

District School Board of Indian River County
6500 – 57th Street, Vero Beach, FL 32967

If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he will need to ensure that a verbatim record is made which includes the testimony and evidence upon which the appeal is to be made.

Date: May 14, 2019

Time: 12:00 p.m.

Room: Joe N. Idlette, Jr. Teacher Education Center (TEC)

Discussion Session Agenda

- I. CALL DISCUSSION TO ORDER
- II. PRESENTATION
 - SDIRC Employee Benefits
 - a) Staff Introduction
 - b) CareHere Clinic Update
 - c) Aon, Insurance Consultants
- III. ITEMS PLACED ON AGENDA BY BOARD MEMBERS
 - 1. Teri Barenborg – Kids at Hope
 - 2. Jacqueline Rosario – Personnel Files
 - 3. Dr. Mara Schiff – Performance Criteria/Timeframe for Interim-Superintendent’s Evaluation
 - 4. Tiffany Justice – Millage Options/Millage Flexibility and Usage
 - 5. Laura Zorc – Future Superintendent to give overview of HR Policy and Procedures Regarding Employee Investigations.
- IV. BOARD COMMITTEE REPORTS
- V. ITEMS PLACED ON AGENDA BY SUPERINTENDENT – Dr. Rendell
- VI. ADJOURNMENT

Anyone who needs a special accommodation to participate in these meetings may contact the School District’s American Disabilities Act Coordinator at 564-3175 (TTY 564-2792) at least 48-hours in before the meeting. NOTE: Changes and amendments to the agenda can occur 72-hours prior to the meeting. All business meetings will be held in the Joe N. Idlette, Jr. Teacher Education Center (TEC) located in the J.A. Thompson Administrative Center at 6500 – 57th Street, Vero Beach, Fl 32967, unless otherwise specified. Meetings may broadcast live on Comcast/Xfinity Ch. 28, AT&T Uverse Ch. 99, and the School District’s website stream; and may be replayed on Tuesdays and Thursdays at the time of the original meeting. For a schedule, please visit the District’s website at www.indianriverschools.org/iretv. The agenda can be accessed by Internet at <http://www.indianriverschools.org>.

Employee Benefits

School District of Indian River County

An Overview
May 14, 2019

Agenda

Introductions

- SDIRC Staff
- CareHere Employee Health and Wellness Center
- Aon, Benefit Consultants

General Employee Benefit Information

- Florida Blue/Express Scripts Inc. (ESI) - Health Insurance
- Fully Insured - Voluntary Benefit Options

CareHere

- SDIRC History
- Expansion
 - Lab
 - Clinical Hours
- No Show statistics

HIATF:

- Committee Make-up
- Health Fund Financial Overview
- Program Enhancement Savings
- Stop Loss Renewal - QBE
- Health Insurance Rate Increase

Health Insurance - Florida Blue/Express Scripts Inc.

TYPE OF SERVICE	Florida Blue 05770 (High Plan)		Florida Blue 05772 (Middle Plan)		Florida Blue 05774 (Low Plan)	
	In-Network	Out-of-Network	In-Network	Out-of-Network	In-Network	Out-of-Network
DEDUCTIBLE (individual/family)	\$1,000/\$3,000	\$3,000/\$6,000	\$2,000/\$6,000	\$6,000/\$18,000	\$3,000/\$9,000	\$6,000/\$18,000
COINSURANCE (member paid)	20%	50%	20%	50%	20%	50%
ANNUAL OUT OF POCKET MAXIMUM (individual/family)	\$3,500/\$7,000	\$7,000/\$14,000	\$5,500/\$11,000	\$11,000/\$22,000	\$6,350/\$12,700	\$15,000/\$30,000
PHYSICIAN CARE OFFICE VISITS						
Primary Care office visit	\$25	50% AD	\$35	50% AD	\$40	50% AD
Specialist office visit	\$25	50% AD	\$65	50% AD	\$100	50% AD
HOSPITAL SERVICES						
Inpatient Hospital	20% AD	\$3,500	20% AD + \$100 Per Admit	50% AD + \$500 Per Admit	20% AD + \$500 Per Admit	50% AD + \$500 Per Admit
Outpatient Surgery	20% AD	50% AD	20% AD	50% AD	20% AD	50% AD
PHARMACY BENEFITS						
Generic	\$10	\$10	\$10	\$10	\$10	\$10
Preferred Brand	\$30	\$30	\$50	\$50	\$50	\$50
Non-Preferred Brand	\$60	\$60	\$80	\$80	\$80	\$80
Per Pay Employee Cost						
Employee	\$106.00		\$56.50		\$12.00	
Employee & Spouse	\$360.50		\$278.50		\$208.50	
Employee & Child(ren)	\$347.50		\$267.50		\$199.00	
Family	\$435.50		\$344.00		\$266.00	

*** Current Board Contribution is \$270 per member per pay

Fully Insured - Employee Paid Voluntary Benefit Options

Benefit	Vendor
Flexible Spending Accounts - Medical and Dependent Care	Chard-Snyder
Dental	Cigna
Vision	UnitedHealthcare
Additional Employee, Spouse and Dependent Life Insurance	The Standard
Long Term and Short Term Disability	Cigna
Legal and Identity Theft	LegalShield
Accident, Critical Illness, Cancer	MetLife

CareHere - Employee Health and Wellness Center

The Indian River Health and Wellness Center opened in September of 2014 as a primary care facility treating both acute and chronic conditions at NO COST for employees, retirees and dependents enrolled in the District health plan.

