



POLICY 8.1225

4-C I recommend that the Board adopt the proposed revised Policy 8.1225, entitled “Instructional Materials Accountability.”

[Contact: Dr. Connie Tuman-Rugg, and Meezie Pierce, PX48549.]

Adoption

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on July 29, 2009.
- The revised policy reflects the recent amendment to Section 1006.28(3)(b), FS, effective July 1, 2009, approved by the 2009 Florida Legislature in Senate Bill 1248. The bill was signed by the Governor on June 24, 2009.
 - Senate Bill 1248 deletes the statutory language, “(i)f instructional materials lost, destroyed, or damaged have been in school use for more than 1 year, a sum ranging between 50 and 75 percent of the purchase price of the book shall be collected, determined by the physical condition of the book”.
 - The bill requires each school principal to recoup from students or their parents 100 percent of the replacement costs of lost or damaged instructional materials, unless a penalty or in-kind activity in lieu of payment authorized by the School Board policy. The School Board policy provides for suspension from participation in extracurricular activities or community.

POLICY 8.1225

INSTRUCTIONAL MATERIALS ACCOUNTABILITY

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- 3 1. Purpose.-- State law declares that textbooks and other instructional materials are
4 the property of the School Board and "shall be merely loaned to the pupils of the
5 school" and must be returned when the principal or teacher so directs. This Policy
6 clarifies the responsibilities of students, parents/guardians, principals/teachers, and
7 the Superintendent/designees; and provides procedures for the conservation of,
8 accountability for, and collection of instructional materials loaned to students
9 pursuant to Fla. Stat. § 1006.42.
- 10 2. Responsibilities.-- The general duties of students, parents, principals, and the
11 Superintendent concerning instructional materials shall be as set forth below:
 - 12 a. *Students*.-- Students must recognize that textbooks and other instructional
13 materials are merely loaned to them for use in "pursuing their courses of study
14 and are to be returned at the direction of the principal or the teacher in
15 charge."
 - 16 b. *Parents/Guardians*.-- Each parent of a student to whom or for whom
17 instructional materials have been issued, is liable for any loss or destruction of,
18 or unnecessary damage to, the instructional materials or for failure of the
19 student to return the instructional materials when directed by the school
20 principal or the teacher in charge, and shall be required to pay for such loss,
21 destruction, or unnecessary damage.
 - 22 c. *Teachers*.-- Each teacher shall be accountable for accurate record keeping of
23 instructional materials that are assigned to that teacher's students.
 - 24 d. *Principals*.—Each principal is responsible for:
 - 25 i. *Conservation and Accountability*: Principals shall ascertain by inspection,
26 and ensure through every available agency, that all books issued to the
27 school by the Superintendent, either in the hands of pupils or in storage,
28 are cared for properly, and "shall see that all books are fully and properly
29 accounted for," as required by Fla. Stat. 1006.28(3)(e). Principals/
30 designees must ensure that instructional materials in storage in schools
31 are kept in a neat, orderly, and safe manner, preferably in the sequence
32 contained in the annual textbook inventory. All reasonable effort shall be
33 made to protect materials against fire, flood, vermin, infestation, and
34 similar damage. Principals/designees shall conduct an inventory of
35 instructional materials assigned to their school at least once per
36 semester.

37 ii. *Collection.*-- The school principal shall collect from each student or the
38 student's parent the purchase price of any instructional material the pupil
39 has lost, destroyed, or unnecessarily damaged and report and transmit
40 the money collected to the district school superintendent, pursuant to Fla.
41 Stat. 1006.28(3)(b).

42 e. *Superintendent.*-- As stated in Fla. Stat. § 1006.28(2)(b), the Superintendent's
43 responsibilities include keeping "adequate records and accounts for all
44 financial transactions for funds collected" from the sale, loss, or damage of
45 instructional materials. The Superintendent and principals shall ensure that all
46 money collected from the loss or damage of instructional materials shall be
47 transmitted to the district school superintendent to be deposited in the district
48 school board fund and added to the district appropriation for instructional
49 materials, as required by Fla. Stat. 1006.28(3)(d).

