

CHAPTER 7.00 BUSINESS SERVICES

SCHOOL BUDGET SYSTEM 7.10

The Superintendent shall prepare and maintain an annual District budget in the manner prescribed by the State Board of Education. In formulating the budget, the Superintendent shall take into consideration the immediate and long range needs of the District's school system and student achievement data obtained pursuant to Florida Statutes. The Superintendent shall submit the proposed annual budget to the School Board for review. The School Board shall adopt a balanced budget in accordance with Florida Statutes and submit it to the State on or before the date prescribed in State Board of Education rules or established by the Commissioner.

In order to ensure appropriate preparation and management of the District budget, the Superintendent or designee is authorized to develop and implement appropriate budgetary accounting and record keeping procedures consistent with mandatory federal and state laws, rules, and regulations and with School Board rules. Such procedures shall be consistent with good business practice.

Expenditures shall be in accordance with state law and rules of the State Board of Education.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1001.51, 1008.22, 1008.34, 1008.385, 1010.01, 1010.04, 1011.01-1011.18, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.002, 6A-1.004, 6A-1.006, 6A-1.007, 6A-1.0071

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008
FORMERLY: DB

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BUDGET AMENDMENTS 7.12

The Superintendent shall ensure that all District obligations and expenditures are within the appropriation allowed in the District school budget and

Shall propose a budget amendment for the School Board's consideration when the function and object amounts in the accounts prescribed by the State Board of Education for the budget form are changed in the original budget approved by the School Board. Budget amendments shall be aggregated and presented in the form of an agenda item approximately two weeks prior to the Board meeting each month. Budget amendments consolidated after that time period shall be processed and placed on the agenda for the following month in the normal amendment cycle.

May authorize an expenditure temporarily which exceeds the amount budgeted by function and object provided the School Board subsequently approves the expenditure and amends the budget in a timely manner. In situations where a budget category is temporarily exceeded, District personnel will process a budget amendment to correct the situation. If the need for an amendment has not been identified at the end of the month the amendment shall be processed in the following month and School Board approval obtained in the normal amendment cycles.

Is authorized to approve tentatively, budgetary amendments for responsibility centers. Such amendments shall be consolidated in the normal amendment cycles and presented for School Board approval.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.42, 1001.51, 1010.01, 1010.04, 1011.05, 1011.06, 1011.07, 1011.60, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.006, 6A-1.007

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: DBJ

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APPLICATIONS FOR STATE OR FEDERALLY FUNDED PROGRAMS 7.14

The School Board encourages the Superintendent to seek funds from all available sources for the support of existing programs, development of new instructional techniques, evaluation of program effectiveness, and for other purposes that, in the opinion of the Superintendent and staff, will improve educational opportunities for students enrolled in the District.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.32, 1001.42, 1010.01, 1010.04, 1011.06, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.006

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DD

CHAPTER 7.00 BUSINESS SERVICES

ACCOUNTING AND CONTROL PROCEDURES 7.20

- I. The financial records and accounts of the School Board shall be kept by the Superintendent on forms and in the manner prescribed by State Board of Education rules. If such forms are not prescribed by State Board of Education rules or Florida Statutes, a uniform system shall be established by the School Board.
- II. The Superintendent shall develop and the School Board approve procedures under which any funds under their controls are allowed to be transmitted by electronic transaction.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 215.85, Chapter 668, 1001.43, 1001.51, 1010.11, 1011.60, 1011.62, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.001, 6A-1.011

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DIC

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EDUCATIONAL ENHANCEMENT FUNDS 7.30

- I. Lottery Trust Fund Allocations (enhancement funds) received from state proceeds will be used to provide educational opportunities based on the needs of students, as determined by the School Board or as required to be distributed by state law, and consistent with proviso language included in the annual state appropriations bill or other state requirements.
- II. Enhancement funds may be utilized to
 - A. Maintain approved programs.
 - B. Develop and implement school improvement plans.
 - C. Supplement school funding through the expansion of existing programs.
 - D. Enhance equipment or facilities as permitted by state law.
 - E. Provide financial awards for School Recognition.
 - F. Provide such other services, programs, or distribution as may be required or permitted by state law or regulations. Such services or programs shall be identified during the annual budget adoption process by the Board.
- III. Enhancement funds provided directly to schools shall be subject to annual audit to assure compliance with state law and sound business practice.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.62, F.S. ANNUAL STATE APPROPRIATIONS ACT

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DF

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SCHOOL FOOD SERVICE FUNDS 7.31

School food service funds shall be considered Special Revenue funds, but shall be subject to all requirements applicable to the District School Fund such as budgeting, accounting, reporting, and purchasing unless specific requirements are established by Federal or State laws, rules or regulations.

Any loss of records, cash, or supplies through theft or otherwise shall be reported immediately to the Superintendent's office. Such losses shall be itemized and a copy of the report submitted with the regular reports.

Funds shall be collected and expended in compliance with United States Department of Agriculture and State Board of Education rules.

The Board shall annually adopt prices charged to students and adults who participate in the food services program.

The Superintendent shall develop written procedures for conducting the District's food service program.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1006.06, 1010.05, 1010.20, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.001, 6A-1.085, 6A-1.087, 6A-1.091

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY: DIB

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INTERNAL FUNDS 7.32

I. Definition

Internal funds are defined as all monies collected and disbursed by school personnel within a school for the benefit of the school or a school-sponsored activity. Internal funds shall be considered as unbudgeted public funds except as provided in the School Board policy entitled "Advancement to School Internal Funds" and shall be under the control and supervision of the School Board with the principal having responsibility as prescribed by the School Board.

II. Governance Provisions

The collecting and expending of school internal funds shall be in accordance with Florida Statutes, State Board of Education Rules, School Board Policies, and the Financial and Program Cost Accounting and Reporting for Florida Schools manual published by the Florida Department of Education. Sound business practices shall be observed.

III. Administration

Internal funds shall be classified in accordance with the several activities of the school having funds. Depositories may be established using any institution authorized to hold public funds. When a depository balance exceeds the insurance protection or other legal collateral limits as set by federal law, an additional account or accounts shall be opened in another institution.

IV. Responsibilities

The School Board will

- A. Require that written procedures and rules governing the receipt, use, and accounting of internal funds be developed and approved by the Board and are consistent with state law and regulations.
- B. Require that internal funds be used for legal public purposes.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.07, 1011.18, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.001, 6A-1.085, 6A-1.087, 6A-1.091

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY: DIB

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ADVANCEMENTS TO SCHOOL INTERNAL FUNDS 7.33

The School Board may advance monies by warrant to individual school internal funds in amounts not to exceed twenty-five percent (25%) of the allocation originally budgeted for each school for library, classroom teaching, and other instructional supplies.

Other budgeted funds may be advanced by warrant to individual school internal funds with the approval of the Superintendent or designee. The decision to advance monies will be made on a case by case basis for the purpose of facilitating efficient payment of current obligations in accordance with Florida Statutes, State Board of Education Rules, and School Board Policy. The Superintendent will make an annual report of advancements to the School Board.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.32, 1001.41, 1001.42, F.S.

STATE BOARD OF EDUCATION RULE(S)

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): October 7, 2003 FORMERLY: DIB

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PETTY CASH FUNDS 7.34

- I. District Funds – Petty Cash
The School Board authorizes the use of petty cash funds to make expenditures for central administrative offices and school centers. These funds shall be accounted for separately from other funds. An itemized receipt shall be kept for each petty cash expenditure and all expenditures shall be recorded in the school year incurred. Any remaining petty cash funds shall be returned to the District's General Fund on or before the close of each school fiscal year if the office is not operated year round. The petty cash limit shall be as established in SBE rule.
Petty cash funds shall be established for the District Department as designated by the Superintendent or designee.
- II. Schools Internal Accounts – Petty Cash
School principals may also establish and control petty cash from internal accounts funds in the following amounts:
 - A. Three hundred dollars (\$300.00) for elementary schools;
 - B. Three hundred dollars (\$300.00) for middle and high schools; and,
 - C. Three hundred dollars (\$300.00) for instructional change funds in skills centers for each of the following programs: food production and culinary arts, cosmetology, and horticulture.
- III. Cash Change Funds
Cash Change Funds may be established in appropriate locations and in appropriate amounts as determined by the Superintendent or designee and in schools up to the amount specified in State Board rules.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.057, 6A-1.087

HISTORY: ADOPTED: December 15, 1998 REVISION DATE(S): _____ FORMERLY:
DJC

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HOSPITALITY FUNDS 7.35

The Superintendent may authorize expenditures for purposes of promotion, public relations activities and hospitality, as set forth herein. Such expenditures are restricted as to the source of funds, amount of annual expenditures and conditions for expenditures, as set forth herein and as limited by law or regulations.

Expenditures shall be made from auxiliary enterprises and undesignated donations for promotion and public relations to the District.

Expenditures may include promotion and public relation activities and hospitality of business guests provided they will directly benefit or are in the best interest of the District. Such activities may include, but not be limited to, graduation, visiting committees, orientation and work conferences of staff or school related groups, recruitment of employees, official meetings and receptions, guest speakers, accreditation studies or other developmental activities.

Expenditures for hospitality of business guests shall be limited to the maximum permitted by state law and rule.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1010.08, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.043

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DF

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INVESTMENT OF TEMPORARILY IDLE FUNDS 7.36

The Superintendent shall present a resolution to invest and reinvest any surplus public school funds in its control or possession to the School Board for adoption. The Superintendent, on the recommendation of appropriate staff, shall invest temporarily idle funds to earn the maximum possible yield for the period available.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: Chapter 280, 1001.42, 1001.43, 1011.18, 1011.22, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: DFAA

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INVESTMENT MANAGEMENT 7.37

I. Scope

The statement of investment policy and guidelines applies to funds under control of the School Board of Duval County (the Board) in excess of those required to meet short-term expenses. This investment policy applies to financial assets including funds related to the issuance of debt by the Board.

II. Investment Objectives

The Board's investment portfolio shall be managed with the primary objective of safety of capital. The investment strategy will provide sufficient liquidity to meet anticipated cash flow requirements. The Board will strive to obtain the highest possible yields consistent with safety of capital, liquidity of the portfolio and prudent investment principles. Investments are made with the intention of holding the securities to maturity. However, investments may be sold from time to time to meet cash flow requirements, for the purpose of restructuring the average duration of the portfolio, or taking advantage of market opportunities to record capital gains.

III. Performance Measurement

The Board seeks to optimize the return on investment within the constraints of safety and liquidity. The investment portfolio shall be designed with the annual objective of exceeding the rolling six (6) month Treasury Bill investment yield auctioned weekly. The performance measurement shall be calculated at the end of each fiscal quarter and the results shall be distributed to the Superintendent, School Board members, Associate Superintendent, and Board attorney at a minimum.