- ❖ No cost for office visits
- ❖ No cost for labs
- ❖ No cost for 200 + generic medications
- ❖ No cost annual Health Risk Assessment
- ❖ No cost for well visits, sports and school physicals
- ❖ Convenient schedule that includes early morning, late evening and Saturday hours
- ❖ 24/7 scheduling and Nurse Advice line
- ❖ Average wait time - Less than 5 minutes
- ❖ Home delivery pharmacy program for many maintenance medications
- ❖ Certain imaging services available at no cost when referred to Indian River Radiology by CareHere provider
- ❖ Expanded services to soon include Mammograms through Florida Mobile Mammography, with a 70% reduction in cost when compared to current Florida Blue cost

CareHere - Employee Health and Wellness Center

Current Staffing Levels:

Medical Doctor = 2 @ 40 hours per week

Physician Assistant = 2 @ 52 hours per week

Nurse Practitioner = 1 @ 8 hours per week

Medical Assistant = 4 @ 136 Hours per week

Lab Expansion:

April 1, 2019 lab services were moved into building next door, allowing for normal scheduled lab work and random drug testing.

Clinic Hours Expansion Proposal:

With the addition of space in the new lab building, we are recommending moving one PA from part time to full time, allowing for 60 more appointment slots available per week.

CareHere - Employee Health and Wellness Center

Appointment Utilization - March 2019

Standard Clinic:	Capacity:	Appointments:	Employees:	Dependents:	Retirees:	"No Shows":	Utilization %:
Ancillary Visits - (Blood Draw)	241	241	175	40	10	16	100%
Ancillary Visits - (Non-lab)	41	41	36	5	0	0	100%
Clinic	1266	1166	803	226	36	101	92.1%
Total:	1548	1448	1014	271	46	117	93.5%

CareHere average cost per medical appointment: \$40.00

Florida Blue average cost per medical appointment: \$85.00

HIATF - Health Insurance Advisory Task Force

HIATF serves as an advisory committee to the School Board. It is comprised of employees from both bargaining units, CEA and CWA, non-bargaining employees, retirees, and our benefit partners. The committee meets monthly and is tasked with monitoring the Health Insurance Fund. HIATF monitors the financial statements in partnership with our broker, Aon. The committee also reviews utilization information regarding the Employee Health and Wellness Center, Florida Blue claims history and considers new programs to maintain the health of the plan.

6/30/2018 & 6/30/2019 Fiscal Years - Financial Update

	Subscribers	Members	Med Claims	Rx Claims	Admin Fees	Stop Loss Fees	Clinic Fees	Other Activities	Rx Rebates	EGWP Subsidy	Stop Loss Recoveries	Total Expenses	Premium Equivalents	Gain/(Loss)	Fund Balance
Jun-17															\$92,862
Jul-17	1,822	3,500	\$875,131	\$344,927	\$105,703	\$71,443	\$154,057	\$11,118	\$0	-\$9,601	\$0	\$1,552,777	\$1,518,943	-\$33,835	\$59,028
Aug-17	1,812	3,484	\$1,117,796	\$346,303	\$98,017	\$70,252	\$135,507	-\$99,547	\$0	-\$10,415	\$0	\$1,657,912	\$1,452,868	-\$205,044	-\$146,017
Sep-17	1,811	3,484	\$505,130	\$324,025	\$96,516	\$69,561	\$125,240	\$35,637	-\$100,495	-\$9,626	\$0	\$1,045,987	\$1,567,599	\$521,612	\$375,595
Oct-17	1,906	3,615	\$586,845	\$410,309	\$101,162	\$69,676	\$133,230	\$15,181	-\$10,259	-\$9,481	\$0	\$1,296,663	\$1,559,769	\$263,105	\$638,700
Nov-17	1,913	3,631	\$805,297	\$339,803	\$108,700	\$75,015	\$152,750	\$55,346	\$0	-\$40,468	\$0	\$1,496,443	\$1,596,490	\$100,046	\$738,746
Dec-17	1,912	3,646	\$656,779	\$369,127	\$123,998	\$71,059	\$118,934	\$35,782	\$0	-\$9,407	\$0	\$1,366,271	\$3,151,538	\$1,785,267	\$2,524,013
Jan-18	1,892	3,590	\$646,621	\$304,699	\$145,672	\$73,747	\$140,294	-\$9,106	\$0	-\$53,233	\$0	\$1,248,694	\$1,593,522	\$344,828	\$2,868,842
Feb-18	1,880	3,571	\$1,016,503	\$426,751	\$147,310	\$73,939	\$163,190	-\$4,640	-\$391,439	-\$9,128	\$0	\$1,422,486	\$1,573,973	\$151,487	\$3,020,328
Mar-18	1,883	3,586	\$764,008	\$398,261	\$116,154	\$72,710	\$138,373	-\$20,912	-\$330,058	-\$8,768	\$0	\$1,129,769	\$1,562,808	\$433,038	\$3,453,367
Apr-18	1,847	3,554	\$1,236,099	\$378,448	\$106,890	\$71,135	\$142,531	-\$99,296	\$0	-\$46,512	\$0	\$1,789,296	\$1,560,447	-\$228,849	\$3,224,518
May-18	1,852	3,568	\$769,890	\$452,614	\$117,022	\$71,174	\$188,289	-\$2,754	-\$214,026	-\$8,970	-\$44,242	\$1,328,997	\$1,607,469	\$278,471	\$3,502,989
Jun-18	1,792	3,478	\$932,998	\$466,942	\$110,217	\$71,251	\$109,548	-\$149,103	-\$353,140	-\$8,988	-\$30,000	\$1,149,725	\$1,518,082	\$368,357	\$3,871,346
Total	1,860	3,559	\$9,913,096	\$4,562,209	\$1,377,361	\$860,960	\$1,701,944	-\$232,294	-\$1,399,416	-\$224,597	-\$74,242	\$16,485,021	\$20,263,505	\$3,778,484	