50 3. Debts for Loss, Damage, or Destruction.-- Fla. Stat. 1006.28(3)(b), ~~as interpreted~~
51 ~~consistent with the exemption under § 1003.62(2) approved by the State Board of~~
52 ~~Education on February 17, 2004,~~ mandates that:

53 "The school principal shall collect from each student or the student's parent *the*
54 *purchase price* of any instructional material the student has lost, destroyed, or
55 unnecessarily damaged ~~[during the book's first two years of use]~~ and to report and
56 transmit the money collected to the district school superintendent. ~~If instructional~~
57 ~~materials lost, destroyed, or damaged have been in school use for more than [2]~~
58 ~~year[s], a sum ranging between 50 and 75 percent of the purchase price of the~~
59 ~~book shall be collected, determined by the physical condition of the book.~~ The
60 failure to collect such sum upon reasonable effort by the school principal may result
61 in the suspension of the student from *participation in extracurricular activities* or
62 satisfaction of the debt by the student through *community service activities at the*
63 *school site* as determined by the school principal, pursuant to policies adopted by
64 district school board rule."

65 4. Accountability Procedures.— The principal/designee of each school shall complete
66 a School Instructional Materials Accountability Plan (PBSD 1989) to designate
67 school instructional materials accountability responsibilities to selected school staff.
68 A copy of the form is available on the [District forms web page](#), and is incorporated
69 herein by reference as part of this policy. The Plan will be reviewed annually to
70 ensure that the proper staff members are represented on the Plan. The school
71 principal/designee shall ensure that the following processes and procedures are
72 carried out, according to the Accountability Plan to ensure proper accountability for
73 instructional materials:

74 a. Receipt of Inventory

75 i. *Receipt of order.*-- A location shall be designated in each school to

76 maintain delivery receipts as a record of receiving each order from the
77 Instructional Materials Department.

78 ii. *Verification of order.*-- Actual quantities received shall be matched to the
79 textbook shipping invoice (TX0097). A copy of this form is contained in
80 the [Instructional Materials Department Procedures Manual Section D](#) and
81 is incorporated herein by reference as part of this policy.

82 iii. *Reporting of shipping discrepancies.*-- Any order discrepancies are to be
83 identified on the textbook shipping invoice and faxed to the Instructional
84 Materials Department within 30 days of receipt of the order from August
85 through May, or within 60 days during June and July.

86 iv. *Labeling books.*-- All books that are not tracked electronically using
87 Destiny Textbook Manager shall be stamped with the school's name on
88 the inside front cover of the book. Each book shall be assigned a unique
89 identification number. Beginning with the 2007-2008 school year, all
90 newly implemented instructional materials shall be bar coded and tracked
91 electronically using the Destiny Textbook Management system. Bar-
92 codes shall be affixed to the bottom left front cover. The bar code number
93 shall be the unique book number.

94 b. Distribution of Inventory

95 i. *Distribution of student books.*—For any materials that are not issued
96 electronically to students, a Student Textbook Issued Damage Report
97 card (PBSD 0394) shall be completed for each book noting its condition.
98 A copy of this card is contained in the [Instructional Materials Department](#)
99 [Procedures Manual Section E](#) and is incorporated herein by reference as
100 part of this policy. Teachers must keep a record of the books issued to
101 students including student names and book numbers along with the
102 student book cards. Beginning with the 2007-2008 school year, all newly
103 implemented instructional materials shall be bar coded and scanned out
104 to students and teachers and tracked electronically using the Destiny
105 Textbook Management system.

106 ii. *Distribution of teacher materials.*-- Each principal of a school shall
107 designate an instructional materials contact, who shall keep a written or
108 electronic record of materials issued or scanned out to each teacher.

