluating information contained in the Organization Chart and Staff Resumes section of the Statement of Qualifications.

Column E – Points obtained from evaluating information contained in the Construction Ability section of the Statement of Qualifications.

Column F – Points obtained from evaluating information contained in the Related Experience section of the Statement of Qualifications.

G. Interview Criteria - The Chairperson shall advise, as may be applicable, the companies selected for interviews that the Committee will consider their understanding of the project, their philosophical approach to the resolution of the project's challenges and other pertinent considerations regarding the project.

H. Pre-interview Orientation Session - The Chairperson shall arrange a mandatory pre-interview orientation session for all companies short-listed. All companies shall be indoctrinated about the project at the same time by the same person(s).

I. Price/Schedule Proposals for Design/Build Single Projects - Short-listed entities will submit Price proposals. Price proposals will include proposed design, outline specifications, required alternative prices, unit prices and professional service fees. Information will also be required regarding the

## CHAPTER 7.00 - BUSINESS SERVICES

design/build entity's design/construction schedule.

J. Interview Format for Major Single Projects and All Instances in Which Continuing Contracts are to be issued- The order of interviews shall be determined by random selection. The interview shall consist of a presentation period followed by a question and answer period. The length of the presentation period and the question and answer period shall be determined by the Chairperson. It shall be the Chairperson's responsibility to require attendance by only those representative(s), off/for the companies under consideration, who are qualified to participate in a technical presentation at the interview level (*i.e.*, design team, lead architect/engineer, project manager).

K. Interviews/Presentations for Design/Build Single Projects - Price and Schedule proposals will be evaluated by the Design Criteria Architect and reviewed by the Professional Services Selection Committee. Design/Build entities will be required to make presentations to the Committee. The Chairperson shall determine the format of the presentations. The order of presentations shall be determined by random selection. It shall be the Chairperson's responsibility to require attendance by only those representative(s) for the entities under consideration who are qualified to participate in a technical presentation at the interview level.

L. Interview Scoring for Major Single Projects and all Instances in Which Continuing Contracts are to be issued - Column(s) F-J of the Major Single Project & Continuing Contract Project Score Sheet are utilized by the Committee during the interview process. All companies begin equally for the interview process. Points from Columns A-E do not carry over to interview scoring and all scores are reduced to zero (0).

<u>Column</u>	<u>Category</u>	<u>Score Range</u>
F	Timelines and Cost Control	1 – 20
G	Ability to Perform/Team Strength	1 – 20
H	Interview Rating	1 – 10
I	Problems and Solutions	1 – 20
J	Innovation/Creativity	1 – 10

Column F – Points obtained from evaluating the Timelines and Cost Control portion of the interview/presentation. Timelines is defined as 'timeliness' in the execution of the work to meet the project schedule. Cost control is defined as estimating, project construction cost control and value engineering.

Column G – Points obtained from evaluating the Ability to Perform/Team Strength portion of the interview/presentation. Identify your

**CHAPTER 7.00 - BUSINESS SERVICES**

proposed site staffing noting the strengths of each team member and their area of responsibility.

Column H – Points obtained from evaluating the overall interview and the entire presentation.

Column I – Points obtained from evaluating the Problems & Solutions portion of the interview/presentation. Discuss how your firm would approach the overall project, coordinate activities with the owner, design professional and departments such as education, transportation, technology and food service.

Column J – Points obtained from evaluating innovation and creativity portion of the interview/presentation. Present innovative and creative solutions to issues unique to the project such as new types of materials, methods, scheduling, working on an occupied campus, project access and other thoughtful solutions to project challenges.

A Committee member must be in attendance for the entire interview of all companies to be eligible to score and/or vote. Following Committee discussion, Committee members shall individually score columns F, G, H, I and J for each company interviewed. All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results. The average score is the official score. The average scores of columns F, G, H, I and J shall be each company's official score for the purpose of ranking the applicants.

M. Selection for Design/Build Single Projects- Factors to be considered to evaluate the Presentations of Design/Build entities will be the proposed price and schedule (including alternate prices, unit prices and professional service fees and the proposed design). A Committee member must be in attendance for the entire presentation of all entities to be eligible to score and/or vote. Following Committee discussion, Committee members shall individually score Columns G and H for each entity interviewed.

<u>Column</u>	<u>Category</u>	<u>Score Range</u>
G	Design	1 – 20
H	Price/Schedule	1 – 30

Column G – Points obtained from evaluating the Design portion of the interview/presentation.

Column H – Points obtained from evaluating the Price/Schedule portion of the interview/presentation.



## CHAPTER 7.00 - BUSINESS SERVICES

All score sheets shall be collected by the Committee secretary for tabulation and announcement of the results. The average score is the official score. The total average scores of Columns G and H shall be each company's official score for the purpose of ranking the applicants.

N. Tie Score - In the event of a tie score, the short list scores shall determine the number one ranked firm. If there is a tie in the short list scores, a coin flip conducted by the Director of Constructions Services shall determine the number one ranked firm.

O. Submission of Ranking - For Major Single Projects, the top three (3) ranked companies shall be submitted to the Superintendent or his/her Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval. For instances in which any continuing contracts are to be issued, the top ranked companies, the number of which is determined by the respective advertisement, shall be submitted to the Superintendent or his/her Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval. For Design/Build Single Projects, the top three (3) ranked firms shall be submitted to the Superintendent or his/her Designee on the Project Assignment Sheet (substantially as in Appendix H) for Board approval.

P. Dispute Resolution - If the Superintendent disputes the submitted rankings, the Superintendent or his/her Designee shall schedule a meeting with the Committee to review the Committee's rationale and the Superintendent's or Designee's concerns. The Superintendent or Designee shall then make a recommendation to the Board, accompanied by the Committee's rankings.

If a third party disputes the rankings, the Superintendent or Designee shall schedule a session between the Committee, the complainant(s) and the Superintendent or Designee to review the Committee's rationale and the complainant's concerns. The Superintendent or Designee shall then make a recommendation to the Board, accompanied by the Committee's rankings and a summary of the complainant's concerns.

