



POLICY 8.1225

- 5-D I recommend the Board approve the proposed revised Policy 8.1225, entitled "Instructional Materials Accountability."

[Contact: Meezie Pierce, 684-5114.]

Development

CONSENT ITEM

- Instruction Materials requested this revision to implement an exemption approved by the State Board of Education on February 17, 2004, under Charter District status.
- Fla. Stat. § 1006.28(3)(b) would normally permit recovery of 100% of a textbook's new-purchase-price value if it was lost, destroyed, or unnecessarily damaged during the *first* year of use.
- However, this partial exemption allows 100% of the new-purchase price to be recovered if the loss, destruction, or unnecessary damage occurs during the first two years of use.
- This Policy is being slightly revised to implement the exemption. The only revisions are in section (3), subparagraph (4)(c)(ii)(B), and paragraph (4)(e)(i). (See lines 42-60; 103-113; and 214-225). The substance of each of these amendments can be summarized as follows:

As required by Fla. Stat. § 1006.28(3)(b) (as interpreted consistent with the exemption approved by the State Board of Education on February 17, 2004), books that were in the first two years of use when lost, destroyed, or unnecessarily damage, shall be charged at 100% of their new purchase price; but after the ~~first~~ second year, books shall be charged at a percentage between 50% and 75% of the purchase price, depending on the physical condition of the book.

1 POLICY 8.1225

2 INSTRUCTIONAL MATERIALS ACCOUNTABILITY
3

- 4 1. Purpose-- State law declares that textbooks and other instructional materials are the property of the
5 School Board and "shall be merely loaned to the pupils of the school" and must be returned when
6 the principal or teacher so directs. This Policy clarifies the responsibilities of students,
7 parents/guardians, principals/teachers, and the Superintendent/designees; and provides procedures
8 for the conservation of, 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 Superintendent
11 concerning instructional materials shall be as set forth below:
- 12 a. *Students*-- Students must recognize that textbooks and other instructional materials are
13 merely loaned to them for use in "pursuing their courses of study and are to be returned at the
14 direction of the principal or the teacher in charge." Fla. Stat. § 1006.42.
- 15 b. *Parents/Guardians*-- "Each parent of a student to whom or for whom instructional materials
16 have been issued, is liable for any loss or destruction of, or unnecessary damage to, the
17 instructional materials or for failure of the student to return the instructional materials when
18 directed by the school principal or the teacher in charge, and shall be required to pay for such
19 loss, destruction, or unnecessary damage," as required by Fla. Stat. § 1006.42.
- 20 c. *Teachers*-- Each teacher shall be accountable for accurate record keeping of instructional
21 materials that are assigned to that teacher's students.
- 22 d. *Principals*-- Florida law makes principals responsible for:
- 23 i. *Conservation and Accountability*: Principals shall ascertain by inspection, and ensure
24 through every available agency, that all books issued to the school by the
25 Superintendent, either in the hands of pupils or in storage, are cared for properly, and
26 "shall see that all books are fully and properly accounted for," as required by Fla. Stat. §
27 1006.28(3)(e). Principals/ designees must ensure that instructional materials in storage
28 in schools are kept in a neat, orderly, and safe manner, preferably in the sequence
29 contained in the annual textbook inventory. All reasonable effort shall be made to protect
30 materials against fire, flood, vermin, infestation, and similar damage.
31 Principals/designees shall conduct an inventory of instructional materials assigned to
32 their school at least once per semester.
- 33 ii. *Collection*-- "The school principal shall collect from each student or the student's parent
34 the purchase price of any instructional material the pupil has lost, destroyed, or
35 unnecessarily damaged and report and transmit the money collected to the district
36 school superintendent," pursuant to § 1006.28(3)(b).
- 37 e. *Superintendent*-- As stated in Fla. Stat. § 1006.28(2)(b), the Superintendent's responsibilities
38 include keeping "adequate records and accounts for all financial transactions for funds
39 collected" from the sale, loss, or damage of instructional materials, pursuant to Fla. Stat. §
40 1006.28(3)(d). The Superintendent and principals shall ensure that "all money collected from
41 the . . . loss or damage of instructional materials shall be transmitted to the district school
42 superintendent to be deposited in the district school board fund and added to the district
43 appropriation for instructional materials," as required by Fla. Stat. § 1006.28(3)(d).