109 iii. *Distribution of class sets.*-- When class sets are used, each teacher is
110 assigned a class set of books, and teachers will assign a copy of the book
111 to a student for each class period. A Textbook Issued Damage Report
112 card (PBSD 0394) shall be completed by each such student in each
113 class. The teacher shall keep a record of the class set book that is
114 assigned to each student. Teachers shall verify that the class set books

- 115 are returned at the end of each class period.
- 116 iv. *Inventory and storage of excess materials.*-- A written or electronic record
117 of all excess on-adoption student and teacher materials in storage shall
118 be maintained. After student and teacher materials have been issued, the
119 instructional materials contact shall adjust the TX05 ordering screen
120 (Anticipated Enrollment field) to list excess books for return or exchange.
- 121 c. Monitoring of Inventory During the School Year
- 122 i. *Notification of parents of textbook procedures.*-- Schools should notify
123 parents of this Policy and include information on student and parental
124 responsibilities for textbooks in school handbooks, newsletters, and other
125 communication to parents. During open houses and parent meetings, the
126 principal and teachers shall communicate how books are used to achieve
127 the curricular objectives of the school, as stated in Fla. Stat. §
128 1006.28(3)(a).
- 129 ii. *Periodic book checks.*-- Teachers are required to conduct book checks at
130 least once per grading period. Book checks shall be conducted one week
131 prior to the date progress reports are issued. Teachers must fill out PBS
132 0395, "Lost/Damaged Materials Notice" for any missing or damaged
133 materials, and submit the form to the instructional materials contact and
134 bookkeeper. A copy of this form is contained in the [Instructional
135 Materials Department Procedures Manual Section E](#).
- 136 A. *Tracking of obligation status.*-- For each grading period, the student's
137 name is added to the school's obligation list if any of his/her books
138 were discovered to be lost or destroyed when the teacher conducted
139 the book check. Schools shall use the TERMS Fees and Fines
140 Program or Destiny Textbook Management system for materials
141 adopted for 2007-2008 or later to track obligations.
- 142 B. *Assessing charges.*-- As required by Fla. Stat. § 1006.28(3)(b), ~~as~~
143 ~~interpreted consistent with the exemption under § 1003.62(2)~~
144 ~~approved by the State Board of Education on February 17, 2004, the~~
145 obligations to be tracked for books reported as lost or destroyed
146 during the school year shall be based on the 100% value of any book
147 ~~during its first two years of service (but after the second year, books~~
148 ~~shall be charged at a percentage between 50% and 75% of the~~
149 ~~purchase price, depending on the physical condition of the book).~~
150 Schools shall use the Textbook Dictionary Price List (TX0121) that is
151 posted on the Instructional Materials Department web page in
152 August of each year for pricing information. The [Textbook Price
153 Updates](#) are incorporated herein by reference as part of this policy.

- 154 iii. *Parent notification.*-- After each periodic book check and each grading
155 period, an Instructional Materials Obligation Letter (PBSD 2057) or
156 Destiny Overdue Materials and Unpaid Fines Notice is generated , and
157 teachers must send these notices of lost/ destroyed book obligations to
158 parents *along with progress reports or report cards*. A copy of the form is
159 available on the [District forms web page](#), and is incorporated herein by
160 reference as part of this policy. Documentation of all communication with
161 students and parents, verbal and written, including telephone calls, parent
162 conferences, certified letters, and letters from the Legal Services
163 Department shall be kept on file.
- 164 iv. *"Reasonable efforts" defined.*-- Reasonable collection efforts by the
165 principal/designee may be defined to include sending the Instructional
166 Materials Obligation Letter (PBSD 2057) to the parent/guardian via
167 certified mail; placing a follow-up telephone call; following up with a
168 documented student or parent conference, if possible; and then sending a
169 second notice by certified mail if the sum has not yet been remitted.
- 170 v. *Determination of consequences for lack of payment.*-- If reasonable
171 efforts by the principal/designee to collect the obligation described in
172 paragraph (4)(c)(iv) are unsuccessful, the principal shall impose
173 consequences as follows:
- 174 A. *Suspension from Extracurricular Activities.*-- As stated in Fla. Stat. §
175 1006.28(3)(b), the student will be suspended from participation in
176 extracurricular activities (if the student is involved in such activities)
177 until such time as the parent/guardian has paid for such loss,
178 destruction, or unnecessary damage as required by Fla. Stat. §
179 1006.28(3)(b); or alternatively, the student may elect to satisfy the
180 obligation through community service hours pursuant to
181 subparagraph B, below.
- 182 B. *Community Service Hours.*-- If the student is not suspended from
183 extracurricular activities to encourage the parent/guardian to satisfy
184 the obligation (because the student is not involved in such activities
185 or the student has elected to perform community service hours), the
186 principal may require the student to satisfy the debt through age-
187 appropriate community service activities at the school site, as stated
188 in Fla. Stat. § 1006.28(3)(b).
- 189 I. *Definition.*-- For purposes of this Policy, community service
190 activities must be *supervised* age-appropriate activities at the
191 school site. Depending on the nature of the activity and the
192 availability of supervision, some of these activities may occur
193 after school hours or on a weekend; and they shall not be done