### Q. Contract Negotiation

1. For Major Single Projects, after Board approval of a Committee selection, the Chairperson, in the presence of at least one (1) additional Committee member, shall commence negotiations as set forth in Florida Statute. Standards of professional services required and terms of agreement shall be developed and utilized as the basis for negotiation. The Board's attorney shall review the agreement as to its legal

## **CHAPTER 7.00 - BUSINESS SERVICES**

form. The Chairperson shall submit the negotiated agreement to the Board for approval.

2. For all Instances in which Continuing Contracts are to be issued, the Chairperson shall commence negotiations in the presence of a least one (1) additional Committee member with all of the Board approved companies. If negotiations are successful with all of the Board approved companies, the Chairperson shall submit continuing contracts with all of those companies to the Board for approval. If negotiations are unsuccessful with any of the companies, the Chairperson shall continue negotiations with additional companies in the order of their competence and qualifications per the score sheet until such time as agreements are reached with the minimum number of companies as specified in the advertisement. The Board's attorney shall review all agreements as to their legal form. The Chairperson shall submit the negotiated agreements to the Board for approval.
  
2. For all Design/Build Single Projects, the Chairperson and one (1) other member of the Professional Services Selection Committee and the Design Criteria Architect will meet with the selected Design/Build Entity in order of ranking to negotiate a design/build agreement and compensation, which is determined to be fair, competitive, and reasonable. In making such determination, an analysis of the cost of the professional design/build services shall be conducted in conjunction with consideration of scope and complexity. If a satisfactory agreement with a Design/Build Entity considered to be the most qualified, at a price determined to be fair, competitive, and reasonable, is not achieved with that company, negotiations will be terminated and negotiations will be undertaken with the next ranked Design/Build Entity. Failing accord with the next Design/Build firm negotiations will be terminated and then negotiations with the next ranked Design/Build Entity will be undertaken, and so on. Should the School District be unable to negotiate a satisfactory contract with any of the ranked Design/Build Entities, the School District may select additional Design/Build Entities in the order of their competence and qualification and continue negotiations until an agreement is reached or the Board may discontinue all negotiations for the project. The Board's attorney shall review all agreements as to their legal form. The Chairperson shall submit the negotiated design/build agreement to the Board for approval.

## CHAPTER 7.00 - BUSINESS SERVICES

R. Project Assignments for All Continuing Contracts - Once an individual sub-project, which is within the scope of an existing continuing contract, is identified and approved for construction or for study activity, the individual sub-project will be submitted to the Director of Construction Services for assignment to one of firms with whom the Board has a continuing contract. The director will endeavor to balance the assigned workloads among the firms to the fairest extent possible. Assignments may be affected by firms past history on a campus, ongoing projects already in place on specific campuses or specialty work best suited to a specific firm.

S. Board Approval of Contracts - All contracts issued for Major Single Projects, Design/Build Single Projects, Design/Build Continuing Contracts, Professional Service Continuing Contracts, and sub-projects, unless specifically exempted below, shall be submitted to the School Board for its approval. With respect to sub-projects, the School Board delegates to the Superintendent or his/her designee the right to enter contracts on behalf of the School Board in the following circumstances:

- (1) Involving projects previously approved by the School Board in the Capital Improvement Budget that do not exceed \$2,000,000;
- (2) Renovation or new construction contracts not specifically listed in the Capital Improvement Budget that do not exceed \$325,000 at school sites or that do not exceed \$150,000 at non-school sites;
- (3) In the event of a bona fide emergency, any project that does not exceed \$2,000,000.

Any time the Superintendent or his/her designee enters into a contract pursuant to subparagraphs 1-3 above, the Superintendent or designee shall immediately notify the School Board.

### V. Review of Policies and Procedures

- A. At least every five (5) years, the Board shall appoint an ad hoc committee to review these policies and procedures for the purpose of ensuring that the best qualified professional service is selected for all Board projects. The ad hoc committee shall not include any current member(s) of the Professional Services Selection Committee.
- B. The Committee shall review the PQS annually.

### VI. Effective Date - These policies are effective upon adoption and supersede all previous policies.

**CHAPTER 7.00 - BUSINESS SERVICES**

**STATUTORY AUTHORITY:**

**1001.41, FS**

**LAW(S) IMPLEMENTED:**

**287.055, 287.057, 1001.43,  
1001.51, 1011.06, 1013.45, F.S.**

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

**6A-2.0010**

**HISTORY:**

**ADOPTED: 08/21/01  
REVISION DATE(S): 10/07/2003, 05/06/2008, 04/07/09, 09/07/10  
FORMERLY: 6.102**

**NOTES:**

**Requires Review: Every 3 years**

**Refer to: 7.71a–Procedures for Selection of Architects and Engineers**

# **Policy 7.72**

ACQUISITION, USE AND EXCHANGE OF SCHOOL BOARD  
PROPERTY

7.72

I. This policy shall apply to all School Board property other than real property which is governed by separate policy.

II. Acquisition -

- A. All property purchased through District funds, internal funds, or donations from outside sources shall be acquired using District purchasing procedures.
- B. All property, including vehicular equipment, shall be under the full control and name of the School Board.
- C. All property with a value consistent with School Board Policy 7.771~~the provisions of this policy manual~~, acquired through internal accounts or donations, shall be reported immediately by the principal or ~~work site supervisor~~ cost center head to the designated property records office on the prescribed forms.
- D. Principals and ~~work site supervisor~~ cost center heads shall be responsible for determining that all property is identified and accounted.

III. Exchange. Each principal and ~~work site supervisor~~ cost center head shall determine the property needs for his / her school or department. The principal or ~~District department~~ cost center head shall declare any property which is not needed, upon approval of the designated property ~~control~~ records office, and may requisition additional property through proper procedures.