44 3. Debts for Loss, Damage, or Destruction.-- Fla. Stat. § 1006.28(3)(b), as
45 interpreted consistent with the exemption approved by the State Board of
46 Education on February 17, 2004, mandates that:

47 "The school principal shall collect from each student or the
48 student's parent *the purchase price* of any instructional material
49 the student has lost, destroyed, or unnecessarily damaged
50 [during the book's first two years of use] and to report and
51 transmit the money collected to the district school
52 superintendent. If instructional materials lost, destroyed, or
53 damaged have been in school use for *more than [2] 4 year[s]*, a
54 sum ranging *between 50 and 75 percent* of the purchase price
55 of the book shall be collected, *determined by the physical*
56 *condition* of the book. The failure to collect such sum upon
57 reasonable effort by the school principal may result in the
58 suspension of the student from *participation in extracurricular*
59 *activities* or satisfaction of the debt by the student through
60 *community service activities at the school site* as determined by
61 the school principal, pursuant to policies adopted by district
62 school board rule."

63 4. Accountability Procedures.-- The school principal/designee shall ensure that the following
64 processes and procedures are carried out to ensure proper accountability for instructional materials:

65 a. Receipt of Inventory

66 i. *Receipt of order.--* A location shall be designated in each school to maintain delivery
67 receipts as a record of receiving each order from the Instructional Materials Department.

68 ii. *Verification of order.--* Actual quantities received shall be matched to the textbook
69 shipping invoice (TX0097).

70 iii. *Reporting of shipping discrepancies.--* Any order discrepancies are to be identified on
71 the textbook shipping invoice and faxed to the Instructional Materials Department.

72 iv. *Labeling books.--* All books shall be stamped with the school's name on the inside front
73 cover of the book. Each book shall be assigned a unique identification number. Bar-
74 coding may be used as a means of tracking books assigned to students and teachers.
75 Bar-codes shall be affixed to the inside front cover. The bar code number shall be the
76 unique book number.

77 b. Distribution of Inventory

78 i. *Distribution of student books.--* A Student Textbook Issued Damage Report card (PBSD
79 0394) shall be completed for each book noting its condition. Teachers must keep a
80 record of the books issued to students including student names and book numbers
81 along with the student book cards.

82 ii. *Distribution of teacher materials.--* Each principal of a school shall designate an

83 instructional materials contact, who shall keep a written record of materials issued to
84 each teacher.

85 iii. *Distribution of class sets.*-- When class sets are used, each teacher is assigned a class
86 set of books, and teachers will assign a copy of the book to a student for each class
87 period. A Textbook Issued Damage Report card (PBSD 0394) shall be completed by
88 each such student in each class. The teacher shall keep a record of the class set book
89 that is assigned to each student. Teachers shall verify that the class set books are
90 returned at the end of each class period.

91 iv. *Inventory and storage of excess materials.*-- A written record of all excess on-adoption
92 student and teacher materials in storage shall be maintained. After student and teacher
93 materials have been issued, the instructional materials contact shall adjust the TX05
94 ordering screen (Anticipated Enrollment field) to list excess books for return or
95 exchange.

96 c. Monitoring of Inventory During the School Year

97 i. *Notification of parents of textbook procedures.*-- Schools should notify parents of this
98 Policy and include information on student and parental responsibilities for textbooks in
99 school handbooks, newsletters, and other communication to parents. During open
100 houses and parent meetings, parents and teachers should communicate how books are
101 used to achieve the curricular objectives of the school, as stated in Fla. Stat. §
102 1006.28(3)(a).