IV. Prudence and Ethical Standards

The standard of prudence to be applied by the Board shall be the "Prudent Person" rule, which states: "Investments shall be made with judgment and care under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income derived". The "Prudent Person" rule shall be applied in the context of managing the overall portfolio. Employees of the Board involved in the investment process shall not transact personal business activity that could or could appear to conflict with State Statutes and regulations, School Board Policy, proper execution of the investment program or which could impair their ability to make impartial investment decisions.

V. Listing of Authorized Investments

Refer to Exhibit I for a complete listing of the "Authorized Investments". The Board does not speculate on the future movement of interest rates and is not permitted to utilize reverse repurchase agreements or other forms of debt leverage in the management of its investment portfolio. Inverse floaters and structured notes are prohibited. To the extent approved by the Board, the district is permitted to utilize Interest Rate Insurance Agreements, such as Interest Rate Swaps, to help manage the volatility of investment income associated with floating/short term interest rate investments. Board approval will include providing parameters for items such as, but

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not limited to, counterparties, notional amount, credit limits, term of the agreements and signature approvals. For its assets, the Board utilizes interest rate swaps in a one hundred percent (100%) asset matched strategy with the Board's revolving fund balances, contingent upon approval by the Superintendent or his/her designee. The

Board is also permitted to engage in the practice of securities lending, whereby a fee is paid to the Board in exchange for lending securities that are fully collateralized by securities listed as "Authorized Investments", contingent upon approval by the Superintendent or his/her designee.

VI. Maturity and Liquidity Requirements

The investment portfolio shall be structured in such a manner as to provide sufficient liquidity to pay obligations as they come due. To the extent possible, investment maturities will be matched with known cash needs and anticipated cash flow requirements. Additionally, maturity limitations for funds related to the issuance of debt are outlined in the Bond Resolution relating to those bond issues.

VII. Portfolio Composition

The investment portfolio may be structured to have limits on certain types of securities, issuers, and maturities. The only limits or restrictions, except as noted in Section VI., are as follows: Investments in commercial paper or bankers acceptances shall have the following restrictions:

Nine (9) months maximum maturity, \$12,500,000 limit per issuer, and limited to twenty-five percent (25%) of the entire portfolio (including money market and repurchase agreements).

Exceeding the twenty-five percent (25%) limit is permitted when including investments for the debt service sinking funds and escrows relating to the economic defeasance of debt. In addition, commercial paper must be rated in the highest whole rating category by at least two (2) nationally recognized rating agencies. The maximum allowed in any one US Government Agency issuer shall be fifty percent (50%) of the entire portfolio.

VIII. Risk and Diversification

Assets held shall be diversified to control the risk of loss resulting from over concentration of assets in a specific maturity, issuer, instrument, dealer, or bank through which these instruments are bought and sold. Diversification strategies shall be reviewed and revised periodically as necessary by the appropriate management staff. A diversity of treasury and agency issues shall be maintained to avoid a concentration in any one issue or maturity.

IX. Authorized Investment Institutions and Dealers

The Board shall only execute US Treasury and Agency investment transactions and repurchase agreements with primary securities dealers as designated by the Federal Reserve Bank of New York and commercial banks within the Board geographical service area who are member banks of the Federal Reserve System and having capital stock, surplus and undivided earnings aggregating at least \$25,000,000 and have a rating on short-term bank deposits in the highest whole rating category by at least one nationally recognized rating agency. Commercial paper transactions, CD's and BA's

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can be executed with primary securities dealers and firms considered to be “Direct Issuers”. Municipal securities transactions can be executed with primary securities dealers or municipal securities firms having a significant presence in Florida or firms owning a specific bond issue of particular interest to the Board and only on a delivery versus payment basis. Investment Agreements can be purchased directly from the issuing insurance company or financial institution. All other investments can only be purchased from primary dealers. Other institutions and dealers may be specifically approved by the Board for investment activities.

X. Third-Party Custodial Agreements

All securities purchased by, and all collateral obtained by, the Board under this section shall be properly designated as an asset of the Board and held in safekeeping by a third party custodial bank or other third party custodial institution.

All securities purchased and sold by the Board under this section shall be executed using the “delivery versus payment procedure”. Collateral requirements for Repurchase Agreements and Securities Lending Agreements will be contained in the Master Repurchase Agreement and Securities Lending Agreement, respectively, executed between the Board and the broker/dealer or bank.

The safekeeping institution shall issue a safekeeping receipt to the Board listing the specific instrument, par value, rate, maturity and any other pertinent information. In the case of securities purchased or sold, the “confirmation” received from the dealer or safekeeping institution should be attached to the internally generated trade ticket. In the case of repurchase agreements, collateral safekeeping receipts should be compared on a daily basis to ensure compliance with collateral requirements.

No withdrawal of securities, in whole or in part, shall be made from safekeeping, except by an authorized staff member of the Board.

An exception to third party custody of assets would be the safekeeping of collateral for repurchase agreements entered into between the Board and its primary bank for the purpose of conducting day to day cash management functions. Collateral will be held by that bank but not in the Board’s name. The bank will issue a safekeeping receipt indicating the collateral pledged to the Board.

Additionally, shares of investment funds [exhibit I (xi) and (xii)] do not require delivery of shares to the Board’s custodian as long as the investments held by the fund are under an appropriate safekeeping/trustee arrangement and regular statements may be prepared to represent the value of the Board’s ownership interest.

XI. Master Repurchase Agreement

The Board shall require all institutions and dealers transacting repurchase agreements to execute and perform as stated in the Master Repurchase Agreement that is signed by both parties. All repurchase agreement transactions shall adhere to the requirements of the Master Repurchase Agreement.

Repurchase Agreements can only be entered into with authorized investment institutions and dealers as defined in Section IX. of this policy. In addition, all

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repurchase agreements must adhere to the provisions as defined in Section V. of this policy relating to authorized investments and Section X. of this policy regarding third-party custodial agreements. Collateral requirements must adhere to those outlined in the appropriate bond resolution.

Tri Party Repurchase Agreements are preferred to “conventional” (delivery of collateral versus wire transfer of the amount invested) Repurchase Agreements due to significant cost savings derived from safekeeping the collateral at the same financial institution. Due to the costs associated with transferring Repurchase Agreements on a daily basis, Tri Party Repurchase Agreements can be “bid” as to the interest rate paid to the Board on a periodic basis on the first business day of the month. Rates received during the month will be checked on a daily basis to the market (Bloomberg or other similar information source).

XII. Bid Requirement

Staff shall determine the approximate maturity date based on cash flow needs and market conditions, analyze and select one or more optimal types of investment, and competitively bid the security in question when feasible and appropriate.

Competitive bids or offerings shall be obtained from at least three (3) dealers on all sales or purchases except in situations where

- A. the security involved is a “new issue” and can be purchased “at the auction”;
- B. the security involved has a fixed, “posted scale” rate;
- C. the security involved is available through direct issue, private placement (e.g., General Electric Commercial Paper, Sun Bank Commercial Paper, Morgan Stanley Commercial Paper, etc.);
- D. the security involved is of particular special interest to the Board (e.g. the Board bonds) and dealer competition could have an adverse impact with respect to the price and availability of the security to the Board;
- E. a dealer or institution brings to the Board an unsolicited swap proposal deemed advantageous to the Board.

XIII. Internal Controls

The Cash Management/Investment Coordinator or Superintendent’s designee will maintain a system of internal controls, which will be documented in writing and made part of the Board’s operational procedures in the Treasury Division. The internal controls will be reviewed by independent auditors as part of any financial audit periodically required of the Board. The internal controls should be designed to prevent losses of funds which might arise from fraud, employee error, misrepresentation by third parties, or imprudent actions by employees of the Board.

XIV. Reporting

The Cash Management/Investment Coordinator or Superintendent’s designee shall generate monthly reports for management purposes. The reports shall include securities in the portfolio by class or type, book value, and yield earned during the

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period. Market values are reported quarterly in the Board's financial statements. The Cash Management/Investment Coordinator or Superintendent's designee shall provide other such reports and information as deemed reasonable, upon request, from other internal and external sources. The reports shall be distributed to the Superintendent, School Board members, Associate Superintendent, and Board attorney at a minimum.

XV. Continuing Education

The Board staff responsible for making investment decisions must annually complete eight (8) hours of continuing education in subjects of study related to investment practices and products. This requirement can be met through a variety of methods including, but not limited to, seminars, conferences, college courses, and CPA continuing education.

XVI. Audits

Certified public accountants conducting audits of the Board pursuant to Section 11.45, Florida Statutes, shall report, as part of the audit, whether or not the Board has complied with this section 218.515, Florida Statutes.

XVII. Sale of Securities

When the invested funds are needed in whole or in part for the purposes originally intended or for more optimal investments, the Board may sell such investments at the "market" and place the proceeds in the proper account or fund. In the event the issuer of the security has been downgraded below the established minimum, the Cash Management/Investment Coordinator or Superintendent's designee will make the best effort to sell at the best value. If market conditions do not indicate a full recovery of principal, the Associate Superintendent, in consultation with other staff shall decide on the best course of action given all situations. The investment objectives of safety, liquidity, and return on investment will govern the sale of downgraded securities.

STATUTORY AUTHORITY: 1001.41, F.S.

LAW(S) IMPLEMENTED: 215.472, 216.011, 218.403, 218.414, Chapter 280, 1001.42, 1001.51, 1001.53, 1011.18, 1011.19, 1011.22, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: May 6, 2003 REVISION DATE(S): _____ FORMERLY: DFA

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EXHIBIT I

BOARD AUTHORIZED INVESTMENTS

Authorized Investments shall mean and include any of the following securities, if and to the extent the same are at the time legal for investment of the Board's funds:

- (i) any bonds or other obligations which constitute direct obligations of, or as to principal and interest are unconditionally guaranteed by, the United States of America, including obligations of any of the Federal agencies set forth in clause (iii) below to the extent unconditionally guaranteed by the United State of America;
- (ii) any bonds or other obligations of any state of the United State of America or of any agency, instrumentality or local governmental unit of any such state
 - (a) which are not callable prior to maturity, or which have been duly called for redemption by the obligor on a date or dates specified and as to which irrevocable instructions have been given to a trustee in respect of such bonds or other obligations by the obligor to give due notice of such redemption on such date or dates, which date or dates shall be also specified in such instructions,
 - (b) which are secured as to principal and interest and redemption premium, if any, by a fund consisting only of cash or bonds or other obligations of the character described in clause (i) above which fund may be applied only to the payment of such principal of and interest and redemption premium, if any, on such bonds or other obligations on the maturity date or dates thereof or the redemption date or dates specified in the irrevocable instructions referred to in sub-clause (a) of this clause (ii), as appropriate,
 - (c) as to which the principal of and interest on the bonds and obligations of the character described in clause (i) above on deposit in such fund along with any cash on deposit in such fund are sufficient to pay principal of and interest and redemption premium, if any, on the bonds or other obligations described in this clause (ii) on the maturity date or dates thereof or on the redemption date or dates specified in the irrevocable instructions referred to in sub-clause (a) of this clause (ii), as appropriate and (d) which at the time of their purchase hereunder are rated AAA by Standard & Poors Rating Group and if rated by Moody's Investors Service, are rated Aaa by such agency:
- (iii) bonds, debentures, or other evidences of indebtedness issued or guaranteed by an agency or corporation which has been or may hereafter be created pursuant to an Act of Congress as an agency or instrumentality of the United States of America which at the time of their purchase hereunder are rated AAA and Aaa by Standard and Poors and Moody's Investors Service, respectively, or if only rated by one, then shall have a AAA or Aaa, as the case may be.
- (iv) obligations of any state of the United States of America or any political subdivision