- A. Surplus property shall be reported on proper forms to the designated Property Records office which shall be responsible for acquiring and storing the surplus property.
- B. Property items with a value as established in ~~(1II)~~(c) above may be exchanged between ~~and~~ District departments when approval is granted by the designated Property Records office and subsequently by the appropriate District cost center ~~department~~ head. Notification of each approval shall be filed in writing with the designated Property Records office to adjust property records of schools and District departments.
- C. School Board equipment may be used by employees away from School Board property under certain conditions when prior approval is obtained from the principal or District department ~~cost center~~ head. These conditions include familiarization with the equipment for instructional purposes or improvement of job performance.

**CHAPTER 7.00 - BUSINESS SERVICES**

D. School Board equipment shall not be used for gainful outside employment or private use of employees or by any outside group or organization.

~~E. Acquisition of real property is not included under this policy.~~

**STATUTORY AUTHORITY:**

**1001.42, F.S.**

**LAWS IMPLEMENTED:**

**1011.06, F.S.**

**Chapter 274; ~~274.01;~~ 1001.43;**

**HISTORY:**

**ADOPTED: 08/21/01**

**REVISION DATE(S): 09/16/03**

**FORMERLY: 6.206**

**NOTES:**

# **Policy 7.73**



CHAPTER 7.00 - BUSINESS SERVICES

ACQUISITION OF REAL PROPERTY- FOR SCHOOL USE

7.73

- I. Prior to taking action to purchase any real property, the Superintendent shall obtain at least one appraisal by an appraiser approved pursuant to Section 253.025(6)(b8), F.S., for each purchase in an amount greater than \$100,000 and not more than \$500,000.
- II. For each purchase in an amount in excess of \$500,000, the Superintendent shall obtain at least two appraisals by appraisers approved pursuant to Section 253.025(6)(b8), F.S. If the proposed purchase price of the property exceeds the average of the appraisals appraised value, an affirmative extraordinary vote of at least four (4) members shall be required to approve the purchase.
- III. Pursuant to law, all appraisals, offers, or counteroffers relating to proposed purchases of real property may be maintained in a confidential form until:
  - A. An option contract is executed; or,
  - B. Thirty (30) days prior to consideration for purchase or approval by the School Board.

IV. The School Board may use the services of a consultant with real estate expertise for the purposes of locating, evaluating, and assisting in negotiating the purchase of potential school sites.

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STATUTORY AUTHORITY:

1001.42, F.S.

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LAWS IMPLEMENTED:

1001.42(11), 1001.43; 1001.44; 1013.14(1), F.S.

HISTORY:

ADOPTED: 08/21/03  
REVISION DATE(S): 01/20/04  
Formerly: 6.206; 6.515

NOTES:

# **Policy 7.74**

**LEASE AND LEASE-PURCHASE OF LAND, FACILITIES AND EQUIPMENT**

**7.74**

The Superintendent shall make recommendations to the School Board regarding any offer received from a person or entity for the lease or lease-purchase of any land owned by the District.

~~The lessee shall state in writing how the land will be used for educational purposes.~~

- I. The Superintendent's recommendation shall include
  - A. The location and description of the land and its present use;
  - B. The long-range plan for its use;
  - C. The stated use of the land by the prospective lessee;
  - D. The fair market value of the parcel, as determined pursuant to State Board of Education rules, when the land is to be released by a lease to purchase agreement;
  - E. The terms and value to be received from the prospective lessee.
- II. Prior to final action on the proposal for a lease or lease-purchase agreement, the School Board shall hold an open and public ~~hearing-meeting~~ on the issue after due notice is given as required by Florida Statutes. At this meeting the proposed agreement, in its final form, shall be made available for inspection and review by the public.
- III. The Superintendent may recommend the acquisition of land, facilities, and equipment under lease or lease-purchase agreements under provision of Florida Statutes through competitive bids or proposals.

The Superintendent's recommendation shall include

- A. Such acquisition is in the best interest of the District;
- B. Length and terms of such agreements;
- C. Procedures for developing and approval of agreements;
- D. Estimated annual costs and sources of funding;
- E. Proposed schedule for any required public advertisements and hearings;

## CHAPTER 7.00 - BUSINESS SERVICES

- F. All required written documents necessary for the execution and maintenance of agreements; and,
- G. Agreements do not constitute a ~~debt, liability, or obligation of the State or Board, or~~ pledge of the faith and credit of the State or Board.

**STATUTORY AUTHORITY:**

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

**LAW(S) IMPLEMENTED:**

**1001.43, 1013.15, 1013.19, F.S.**

**HISTORY:**

**ADOPTED: 08/21/01  
REVISION DATE(S):  
FORMERLY: NEW**

**NOTES:**

# **Policy 7.75\***

CHAPTER 7.00 - BUSINESS SERVICES

**SALE, TRANSFER OR DISPOSAL OF PROPERTY**

**7.75\***

Obsolete, uneconomical or inefficient surplus property which serves no useful purpose may be disposed of in accordance with state law and regulations. Prior to disposal, reasonable attempts should be made to salvage all or part of any item of property for school use.

When it is no longer practical that property be retained, the property shall be offered for sale by auction to the public at large or otherwise disposed of pursuant to Florida law including donation to other governmental bodies or private nonprofit agencies.

Disposal of surplus property purchased with Federal funds shall be undertaken in accordance with Federal procedures.

Any remaining surplus property may be declared unusable and disposed of in a reasonable, environmentally sound manner.

**STATUTORY AUTHORITY:** **1001.42, F.S.**

**LAW(S) IMPLEMENTED:** **1001.43, 1006.41, 1013.28, F.S.**

**STATE BOARD OF EDUCATION RULE(S):** ~~\_\_\_\_\_~~ **6A-1.087**

**HISTORY:** **ADOPTED: 08/21/01**  
**REVISION DATE(S):**  
**FORMERLY: 6.313, 6.506**

**NOTES:**

# **Policy 7.76\***

CHAPTER 7.00 - BUSINESS SERVICES

LOST OR STOLEN PROPERTY

7.76\*

- I. The principal, cost center head, or designee shall notify the following individuals when any ~~school~~ School Board property has been vandalized, stolen, or lost:
  - A. The proper law enforcement agency immediately ~~to provide~~ providing such information as may be available if the property is believed to have been stolen; and,
  - B. The District property records office.
- II. The custodian of the property records shall prepare a written report and recommendations to the Superintendent.
- III. The Superintendent shall report to the Board any property that has been lost or stolen after the discovery of the loss or theft except major losses shall be reported to the Board immediately. Such report shall include a recommendation that the property record be made inactive.

