



**POLICY 8.1225**

**5-B** Board discussion of the proposed revised Policy 8.1225, entitled "Instructional Materials Accountability."

[Contact: Meezie Pierce, 684-5114.]

[Development] (**discussion** only)

- 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.

POLICY 8.1225

INSTRUCTIONAL MATERIALS ACCOUNTABILITY

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- 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  
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Legal Signoff:

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

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Attorney

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Date