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thereof or an agency or instrumentality of any state or political subdivision, provided at the time of their purchase hereunder such obligations are rated in either of the two highest rating categories by two nationally recognized rating agencies;

- (v) any agreements or contracts with insurance companies or other financial institutions, which agreements or contracts
 - (a) shall be rated at the date of investment in such agreements or contracts in the highest whole rating category by two nationally recognized rating agencies, or
 - (b) are issued and entered into by (i) an insurance company whose claim paying ability shall be rated at the date of investment in such agreements or contracts in the highest whole rating category by two nationally recognized rating agencies or (ii) an insurance company or other financial institution that has issued and outstanding senior unsecured indebtedness rated at the date of investment in such agreements or contracts in the highest whole rating category by two nationally recognized rating agencies, and whereby under each such agreement or contract the insurance company or other financial institution shall be absolutely and unconditionally obligated to repay the moneys invested by the Board and interest thereon, without any right of recoupment, counterclaim or set off. Right of assignment is permitted, if approved by the Board.
- (vi) direct and general obligations of the State of Florida for the payment of the principal of and interest on which the full faith and credit or said State are pledged, or any bonds or other obligations which as to principal and interest are unconditionally guaranteed by the State of Florida;
- (vii) certificates that evidence ownership of the right to payments of principal and/or interest on obligations described in clause (i) and (iii) of this definition, provided that such obligations shall be held in trust by a bank or trust company or a national banking association authorized to exercise corporate trust powers and subject to supervision or examination by federal, state, territorial or District of Columbia authority and having a combined capital, surplus and undivided profits of not less than \$50,000,000;
- (viii) certificates of deposit, whether negotiable or non-negotiable, and banker's acceptances issued by any bank, trust company or national banking association, in each case, having a combined capital, surplus and undivided profits of not less than \$100,000,000, provide at the time of their purchase hereunder such instruments are
 - (a) rated not lower than the second highest rating category by two nationally recognized rating agencies,
 - (b) issued by a bank, trust company or national banking association (1) which bank, trust company or national banking association's deposit obligations have been issued the highest possible rating(giving effect to any refinement or graduation of ratings by a numerical modifier or

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otherwise) by (x) Moody's Investors Service or (y) two nationally recognized rating agencies or (2) which bank, trust company or national banking association has issued and outstanding senior unsecured indebtedness rated not lower than the second highest whole rating category by two nationally recognized rating agencies; provided that, if after the purchase of any such certificates of deposit, the ratings thereon or with respect to the issuer thereof, as the case may be, shall fall below the requirement set forth in clause (a) or (b) hereof, the Board shall sell such certificates of deposit, or (c) fully insured by the FDIC or secured, to the extent not insured by the FDIC, by such securities as described in clause (i) of this definition which securities shall at all times have a market value at least equal to the principal amount of such certificates of deposit or banker's acceptances. All purchases of certificate of deposit will comply with Florida regulations regarding qualified public depositories;

- (ix) commercial paper that, at the date of investment, is rated "P-1" by Moody's Investors Service and "A-1" by Standard & Poor's Rating Group or their respective successors or if not so rated by both such rating agencies, then rated "P-1" by Moody's Investors Service or "A-1" by Standard & Poor's Ratings Group or "F-1" by Fitch Investors Service and rated with the highest possible rating (giving effect to any refinement or graduation of ratings with a numerical or symbolic modifier or otherwise) by one other nationally recognized rating agency;
- (x) shares of an investment company organized under the Investment Company Act of 1940, as amended, which invests its assets exclusively in obligations of the type described in the other clauses of this definition.
- (xi) shares of an investment company organized under the Investment Company Act of 1940, as amended, which invests its assets in a diversified group of top tier money market instruments and other short term investments, and which is rated in either of the two highest rating categories by two nationally recognized rating agencies;
- (xii) interests in the State of Florida Local Government Surplus Funds Trust Fund or other similar common trust fund for which such state, or a constitutional or statutory officer or agency thereof, shall be the custodian.

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INDEBTEDNESS CREATED AGAINST A SCHOOL OR THE SCHOOL BOARD 7.38

Any school employee or other person shall be personally liable for creating any bill or indebtedness against a school or against the School Board unless authority exists under duly adopted policy of the School Board or unless authorized in writing by the Superintendent. Any employee violating the provisions of this rule shall be subject to cancellation of his/her contract or dismissal from employment.

STATUTORY AUTHORITY: 1001.41, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1012.22, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY: GBEB

CHAPTER 7.00 BUSINESS SERVICES

BONDED PERSONNEL 7.39

Each Board member, the Superintendent and any employee of the School Board who is responsible for school funds or property shall be placed under a bond or insured in an amount to be determined by the School Board as provided in State Board of Education rules or state law.

STATUTORY AUTHORITY: 112.08, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.08, 1001.42(10)(H), 1001.43, 1010.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0692

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DH

CHAPTER 7.00 BUSINESS SERVICES

FACSIMILE SIGNATURE 7.40

- 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.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 116.34, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.0421

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DGA

CHAPTER 7.00 BUSINESS SERVICES

AUTHORITY TO SIGN CONTRACTS, AGREEMENTS AND MEMORANDA OF UNDERSTANDING 7.41

The Superintendent is authorized to approve and execute the following types of contracts, agreements and memoranda of understanding on behalf of the Board:

- I. cooperative agreements with other educational agencies
- II. agreement with state, federal and local agencies to receive grants, awards, or gifts
- III. agreements with providers of before and after-school care
- IV. partnership school agreements
- V. rental or license agreements for conference halls, auditoriums, or meeting space
- VI. agreements for clinical experience programs
- VII. agreements with other governmental bodies that do not entail expenditure of school funds
- VIII. joint-use-of-facility agreements
- IX. school health services agreements
- X. agreements with other entities that fund school system programs
- XI. contracts for purchasing of goods and services for which the purchase amount is below the \$50,000 limit in policy which must be approved by the Board
- XII. agreements for the District to provide products or services to other parties
- XIII. school mental health agreements
- XIV. mobile home security agreements
- XV. interagency agreements
- XVI. a change order, amendment, or renewal to an agreement or contract which did not originally require Board approval
- XVII. license agreements for software or other materials
- XVIII. any other agreement that is deemed to be routine and of a type similar to those listed.

CHAPTER 7.00 BUSINESS SERVICES

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.34, 1001.41, 1001.42, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 18, 2000 REVISION DATE(S): _____ FORMERLY: DHA

FUND-RAISING FOR SCHOOL PROJECTS AND ACTIVITIES 7.42

All fund-raising projects and activities by schools or groups within the school 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. All fund-raising activities and projects shall have the prior knowledge and written approval of the principal and shall be under his/her control and supervision.

- I. Drives, solicitations of funds, and ticket selling by nonschool related agencies or by student bodies or student organizations for those agencies shall be prohibited on School Board property.
- II. Fundraising activity involving door to door solicitation is prohibited. Parents are encouraged to support school and PTA fundraising efforts.
- III. Raffles and other activities of chance shall not be conducted for school connected activities; privately-owned carnivals shall be prohibited.
- IV. Any contest which is conducted by selling votes shall be prohibited.
- V. Fund-raising publications or materials shall be free from obscenities.
- VI. All entertainment by outside groups shall be reviewed by the principal or designee to eliminate scenes, languages, or jokes which are not compatible with the dignity of an educational institution.
- VII. Each school shall be responsible for submitting taxes and reports to the proper authorities concerning proceeds from entertainments. Charging admission prices and setting fixed contributions to entertainment shall be subject to tax.
- VIII. Unlawful activity shall be prohibited by any school group and on School Board property.
- IX. The principal may approve the occasional sale of various items at a school for the financial benefit of school clubs or school-related organizations. Such sales shall be forbidden during the regular school day.
- X. Any school or community event sponsor or vendor who uses school facilities

shall notify the local public health unit not less than three (3) days prior to a scheduled school carnival, fair, or other celebration involving the sale or preparation of food or beverages.

- XI. Physical education apparel such as shorts, shoes, tee shirts, etc., shall be sold to students only on a nonprofit basis.

- XII. No teacher, class or group of students shall be assessed sums of money for any purpose.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1001.51, 1001.54, 1010.01, 1011.06, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.085, 6A-7.042

ADOPTED: April 1, 1997

REVISION DATE(S): July 10, 2006; November 10, 2008; February 3, 2009

FORMERLY: JJE

CHAPTER 7.00 BUSINESS SERVICES

ADMISSION CHARGES 7.43

- I. Athletic Events
The School Board shall approve uniform admission fees for school-sponsored athletic events in the District. Variances from uniform admission fees for special events shall be approved by the School Board prior to any such event.
- II. Entertainment Events
Entertainment for which admission is charged shall not be held in any public school during school hours.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.41, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.085, 6A-7.042

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: DFD

CHAPTER 7.00 BUSINESS SERVICES

DEPOSITORIES, DEPOSITING, WITHDRAWING AND TRANSFER OF FUNDS 7.44

- I. Depositories
The School Board shall approve a list of financial institutions as depositories of School Board funds. The School Board shall select financial institutions that are approved by the Florida Department of Insurance and the Office of the Treasurer as qualified public depositories.

- II. Direct Deposit of District Funds with the State Board
The Superintendent is authorized to direct the deposit of funds into the local Government Surplus Funds Trust Fund of the State Board of Administration for investment earning purposes when such funds are received by the District from the Department of Education or from any other public official or agency.

- III. Depositing and Withdrawing Funds
Funds may be received, disbursed, or transferred by electronic or other medium or drawn from any District school depository, by warrant to, from, or within its accounts in School Board approved financial institutions. Adequate internal control measures shall be established and maintained on the authority of the School Board, as prescribed by Florida Statutes or State Board of Education Rules.