	Subscribers	Members	Med Claims	Rx Claims	Admin Fees	Stop Loss Fees	Clinic Fees	Other Activities	Rx Rebates	EGWP Subsidy	Stop Loss Recoveries	Total Expenses	Premium Equivalents	Gain/(Loss)	Fund Balance
Jun-18															\$3,871,346
Jul-18	1,790	3,485	\$1,159,757	\$382,436	\$114,961	\$68,831	\$156,513	\$308	\$0	-\$33,345	\$0	\$1,849,460	\$1,539,963	-\$309,497	\$3,561,849
Aug-18	1,754	3,411	\$1,068,761	\$455,002	\$118,884	\$61,869	\$155,934	-\$13,510	\$0	-\$10,364	-\$14,276	\$1,822,299	\$1,492,339	-\$329,960	\$3,231,889
Sep-18	1,737	3,383	\$861,322	\$378,495	\$113,848	\$62,862	\$153,274	-\$62,616	-\$30,177	-\$9,593	-\$19,851	\$1,447,563	\$1,483,055	\$35,492	\$3,267,381
Oct-18	1,864	3,537	\$691,773	\$476,583	\$114,924	\$63,008	\$194,231	-\$1,014	-\$52,079	-\$8,255	\$0	\$1,479,171	\$1,567,982	\$88,811	\$3,356,191
Nov-18	1,856	3,520	\$652,742	\$386,358	\$117,804	\$73,143	\$157,928	\$10,095	\$0	-\$49,088	\$0	\$1,348,982	\$1,565,082	\$216,100	\$3,572,291
Dec-18	1,857	3,510	\$787,805	\$476,019	\$116,634	\$67,765	\$158,339	\$11,071	-\$217,396	-\$43,009	\$0	\$1,357,228	\$1,561,833	\$204,604	\$3,776,895
Jan-19	1,854	3,488	\$873,307	\$428,935	\$114,485	\$67,984	\$144,797	\$7,798	-\$55,615	-\$63,758	\$0	\$1,517,933	\$1,557,018	\$39,085	\$3,815,980
Feb-19	1,845	3,472	\$556,458	\$391,206	\$125,276	\$67,874	\$159,402	\$564	-\$851	-\$8,376	\$0	\$1,291,553	\$1,546,606	\$255,053	\$4,071,033
Mar-19	1,848	3,478	\$952,987	\$461,589	\$125,479	\$67,984	\$149,702	\$564	-\$305,708	-\$7,234	\$0	\$1,445,363	\$1,549,106	\$103,743	\$4,174,777
Apr-19	1,827	3,437	\$926,911	\$449,832	\$124,061	\$67,216	\$148,010	\$564	\$0	-\$49,102	\$0	\$1,667,491	\$1,531,605	-\$135,887	\$4,038,890
May-19	1,831	3,445	\$868,749	\$422,426	\$124,331	\$67,362	\$148,333	\$564	\$0	-\$7,234	\$0	\$1,624,530	\$1,534,938	-\$89,592	\$3,949,298
Jun-19	1,781	3,349	\$894,445	\$435,766	\$120,956	\$65,534	\$144,306	\$564	-\$292,641	-\$224,617	\$0	\$1,144,312	\$1,493,267	\$348,956	\$4,298,253
Total	1,820	3,460	\$10,295,016	\$5,144,647	\$1,431,642	\$801,432	\$1,870,768	-\$45,051	-\$954,466	-\$513,974	-\$34,127	\$17,995,887	\$18,422,794	\$426,907	

6/30/2018 Fiscal Year Financial Update

Footnotes

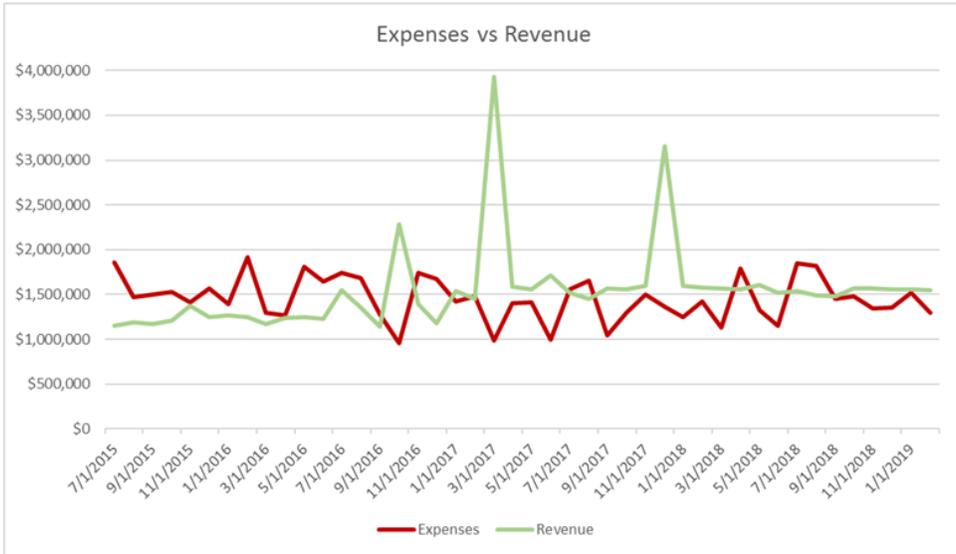
1. Beginning fund balance as of June 30, 2017 is (\$93K) per final SDIRC FY 2017 financial reporting
2. Black font represents actual figures from finance department
3. Subscriber and member counts based on Florida Blue enrollment data and reflects retroactive updates
4. July 2017 - June 2018 expenses and revenues reflect SDIRC FY2018 financial reporting
5. Total admin fees include FL Blue ASO fees, AmWINS ASO fees, 9 months of Aon Rx Coalition fees, WageWorks, Aetna EAP Fees, Healthcare Bluebook Admin Fees, and Fees associated with Explain My Benefits
 - January 2018 includes \$30,527 for Aon September 2016 GASB.
 - February 2018 includes \$30,000 for Siver - 15/16 Audit.
 - March 2018 includes \$2,744 for CanaRx Claims.
6. December premium equivalents include the Board contribution of \$1.556M
7. September premium equivalents include the additional Board contribution of \$27 PEPM for Jul 2017 - Sep 2017