STATUTORY AUTHORITY:

1001.42, F.S.

LAWS IMPLEMENTED:

1001.43, F.S.

~~STATE BOARD OF EDUCATION RULE:~~

~~6A-1.087~~

HISTORY:

ADOPTED: 08/21/01  
REVISION DATE(S):  
FORMERLY: New

NOTES:



# **Policy 7.77\***

INVENTORIES AND PROPERTY RECORDS

7.77

The Superintendent or designee shall maintain an adequate and accurate record of all tangible personal property of the District. The record shall be consistent with all requirements of Florida Statutes ~~and the rules of the Auditor General~~. School Board inventories shall be verified by the district administration at the Superintendent's direction.

- I. All equipment shall be listed that has a value or cost as established by law or SBER. The cost center head shall notify the district office of all removals, transfers, and receipt of donated or purchased property that meets criteria for being recorded as a fixed asset in order to update records.
- II. Property inventories shall be performed annually by the Superintendent's designee(s) of all equipment with a value or cost as established by law or SBER. Such inventory shall be maintained in the district office. A report shall be periodically compiled for School Board action that includes recommendations for the disposition of obsolete and surplus equipment and equipment beyond economical repair. Such report shall include any property that has been lost or stolen.
- III. Property records office shall cConduct an additional physical inventory of equipment with a value or cost as established by law or SBER immediately upon the change of the cost center head and report any shortages or discrepancies to the School Board.
- IV. The principal-cost center head or designee(s) shall also be responsible for taking inventories of properties not covered in subsection (1) herein such as ~~student~~ furniture, library books, films and tapes, and other materials in excess of one hundred dollars (\$100.00) and below the limit established by law or SBER.
- V. The Superintendent shall prescribe the procedures for the accountability of property as defined in Florida Statutes.
- VI. All equipment purchased or donated by the various district organizations or by outside organizations for district use shall become School Board property and shall be recorded and inventoried in the same manner as all other equipment of a similar nature.
- VII. No person shall remove any item of property from a school or district facility without the permission of the cost center head~~principal or person in charge of the facility~~. Employees shall not be permitted to remove equipment from a facility for any purpose other than official use.
- VIII. Security of Property. All property must be secured as safely as possible in order to protect it from burglary and vandalism. The security of district property is the

## CHAPTER 7.00 - BUSINESS SERVICES

responsibility of all staff. While the district is not responsible for privately owned items that are brought into schools and other cost centers by staff, students, parents, civic groups, business or others, these items must also be stored in as secure a fashion as is practicable. The individual owner of all non-district items however, retains sole responsibility for the security of his/her property when it is brought to any district location or facility.

**STATUTORY AUTHORITY:** 1001.42, F.S.

**LAWS IMPLEMENTED:** CHAPTER 274; 1001.43, F.S.

**STATE BOARD OF EDUCATION RULE:** ~~6A-1.087~~

**HISTORY:** ADOPTED: 08/21/01  
REVISION DATE(S):  
FORMERLY: 6.117

**NOTES:**

# **Policy 7.771**

**CAPITAL ASSETS** **7.771**

**I. PURPOSE**

To provide for the safeguarding of capital assets and to provide School Board of Sarasota County (SBSC) personnel with accounting guidance applicable to the several categories of capital and intangible assets.

The policy of the SBSC is to capitalize assets when a piece of property meets all of the following requirements:

1. The asset is tangible, intangible or real or personal property.
2. The asset is used in the operation of the school system’s activities.
3. The asset has a useful life of greater than one year.
4. The asset has a value equal to or greater than the capitalization threshold for their respective asset class set by the SBSC in accordance with state and federal guidelines and the Governmental Accounting Standards Board (GASB).

**II. CAPITAL ASSET DEPRECIATION/AMORTIZATION**

Capital and intangible assets shall be depreciated/amortized over their estimated useful lives unless they are:

- Inexhaustible (i.e. land and land improvements)
- Construction in progress

SCSB uses the straight-line method of depreciation over the following estimated useful lives:

<u>Asset Category</u>	<u>Useful Life</u>
Improvements Other than Buildings	5 – 40 years
Buildings and Fixed Equipment	10 – 50 years
Building Improvements	10 – 20 years
Furniture, Fixtures, and Equipment	3 – 15 years
Vehicles	5 – 10 years
Enterprise Software	5 – 10 years
Intangible Assets - Software	5 years
Intangible Assets - Other	As determined by contracts
Equipment Under Capital Leases	As determined by lease

Capital assets may be acquired through donations, purchase or may be self-constructed. The asset value for donations will be the fair market value at the time of the donation. The value of the purchased asset will be the initial cost plus the value received for any asset traded in, plus all costs related to placing the asset into service (i.e. installation, delivery), or estimated historical cost. The cost of self-constructed assets will include all costs associated with construction.

Intangible assets are defined as assets that are identifiable and posses all of the following criteria:

## CHAPTER 7.00 – BUSINESS SERVICES

1. Lack of physical substance;
2. Nonfinancial nature (not in monetary form like cash or investment securities); and
3. Initial useful life extending beyond a single reporting period.

Examples of intangible assets include easements, land use rights, patents, trademarks, and copyrights. In addition, intangible assets include computer software that is purchased, licensed or internally generated (including websites) as well as outlays associated with an internally generated modification of computer software.

Intangible assets can be purchased or licensed, acquired through nonexchange transactions or internally generated.

An intangible asset should be considered to have an indefinite useful life if there are no legal, contractual, regulatory, technological, or other factors that limit the useful life of the asset (i.e. permanent right-of-way easement). Intangible assets with indefinite useful lives should not be amortized.