- IV. Transfer of Funds
The Superintendent or designee may be authorized by School Board resolution to enter into authorizing agreements with financial institutions for monetary transactions through electronic or other medium, from one county depository to another, or within a county depository for financial purposes. All monetary transactions shall be confirmed in writing and signed by the Superintendent or designee.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.42, 1001.51, 1011.17, 1011.18, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.10012

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 28, 2008 FORMERLY: DFAA, DG

CHAPTER 7.00 BUSINESS SERVICES

SALE OF SUPPLIES TO OTHER AGENCIES 7.46

Supplies may be purchased from the School Board's central warehouses by other governmental agencies provided the needs of students and School Board employees are considered first. Overhead expenses shall be charged for each purchase by another agency based on a percentage of the total cost established by the Assistant Superintendent of Business and Financial Services.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.41, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: DFAA

CHAPTER 7.00 BUSINESS SERVICES

PAYMENT OF VOUCHERS/INVOICES 7.48

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

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 218.72-218.75, 1001.43, 1001.51, 1011.06, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: November 10, 2008 REVISION DATE(S): _____ FORMERLY:

CHAPTER 7.00 BUSINESS SERVICES

PAYROLL PROCEDURES 7.50

The Superintendent shall establish procedures for ensuring that the payroll for all employees is accurate and distributed in a timely manner.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.42, 1010.01, 1011.60, 1012.25, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.001, 6A-1.052

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: DKA

CHAPTER 7.00 BUSINESS SERVICES

PRETAX PAYROLL DEDUCTION PROGRAMS 7.52

- I. Pre–Tax Payroll/Benefits Deductions for 403(b), 403(b)(7) and 457(b) and IRC 125 accounts
- II. Purpose
This policy authorizes the superintendent to establish procedures for the approval of companies and agents to offer 403(b) and 403(b)(7) tax sheltered accounts and 457(b) deferred compensation accounts to school board employees based on generally accepted qualitative and quantitative standards and based upon guidelines established by Federal and/or State authority.
- III. Definitions:
403(b) Tax Sheltered Accounts include annuities issued by participating insurance companies.
403(b)(7) Tax Sheltered Accounts include mutual funds with custodial arrangements sponsored by investment management companies or Qualified Broker-Dealer.
457(b) Deferred Compensation Accounts include annuities issued by participating insurance companies and mutual funds with custodial arrangements sponsored by investment management companies or Qualified Broker-Dealer.
- IV. Flexible Benefit Plan (FBP)
The School Board may approve an IRC 125-Flexible Benefit Plan for School Board employees who are full time employees . The FBP may include, but shall not be limited to, insurance programs for hospitalization, life, cancer, dental, disability, hospital indemnity, and vision with a Medical Expense and Dependent Day Care assistance program. The payroll reduction may be on a pre-tax basis for federal withholding taxes under IRC 125 regulations.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.32, 1001.42, Federal Authority IRC 1986 as amended, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.052

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DLB

CHAPTER 7.00 BUSINESS SERVICES

TRAVEL EXPENSE REIMBURSEMENT 7.54

The School Board recognizes the authority of the Jacksonville City Council for establishing travel regulations for School Board members and employees. Reimbursement of travel expenses of School Board members and employees shall be in accordance with city ordinances, School Board policies, State Board of Education rules, and Florida Statutes.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.061, 1001.39, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.056

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: DKC

CHAPTER 7.00 BUSINESS SERVICES

AUDITS 7.60

- I. District Audits
 - A. Periodic audits shall be made of accounts, records, financial practices, and program elements of the District pursuant to Florida Statutes and State Board of Education rules.
 - B. The School Board shall select an independent auditor to perform audits of the District when the Auditor General advises a financial 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 The School Board shall establish an audit committee as required by Florida Statutes. The primary role of the committee shall be to assist in selecting an auditor to conduct the annual financial audit.
 - 2 Selection of the auditor shall be pursuant to provisions in Section 218.391, Florida Statutes.
 - 3 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.
 - 4 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.
 - C. Other auditors may be selected as permitted by law.
- 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.
 - 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 accounting firm.
- III. Nonfinancial 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.

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STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 11.45, 218.39, 218.391, 1001.42, 1001.43, 1008.35, 1011.07, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.087

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008

FORMERLY: DIE

CHAPTER 7.00 BUSINESS SERVICES

INTERNAL CONTROLS 7.64

The Superintendant or his designee shall develop internal controls for all systemic functions of law, finance, audit, inventory and accountability. These controls shall include, but not be limited to the following:

Accounts Payable

Budgeting

Computer access and use

Construction Contracts

Employee Leave Balances

Food Service Collections and Meal Accountability

Full Time Equivalent (FTE) Reporting

Fund Raising Activities

Internal Accounts

Internal Audits

Investment of Funds

Land Acquisition

Overtime

Payroll

Purchasing and Bidding.

Purchasing Card Information

Real Property Management

Travel Re-imbusement.

Stall shall review the internal controls annually and shall revise procedures as appropriate to ensure a strong system of internal control.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.42, 1001.43, 1010.01, 1010.04, 1011.01, 1011.60, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: _____ REVISION DATE(S): _____ FORMERLY: NEW

CHAPTER 7.00 BUSINESS SERVICES

ANTIFRAUD 7.67

The School Board of Duval County will not tolerate fraud or the concealment of fraud.

This policy applies to any fraud, suspected or observed, involving District employees, outside support organizations, vendors, contractor, volunteers, outside agencies doing business with the School Board and any other persons or parties in a position to commit fraud on the School Board.

Fraud includes, but is not limited to, knowingly misrepresenting the truth or concealment of a material fact in order to personally benefit or to induce another to act to his/her detriment.

Actions constituting fraud include but are not limited to:

- 1 Falsifying or unauthorized altering of District documents.
- 2 Accepting or offering a bribe, gifts, or other favors under circumstances that indicated the gift or favor was intended to influence an employee's decision making.
- 3 Disclosing to other persons the purchasing/bidding activities engaged in, or contemplated by the District in order to give any entity, person, or business an unfair advantage in the bid process.
- 4 Causing the District to pay excessive prices or fees where justification is not documented.
- 5 Unauthorized destruction, theft, tampering, or removal of records, furniture, fixtures, or equipment.
- 6 Using District equipment or work time for any outside private business activity.

Any perceived fraud that is detected or suspected by any staff member or other person shall be reported immediately to Human Resources Services for guidance as to whether pursuit of an investigation is warranted. The obligation to report fraud includes instances where an employee knew or should have known that an incident or fraud occurred. Any investigation required shall be conducted without regard to suspected wrongdoer's length or service, position, title, or relationship.

Investigations shall be conducted in a confidential manner.

Violation of this policy may result in disciplinary action, termination of employment, termination or contract or legal action.

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The Superintendent or designee shall develop procedures to implement this policy. Procedures shall include but not be limited to:

- 1 Employee notification and education.
- 2 Self-assessment of risk of fraud.
- 3 Reporting suspected to detected fraud.
- 4 Investigation of fraud
- 5 Consequences and disciplinary action

STATUTORY AUTHORITY: 1001.32, 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.42, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S): 6-2.001

HISTORY: ADOPTED: _____ REVISION DATE(S): _____ FORMERLY: NEW

CHAPTER 7.00 BUSINESS SERVICES

PURCHASING 7.70

I. General Provisions

A. Purposes, Rules of Construction

1. Interpretation -This Duval County Public Schools Purchasing policy shall be construed and applied in a manner to promote its underlying purposes best.
2. Purposes -The underlying purposes of this policy are
 - a. to simplify, clarify, and modernize procurement practices by Duval County Public Schools;
 - b. to permit the continued development of procurement policies and practices;
 - c. to provide for increased public confidence in the procedures followed in Duval County Public Schools;
 - d. to ensure the fair and equitable treatment of all persons who deal with the procurement system of Duval County Public Schools;
 - e. to provide increased economy in Duval County Public Schools procurement activities and to maximize to the fullest extent practicable the purchasing value of public funds of the Duval County Public Schools;
 - f. to foster effective broad-based competition within the free enterprise system;
 - g. to provide safeguards for the maintenance of a procurement system of quality and integrity; and
 - h. to ensure that any procurements made by Duval County Public Schools are made in accordance with the provisions of the Board's Minority Business Development and Assistance Program.
- 3 Singular-Plural and Gender Rules -In this policy, unless the context requires otherwise:
 - a. words in the singular number include the plural, and those in the plural include the singular; and

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- b. words of a particular gender include any gender and the neuter, and when the sense so indicates, words of the neuter gender may refer to any gender.

- B. **Supplementary General Principles of Law Applicable**
Unless displaced by the particular provisions of this policy, the principles of law and equity and law relative to capacity to contract, agency, fraud, misrepresentation, duress, coercion, mistake, or bankruptcy shall supplement the provisions of this policy.

- C. **Requirement of Good Faith**
This policy requires all parties involved in the negotiation, performance, or administration of Duval County Public Schools contracts and procurement to act in good faith.

- D. **Application of this Policy**
 - 1 **General Application** - This policy applies only to contracts solicited or entered into after the effective date of this policy unless the parties agree to its application to a contract solicited or entered into prior to the effective date and in no way, retroactively affects rights and remedies under existing contracts. The effective date of this policy will be the date that this policy is approved by the Duval County School Board.

 - 2 **Application to Duval County Public Schools** -This policy shall apply to every expenditure of public funds irrespective of their source, including federal assistance monies, by the Duval County Public Schools, acting through a governmental body as defined herein, under any contract. It shall also apply to the disposal of Duval County Public Schools supplies. Nothing in this policy or in procedures promulgated hereunder shall prevent the Duval County Public Schools from complying with the terms and conditions of any grant, gift, bequest, or cooperative agreement.

- E. **Severability**
If any provision of this policy or any application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this policy, and to this end the provisions of this policy are declared to be severable.

- F. **Determinations**
Written determinations required by this policy shall be retained in the appropriate official contract file of the Director of Purchasing or the Purchasing Department.

- G. **Definitions of Terms Used in this Policy.**
The words defined in this section shall have the meanings set forth below

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whenever they appear in this policy, unless the context in which they are used clearly requires a different meaning or a different definition is prescribed for a particular section or provision.

- 1 *Board* means, the Duval County School Board, a body politic and corporate.
- 2 *Business* means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other private legal entity.
- 3 A *Change Order* (Construction) is a written document on OFPC Form 425 executed by the Design Professional and the authorized designee following approval according to policy of the Duval County School Board.
- 4 *Change Order* (Non-Construction) means a written order signed by the Director of Purchasing or designee, directing the contractor to make changes which the Changes clause of the contract authorizes the Director of Purchasing to order without the consent of the contractor. This definition does not preclude the Director of Purchasing from seeking the consent of a contractor to a change order.
- 5 *Construction* means demolition, renovation, remodeling or new construction. It does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.
- 6 *Contract* means all types of Duval County Public Schools agreements and purchase orders, regardless of what they may be called, for the procurement or disposal of supplies, services, or construction.
- 7 *Contract Modification* means any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual action of the parties to the contract.
- 8 *Contractor* means any person having a contract with the Duval County Public Schools.
- 9 *Data* means recorded information, regardless of form or characteristic.
- 10 *Designee* means a duly authorized representative of a person holding a position of authority pursuant to powers properly given to them by another.
- 11 *Director of Purchasing* means the head of the central purchasing office of the Duval County Public Schools.