6/30/2019 Fiscal Year Financial Update

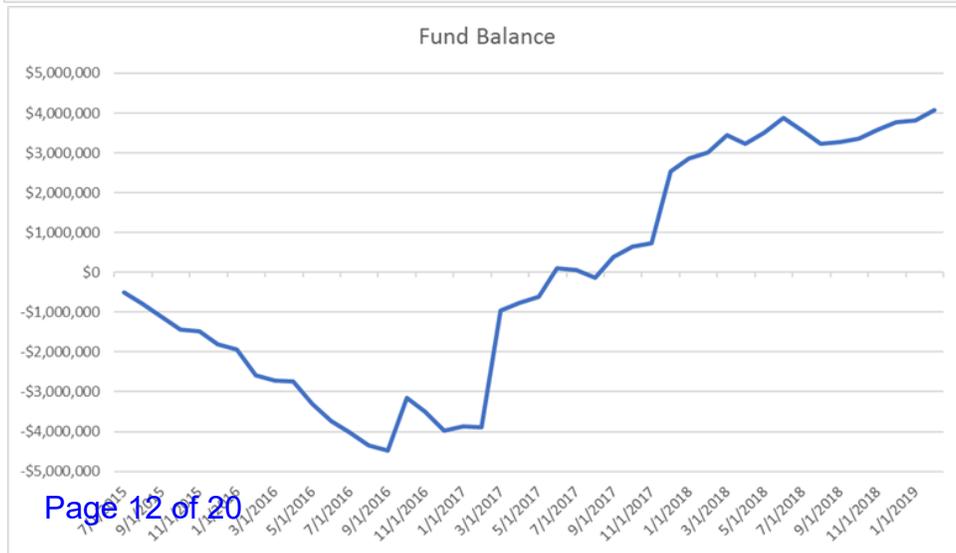
Footnotes

1. Beginning fund balance as of June 30, 2018 is \$3.87M per final SDIRC FY 2018 financial reporting
2. Black font represents actual figures from finance department and blue font represents projected figures
3. Subscriber and member counts based on Florida Blue enrollment data and reflects retroactive updates
4. Projected enrollment anticipated to follow similar pattern as FY18
5. Projected claims are based on claims and enrollment from most recent 12 month period, adjusted for trend and seasonality
6. Admin fees include FL Blue ASO fees, AMWINS ASO fees, Aon Rx Coalition fees, WageWorks/Chard-Snyder Fees, Aetna EAP Fees, Healthcare Bluebook Admin Fees, and Fees associated with Explain My Benefits
7. Other Activities include investment income, EAP board contribution, IBNR adjustment, fiscal services, staff services, PCORI, and difference in fully insured expenses and premiums, as applicable
8. Projected rebates assume rebates will equal 22.8% of pharmacy claims and there will be a one quarter lag on payments
9. Projected EGWP subsidies are shown on a paid basis and based on Aon's EGWP model (v18.3)
 - a.) Direct capitation and prospective reinsurance payment expected to be paid monthly
 - b.) Manufacturer discounts expected to have two quarter lag on first payment and one quarter lag thereafter
 - c.) Reinsurance expected to be reconciled and paid 12 months after plan year end; note 2016 delayed reinsurance payment anticipated to be paid in Jun-19

Historical Comparison of Health Fund Revenue and Total Plan Expenses



- Revenues include the following additional Board contributions outside of the standard Board contribution:
 - \$2.33M March 2017
 - \$1.56M December 2017
 - \$27 PEPM from December 2016 - September 2017



- Fund balance amounts:
 - (\$504K) July 2015
 - (\$4.5M) September 2016
 - \$4.1M February 2019

Current HIATF Recommendations...

Program Enhancement Savings - Express Scripts, Inc.
Stop Loss Renewal Recommendation

Program Enhancement Savings - Express Scripts, Inc.

Program	Description	Cost	Estimated Savings (projected by ESI)
Exclusive Smart90	ESI's Smart90 program allows members to fill maintenance medication (scripts with days supply equal or greater than 84) at retail pharmacy within ESI Smart90 Network and receive the advantage of Mail pricing. There are different variations of Smart90, where the Exclusive option offers the most savings as members must fill at the Smart90 in-network pharmacies.	None	\$164,000
Express Advantage Network	Partial restriction of the Retail Pharmacy Network by splitting ESI's broad network into two groups: preferred and non-preferred pharmacies. Increased savings are achieved by members filling at preferred pharmacies, and they can be incentivized in doing so, for instance by copay penalties for filling at non-preferred pharmacies or by member communications.	None	\$75,000
SaveonSp	The SaveonSP program leverages the Affordable Care Act benchmark requirements to designate certain specialty medications under the category of non-essential health benefits. This allows clients to maximize copay assistance from manufacturers, resulting in savings for clients and patients.	SaveonSP agrees to provide the Services in accordance with payment to SaveonSP equal to 25 % of Program savings. Program Savings are calculated by subtracting the agreed upon historical copayment credit from the amount of the manufacturer copayment on each qualifying claim.	\$115,000