Intangible assets with limited useful lives (i.e. by legal or contractual provisions) should be amortized over their estimate useful lives. Amortization of computer software should begin when the program is placed into service. Renewal periods related to such provisions may be considered in determining the useful life of the intangible asset if SCSB expects to exercise the renewal option and any anticipated outlays to be incurred as part of achieving the renewal are nominal (in relation to the level of service capacity obtained through the renewal).

### THRESHOLD CAPITALIZATION TABLE

Effective July 1, 2016

Land	All
Land Improvements (non-depreciable)	\$50,000
Improvements Other Than Buildings	\$50,000
Buildings	\$50,000
Building Improvements	\$1,000,000
Furniture, Fixtures and Equipment	\$1,000
Enterprise Software Systems	\$50,000
Vehicles	\$1,000
Intangible Software	\$50,000
Intangible – Other	\$50,000

### III. ASSET CATEGORIES

#### A. LAND

- Land shall be capitalized at its purchase price or at fair market value if donated.
- The capitalized cost shall include the following: Commissions, Professional fees (title insurance, title searches, legal, engineering,

## CHAPTER 7.00 – BUSINESS SERVICES

architect, appraisal, surveying, environmental assessments, etc.), recording fees, demolition of existing buildings and improvements and removal, relocation or reconstructing the property of others (railroad, telephone and power lines, etc.).

- Land is not depreciable.

### B. LAND IMPROVEMENTS (NON-DEPRECIABLE)

Land improvements consist of betterments, site preparation and site improvements that ready land for its intended use. Land improvements are characterized as having an unlimited life and are therefore **not depreciated**.

Includes: right-of-way, excavation, fill grading, and site work, etc.

### C. IMPROVEMENTS OTHER THAN BUILDINGS (DEPRECIABLE)

Improvements other than buildings are used for permanent (i.e., non-moveable) improvements, other than buildings, that add value to land, but do NOT have an indefinite useful life, and therefore are depreciated.

- Includes: recreation & athletic fields, outdoor bleachers, fences, gates, retaining walls, parking lots, driveways, tracks, plazas, pavilions, landscaping, roads, bridges, drainage systems, water & sewer systems, irrigation, outdoor lighting systems (i.e. parking lot lights, ball field lights, traffic lights), fiber optic & telephone distribution systems (between buildings), fire hydrants, radio/TV transmitting tower, street signage, etc.
- Useful lives vary depending on the asset.
- Capitalize if it meets the dollar threshold.

### D. BUILDINGS

Buildings are defined as permanent structures to house persons, animals, plants, materials, or equipment and are not intended to be transportable or moveable. The structure must be attached to a foundation and roofed.

Examples of specific cost of buildings, whether constructed or purchased, include:

1. Original contract price or cost of construction.
2. Expenses incurred in reconditioning or altering a building to make it available for the purpose for which it was acquired.
3. Temporary access roads, fencing, road repair allowance, etc.
4. Expenses incurred for the preparation of plans, specifications, and blueprints.
5. Cost of building permits.
6. Architects' and engineers' fees for design and supervision.
7. Temporary buildings used during the construction period.
8. Fixed Equipment consisting of equipment, components, machinery, and other furnishings that are attached to a building. Fixed equipment generally cannot be removed without detaching the item from the building itself. Fixed equipment acquired after the original

## CHAPTER 7.00 – BUSINESS SERVICES

construction of a building will be capitalized and depreciated under the capitalization standards for Furniture, Fixtures and Equipment. Such equipment might include bleachers (inside & bolted), gym equipment, cafeteria equipment, etc.

### 9. Demolition of old buildings.

In following the Governmental Finance Officers Association guidelines in their "Accounting for Capital Assets" publication, components with a significantly shorter useful life (e.g., roof, HVAC, telecommunication systems, etc.) shall be deemed to be an integral part of the larger asset (i.e. building) and shall be depreciated over the useful life of the building. Therefore, the subsequent replacement of the roof, HVAC, etc. shall be treated as a repair (i.e., an expense of the period), unless meeting requirements of a capitalized building improvement (see below).

## E. BUILDING IMPROVEMENTS

Building Improvements consist of significant costs incurred to extend the useful life or increase the functionality of a building in a period subsequent to the initial acquisition or construction. Improvements shall be capitalized if they first meet the appropriate threshold and then, meet one of the following criteria:

- The improvement adds square footage to the existing building.
- The improvement is a major renovation that prepares an existing building for a new use.
- The improvement expenditure increased the life or value of the building by 25 percent of the original life or cost.

Building improvements will be recorded at their construction cost. Building improvements will be capitalized separately and depreciated over their useful lives if they meet the above requirements.

### Definitions and Categories of Building Improvements:

#### A. Remodeling/Improvement:

**From Red Book:** Takes place within existing floor area.

**From FL Statutes:** Changing of existing facilities by rearrangement of spaces and their uses.

#### B. Renovations:

**From Red Book:** Expenditures for major permanent structural alterations and the initial installation of HVAC systems, electrical systems, plumbing systems, fire protection systems, and other service systems in existing buildings.

**From FL Statutes:** Rejuvenating or upgrading of existing facilities by installation or replacement of materials and equipment and includes but is not limited to, interior or exterior reconditioning of facilities and spaces, HVAC equipment, fire alarm systems, emergency lighting, electrical systems, and complete roofing or roof replacement of membrane or structure.



## CHAPTER 7.00 – BUSINESS SERVICES

If improvements, remodeling, or renovations prepare the building for a new use or extend the life or value of the building by 25 percent of the original life or cost, these costs shall be capitalized as Building Improvements if they meet the capitalization threshold.

### C. Repairs & Maintenance

**From Red Book:** Maintenance of plant.

**From FL Statutes:** Upkeep of educational and ancillary plants, including, but not limited to, roof or roofing replacement short of complete replacement of membrane or structure; repainting of interior or exterior surfaces; resurfacing of floors; repair or replacement of glass; repair of hardware, furniture, equipment, electrical fixtures, and plumbing fixtures; and repair or resurfacing of parking lots, road, and walkways.

