



POLICY 4.101

4-C I recommend that the Board adopt the proposed revised Policy 4.101, to be renamed "Rules of Procedure."

[Contact: Gerald A. Williams, Esq., and Bruce A. Harris, Esq., PX 48500.]

Adoption

CONSENT ITEM

- The Board approved development of this Policy at the first reading on March 28, 2007.
- The State's Uniform Rules of Procedure, in Florida Administrative Code Chapters 28-101 through 28-110, *to the extent applicable to school districts*, will apply to proceedings under the Administrative Procedure Act (Chapter 120) in this District. The Uniform Rules are available on DOAH's web site at <http://www.doah.state.fl.us/internet/usedDocs/Revised%20Uniform%20Rules%20-%202007.doc> .
- This Policy will be revised and retained in Chapter Four, while most Policies in that Chapter will be repealed because they have been made obsolete by the State's adoption of the Uniform Rules of Procedure.

POLICY 4.101

PURPOSE RULES OF PROCEDURE

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3 1. The Uniform Rules of Procedure in Fla. Admin. Code Chapters 28-101 through 28-
4 110, pursuant to Fla. Stat. § 120.54(5)(a), shall be the procedures for compliance
5 with the requirements of the Florida Administrative Procedure Act in this District, to
6 the extent those rules are applicable to a school district. The purpose of this
7 chapter is to establish by policy the administrative procedures to be employed by
8 the School Board in conducting all hearings before the School Board, including
9 those hearings relating to the suspension and dismissal of personnel, formal and
10 informal hearings pursuant to Section 120.57, FS, and such other hearings as may
11 be required by law or School Board Policy, except as otherwise provided.

- 12 2. The Uniform Rules are available online on the DOAH web site at
13 www.doah.state.fl.us.

14 STATUTORY AUTHORITY: Fla. Stat. § 1001.41(2) 120.53(1), 230.22, FS
15 LAWS IMPLEMENTED: Fla. Stat. § 120.54(5)(a) 120.54(16), 120.57
16 HISTORY: New: 8/4/82; / /2007

Legal Signoff:

The Legal Department has reviewed proposed Policy 4.101 and finds it legally sufficient for development by the Board.

Attorney

Date