103 ii. *Periodic book checks.*-- Teachers are required to conduct book checks at least once per
104 grading period. Book checks shall be conducted one week prior to the date progress
105 reports are issued. Teachers must fill out PBSD 0395, "Lost/Damaged Materials Notice"
106 for any missing or damaged materials, and submit the form to the instructional materials
107 contact and bookkeeper.

108 A. *Tracking of obligation status.*-- For each grading period, the student's name is
109 added to the school's obligation list if any of his/her books were discovered to be
110 lost or destroyed when the teacher conducted the book check. Schools shall use
111 the TERMS Fees and Fines Program or SIRSI system to track obligations.

112 B. *Assessing charges.*-- As required by Fla. Stat. § 1006.28(3)(b),
113 as interpreted consistent with the exemption approved by the
114 State Board of Education on February 17, 2004, the obligations
115 to be tracked for books reported as lost or destroyed during the
116 school year shall be based on the 100% value of any book
117 during its first **two** years of service (but after the first **second**
118 year, books shall be charged at a percentage between 50%
119 and 75% of the purchase price, depending on the physical
120 condition of the book). Schools shall use the Textbook
121 Dictionary Price List (TX0121) that is distributed to all schools in
122 August of each year for pricing information.

123 iii. *Parent notification.*-- After each periodic book check and each grading period, a written
124 notification of a textbook obligation is generated, and teachers must send these notices
125 of lost/ destroyed book obligations to parents *along with progress reports or report*

126 cards. Documentation of all communication with students and parents, verbal and
127 written, including telephone calls, parent conferences, certified letters, and letters from
128 the Legal Services Department shall be kept on file.

129 iv. *"Reasonable efforts" defined.*-- Reasonable collection efforts by the principal/designee
130 may be defined to include sending the Textbook Lost/Damaged form (PBSD 0395) to
131 the parent/guardian via certified mail; placing a follow-up telephone call; following up
132 with a documented student or parent conference, if possible; and then sending a second
133 notice by certified mail if the sum has not yet been remitted.

134 v. *Determination of consequences for lack of payment.*-- If reasonable efforts by the
135 principal/designee to collect the obligation described in paragraph (4)(c)(iv) are
136 unsuccessful, the principal shall impose consequences as follows:

137 A. *Suspension from Extracurricular Activities.*-- As stated in Fla. Stat. § 1006.28(3)(b),
138 the student will be suspended from participation in extracurricular activities (if the
139 student is involved in such activities) until such time as the parent/guardian has
140 paid for such loss, destruction, or unnecessary damage as required by Fla. Stat. §
141 1006.28(3)(b); or alternatively, the student may elect to satisfy the obligation
142 through community service hours pursuant to subparagraph B, below.

143 B. *Community Service Hours.*-- If the student is not suspended from extracurricular
144 activities to encourage the parent/guardian to satisfy the obligation (because the
145 student is not involved in such activities or the student has elected to perform
146 community service hours), the principal may require the student to satisfy the debt
147 through age-appropriate community service activities at the school site, as stated
148 in Fla. Stat. § 1006.28(3)(b).

149 1. *Definition.*-- For purposes of this Policy, community service activities must be
150 supervised age-appropriate activities at the school site. Depending on the
151 nature of the activity and the availability of supervision, some of these
152 activities may occur after school hours or on a weekend; and they shall not
153 be done during the student's classes. Some examples may include: shelving
154 books in the media center; assisting in the cafeteria; picking up litter;
155 assisting the teacher, coach, or custodian; cleaning blackboards; washing
156 golf carts; working in the ticket booth at sports events; weeding flower beds;
157 performing minor maintenance activities; setting up chairs for weekend
158 events; assisting with textbook maintenance; or other activities helpful to the
159 school or its students.

160 2. *Calculating the Hours.*-- The number of required hours and quarterly fractions
161 thereof shall be calculated by dividing the debt by the prevailing hourly
162 minimum wage as stated at <http://www.dol.gov/esa/whd/flsa/>), after the debt
163 is calculated using the formula in subparagraph (4)(c)(ii)(B) above and Fla.
164 Stat. § 1006.28(3)(b). For example, to satisfy a debt of \$50, the student
165 would perform 9 hours and 45 minutes of community service at the school
166 site. This is calculated by dividing the \$50 debt by \$5.15 (the prevailing
167 minimum wage as stated at <http://www.dol.gov/esa/whd/flsa/>), and then
168 rounding the quotient to the nearest quarter hour.