**Maintenance and repair expenses shall NOT be capitalized.** Repairs keep the property in ordinary efficient operating condition. The cost of the repair does not add to the value or prolong the life of the asset.

### F. FURNITURE, FIXTURES AND EQUIPMENT

This class includes any fixed or movable tangible assets to be used for District operations, the benefits of which extend beyond one year from date of acquisition.

Library Books will not be capitalized.

All donated equipment will be recorded at the fair market value at the date of the gift. Generally, the fair market value of such an item is the price at which the item or a comparable item would be sold at retail, taking into consideration the age and condition of the property on the date of the gift.

### G. ENTERPRISE SOFTWARE SYSTEMS

Enterprise software systems that are used to support district-wide administration or state mandated reporting requirements shall be capitalized and depreciated over its useful life if the cost of the software meets the capitalization threshold. Other software should be reviewed to determine if it meets qualification for an intangible asset. See intangible assets section for capitalization and definitions. Costs associated with software maintenance, licensing and customer support will NOT be capitalized. The value of software may be included in the capitalized value of a computer if it is pre-loaded at the time of purchase and the value of the software is not separately identified on the invoice.

### H. VEHICLES

This includes all types of motor vehicles. When an equipment item is acquired for a permanent installation in/on a vehicle and that item will not be removed, transferred, or in any way separated from the vehicle during its depreciable life, the cost of the item will be recorded as part of the vehicle. Equipment items that are installed in/on a vehicle that may be

## CHAPTER 7.00 – BUSINESS SERVICES

removed transferred, or separated from the vehicle during the depreciable life of the vehicle shall not be recorded as part of the vehicle, but rather as a separate piece of equipment subject to their own capitalization threshold.

### I. EQUIPMENT UNDER CAPITAL LEASES

Capital lease is an installment payment agreement to acquire capital assets. Leases are considered capital leases if any of the following criteria is met:

1. Ownership transfers to lessee at end of lease.
2. Lease contains bargain purchase option.
3. Lease period is at least 75% of its useful life.
4. Present value of lease payment is at least 90% of fair market value.

### J. INTANGIBLE ASSETS

Intangible assets should be capitalized, except intangible assets acquired or created primarily for the purpose of directly obtaining income or profit, which should be classified as investments (i.e. copyright material sold to a third party to generate income).

Assets from capital lease transactions reported by lessees, except licensing agreements to lease commercially available software and goodwill created through the combination of a government and another entity should not be considered intangible assets.

Computer software is a common type of intangible asset that is often internally generated. Intangible assets are considered internally generated if they are created or produced by SCSB or an entity contracted by SCSB, or if they are acquired from a third party but require more than minimal incremental effort on the part of the government to begin to achieve their expected level of service capacity.

#### **Internally Generated Intangible Assets:**

Capitalization of internally generated capital assets can occur only after all of the following conditions have been met:

1. Determination of the specific objective of the project and the nature of the service capacity that is expected to be provided by the intangible asset upon the completion of the project;
2. Demonstration of the technical or technological feasibility for completing the project so that the intangible asset will provide its expected service capacity; and
3. Demonstration of the current intention, ability, and presence of effort to complete or, in the case of a multiyear project, continue development of the intangible asset.

Only outlays incurred subsequent to meeting the above criteria should be capitalized. Outlays incurred prior to meeting those criteria should be expensed as incurred.

## CHAPTER 7.00 – BUSINESS SERVICES

### **Specific Application to Computer Software:**

The activities involved in developing and installing internally generated computer software can be grouped into the following stages:

1. **Preliminary Project Stage:** Activities in this stage include the conceptual formulation and evaluation of alternatives, the determination of the existence of needed technology, and the final selection of alternatives for the development of the software.
2. **Application Development Stage:** Activities in this stage include the design of the chosen path, including software configuration and software interfaces, coding, installation to hardware, testing, including the parallel processing phase, and data conversion needed to make the software operational.
3. **Post-Implementation/Operation Stage:** Activities in this stage include application training, data conversion that is beyond what is strictly necessary to make the software operational, and software maintenance.

All outlays associated with activities in the preliminary project stage should be expensed as incurred.

All outlays related to activities in the application development stage should be capitalized, provided the following conditions are met: 1) the outlays were incurred subsequent to the completion of the preliminary project stage and 2) management authorizes and commits to funding (either implicitly or explicitly), at least through the current period. (Note: When these two conditions are satisfied, the above criteria for internally generated intangible assets are considered to be met). For commercially available software that will be modified to the point that it is considered internally generated, those two conditions generally are met at the time the commitment to purchase or license the computer software. Capitalization of such outlays should cease once the software is substantially complete and operational.

All outlays associated with activities in the post-implementation/operation stage should be expensed as incurred.

The activities within the three stages of development may occur in a different sequence. The recognition guidance for outlays associated with internally generated computer software should be applied based on the nature of the activity, not the timing of its occurrence. For example, outlays associated with application training activities that occur during the application development stage should be expensed as incurred. If the software consists of many modules, the guidance for reporting outlays based on the stages of software development should be applied for each individual module of the system rather than the system as a whole.

An improvement to existing computer software must do at least one of the following to qualify for capitalization:

## CHAPTER 7.00 – BUSINESS SERVICES

1. Increase the software's functionality;
2. Increase the software's efficiency; or
3. Extend the software's estimated useful life.

If the modification does not result in any of the above outcomes, the modifications should be considered maintenance, and the associated outlays should be expensed as incurred.

### K. CONSTRUCTION IN PROGRESS

This includes all projects for capital assets that are not completed at the end of the fiscal year. Projects are considered complete and moved to the appropriate capital asset category when the District has received a transfer of title for land acquisition, or the latter of a final Certificate of Occupancy issued from the local governmental entity or the date the asset is placed into service.

## IV. ASSET IMPAIRMENT

As part of the inventory process, a determination will be made by the Cost Center Head as to whether any assets should be considered impaired.