194 during the student's classes. Some examples may include:
195 shelving books in the media center; assisting in the cafeteria;
196 picking up litter; assisting the teacher, coach, or custodian;
197 cleaning blackboards; washing golf carts; working in the ticket
198 booth at sports events; weeding flower beds; performing minor
199 maintenance activities; setting up chairs for weekend events;
200 assisting with textbook maintenance; or other activities helpful to
201 the school or its students.

202 II. *Calculating the Hours.*-- The number of required hours and
203 quarterly fractions thereof shall be calculated by dividing the
204 debt by the prevailing hourly minimum wage as stated at
205 <http://www.dol.gov/esa/whd/flsa/>), after the debt is calculated
206 using the formula in subparagraph (4)(c)(ii)(B) above and Fla.
207 Stat. § 1006.28(3)(b). For example, to satisfy a debt of \$50, the
208 student would perform 9 hours and 45 minutes of community
209 service at the school site. This is calculated by dividing the \$50
210 debt by ~~\$5.15~~ (the prevailing minimum wage as stated at
211 <http://www.dol.gov/esa/whd/flsa/>), and then rounding the
212 quotient to the nearest quarter hour.

213 III. *Documentation.*-- The principal/designee shall keep a record of
214 when the debt has been satisfied, using the Community Service
215 Record for Instructional Materials Obligations (PBSD 1990). A
216 copy of the form is available on the [District forms web page](#), and
217 is incorporated herein by reference as part of this policy. Of
218 course, a student's community service hours will be cut short
219 upon receipt of the parent's/guardian's payment for any amount
220 not yet satisfied through the community service activities. For
221 example, if a student owes \$50 and has done \$20 worth of
222 community-services activities, the remaining \$30 could be
223 satisfied through payment of the remaining \$30, rather than
224 through completion of the activities.

225 IV. *Refunds for found books.*-- In the event a student finds a book
226 that had previously been reported lost and paid for as an
227 obligation, the school shall issue a refund. The amount of the
228 refund shall correspond with the physical condition of the book.
229 For example, a book that is returned in unnecessarily-damaged
230 condition may not merit any refund. On the other hand, a book
231 returned *without* any unnecessary damage might merit a full
232 refund.

233 a. The school shall request its instructional materials contact
234 to complete a Check Requisition (PBSD 0181) in order to

235 refund the student for the obligation, regardless of whether
236 it was satisfied through the parent's/guardian's direct
237 payment or through the student's community services
238 hours. A copy of the form is available on the [District forms](#)
239 [web page](#) and is incorporated herein by reference as part
240 of this policy.

241 b. If the book is found after the student has been suspended
242 from extracurricular activities, the student may be
243 reinstated to the extracurricular activities upon satisfying
244 any obligation for unnecessary damage to the returned
245 book.

246 d. End-of-Year Inventory

247 i. *Storage of Inventory.*-- A physical count of all materials that were not
248 issued to students or teachers and are stored in either central storage
249 spaces or classrooms shall be conducted at year end and reported to the
250 school's instructional materials contact. A written or electronic record of
251 the school's quantities and locations of all stored materials must be
252 available over the summer months. Principals should have access to this
253 information in the event that some materials may need to be transferred
254 during the summer months due to reasons such as loss of enrollment or
255 opening of a new school in the area.