Stop Loss Renewal Recommendation and Rate Increase

\$225,000 Deductible 12 months: with Aggregating Specific

Stop Loss Plan - Rates

\$225,000 Specific Deductible - PEPM

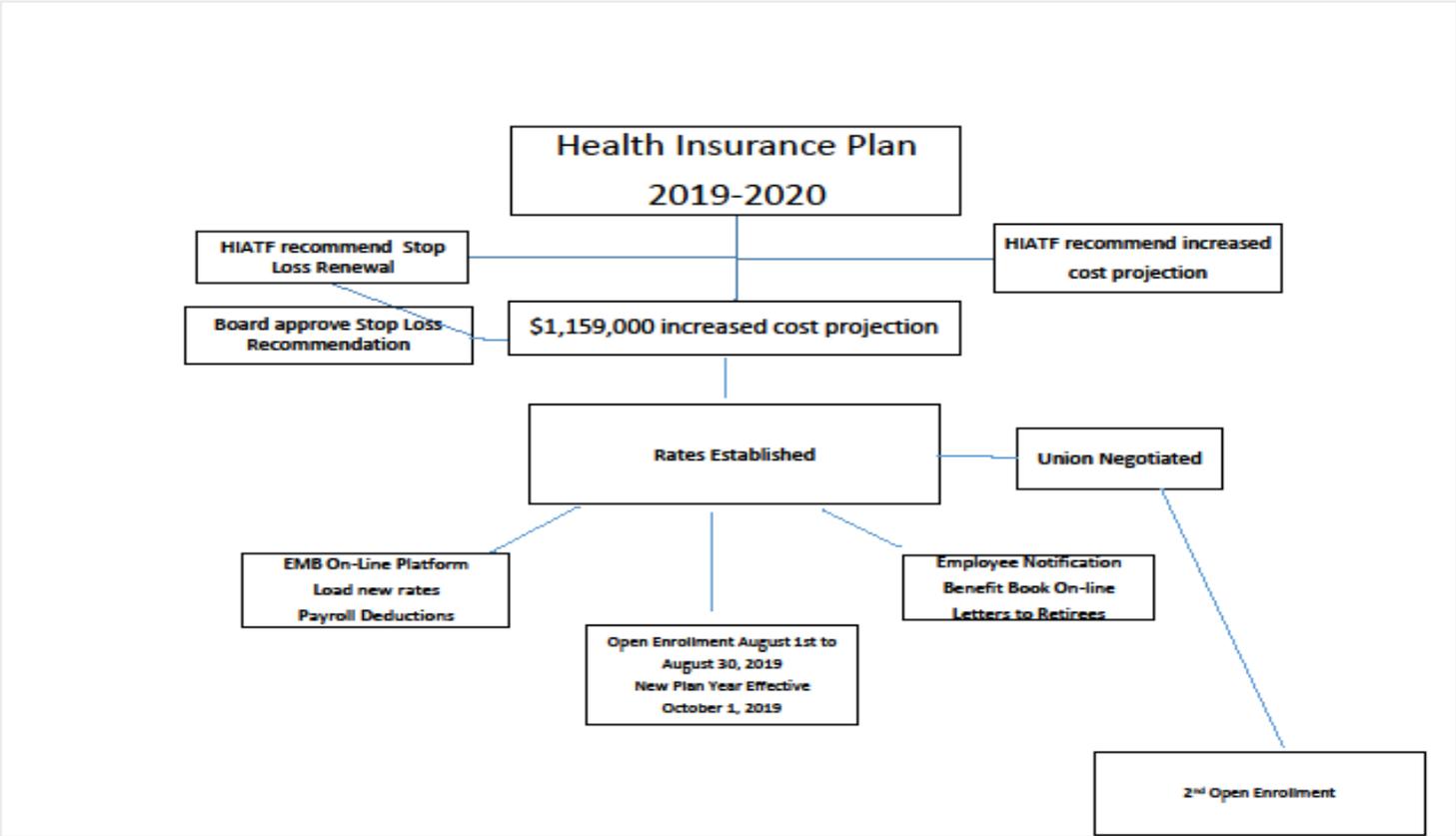
	QBE Current	QBE Renewal
EE - 1131 EEs		
EE + Family - 726 EEs		
Composite - 1857 EEs	\$36.59	\$33.48
Annual \$225,000 Specific Deductible Premium	\$815,372	\$746,068
Financial Summary		
Annual Interface Fee	\$0	\$0
% Difference w/o Aggregating Specific		(8.5%)
Aggregating Specific Deductible	\$209,000	\$209,000
Total Annual Cost	\$1,024,372	\$955,068
\$ Difference from Current		(\$69,303)
% Difference from Current		(6.8%)
\$ Difference from Renewal		(\$252,498)
% Difference from Renewal		(25%)

2019-2020 Fund Projections

	10/1/2019-9/30/2020
Projected Enrollment	1,861
Projected Claims	\$17,398,000
Projected Fixed Fees	\$2,584,000
Stop Loss Fee Savings	<u>(\$73,000)</u>
Projected Total Cost	\$19,909,000
Current Premiums	\$18,750,000
Difference (\$)	\$1,159,000
Difference (%)	6.2%

- Current premiums are estimated from the financials provided by SDIRC.
- Projected enrollment is the average enrollment of the current plan year YTD (10/18-1/19) reported by Florida Blue.
- Projections rely on medical claim data reported by Florida Blue, and pharmacy claim data reported by AMWINS and SDIRC.
- Annual trend assumptions are 6.1% for medical and 6.4% for Rx for actives/pre-65 retirees and 5.2% for medical and 6.1% for Rx for post-65 retirees, based on Aon's trend study.
- Fixed fees also include pharmacy rebates and Medicare Pharmacy (EGWP) subsidies
- Fee increases are assumed as follows: 0% increase to FL Blue, ESI, and AMWINS administrative fees, 3% increase to CareHere health center costs, EAP, Chard-Snyder, Explain My Benefits, Fiscal and Staff services, and PCORI fee. Stop Loss fees assumed to decrease 8.5% for 10/19-6/20 based on \$225K level and QBE quote and assumed to increase 20% for 7/20-9/20.
- Pharmacy rebates are estimated to be \$1,350,000, based on recent ESI and AMWINS data.
- Medicare pharmacy (EGWP) subsidies are estimated to be \$500,000, based on Aon's EGWP model.