169 3. *Documentation.*-- The principal/designee shall keep a record of when the
170 debt has been satisfied, using the Community Service Record for
171 Instructional Materials Obligations. Of course, a student's community service
172 hours will be cut short upon receipt of the parent's/guardian's payment for

173 any amount not yet satisfied through the community service activities. For
174 example, if a student owes \$50 and has done \$20 worth of community-
175 services activities, the remaining \$30 could be satisfied through payment of
176 the remaining \$30, rather than through completion of the activities.

177 vi. *Refunds for found books.*-- In the event a student finds a book that had previously been
178 reported lost and paid for as an obligation, the school shall issue a refund. The amount
179 of the refund shall correspond with the physical condition of the book. For example, a
180 book that is returned in unnecessarily-damaged condition may not merit any refund. On
181 the other hand, a book returned *without* any unnecessary damage might merit a full
182 refund.

183 A. The school shall request its instructional materials contact to complete a Check
184 Requisition (PBSD 0181) in order to refund the student for the obligation,
185 regardless of whether it was satisfied through the parent's/guardian's direct
186 payment or through the student's community services hours.

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

190 d. End-of-Year Inventory

191 i. *Storage of Inventory.*-- A physical count of all materials that were not issued to students
192 or teachers and are stored in either central storage spaces or classrooms shall be
193 conducted at year end and reported to the instructional materials contact. A written
194 record of the quantities and locations of all stored materials must be available over the
195 summer months. Principals should have access to this information in the event that
196 some materials may need to be transferred during the summer months due to reasons
197 such as loss of enrollment or opening of a new school in the area.

198 ii. *Collection of teaching materials.*-- At the end-of-year checkout or when a teacher leaves
199 mid-year, the teacher shall return teaching materials to the principal/designee, even if a
200 teacher transfers to another school in the District, because the materials are assigned to
201 the school where issued. If desired, the school that is losing the teacher unit may elect to
202 have the teaching materials transferred to the receiving school. In such cases a
203 Textbook Exchange form (PBSD 0390) shall be executed.

204 iii. *Logging return of materials by students.*-- At the end of the school year or term, students
205 shall return materials issued to them for that year or term. Schools that check books in
206 and out using SIRSI shall scan in all books returned from students and print a list of any
207 books not returned. In schools not using SIRSI, teachers shall maintain a written
208 verification that all materials are returned by students.

209 iv. *Report of lost/damaged student materials.*-- Any missing material not previously reported
210 as lost or destroyed shall be logged by the classroom teacher on the Textbook
211 Lost/Damaged form (PBSD 0395). The classroom teacher must submit a copy of the
212 Lost/Damaged Materials Notice (PBSD 0395) to the instructional materials contact and
213 school bookkeeper.

214 v. *Selling books to students.*-- Schools may sell books to student or parents if they so
215 choose. The school shall cross out any markings identifying the book as School Board
216 property. The money from the sale shall be added to the lost textbook account (6-
217 5200.00) and remitted to Accounting Services with the lost/damaged collections at the

218 end of the year. The sold book shall be reported as lost on the TX05 screen and the
219 Textbook Inventory Report.

220 vi. *School-wide inventory counts and reporting of final losses.*-- A physical count of all
221 student books and teacher materials returned at the year end and a count of books in
222 storage shall result in the school's final inventory at year end. All documented lost books
223 are reported on the TX05 screen and on the end of year Textbook Inventory Report.

224 vii. *Remittance of all monies collected for instructional materials.*-- All monies in school
225 textbook accounts (6-5200.00) shall be cleared out at year end and remitted to
226 Accounting Services with a transmittal form (PBSD 0150) indicating payment for
227 lost/damaged books.