256 ii. *Collection of teaching materials.*-- At the end-of-year checkout or when a
257 teacher leaves mid-year, the teacher shall return teaching materials to the
258 principal/designee, even if a teacher transfers to another school in the
259 District, because the materials are assigned to the school where issued. If
260 desired, the school that is losing the teacher unit may elect to have the
261 teaching materials transferred to the receiving school. In such cases a
262 Textbook Exchange form (PBSD 0390) shall be executed or the transfer
263 of bar coded materials is accomplished through the Destiny Textbook
264 Management System. The [PBSD 0390 form](#) is available to order from the
265 Instructional Materials Department. The form is incorporated herein by
266 reference as part of this policy.

267 iii. *Logging return of materials by students.*-- At the end of the school year or
268 term, students shall return materials issued to them for that year or term.
269 All materials returned from students and teachers that are checked in
270 and out using Destiny shall be scanned in and a list of any books not
271 returned shall be printed. For materials not tracked via Destiny (adoptions
272 prior to 2007-2008) teachers shall maintain a written verification that all
273 materials are returned by students.

- 274 iv. *Report of lost/damaged student materials.*-- Any missing material not
275 previously reported as lost or destroyed shall be logged by the classroom
276 teacher on the Textbook Lost/Damaged form (PBSD 0395). The
277 classroom teacher must submit a copy of the Lost/Damaged Materials
278 Notice (PBSD 0395) to the instructional materials contact and school
279 bookkeeper. The [PBSD 0395 form](#) is available to order from the
280 Instructional Materials Department. The form is incorporated herein by
281 reference as part of this policy.
- 282 v. *Selling books to students.*-- Schools may sell books to student or parents
283 if they so choose. The school shall cross out any markings or remove bar
284 codes identifying the book as School Board property. The money from the
285 sale shall be added to the lost textbook account (6-5200.00) and remitted
286 to Accounting Services with the lost/damaged collections at the end of the
287 year. The sold book shall be reported as lost on the TX05 screen in June.
- 288 vi. *School-wide inventory counts and reporting of final losses.*-- A physical
289 count of all student books and teacher materials returned at the year end
290 and a count of books in storage shall result in the school's final inventory
291 at year end. All documented lost books are reported on the TX05 screen.
- 292 vii. *Remittance of all monies collected for instructional materials.*-- All monies
293 in school textbook accounts (6-5200.00) shall be cleared out at year end
294 and remitted to Accounting Services with a transmittal form (PBSD 0150)
295 indicating payment for lost/damaged books. A copy of the form is
296 available on the [District forms web page](#), and is incorporated herein by
297 reference as part of this policy.
- 298 e. Collection of End-of-Year Obligations.-- Any student with textbook obligations
299 at the end of the school year (unless previously satisfied through community
300 service hours) will be placed on the obligation list; the parent/guardian shall be
301 notified; and the principal/designee shall make reasonable collection efforts.
- 302 i. *Assessing charges for books lost, destroyed, or unnecessarily damaged.*-
303 - As required by Fla. Stat. § 1006.28(3)(b), books that are as interpreted
304 ~~consistent with the exemption under § 1003.62(2) approved by the State~~
305 ~~Board of Education on February 17, 2004, books that were in the first two~~
306 ~~years of use when~~ lost, destroyed, or unnecessarily damaged, shall be
307 charged at 100% of their new purchase price ; ~~but after the second year,~~
308 ~~books shall be charged a percentage between 50% and 75% of their~~
309 ~~price, depending on the physical condition of the book.~~ Schools shall use
310 the Textbook Dictionary Price List (TX0121) that is posted on the
311 Instructional Materials Department web page in August at the beginning
312 of the school year for which the obligation is reported.