Decision Tree



Open Enrollment Timeline

Timeline	Action
Week of April 8th	Develop initial HIF budget Catastrophic RFP - Cost to budget
Week of April 15th	Develop HIF budget recommendation
-	Determine if premium insurance increase is needed.
-	Executive Review/Approval
April 24th	HIATF Meeting
May 7th	Board Agenda deadline
May 14th	Board Workshop - HIF presentation
May 22nd	HIATF Meeting
May 28th	Board meeting for approval
May 31st	Benefits Booklet final
May 31st	Board agenda deadline
June 11th	Board meeting
June 26th	HIATF Meeting
Week of July 4th	Benefits Booklet - POST final version
July 12th	Board agenda deadline
July 23rd	Board meeting
Week of July 24th	Employee notifications (ltrs retirees, etc.)
August 1 to August 30, 2019	Open Enrollment - all on-line
October 1, 2019-Sept 31, 2020	New Plan Year Effective Dates

Coming soon...

- Wellness Specialist: Wellness programs return \$3 in health care savings and \$3 in reduced absenteeism cost for every dollar spent. Programs such as lifestyle management and disease management, are implemented to improve the health and well-being of employees, increase productivity, reduce the risk of costly chronic diseases, and improve control over chronic conditions, thereby affecting future medical claims.
- Bring together all of the options available to us through our current vendors, such as CareHere, Florida Blue, etc.
- Ability to quantify results of programs and initiatives.

Discussion

Questions?

Comments?

Kids at Hope

Back Up Information:

Here is a Video on TEDX Talk for you to learn from Mr. Rick Miller, the founder of Kids at Hope:

https://youtu.be/vlpDKHw1O_c

In case the link doesn't work you can find it on You Tube: **Kids at Hope | Rick Miller | TEDxHerndon**

Beginning in 1993 Rick led a seven-year research literature review to challenge the youth at risk paradigm. His findings have revolutionized the understanding of child and youth development and have been embraced by education, juvenile justice, law enforcement, and child welfare. Rick Miller is an international child and youth development organization that studies family, school and community cultures to better understand the dynamics of success and failure. Rick has spent 48 years in the field of child and youth development as a practitioner, researcher, teacher, public policy expert, and author.

Kids at Hope is based on Three Universal Truths and there are Five Practices that can be put into place on school campuses with very little cost.

Three Universal Truths

1. BELIEVE

Children succeed when they are surrounded by adults who believe they can succeed, no exceptions.

2. CONNECT

Children succeed when they have meaningful and sustainable relationships with caring adults.

3. TIME TRAVEL

Children succeed when they can articulate their future in four domains rather than one (which is generally Education & Career): Home & Family; Education & Career; Community & Service and Hobbies & Recreation.

TOP FIVE PRACTICES

1. BELIEF

Surrounding children with adults who believe all children can succeed, without exception.

2. PLEDGE

Demonstrating and practicing the power of positive self-talk.

3. REPORT CARD

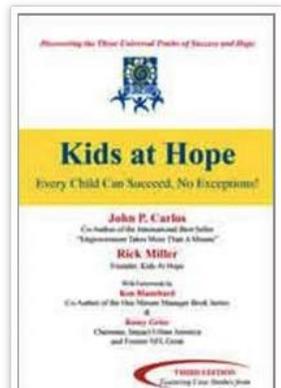
Validating and documenting the multiple intelligences of children which leads to developing their full potential.

4. PASSPORT TO THE FUTURE

Offering children, the opportunity to "mental time travel" to the future through four domains which leads to HOPE for their future.

5. ACES TRACKING

Validating and documenting that all children are indeed connected to a caring adult(s) in a meaningful and sustainable manner.



Kids at Hope: Every Child Can Succeed -- NO EXCEPTIONS Paperback ·

September 1, 2009

by [John P. Carlos](#) (Author), [Rick Miller](#) (Author)

★★★★☆ 2 customer reviews

> See all 7 formats and editions

Hardcover
from \$15.50

Paperback
\$80.00

12 Used from \$15.50
2 New from \$117.75

17 Used from \$3.03
3 New from \$80.00

Every Child Can Succeed - NO EXCEPTIONS Paperback - January 1, 2009

Youth Development – From the Trenches, 170 pages, by Rick Miller

A Practitioner examines the research, his experience, and discovers a powerful new youth development strategy! What youth are telling us is “You can mess all you want with instruction, curriculum, policy, and program strategies, but while all that is important, it doesn’t substitute for the basics: **We Need Adults Who Care About Us** as people; believe in us when no one else does – even when we don’t seem to care about ourselves; make sure we are connected to family, school, and community; and help us to see that education is relevant to our lives. In return, we will be better students, achieve our potential, and feel that life is an exciting journey!” Rick Miller’s newest book based on 44 years of experience and research in the field of youth development.