### A. Definition of Impairment

Asset impairment is a significant, unexpected decline in the service utility of a capital asset. The events or changes in circumstances that lead to impairments are not considered normal or ordinary. That is, at the time the capital asset was acquired, the event or change in circumstances would not have been expected to occur during the useful life of the capital asset. Service utility, in turn is defined as the usable capacity that a capital asset was expected to provide at its acquisition.

- Evidence of physical damage: Examples would include a building damaged in a natural disaster (i.e. hurricane or fire), or a buildings facing the costs associated with mold remediation or asbestos removal.
- Technological change or obsolescence: Examples would include equipment that is rarely used because a newer model provides better service or results.
- Changes in manner or duration of use: Examples would include an office building now used as a warehouse.
- Permanent construction stoppage: Examples would include the halting of building construction due to a lack of funding or a stoppage following the discovery of an endangered species at the construction site.

Should an asset be deemed to be impaired, all reasonable attempts shall be made to salvage all or part of any item of property. Any remaining asset impairment shall be included in the recommendation for disposition and handled in the manner described in the Asset Disposition section of this policy.

## CHAPTER 7.00 – BUSINESS SERVICES

### V. ASSET DISPOSITION

When capital assets are sold or otherwise disposed of, the cost of the asset shall be removed from the records with the associated accumulated depreciation. Pursuant to Sarasota County School Board Rule 7.77, recommendations for the disposition of obsolete and surplus equipment beyond economical repair including any property that has been lost or stolen shall be presented to the School Board for approval. Once approved, the assets will be removed from the Fixed Assets system with the appropriate depreciation taken in the year of disposal.

#### STATUTORY AUTHORITY:

**1001.41, 1001.42, 1001.43, F.S.**

#### LAWS IMPLEMENTED:

**Chapter 274, 1001.42, 1001.43(2), 1011.011,  
1011.012, 1013.01, F.S.**

#### STATE BOARD OF EDUCATION RULE:

**6A-1.001**

#### HISTORY:

**ADOPTED: 07/21/09  
REVISION DATE(S): 04/30/10, 06/7/16  
FORMERLY: NEW**

# **Policy 7.78**

**ADEQUACY OF EDUCATIONAL FACILITIES AND GROWTH  
MANAGEMENT**

**7.78**

The School Board is committed to providing educational facilities that enhance students' educational success by protecting current assets, by ensuring that facility projects are cost efficient, and by planning for growth in conformance with state statutes and local growth management agreements.

- I. The Superintendent shall ensure that Educational Specifications are adopted and implemented within these guidelines:
  - A. Educational Specifications shall be adopted by the Board for elementary, middle, and high schools and for specialized centers as necessary.
  - B. Ed Specs for elementary, middle, and high schools shall be re-adopted at least every three years.
  - C. Ed Specs shall contain a Facility List, general design criteria, and subject-specific sections which denote critical space elements and adjacencies. Construction details and Furniture, Fixtures, and Equipment lists shall be compiled within separate documents not requiring Board adoption.
- II. The Superintendent shall ensure that Capital Planning is conducted within these parameters:
  - A. The Board shall authorize transmittal of the Florida Department of Education's [DOE] "5-Year District Facilities Work Program" [Work Program] each October 1<sup>st</sup>, or otherwise determined by DOE.
  - B. The Work Program will comply with DOE definitions of student stations and capacity as delineated in the Florida Inventory of School Houses [FISH].
  - C. The Work Program will utilize the latest Capital Outlay FTE [COFTE] projections and will be financially feasible based upon the best available forecast of future revenues.
  - D. The Board shall comply with statutory requirements for a School Plant Survey at least every five years. Upon DOE approval of the survey, the district shall schedule facility projects as "survey-approved." The Plant Survey may also be used to determine the extent to which existing facilities will be remodeled to bring them into compliance with survey standards. The Board shall submit "spot surveys" as necessary in order to seek DOE approval for critical construction projects not anticipated at the time of the five-year survey.

## CHAPTER 7.00 - BUSINESS SERVICES

III. The Superintendent shall ensure that all instructional facilities are utilized to the greatest extent practicable, recognizing that factors such as class schedules, instructional contracts, collaborative teaching models, and the inapplicability of certain course for teachers to “float,” inhibit idealized utilization rates. Staff shall implement these steps to maximize classroom utilization:

- A. Each August, the Level of Service [LOS] shall be calculated for each school based upon the formula: Enrollment divided by Permanent Program Capacity [PPC]. The enrollment numbers used shall be the enrollment advertised for each school in the advertised Capital Budget. Permanent capacity refers to classroom structures build with a fixed foundation and that cannot be removed. Program capacity is calculated by applying a district-derived utilization rate, based on class size mandates and local instructional delivery models, to each school’s student station count as verified in FISH.
- B. Each September, staff will calculate which schools’ facilities are under-utilized or over-utilized. Under-utilized schools are those in which Permanent Program Capacity Level of Service is less than 85%. Over-utilized schools are those in which the Permanent Program Capacity Level of Service is greater than 115%. After analysis of such schools’ instructional programs, attendance zone, and duration of such over-or-under-utilization, the Superintendent may recommend to the School Board formation of a committee comprised of the School Advisory Committee, district staff, and other stakeholders to perform an in-depth analysis. The committee shall consider a range of options including, but not limited to, the following:
  - 1. Inclusion/exclusion as a “choice” school;
  - 2. Inclusion/exclusion of hardship reassignments;
  - 3. Addition/removal of cluster programs;
  - 4. Redistricting of school attendance boundaries; and
  - 5. Expansion of a school’s permanent classroom and core capacity.

The Superintendent may make recommendations to the School Board, as necessary, to alleviate the under-or-over-capacity situations.

- C. The School Board shall not implement Year-Round Schools or Double Sessions unless having declared an Emergency. Such emergencies may consist of natural disasters [e.g., tornado, hurricane], severe reductions in capital revenues, or other such occurrences which inhibit the Board’s flexibility in providing adequate educational facilities.