- 313 ii. *Notice to parent/guardian.*-- Notice shall be given to the parent/guardian
314 of any end-of-year textbook obligations, using the Textbook Obligation
315 Letter. Documentation of all communication with students and parents,
316 verbal and written, including telephone calls, parent conferences, certified
317 letters and letters from the Legal Services Department shall be kept on
318 file.
- 319 iii. *Tracking obligation status.*-- Schools shall use the TERMS Fees and
320 Fines Program or Destiny system to track obligations.
- 321 iv. *Referral to Legal.*-- After reasonable attempts by the principal/designee to
322 collect, the debt shall be referred to the Legal Services Department for
323 further assistance using PBSB 2020 Textbook Collection Referral. A copy
324 of the form is available on the [District forms web page](#), and is
325 incorporated herein by reference as part of this policy. (Reasonable
326 collection efforts by the principal/designee may be defined to include
327 sending the Textbook Obligation Letter to the parent/guardian via certified
328 mail; placing a follow-up telephone call; following up with a documented
329 student or parent conference, if possible; and then sending a second
330 notice by certified mail if the sum has not yet been remitted.)
- 331 v. *Other debt-collection methods.*-- If the obligation has not been satisfied by
332 the parent/guardian after reasonable efforts by the principal, or by
333 community service hours, the School Board may exercise any lawful
334 means of carrying out its statutory responsibility of collecting the
335 obligation, including, but not limited to, referral to a debt-collection
336 agency.
- 337 vi. *Student consequences.*-- If an end-of-year obligation still has not been
338 satisfied by the beginning of the next school year after reasonable
339 collection efforts by the principal/designee, the principal should impose
340 consequences as follows:
- 341 A. *Suspension from Extracurricular Activities.*—A student’s instructional
342 materials obligations shall be tracked from grade to grade and school
343 to school until the debt is satisfied or the following consequences
344 have been imposed. The student shall be suspended from
345 participation in extracurricular activities (if the student is involved in
346 such activities), until such time as the parent/guardian has paid for
347 such loss, destruction, or unnecessary damage as required by Fla.
348 Stat. § 1006.28(3)(b); or alternatively, the student may elect to satisfy
349 the obligation through community service hours pursuant to
350 subparagraph B, below.
- 351 B. *Community Service Hours.* If the student is not suspended from

352 extracurricular activities (because the student is not involved in such
353 activities or the student has elected to perform community service
354 hours), the principal will require the student to satisfy the debt
355 through age-appropriate community service activities at the school
356 site as explained in subparagraph (4)(c)(v)(B), above. The
357 principal/designee shall keep a record of when the debt has been
358 satisfied, using the Community Service Record for Instructional
359 Materials Obligations (PBSD 1990). A copy of the form is available
360 on the [District forms web page](#), and is incorporated herein by
361 reference as part of this policy. However, a student's community
362 service hours will be cut short upon receipt of the parent's/guardian's
363 payment for any amount not yet satisfied through the community
364 service activities. For example, if a student owes \$50 and has done
365 \$20 worth of community-services activities, the remaining \$30 could
366 be satisfied through payment of the remaining \$30, rather than
367 through completion of the activities.

368 vii. *Refunds for found books.* -- In the event a student finds a book that had
369 previously been reported lost and paid for as an obligation, the school
370 shall issue a refund. The amount of the refund shall correspond with the
371 physical condition of the book. For example, a book that is returned in
372 unnecessarily-damaged condition may not merit any refund. On the other
373 hand, a book returned *without* any unnecessary damage might merit a full
374 refund.

375 A. The school shall request the instructional materials contact to
376 complete a Check Requisition (PBSD 0181) in order to refund the
377 student for the obligation, regardless of whether it was satisfied
378 through the parent's/guardian's direct payment or through the
379 student's community service hours.

380 B. If the book is found after the student has been suspended from
381 extracurricular activities, the student may be reinstated to the
382 extracurricular activities upon satisfying any obligation for
383 unnecessary damage to the returned book.

384 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1006.28
385 LAWS IMPLEMENTED: Fla. Stat. §§ 1003.62(2); 1006.28; 1006.42
386 HISTORY: 1/13/03; 8/2/2004; 12/10/2008; ___/___2009

Legal Signoff:

The Legal Department has reviewed proposed Policy 8.1225 and finds it legally sufficient for development by the Board.

Attorney

Date