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- 12 *Employee* means an individual drawing a salary from the Duval County Public Schools, whether elected or not.
- 13 *May* denotes the permissive.
- 14 *Person* means any business, individual, union, committee, club, other organization, or group of individuals.
- 15 *Procurement* means buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services, or construction. It also includes all functions that pertain to the obtaining of any supply, service, or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.
- 16 *Procurement Officer* means any person duly authorized to enter into and administer contracts and make written determinations with respect thereto. The term also includes an authorized representative acting within the limits of authority.
- 17 *Purchasing Department* means any authorized representatives who work for and are supervised by the Director of Purchasing.
- 18 *Real Property* means land, buildings, fixtures, and all other improvement to land.
- 19 *Regulation* means a statement, having general or particular applicability and future effect, designed to implement, interpret, or prescribe law or policy, or describing organization, procedure, or practice requirements.
- 20 *Services* mean the furnishing of labor and time, by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. This term shall not include services rendered under an employment agreement. This definition of services includes, but is not limited to, consulting, personal, professional, technical, and purchase-of-client services.
- 20 *Shall* denotes the imperative.
- 21 *Supplies* mean all tangible property including but not limited to equipment, materials, printing, excluding land or a permanent interest in land.

H. Public Access to Procurement Information
Procurement information shall be subject to the Public Records Act in Chapter 119, Florida Statutes, unless otherwise exempted by said Act to the extent provided and shall be available to the public as provided in such

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statute. The purpose of this provision is to achieve maximum public access to procurement information consistent with appropriate consideration of safeguards for contractors and employees.

- I. Authority of the Director of Purchasing
 - 1 Principal Procurement Officer of the Duval County Public Schools The Director of Purchasing shall serve as the principal procurement officer of the Duval County Public Schools, except that the Assistant Superintendent for Facilities Services shall serve as the principal procurement officer for real property and construction contracts as defined in Section I.G., of terms used in this policy.
 - 2 Power to Adopt Operational Procedures -Consistent with the provisions of this policy, the Director of Purchasing may adopt operational procedures governing the internal functions of the Purchasing Department.
 - 3 Duties -Except as otherwise specifically provided in this policy, the Director of Purchasing shall
 - a. procure or supervise the procurement of all supplies and services needed by the Duval County Public Schools;
 - b. establish and maintain programs for the inspection, testing, and acceptance of supplies and services.
- J. Delegation of Authority by the Director of Purchasing
The Director of Purchasing may delegate authority to designees where consistent with Board policies and applicable law.
- K. Statement of Policy on Ethics
Public employment is a public trust. It is the policy of the Duval County Public Schools to promote and balance the objective of protecting government integrity and the objective of facilitating the recruitment and retention of personnel needed by the Duval County Public Schools.
Board employees must discharge their duties impartially to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the Duval County Public Schools procurement organization. All employees shall be bound by the provisions of applicable law relating to the ethics of public employees and also of certificated educators.
- L. Statement of Policy on Minority Business Development and Assistance Program

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Any procurements made pursuant to this policy will be made in accordance with the provisions of the Board's Minority Business Development and Assistance Program.

II. Source Selection and Contract Formation

A. Definitions of Terms Used in this Section

- 1 *Cost -Reimbursement Contract* means a contract under which a contractor is reimbursed for costs which are allowable and allocable in accordance with the contract terms and the provisions of this policy, and a fee, if any.
- 2 *Established Catalogue Price* means the price included in a catalogue, price list, schedule, or other form that
 - a. is regularly maintained by a manufacturer or contractor;
 - b. is either published or otherwise available for inspection by customers; and
 - c. states prices at which sales are currently or were last made to a significant number of any category of buyers or buyers constituting the general buying public for the supplies or services involved.
- 3 *Invitation for Bids* means all documents, whether attached or incorporated by reference, utilized for soliciting bids.
- 4 *Purchase Description* means the words used in a solicitation to describe the supplies, services, or construction to be purchased, and includes specifications attached to or made a part of the solicitation.
- 5 *Request for Proposals* means all documents, whether attached or incorporated by reference, utilized for soliciting proposals.
- 6 *Responsible Bidder or Offeror* means a person who has the capability in all respects to perform fully the contract requirements, and the integrity and reliability which will assure good faith performance.
- 7 *Responsive Bidder* means a person who has submitted a bid which conforms in all material respects to the Invitation for Bids.
- 8 *Responsive Proposer* means a person who has submitted a proposal which conforms to all material requirements to the Request for Proposals.

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B. Methods of Source Selection and Board Approval

Unless otherwise authorized by law, all Board contracts shall be awarded by one of the following methods:

- 1 Section II.C. Formal Sealed Bidding
- 2 Section II.D. Formal Sealed Proposals
- 3 Section II.E. Informal Procurements
- 4 Section II.F. Sole Source Procurements
- 5 Section II.G. Emergency Procurements
- 6 Section II.H. Florida Administrative Purchasing Policies

Awards in excess of \$50,000, including the purchase of services pursuant to II.H.1. require Board approval. The Superintendent will furnish the Board monthly a list of all awards, other than informal procurements, for \$50,000 or less. Purchases of goods or commodities made pursuant to section II.H.1. do not require Board approval, but if any purchase is in excess of \$50,000, it shall be included in the monthly report to the Board. In the procurement of commodities and contractual services, the purchasing services department will receive and give consideration to the prices made available to it through the use of the program for online procurement as referenced in section 287.057(23)(a), F.S. under the rules of the Department of Management Services, Division of Purchasing.

C. Formal Sealed Bidding

- 1 Conditions for Use -Contracts shall be awarded by formal sealed bidding when the amount of the purchase exceeds an amount established by the State Board of Education or an amount approved by waiver by the Commissioner of Education except as otherwise provided.
- 2 Invitation for Bids -An Invitation for Bids shall be issued and shall include a purchase description and any contractual terms and conditions applicable to the procurement known at the time the Invitation for Bids is issued.
- 3 Public Notice -Public notice of the Invitation for Bids shall be given a reasonable time prior to the date set forth therein for the opening of bids. Such notice may include publication in a newspaper for a reasonable time prior to bid opening.
- 4 Bid Opening -Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the Invitation for Bids. The amount of each bid, and such other relevant information as

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may be specified by regulation, together with the name of each bidder shall be recorded; the record and each bid shall be open to public inspection.

- 5 Bid Acceptance and Bid Evaluation -Bids shall be accepted without alteration or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the Invitation for Bids. Depending on the type of bid, criteria may be included to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation costs, and total or life cycle costs, or other factors. The Invitation for Bids shall set forth the evaluation criteria to be used.
- 6 Correction or Withdrawal of Bids -Correction or withdrawal of inadvertently erroneous bids may be permitted before opening. After bid opening, no changes in bid prices or other provisions of bids to the interest of the Board or fair competition shall be permitted. This shall not preclude negotiation with a bidder which is authorized by Statute or State Requirements for Educational Facilities. After an award is made, the award may be canceled by the Director of Purchasing or the Board whichever made the award pursuant to provisions herein, when deemed to be in the best interests of Duval County Public Schools pursuant to established procedures.
- 7 Waiver of Technicalities -Duval County Public Schools reserves the right to waive any and all irregularities which do not provide unfair advantage to bidders or proposers and to solicit and evaluate exceptions to all bids and proposals submitted under this policy.
- 8 Bonds
Bid security may be required for competitive sealed bids. When required, bid security shall be a bond provided by a surety company authorized to do business in the state of Florida, or the equivalent in cash, or otherwise supplied in a form satisfactory to the Duval County Public Schools. When the invitation for bids requires security, noncompliance requires that the bid be rejected unless it is determined that the bid fails to comply in a non-substantial manner with the security requirements.

Performance bonds may be required for contracts awarded in excess of established amounts. A performance bond must be delivered to the Duval County Public Schools that is satisfactory to Duval County Public Schools, executed by a surety company authorized to do business in the State of Florida or otherwise secured in a manner

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satisfactory to the Duval County Public Schools, in an amount equal to 100% of the price specified in the contract.

Payment bonds may be required for contracts awarded in excess of established amounts. A payment bond must be delivered to the Duval County Public Schools that is satisfactory to the Duval County Public Schools, executed by a surety company authorized to do business in the State of Florida or otherwise secured in a manner satisfactory to the Duval County Public Schools, for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in the amount equal to one hundred percent (100%) of the price specified in the contract.

- 9 Award -The contract shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the Invitation for Bids.
- 10 Multi-step Sealed Bidding -When it is considered impractical to initially prepare a purchase description to support an award based on price, an Invitation for Bids may be issued requesting the submission of unpriced offers to be followed by an Invitation for Bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.

D. Formal Sealed Proposals

- 1 Conditions for Use -When the amount of the procurement exceeds an amount established by the State Board of Education or an amount approved by waiver by the Commissioner of Education and the Director of Purchasing or an officer above the level of the Director of Purchasing determines in writing that the use of formal sealed bidding is either not practicable or not advantageous to the Duval County Public Schools, a contract may be entered into by formal sealed proposals.
- 2 Request for Proposals -Proposals shall be solicited through a Request for Proposals.
- 3 Public Notice -Public notice of the Request for Proposals shall be given in the same manner as provided in Section II.C.3., Formal Sealed Bidding, Public Notice.
- 4 Receipt of Proposals -Proposals shall be opened so as to avoid disclosure of contents to competing offerors during the process of

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negotiation. A Register of Proposals shall be prepared and shall be open for public inspection after contract award.

- 5 Evaluation Factors -The Request for Proposals shall state the relative importance of price and other evaluation factors including Minority Business Enterprise participation.
- 6 Discussion with Responsible Offerors and Revisions to Proposals As provided in the Request for Proposals, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers.
- 7 Award -Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the Duval County Public Schools taking into consideration price and the evaluation factors set forth in the Request for Proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

E. Informal Procurements

Any procurement not exceeding an amount established by the State Board of Education or an amount approved by waiver by the Commissioner of Education shall be made in accordance with informal procurement procedures developed by the Director of Purchasing. Procurement requirements shall not be artificially divided so as to constitute an informal procurement under this section. Any procurement in an amount less than an amount established by the State Board of Education or an amount approved by waiver by the Commissioner of Education but greater than \$5,000 shall require the solicitation of at least three (3) written quotations. Any procurement in an amount less than \$5,000 may require solicitation of written or verbal quotations at the discretion of the Director of Purchasing or designee.