228 e. Collection of End-of-Year Obligations.-- Any student with textbook obligations at the end of the
229 school year (unless previously satisfied through community service hours) will be placed on
230 the obligation list; the parent/guardian shall be notified; and the principal/designee shall make
231 reasonable collection efforts.

232 i. *Assessing charges for books lost, destroyed, or unnecessarily*
233 *damaged.*-- As required by Fla. Stat. § 1006.28(3)(b), as interpreted
234 consistent with the exemption granted by the State Board of
235 Education on February 17, 2004, books that were in the first **two**
236 **years** of use when lost, destroyed, or unnecessarily damaged, shall
237 be charged at 100% of their new purchase price; but As required by
238 ~~§ 1006.28(3)(b)~~, after the first **second** year, books shall be charged
239 a percentage between 50% and 75% of their price, depending on
240 the physical condition of the book. Schools shall use the Textbook
241 Dictionary Price List (TX0121) that was distributed to schools in
242 August at the beginning of the school year for which the obligation
243 is reported.

244 ii. *Notice to parent/guardian.*-- Notice shall be given to the parent/guardian of any end-of-
245 year textbook obligations, using the Textbook Lost/Damaged form (PBSD 0395).
246 Documentation of all communication with students and parents, verbal and written,
247 including telephone calls, parent conferences, certified letters and letters from the Legal
248 Services Department shall be kept on file.

249 iii. *Tracking obligation status.*-- Schools shall use the TERMS Fees and Fines Program or
250 SIRSI system to track obligations.

251 iv. *Referral to Legal.*-- After reasonable attempts by the principal/designee to collect, the
252 debt shall be referred to the Legal Services Department for further assistance.
253 (Reasonable collection efforts by the principal/designee may be defined to include
254 sending the Textbook Lost/Damaged form (PBSD 0395) to the parent/guardian via
255 certified mail; placing a follow-up telephone call; following up with a documented student
256 or parent conference, if possible; and then sending a second notice by certified mail if
257 the sum has not yet been remitted.)

258 v. *Other debt-collection methods.*-- If the obligation has not been satisfied by the
259 parent/guardian after reasonable efforts by the principal, or by community service hours,

260 the School Board may exercise any lawful means of carrying out its statutory
261 responsibility of collecting the obligation, including, but not limited to, referral to a debt-
262 collection agency.

263 vi. *Student consequences.*-- If an end-of-year obligation still has not been satisfied by the
264 beginning of the next school year after reasonable collection efforts by the
265 principal/designee, the principal should impose consequences as follows:

266 A. *Suspension from Extracurricular Activities.*-- The student shall be suspended from
267 participation in extracurricular activities (if the student is involved in such activities),
268 until such time as the parent/guardian has paid for such loss, destruction, or
269 unnecessary damage as required by Fla. Stat. § 1006.28(3)(b); or alternatively, the
270 student may elect to satisfy the obligation through community service hours
271 pursuant to subparagraph B, below.

272 B. *Community Service Hours.* If the student is not suspended from extracurricular
273 activities (because the student is not involved in such activities or the student has
274 elected to perform community service hours), the principal will require the student
275 to satisfy the debt through age-appropriate community service activities at the
276 school site as explained in subparagraph (4)(c)(v)(B), above. The
277 principal/designee shall keep a record of when the debt has been satisfied, using
278 the Community Service Record for Instructional Materials Obligations. However, a
279 student's community service hours will be cut short upon receipt of the
280 parent's/guardian's payment for any amount not yet satisfied through the
281 community service activities. For example, if a student owes \$50 and has done
282 \$20 worth of community-services activities, the remaining \$30 could be satisfied
283 through payment of the remaining \$30, rather than through completion of the
284 activities.

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

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

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

298
299 STATUTORY AUTHORITY: §§ 1001.41(2); 1006.28, Fla. Stat.

300 LAWS IMPLEMENTED: §§ 1006.28; 1006.42, Fla. Stat.

301 HISTORY: 1/13/2003; / /04

302

Legal Signoff:

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

Attorney

Date