IV. The School Board shall adopt the following measures to implement Growth Management and School Concurrency:



## CHAPTER 7.00 - BUSINESS SERVICES

- A. The School Board shall collaborate with all local governments to reach agreement on any updates necessary to the Interlocal Agreement on School Facility Planning [ILA]. Such collaboration will also include appointment of a citizen to the Oversight Committee to the ILA, appointment of a staff person to each local government's Local Planning Agency, and a yearly Convocation to discuss and resolve school planning issues.
- B. Concurrency Service Areas [CSA's] shall be defined as the attendance boundary for each school. "Adjacent CSA's" shall be those school boundaries identified as such on maps incorporated into the School Concurrency Procedures; such maps will reflect best practices and state regulations including maximum allowable bus route times.
- C. Staff will review residential development applications from local governments once the applications have been deemed accepted. The district's application process shall include payment of a fee, calculated to recover costs for planning and legal staff review, based upon the size and scope of the proposed development. The fees will be adjusted yearly and will be posted in the adopted School Concurrency Procedures.
- D. Staff will determine the impact of the proposed development pursuant to processes defined in the ILA and in each local government's Public School Facilities Element, and as mandated by Florida statutes. The applicable student generation rate shall be as determined in the latest School Impact Fee Study or other similar document. Staff will utilize the latest Capital Outlay FTE projections and the latest 5-Year Facilities Work Plan to produce a spreadsheet of future levels of Service and seats available by school.
- E. ~~If~~ staff determines that, pursuant to state law, insufficient seats are available, the district and the developer may agree to Proportionate Share Mitigation options including, but not limited to, contributions of cash or land. Contributions shall be based on recent construction projects' cost-per-student-station.
- F. Staff shall adopt Procedures necessary to implement School Concurrency.

### STATUTORY AUTHORITY:

~~120.81, 1001.42, 1013.33~~ F.S.

### LAW(S) IMPLEMENTED:

163.01, 163.3177, 163.31777, 163.3180, 1013.31,  
1013.33, 1013.35 F.S.

### HISTORY:

ADOPTED: 09/02/08  
REVISION DATE(S):  
FORMERLY:

### NOTES:

# **Policy 7.80**

CHAPTER 7.00 - BUSINESS SERVICES

RISK MANAGEMENT INSURANCE PROGRAM

7.80

After reviewing all needs of the School District the Superintendent shall implement ~~annually submit~~ a comprehensive risk management program, ~~to the School Board for approval.~~

- I. The program shall include ~~as at~~ a minimum:
  - A. Group health insurance coverage for officers, employees, and retirees of the school system.
  - B. All other group insurance ~~programs coverage~~ for employees and retirees approved as part of a collective bargaining agreement.
  - C. ~~Self-funded w~~Worker's compensation coverage ~~on for~~ all employees.
  - D. Fire and extended coverage for all school facilities, pursuant to Section 1001.42, Florida Statutes.
  - E. ~~Self-funded t~~Transportation/automobile liability and physical damage coverage pursuant to Section 1006.24 and 768.28, Florida Statutes.
  - F. Employee fidelity bonds pursuant to Section 1001.42, Florida Statutes, and ~~Section 6A-1.692,~~ State ~~board Board~~ of Education Rules.
  - G. ~~Self-funded g~~General liability coverage, pursuant to Section 768.28, Florida Statutes.
  - ~~H.~~ Errors and Omissions Coverage for alleged wrongful acts and omissions of School Board members while acting in the performance of their assigned duties and responsibilities.

~~H.~~

Any of the insurance coverages specified above may be obtained through commercial insurance, self-insurance, or a combination thereof.

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- II. All insurance obtained from commercial carriers, except for fidelity bonds for officers of the Board and coverage not paid for by the district, shall be purchased on the basis of competitive quotations or direct negotiations whenever possible. Should commercial insurance be procured through the services of commissioned agents and/or brokers and such fees exceed the procurement threshold as defined in State Board of Education Rule 6A-1.012(7), such services shall also be reviewed annually and competitively solicited no less than every five years.
- III. All group life, ~~and~~ health, insurance programs shall be made available to retirees of the Sarasota County School District pursuant to Section 112.0801, Florida Statutes. All retirees shall pay the full cost of coverage.

**CHAPTER 7.00 - BUSINESS SERVICES**

- IV. The District Risk Manager shall have discretionary authority to settle workers compensation, general liability, and auto liability claims that have a fiscal impact to the District up to twenty-five thousand dollars (\$25,000.00) in value. Claims that have a fiscal impact to the District over twenty-five thousand dollars (\$25,000.00) through fifty thousand dollars (\$50,000.00) shall be approved by the Superintendent or his/her designee. Claim settlements that have a fiscal impact to the District over fifty thousand dollars (\$50,000.00) in value shall require School Board approval.
- V. The District Risk Manager shall evaluate all general liability and auto liability claims on the basis of tort liability and negligence statutes and make the determination to settle or deny the claim. The Risk Manager shall also evaluate all workers compensation claims on the basis of Workers Compensation statutes and make the determination to settle or deny the claim. The Risk Manager may consult with a licensed claim administrator and/or attorney prior to making such determination. The School Board Members shall not be involved in the claim adjusting process, except to the extent they are required to vote on the final recommendation on claims above the value of fifty thousand dollars (\$50,000.00).

**STATUTORY AUTHORITY:** ~~1001.42(2);~~ 1001.42(12)(k), F.S.

**LAWS IMPLEMENTED:** 316.615; 381.00593(6); ~~624.344;~~  
1001.42(~~1012~~)(k); 1001.43; 1001.51(11)(k); 1003.02(~~1~~)(F)13; 1006.261;  
1006.15(7); 1011.18(6); 112.08; 112.0801; 112.0804; 112.0805; 112.10  
112.1915, F.S.

**HISTORY:** ADOPTED: 08/21/01  
REVISION DATE(S): 07/24/12, 02/21/17  
FORMERLY: 6.118

**NOTES:**