F. Sole Source Procurements

A contract may be awarded for a supply or service without competition when the Director of Purchasing, or a designee, determines in writing that there is only one source for the required supply or service. This method of procurement involves no competition and should be utilized only when justified and necessary to serve the needs of the Duval County Public Schools. The power to authorize a sole source award is limited to the Director of Purchasing or designees. The purpose in specifying these officials is to reflect an intent that such determinations will be made at a high

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level.

G. Emergency Procurements

Notwithstanding any other provision of this policy, the Director of Purchasing or a designee may make or authorize others to make emergency procurements when there exists a threat to public health, welfare, or safety under emergency conditions provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file.

H. Florida Administrative Purchasing Policies Florida Administrative Rules waives the requirements for requesting bids for the following:

- 1 Purchases that are made at the unit prices in contracts awarded by city or county governmental agencies, other school boards, community colleges, state university system cooperative bid agreements or state contracts.
- 2 Purchase of professional or educational services, educational tests, textbooks, printed instructional materials, computer software, films, filmstrips, video tapes, disc or tape recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where such materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or recognized educational institution.
- 3 Purchases, leases, lease with option to purchase, rental or otherwise information technology resources. The school district can enter into direct negotiation and contract with a vendor or supplier, as best fits the needs of the school district, as determined by the School Board.
- 4 Purchase of insurance, entering risk management programs, or contracting with third party administrators. This can also be done by direct negotiation and contract.

I. Cancellation or Rejection of Invitations for Bids or Requests for Proposals An Invitation for Bids, a Request for Proposals, or other solicitation may be canceled. Portions of any or all bids or proposals may be rejected in whole or in part when it is in the best interests of the Duval County Public Schools.

J. Responsibility of Bidders and Offerors

Determination of Nonresponsibility -A written determination of nonresponsibility of a bidder or offeror shall be made in accordance with procedures. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility

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may be grounds for a determination of nonresponsibility with respect to such bidder or offeror.

- K. Prequalification of Suppliers Prospective suppliers may be prequalified for particular types of supplies or services. Solicitation mailing lists of potential contractors shall include but shall not be limited to such prequalified suppliers. Prequalification is not a conclusive determination of responsibility, and a prequalified bidder or offeror may be rejected as non-responsible on the basis of subsequently discovered information. Similarly, a prior failure to prequalify will not bar a subsequent determination that a bidder or offeror is responsible with respect to any given procurement.

L. Cost or Pricing Data Certification

Contractor Certification -A contractor shall, when requested to do so, submit cost or pricing data and shall certify that, to the best of its knowledge and belief, the cost or pricing data submitted was accurate, complete, and current as of a mutually determined specified date prior to the date of

- 1 the pricing of any contract awarded by competitive sealed proposals (Section II.D.) or pursuant to the sole source procurement authority (Section II.F.), where the total contract price is expected to exceed an established amount; and
- 2 the pricing of any change order or contract modification which is expected to exceed an established amount.

M. Types of Contracts

Subject to the limitations of this section, any type of contract which will promote the best interests of the Duval County Public Schools may be used. A cost-reimbursement contract may be used only when a determination is made in writing that such contract is likely to be less costly to the Duval County Public Schools than any other type or that it is impracticable to obtain the supplies or services required except under such a contract.

N. Multi-term Contracts

- 1 Specified Period
 - a. Unless otherwise provided by law, a contract for supplies or services may be entered into for any period of time deemed to be in the best interests of the Duval County Public Schools provided the term of the contract and conditions of renewal or extension, if any, are included in the solicitation and funds are available for the first fiscal period at the time of contracting.

Payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriation of funds therefore.

- b. All Employee Benefit Programs such as Health and Life

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Insurance shall be competitively bid as required in section 112.08, F.S. Once competitively bid, subsequent contract renewal(s) may be negotiated and presented to the School Board for approval. Any plans for self-insurance or entering into a Risk Management consortium to provide such coverages must be presented to the School Board for approval and to the Department of Insurance.

- 2 Determination Prior to Use -Prior to the utilization of a multi-term contract, it shall be determined in writing
 - a. that estimated requirements cover the period of the contract and are reasonably firm and continuing; and
 - b. that such a contract will serve the best interests of the Duval County Public Schools by encouraging effective competition or otherwise promoting economies in the Duval County Public Schools procurement.

- 3 Cancellation Due to Unavailability of Funds in Succeeding Fiscal Periods -When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be canceled.

O. Rebids -The requirements for requesting bids and making purchases for goods and services are hereby waived, as authorized by section 1010.04, F.S. when the following conditions have been met:

- 1 bids have been requested in the prescribed manner, and
- 2 the School Board has made a finding that no valid or acceptable firm bid has been received within the prescribed time.

When such a finding has been officially made, the School Board may enter into negotiations with suppliers of such goods and services and shall have the authority to execute contracts with such suppliers under whatever terms and conditions as the Board determines to be in the best interests of the school system.

P. Rejection of Bids -All bids/proposals may be rejected if it is deemed in the best interest of Duval County Public Schools.

Q. Tie Bids -In the bidding process, when identical prices are received from two or more vendors and all other factors are equal, priority for award shall be given to vendors in the following sequence:

- 1 cash discounts offered for payments of thirty (30) days or longer;
- 2 a vendor that is a certified minority vendor by Duval County Public

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Schools Office of Minority Business Affairs;

- 3 a vendor that is located in Duval County, Florida;
 - 4 a vendor that is located in the State of Florida;
 - 5 a business that certifies that it has implemented a drug-free workplace program in accordance with the provisions of 287.087, F.S.;
 - 6 a coin toss by the Director of Purchasing or designee shall be held at the location where the bids were opened. The tie low bid vendors will be invited to be present as witnesses.
- R. Check Requests -A check request may be used when a purchase order is not required for items exempt from bidding as designated by the Superintendent or State Board of Education rules. Payments for bid-exempt items may be, but are not limited to, copyrighted materials, legal advertisements, memberships, professional services, payroll, transfers, registrations, withholdings, taxes, investments, postage, judgments, penalties, insurance, licenses, advance lodging, and utility bills.
- S. Unauthorized Purchases -An unauthorized purchase occurs anytime goods or services are received prior to a purchase order being issued. Any employee making an unauthorized purchase shall be subject to appropriate discipline. All unauthorized purchases shall be reported to the appropriate supervisor.
- T. Right to Inspect Plant or Place of Business -The Duval County Public Schools may, at reasonable times, inspect the part of the plant or place of business of a contractor, subcontractor, or supplies which is related to the performance of any contract awarded or to be awarded by the Duval County Public Schools.
- U. Right to Audit Records
- 1 Audit of Cost or Pricing Data -The Duval County Public Schools may, at reasonable times and places, audit the books and records of any person who has submitted cost or pricing data pursuant to section II.L. Cost or Pricing Data certification, to the extent that such books and records relate to such cost or pricing data. Any person who receives a contract, change order, or contract modification for which cost or pricing data is required, shall maintain such books and records that relate to such cost or pricing data for three years from the date of final payment under the contract, unless a shorter period is otherwise authorized in writing.
 - 2 Contract Audit -The Duval County Public Schools shall be entitled to audit the books and records of a contractor or any subcontractor under any negotiated contract or subcontract other than a firm fixed-

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price contract to the extent that such books and records relate to the performance of such contract or subcontract. Such books and records shall be maintained by the contractor for a period of three years from the date of final payment under the prime contract and by the subcontractor for a period of three years from the date of final payment under the subcontract, unless a shorter period is otherwise authorized in writing.

- V. Finality of Determinations -The determinations required by previous sections are final and conclusive unless they are clearly erroneous, arbitrary, capricious, or contrary to law.
 - W. Reporting of Anticompetitive Practices -When for any reason collusion or other anticompetitive practices are suspected among any bidders or offerors, a notice of the relevant facts shall be transmitted to the appropriate law enforcement agency.
 - X. Retention of Procurement Records -All procurement records shall be retained and disposed of in accordance with records retention guidelines and schedules.
- IV. Specifications
- A. Definitions of Terms Used in this Section -*Specification* means any description of the physical or functional characteristics, or of the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing, or preparing a supply, service, or construction item for delivery.
 - B. Duties of the Director of Purchasing -The Director of Purchasing or designee shall prepare, issue, revise, maintain, and monitor the use of specifications for supplies, services, and construction required by the Duval County School Board.
 - C. Duties of the Purchasing Department -Primary responsibility of proper specification preparation is centralized in the Purchasing Department. Such centralization will enhance the Board's capabilities to produce, maintain, and revise specifications effectively to ensure that they are cogent and current.
 - D. Specifications Prepared by Design Professionals -The Board may retain design professionals to prepare specifications on projects which shall be consistent with other policies and procedures of the Board.
 - E. All specifications for additions, modifications, and alterations to School Board properties shall conform with the State Requirements for Educational Facilities (SREF) and the laws of the State of Florida.
- V. Modification and Termination of Contracts for Supplies and Services
- A. Contract Clauses -Contracts may include clauses providing for adjustments

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in prices, time of performance, or other contract provisions including

- 1 the unilateral right of the Duval County School Board to order in writing
 - a. changes in the work within the scope of the contract; and
 - b. temporary stopping of the work or delaying performance; and
2. variations occurring between estimated quantities in a contract and actual quantities.

B. Price Adjustments

- 1 Adjustments in price pursuant to clauses promulgated under Subsection A. of this Section shall be computed in one or more of the following ways:
 - a. by agreement on a fixed price adjustment before commencement of the pertinent performance or as soon thereafter as practicable;
 - b. by unit prices specified in the contract or subsequently agreed upon;
 - c. by the costs attributable to the events or situations under such clauses with adjustment of profit or fee, all as specified in the contract or subsequently agreed upon;
 - d. in such other manner as the contracting parties may mutually agree; or
 - e. in the absence of agreement by the parties, by a unilateral determination by the Duval County School Board of the costs attributable to the events or situations under such clauses with adjustment of profit or fee, all as computed by the Duval County School Board subject to the provisions of Section V, Legal and Contractual Remedies.

- C. Additional Contract Clauses -Procedures may be promulgated including, but not limited to, procedures permitting or requiring the inclusion in Board contracts of clauses providing for appropriate remedies and covering, but not limited to, the following subjects:

liquidated damages as appropriate;

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specified excuses for delay or nonperformance;

termination of the contract for default; and

termination of the contract in whole or in part for the convenience of the Board.

- D. Modification of Clauses -The Director of Purchasing may vary the clauses promulgated under Subsection A. and Subsection C. of this Section for inclusion in any particular Board contract; provided that any variations are supported by a written determination that states the circumstances justifying such variation and provided that notice of any such material variation be stated in the Invitation for Bids or Request for Proposals.