Price: \$15.00

Masters Institute Training:

Youth Development Master’s Institute

Kids at Hope in conjunction with Arizona State University Sanford School of Social & Family Dynamics annually sponsors the Youth Development Master’s Institute. The week-long institute **Attracts World Leaders** in the fields of child and youth development, education, law enforcement, juvenile justice, child welfare, and health. The institute is recognized for its **Exciting Keynote Speakers**, workshops, site visits, and the latest information about **hope, optimism, success, and resiliency**.

The Institute is typically planned for early May and is held in Phoenix, AZ.

Tuition \$1,500.00*

*Partial scholarships available

All this information and more can be found at www.kidsathope.org

Final Recommended Revisions

Book **Policy Manual Section**

1000 Administration Title

PERSONNEL FILE

Code po1590

Status Active

Adopted August 13, 2013

Last Revised March 4, 2014

1590 - PERSONNEL FILE

It is necessary for the orderly operation of the School District to prepare a personal information system for the retention of appropriate files bearing upon an employee's duties and responsibilities to the District and the District's responsibilities to the employee.

The School Board requires that sufficient records exist to determine an employee's qualifications for the job held, compliance with Federal, State, and local benefit programs, conformance with District rules, and evidence of completed evaluations. Such records will be kept in compliance with the laws of the State of Florida.

The term personnel file as used in this section shall mean all records, information, data, or materials maintained by a public school system, in any form or retrieval system whatsoever, with respect to any of its instructional staff, which are uniquely applicable to that employee, whether maintained in one (1) or more locations.

Only that information which pertains to the professional role of the employee and submitted by duly authorized school administrative personnel and the Board may be entered in the official record file.

Pursuant to State law, a complaint of misconduct against a District employee, and all information obtained pursuant to an investigation by the District of the complaint of misconduct, are confidential and exempt from inspection or copying until the investigation ceases to be active, or until the District provides written notice to the employee who is the subject of the complaint, in the manner set forth below, that the District has either:

- A. concluded the investigation with a finding not to proceed with disciplinary action or file charges, or
- B. concluded the investigation with a finding to proceed with disciplinary action and/or to file charges. If the investigation results in such a finding, the District shall also file a legally sufficient complaint regarding the misconduct as required by State law and Policy 8141 - Mandatory Reporting of Misconduct by Certificated Employees.

For the purpose of this subsection, a preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding relating to probable cause is made within 60 days after the complaint is made. This subparagraph does not absolve the school district of its duty to provide any legally sufficient complaint to the department within 30 days after the date on which the subject matter of the complaint comes to the attention of the school district pursuant to s. 1012.796(1)(d)1., regardless of the status of the complaint.

Materials relating to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment.

The resignation or termination of an employee before an investigation of alleged misconduct by the employee affecting the health, safety, or welfare of a student is concluded must be clearly indicated in the employee's personnel file.

Any material that is derogatory to an employee shall not be open to inspection for an additional ten (10) days after the employee has been notified either:

- A. by certified mail, return receipt requested, to his/her address of record; or
- B. by personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

No record in a personnel file which is confidential and exempt from inspection and copying pursuant to applicable law shall be disclosed except as provided by applicable law.

The Superintendent shall maintain a record in each personnel file of those persons reviewing the files each time they are reviewed.

A copy of each such entry shall be given to the employee upon request.

The employee shall have access to his/her file upon request.

Notwithstanding other provisions of this subsection, all aspects of the personnel file of each employee shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

The related procedures manual is entitled Personnel File Procedures.

Revised 5/14/19

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Legal

F.S. 119.011, 119.07, 119.071, 1012.31

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State of Florida

GENERAL RECORDS SCHEDULE GS1-SL FOR STATE AND LOCAL GOVERNMENT AGENCIES



EFFECTIVE: August 2017

Rule 1B-24.003(1)(a), *Florida Administrative Code*

Florida Department of State
Division of Library and Information Services
Tallahassee, Florida

850.245.6750

recmgt@dos.myflorida.com

info.florida.gov/records-management/

DISBURSEMENT RECORDS: DETAIL

Item #340

This series consists of records documenting specific expenditures or transfers of agency moneys for the procurement of commodities and services and other purposes. The series may include, but is not limited to, procurement records such as requisitions, requisition logs, purchase orders, contracts, purchasing card (p-card) receipts, vendor invoices, receiving reports, acceptances of contract deliverables, approvals, and related documentation; and expenditure records for disbursements made through checks, warrants, electronic fund transfers (EFT), purchasing cards, or other methods, such as payment vouchers, approvals, check registers, canceled or voided checks, check stubs, canceled or voided warrants, disbursement ledgers, journal transactions, expenditure detail reports, refund records, and other accounts payable and related documentation. The series may also include a copy of the agency's sales tax exemption form. Retention is based on Section 95.11(2), *Florida Statutes*, Statute of Limitations on contracts, obligations, or liabilities. See also "DISBURSEMENT RECORDS: SUMMARY," "PURCHASING RECORDS," and "TRAVEL RECORDS."

RETENTION: 5 fiscal years after transaction completed.

DISBURSEMENT RECORDS: SUMMARY

Item #341

This series consists of records providing summary or aggregate documentation of expenditures or transfers of agency moneys for the procurement of commodities and services and other purposes. The series may include, but is not limited to, summary records such as trial balance reports, check logs and registers, summary expenditure reports, federal grant final closeout reports, summary journal transactions, and other accounts payable summary and related documentation. See also "DISBURSEMENT RECORDS: DETAIL."

RETENTION: 10 fiscal years.