VI. Legal and Contractual Remedies

A. Authority to Resolve Protested Solicitations and Awards.

- 1 Any actual or prospective bidder, proposer or contractor who is aggrieved in connection with the solicitation or award of a contract may file a protest and shall deliver its written notice of protest to the Associate Superintendent, Administration and Business Services, or designee (hereinafter Hearing Officer) immediately, but no later than two (2) working days after bid opening or after recommendation of award, if not to the apparent low bidder, or as set forth in paragraph V.A.9., which will initiate the 48-hour notice requirement. The written protest with documentation shall be delivered to the Hearing Officer no later than 2 p.m. on the fourth (4th) calendar day immediately following the bid opening or receipt of notice of intent to award recommendation as is appropriate. If that day is a School Board non-workday, the protest shall be delivered no later than 9 a.m. the next Duval County School Board (DCSB) workday. Protests shall be presented with specificity, and every issue shall be fully documented.
- 2 The legal basis for any relief sought must be clearly identified and explained in the written notice of protest.
- 3 The Hearing Officer shall call a meeting and hear all protests and receive all evidence within a reasonable time. This does not preclude the Hearing Officer from calling a special meeting or granting a continuance under extraordinary circumstances.
- 4 All bidders or offerors shall receive notice of any protest hearing and a copy of the protest document. Attachments shall be available upon request.
- 5 The *Florida Rules of Civil Procedure* may be relaxed at the sole discretion of the Hearing Officer presiding at any protest hearing.

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- 6 The Hearing Officer shall issue his/her decision within two (2) working days of the completion of the protest hearing.
- 7 The Hearing Officer's decision shall result in a final order which may include findings and conclusions. The decision of the Hearing Officer shall be final.
- 8 The DCSB does not encourage the use of facsimiles (faxes) to accomplish delivery of the notice of protest and the protest itself. Any bidder or offeror utilizing delivery by fax shall assume the risk associated with incomplete delivery or nonreceipt.
- 9 Any protest specification objection shall be generally treated as set forth in paragraph V.A.1. The operative date for the notice requirement shall be the date the specifications were obtained by the prospective bidder or offeror but no later than ten (10) days prior to the date of bid opening or proposal due date.

B. Authority to Debar or Suspend

- 1 Authority -After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the Board shall have authority to debar a person for cause from consideration for award of contracts. The debarment shall not be for a period of more than three years. The Director of Purchasing shall have authority to suspend a person from consideration for award of contracts if there is probable cause for debarment. The suspension shall not be for a period exceeding three months. The authority to debar shall be exercised in accordance with procedures.
- 2 Causes for Debarment or Suspension -The causes for debarment or suspension include the following:
 - a. conviction for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;
 - b. conviction under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a Duval County Public Schools contractor;
 - c. conviction under state or federal antitrust statutes arising out of the submission of bids or proposals;
 - d. violation of contract provisions, as set forth below, of a

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character which is regarded by the Director of Purchasing to be so serious as to justify debarment action:

- (1) deliberate failure without good cause to perform in accordance with the specifications or within the time limit provided in the contract; or
 - (2) a recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts; provided that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for debarment;
- e. any other cause the Director of Purchasing determines to be so serious and compelling as to affect responsibility as a Duval County Public Schools contractor, including debarment by another governmental entity for any cause.
- 3 Decision -The Director of Purchasing shall make a recommendation to the Superintendent to debar or suspend. The Board shall approve, reject, or modify this recommendation at a public meeting. The suspended or debarred person may appeal this action to the School Board at a public meeting.
- 4 Notice of Decision -A notice of the action taken by the Board under Subsection 3. of this section shall be mailed or otherwise furnished immediately to the debarred or suspended person and any other party intervening. This notice shall include
- a. the reasons for the action taken; and
 - b. the length of time of the debarment.

C. Applicability of this Part

The provisions of this part apply where it is determined administratively, or upon administrative or judicial review, that a solicitation or award of a contract is in violation of law.

D. Remedies Prior to an Award

If prior to award it is determined that a solicitation or proposed award of a contract is in violation of law, then the solicitation or proposed award shall be canceled or revised to comply with the law.

E. Remedies After an Award

If after an award it is determined that a solicitation or award of a contract is in

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violation of the law, then

- 1 if the person awarded the contract has not acted fraudulently or in bad faith, the contract may be ratified and affirmed, provided it is determined that doing so is in the best interest of the Duval County Public Schools;
- 2 if the person awarded the contract has acted fraudulently or in bad faith,
 - a. the contract may be declared null and void; or
 - b. the contract may be ratified and affirmed if such action is in the best interests of the Duval County Public Schools, without prejudice to the Duval County Public Schools' rights to such damages as may be appropriate.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

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

STATE BOARD OF EDUCATION RULE(S): 6A-1.012, 6A-1.085, 6A-1.087, 6A-7.042

HISTORY: ADOPTED: December 15, 1998 REVISION DATE(S): November 4, 2003; November 10, 2008 FORMERLY: DJ

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CONFLICT OF INTEREST IN PURCHASING 7.71

The following provisions shall apply for all purchases of materials, equipment, and services from District funds. Any conflict of interest, as described herein, by a School Board employee may be grounds for disciplinary action.

- I. No contract for goods or services may be made with any business organization in which:
 - A. The Superintendent or School Board member has any financial interest whatsoever;
 - B. A spouse or child of the Superintendent or School Board member has a material interest as defined by Section 112.312, Florida Statutes; or,
 - C. A School Board employee has an employment relationship or material interest as defined by Section 112.312, Florida Statutes.
- II. 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 Section 112.312, Florida Statutes.
- III. School Board employees or officials may not use bid prices or school prices or receive gifts or any preferential treatment in making personal 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.

STATUTORY AUTHORITY: 1001.41 F.S.

LAW(S) IMPLEMENTED: 112.313, 1010.04, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): December 15, 1998; August 5, 2003 FORMERLY: DJE

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MINORITY BUSINESS DEVELOPMENT AND ASSISTANCE PROGRAM 7.72

It is the policy of the Board to ensure the participation of minority business enterprise in providing supplies, services, professional services and capital improvements to the Board. The goal of this policy is to increase the use of minority business enterprises to a level comparable with their availability and reasonably remedy the present effects of past discrimination which have been demonstrated in the Board's findings adopted in its Minority Business Development and Assistance Program which is hereby incorporated by reference.

STATUTORY AUTHORITY: 1001.32, 1001.41, 1010.04, 1011.06, F.S.

LAW(S) IMPLEMENTED: 287.094, 1010.04, 1011.06, 1013.372, 1013.46, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY: DJE, FEG

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ADVANCE PURCHASE AGREEMENTS FOR SCHOOL ACTIVITIES 7.73

Purchase for any school activity or group shall not exceed the available cash resources of that school activity or group during any school year unless financing is arranged through an advance from the School Board prior to a purchase or purchase contract agreement. An appropriate resolution shall be presented to the School Board when a school desires to adjust its financial priorities to purchase items as described herein which cannot be financed from the school's current funds. The resolution shall be prepared by the school's recognized organization and shall be approved by its membership in accordance with the organization's charter and bylaws.

STATUTORY AUTHORITY: 1001.41, F.S.

LAW(S) IMPLEMENTED: 1001.42, 1010.04, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.012

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: DJE

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PURCHASES FOR STUDENTS 7.74

The Superintendent shall develop bidding procedures for goods and services that are purchased by students and their parents or legal guardians. This shall include, but not be limited to, student photographs, pictures of graduating seniors, printing of school annuals, class rings, and graduation caps and gowns. Such procedures shall be consistent with procedures employed by the Business and Financial Services Division. All bid specifications, bids submitted by vendors, and contracts entered into by the school principal shall be maintained on file in the principal's office. All funds from the above-mentioned activities must be deposited in the school's internal funds and shall be subject to the regular individual school audit.

STATUTORY AUTHORITY: 1001.41, F.S.

LAW(S) IMPLEMENTED: 1001.51, 1010.04, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.091

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: DJE

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QUALITY CONTROL AND INSPECTIONS 7.75

Director of Purchasing or designee shall give primary attention to the procurement of supplies, services, materials, and equipment of the quality desired. He/She shall ensure the achievement of desirable quality levels in all purchasing areas through refinement of specifications, trial tests, purchasing guides, field checks, and inspections.

- I. Product and service testing shall be an integral and continual part of the material acquisition program authorized by the School Board.
- II. All School Board employees who are responsible for accepting delivery of products or services shall evaluate products and services to determine conformity with the required quality levels before initiating payment proceedings. Products or services which do not meet applicable standards shall be reported to the appropriate authority for corrective action.

STATUTORY AUTHORITY: 1001.41, F.S.

LAW(S) IMPLEMENTED: 1001.51, 1010.04, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): December 15, 1998 FORMERLY:
DJE

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PAYMENTS TO CONTRACTORS DURING CONSTRUCTION 7.76

Payments to construction contractors shall be based on the following:

- I. **Schedule of Values**

The contractor shall submit a schedule of values allocated to various portions of the work approved by the design professional. This schedule of values shall be submitted on the forms indicated in the contract documents and shall be used as a basis for the contractor's application for payment.
- II. **Monthly Application for Payment**

The contractor shall submit a monthly application for payment to the design professional at least ten (10) days prior to the date for each progress payment. The application shall be in the same format and based on the same cost data as the original schedule of values, showing the amount of work completed or materials stored at the site for each category of work.
- III. **Payments for Stored Materials and/or Equipment**

Payments shall be made on account of materials or equipment delivered and suitably stored at the site. Payment for materials and/or equipment stored other than the site shall be agreed upon in writing and in advance.

 - A. **Materials stored off-site shall be stored in a bonded warehouse or other suitable location if approved in advance by the Superintendent or designee.**
 - B. **The contractor shall**
 - 1 **Provide bills of sale to establish the owner's title to the materials or equipment;**
 - 2 **Supply applicable insurance;**
 - 3 **Furnish transportation to the site for those materials and equipment; and,**
 - 4 **Document consent of surety to the arrangement before the payment is authorized.**
- IV. **Retainage**

An amount equal to ten percent (10%) of each monthly payment shall be retained by the owner until 50% of the work has been completed in accordance with the contract documents, subject to the Superintendent or his designee's approval. Retainage may be reduced at the discretion of the owner as determined by the design professional and the Facilities Department.
- V. **Final Payment**

The final payment may be released to the contractor and the design professional upon

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receipt of the Certificate of Final Inspection (CFI) issued by the DCPS Office of Code Enforcement, completion of all work in accordance with the approved plans and specifications and approved change orders, written acceptance of the project by the architect or other person designated by the Superintendent, and acceptance by the Board.

STATUTORY AUTHORITY: 1001.41, F.S.

LAW(S) IMPLEMENTED: 218.735, 1001.42, 1013.47, 1013.50, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008

FORMERLY: DK

CHAPTER 7.00 BUSINESS SERVICES

SELECTING PROFESSIONAL SERVICES 7.78

When it is determined that the School Board may need to contract for the professional services of an architect, professional engineer, registered land surveyor, Design-Build, Construction Management or Program Management firm, such services shall be procured in a manner consistent with Section 287.055 F.S. Consultants' Competitive Negotiation Act.

The Superintendent shall develop procedures for the selection of professional services in accordance with the Board Purchasing Policy.

Contracts - Any contract entered into by the School Board for professional services, as provided herein, shall include a prohibition against contingent fees.

The Superintendent or designee may authorize outside consultants to provide professional reviews, assistance or training.

Full or part-time employees of the Board shall not contract for additional service to the Board as consultants.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 237.02, 287.055, 1001.43, 1001.45, 1011.06, F.S.

STATE BOARD OF EDUCATION RULE(S): 6-2.001

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008

FORMERLY: FE

CHAPTER 7.00 BUSINESS SERVICES

ACQUISITION, USE AND EXCHANGE OF SCHOOL PROPERTY 7.80

- I. 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 the provisions of the Property Management, Inventories and Property Records policy, acquired through internal accounts or donations, shall be reported immediately by the principal or work site supervisor to the designated property records office on the prescribed forms.
 - D. Principals and work site supervisor shall be responsible for determining that all property is identified and accounted.
- II. Exchange - Each principal and work site supervisor shall determine the property needs for his/her school or department. The principal or District department head shall declare any property which is not needed, upon approval of the designated property control 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 I.C. above may be exchanged between schools and District departments when approval is granted by the designated property records office and subsequently by the appropriate District 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 head. These conditions include familiarization with the equipment for instructional purposes or improvement of job performance.
 - D. School Board equipment shall not be used for gainful outside employment or private use of employees or by any outside group or organization.
- III. Acquisition of real property is not included under this policy.

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STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 274.01, 274.02, 1001.43, 1011.06, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DID

CHAPTER 7.00 BUSINESS SERVICES

ACQUISITION OF REAL PROPERTY 7.81

- I. A determination by the School Board that real property is needed for school use shall be based on approved master planning data. Two (2) or more proposed locations shall be considered for each acquisition unless extenuating circumstances preclude such consideration. Extenuating circumstances shall be as follows:
 - A. Availability of alternate locations because of prior land use commitments; the need to acquire land adjacent to an existing school site for purpose of expanding said site; or the purpose of establishing a new school center adjacent to an existing school center for implementation of programs that may be suitably carried out through common use of facilities for more than one (1) school.
 - B. Joint use of land, as part of a master plan, for educational purposes and community recreational and cultural purposes.
- II. The Superintendent or designee may negotiate with the owner and determine the purchase price of the land, if such is determined to be in the best interest of the School Board.
- III. If it is determined to be in the best interest of the School Board, two (2) independent, qualified real estate appraisers shall be appointed to provide a standard narrative form of appraisal complete with supporting data. Final settlement shall not exceed the amount of the highest appraisal.
- IV. If negotiations with the owner are not successful, the School Board may exercise its right of eminent domain, and proceedings shall be filed in a court having jurisdiction and a date of value established on which to base the market value of the property.
- V. Topographical surveys and legal descriptions shall be obtained, including metes and bounds description of all real property considered for purchase.
- VI. Upon decision of the School Board to acquire real property, a title search shall be initiated by a competent, legal consultant or a title search company, and a policy of title insurance will be required upon completion of acquisition proceedings secured by surety satisfactory to the School Board.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1013.14, 1013.24, 1013.36, F.S.

STATE BOARD OF EDUCATION RULE(S): 6-2.001

HISTORY: ADOPTED: November 10, 2008 REVISION DATE(S): _____ FORMERLY:
NEW

CHAPTER 7.00 BUSINESS SERVICES

LEASE AND LEASE-PURCHASE OF FACILITIES AND EQUIPMENT 7.82

- I. When it is necessary to furnish facilities for instructional purposes other than School Board owned facilities, the Superintendent may recommend the acquisition of such facilities 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;
 - F. All required written documents necessary for the execution and maintenance of agreements;
 - G. Agreements do not constitute a debt, liability, or obligation of the State or Board, or pledge the faith and credit of the State or Board.
- II. The School Board may authorize the lease or rental of equipment for use in the District when one (1) or more of the following or similar conditions exist:
 - A. A lease is more economical than the purchase due to the temporary or short duration for using the equipment.
 - B. The item's suitability for a purpose cannot be conclusively established.
 - C. The availability of a new or improved design of the item proposed for use is impending.
 - D. The leasing of equipment may enable a project to start or continue when the purchase price exceeds available funds.
 - E. The item needed for a service is available only on a lease or rental basis from the patent holder.

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STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, 1013.15, 1013.19, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
DJE, FCC

CHAPTER 7.00 BUSINESS SERVICES

SALE, TRANSFER OR DISPOSAL OF PROPERTY 7.83

The School Board may sell, transfer or dispose of any school real or tangible property, including instructional materials, declared by resolution of the Board to be unnecessary or unsuitable for school purposes because of location, condition or other cause.

I. Land or Buildings

The Superintendent shall recommend to the School Board any land or buildings (the "property") that is unsuitable or unnecessary for educational purposes because of location or other cause. The School Board shall review these recommendations and shall declare by resolution property that is unnecessary for educational purposes or otherwise unsuitable for educational purposes. Upon the Superintendent's recommendation (considering, among other matters, the best value), the School Board may then authorize the Superintendent to proceed with disposition (sale or lease/option to purchase) of the property in accordance with Sections 1013.28 and/or 1013.15, Florida Statutes. If the property is designated for disposition (sale or lease/option to purchase), then the Superintendent shall cause written notice to be sent to each district charter school of any competitive process for such disposition of the property. If the property will not be offered for sale or lease/option to purchase, but instead be available for use by other district public schools, then the provisions of Section 1002.33(18), Florida Statutes (relating to charter schools) shall be applicable, and the Superintendent shall cause written notices to be sent to the district charter schools of the process for the utilization of such available property.

II. Tangible Personal Property

Disposal of surplus tangible personal property shall be in accordance with Chapters 274.05, 274.06, and 274.07, Florida Statutes.

- A. The proceeds from the sale of tangible personal property which is included on the property inventory shall be identified as revenue from the sale of equipment.
- B. Funds generated from the sale of scrap or junk materials shall be deposited in accordance with these provisions.
 - 1 Funds for scrap originating from items, equipment, or supplies purchased with budgeted funds shall be returned to the school property deposit account.
 - 2 Funds for scrap originating from donated items or equipment shall be returned to school internal funds.

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- 3 The disposal of donated, registered vehicles shall be in accordance with School District Procedures as developed by the Superintendent, and shall be returned to the District General Funds.

III. Instructional Materials

Disposal of surplus and obsolete instructional materials shall be in accordance with State Board of Education Rule 6A-7.074.

STATUTORY AUTHORITY: 1001.42, 1001.41(2), 1001.42(9)(e), F.S.

LAW(S) IMPLEMENTED: 274.05, 274.06, 274.07, 1001.43, 1006.41, 1013.28, 1013.15, F.S.

STATE BOARD OF EDUCATION RULE(S): 6-2.001, 6A-7.074, 6A-2.0010 FAC; SREF 1.4(1)

HISTORY: ADOPTED: July 2008 REVISION DATE(S): November 10, 2008

FORMERLY: DN

CHAPTER 7.00 BUSINESS SERVICES

PROPERTY MANAGEMENT, INVENTORIES AND PROPERTY RECORDS 7.85

- I. School Property Custodians
 - A. The Superintendent is designated as the custodian for all property owned or controlled by the School Board provided, however, he/she may delegate responsibilities to other school personnel.
 - B. Each school principal shall be the custodian of all property located at and charged to that school. The District department head shall be the custodian of all property purchased through and assigned to that department. The principal or the District department head may delegate the responsibility to employees in that school or department and that person shall be responsible to the principal or District department head.
 - C. Principals and District department heads shall make provisions to ensure that all School Board facilities are locked and secured when not in use by students, employees or other authorized persons.
- II. 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 inventories shall be verified by the District administration at the Superintendent's direction. The Superintendent shall develop administrative procedures to implement this policy.
- III. Any incoming principal and the property control officer shall make an inventory of all school equipment when the new principal assumes the duties of the position. This inventory shall be checked against the last inventory made at the school and a report shall be filed with the District office to identify any shortages or discrepancies.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: Chapter 274.02, 1001.43, 1001.51, 1001.54, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY: DID, EC

CHAPTER 7.00 BUSINESS SERVICES

DONATED EQUIPMENT 7.87

Any equipment donated by any individual or organization shall become the School Board's property, shall be placed on the school's inventory, and shall remain in the school unless the Superintendent or designee authorizes in writing its transfer to another school. In accepting donations of any equipment, the principal shall exercise due care to ascertain that the equipment is operable, has a reasonable life expectancy, and is in the School Board's best interest. District personnel may assist in making these determinations. Equipment requiring excessive funds to maintain or to place in operable condition shall not be accepted by school principals or other school personnel.

STATUTORY AUTHORITY: 1001.421, F.S.

LAW(S) IMPLEMENTED: Chapter 274.02, 1001.41, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): _____ FORMERLY: KCD

CHAPTER 7.00 BUSINESS SERVICES

LOST OR STOLEN PROPERTY 7.88

- I. The principal or designee shall notify the following individuals when any school property has been vandalized, stolen, or lost:
 - A. The proper law enforcement agency immediately to provide such information as may be available if the property is believed to have been stolen;
 - B. The District office by telephone; and,
 - C. In writing with a copy of such notice being sent to the Superintendent.
- II. The custodian of the property records shall prepare a written report and recommendations to the Superintendent if the property is not recovered within thirty (30) days.
- III. The Superintendent shall report to the Board any property that has been lost or stolen if not recovered within thirty (30) days 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 and any information applicable to personal liability shall also be reported.

STATUTORY AUTHORITY: 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 274.02, 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: November 10, 2008 REVISION DATE(S): _____ FORMERLY:

CHAPTER 7.00 BUSINESS SERVICES

RISK MANAGEMENT INSURANCE 7.90

The Superintendent shall recommend annually to the School Board insurance programs, including property, liability, workers' compensation and motor vehicle insurance, that provide the best protection against loss to the District.

The Superintendent or designee is authorized to approve claim payments against the School Board up to deductible amounts specified in District risk insurance programs approved by the School Board. Such claim payments in an amount greater than the deductible amounts shall be presented to the School Board for acceptance or rejection. Claim payments in favor of the School District shall be accepted by the Superintendent or designee and shall be reflected in appropriate budget amendments brought to the School Board for approval. Once approved, the Board Chair and Superintendent are authorized to execute settlement documents on approval by The Office of General Counsel.

STATUTORY AUTHORITY: 1001.42, F.S.

LAW(S) IMPLEMENTED: 1001.43, F.S.

STATE BOARD OF EDUCATION RULE(S):

HISTORY: ADOPTED: April 1, 1997 REVISION DATE(S): November 10, 2008 FORMERLY:
EI