DISCIPLINARY CASE FILES: EMPLOYEES

Item #98

This record series documents the investigation of allegations of employee misconduct and/or violation of department regulations or orders, state or federal statutes, or local ordinances. The series may include, but is not limited to, statements by the employee, witnesses, and the person filing the complaint. Cases include both formal and informal disciplinary proceedings relating to allegations that were determined as sustained, not sustained, unfounded, or exonerated. "Formal discipline" is defined as disciplinary action involving demotion, removal from office, suspension, or other similar action. "Informal discipline" is defined as any disciplinary action involving written and verbal reprimands, memoranda, or other similar action. These records are filed separately from the employee personnel file, but the final action summary becomes part of the personnel file. See also "EMPLOYEE CONDUCT COUNSELING RECORDS," "PERSONNEL RECORDS" items, and "STAFF ADMINISTRATION RECORDS."

RETENTION: 5 anniversary years after final action.

DOMESTIC PARTNERSHIP REGISTRY RECORDS

Item #399

This record series documents domestic partnerships established and dissolved under authority of law or ordinance. Records may include, but are not limited to, Affidavits of Domestic Partnership, domestic partnership amendments, Affidavits of Termination of Domestic Partnership, and other supporting or related documentation.

RETENTION: Permanent.

DONATION RECORDS

Item #342

This record series documents donations of funds, property, historical documents, artifacts, or other items of long-term value or significance to a public agency or institution including, but not limited to, donations to the collections of cultural heritage institutions such as public archives and museums. The series may include, but is not limited to, correspondence; deeds of gift and/or other transfer documentation; description and/or value of item(s) donated; and documentation of the purpose of the donation and any limitations/restrictions on use. See also "ENDOWMENTS/BEQUESTS/TRUST FUND RECORDS."

RETENTION: Permanent.

DRAFTS AND WORKING PAPERS

Item #242

This record series consists of materials used in developing, compiling, and assembling a final product such as an agency report or database. The series may include, but is not limited to, copies of correspondence or memoranda; circulated drafts; data entry forms; notes; calculations; and other supporting documents. **Drafts of documents that could have a significant effect on an agency's programs, functions and responsibilities (for instance, agency mission statements or major policy initiatives) should be placed under "ADMINISTRATOR RECORDS: AGENCY DIRECTOR/PROGRAM MANAGER" or other applicable record series.**

RETENTION: Retain until obsolete, superseded, or administrative value is lost.

DRUG TEST CASE FILES

Item #260

This record series documents drug testing of individuals under Florida's Drug-Free Workplace Act, or as required for Commercial Driver's License (CDL) or other drivers under U.S. Department of Transportation regulations. The case file may include, but is not limited to, documentation of decisions to administer reasonable suspicion or post-accident testing, or verifying the existence of a medical explanation of the inability of the driver to provide adequate breath or a urine specimen for testing; the employer's copy of a drug or alcohol test form, including the results of the test; a copy of the

"EMPLOYMENT APPLICATION AND SELECTION RECORDS," "EMPLOYMENT ELIGIBILITY VERIFICATION FORMS," "STAFF ADMINISTRATION RECORDS," and other "PERSONNEL RECORDS" items.

RETENTION: 3 fiscal years after any manner of separation or termination of employment.

PERSONNEL RECORDS: SUPPLEMENTAL DOCUMENTATION

Item #378

This record series consists of personnel documentation relating to individual employees that agency rules or policies do not include as part of the official personnel file and that is not covered by other employee-related items. See also "DRUG TEST CASE FILES," "EMPLOYMENT APPLICATION AND SELECTION RECORDS," "EMPLOYMENT ELIGIBILITY VERIFICATION FORMS," "STAFF ADMINISTRATION RECORDS," and other "PERSONNEL RECORDS" items.

RETENTION: 5 fiscal years.

PETTY CASH DOCUMENTATION RECORDS

Item #202

This record series consists of records documenting an agency's petty cash account including, but not limited to, receipts, bills, and monthly balances indicating amount needed for replenishing the revolving account. See also "DISBURSEMENT RECORDS: DETAIL" and "RECEIPT/REVENUE RECORDS: DETAIL."

RETENTION: 5 fiscal years.

POSITION DESCRIPTION RECORDS

Item #38

This record series documents the specifically assigned duties and responsibilities for a particular position. Information in the records may include, but is not limited to, percentage breakdown of duties, job summary, essential job duties, job standards, salary or pay range, education and experience requirements, required licenses/certificates, essential skills and qualifications, essential physical skills, and working conditions. See also "EMPLOYMENT APPLICATION AND SELECTION RECORDS."

RETENTION: 2 anniversary years after obsolete or superseded.

POSTAGE/SHIPPING RECORDS

Item #133

This record series consists of a detailed listing/report showing the amount of postage used, dates used, unused balance, and purpose. Also included in this series are postage meter books, daily balance sheets, and agency copies of shipping slips from Express Mail, United Parcel Service, Federal Express, DHL, or other express shipping services for packages shipped by the agency. See also "MAIL: REGISTERED AND CERTIFIED," "MAIL: UNDELIVERABLE/RETURNED," and "MAILING/CONTACT LISTS."

RETENTION: 3 fiscal years.

PROBATION RECORDS

Item #320

This record series consists of case files of persons placed on county probation by the county courts and supervised by a county or contracted probation agency (such as the Salvation Army Correctional Services). The series may include, but is not limited to, copies of legal orders filed with the Clerk of Court; copies of records relating to the probationer's crime, sentencing, and incarceration; probation officer's case notes; probationer's periodic reports; community service records; correspondence; copies of receipts for monies collected for fines, restitution and cost of supervision; copies of evaluations and recommendations for treatment, including psychological or psychiatric reports; reports from various agencies regarding client's progress in counseling areas such as drug, alcohol, and mental health; and certificates of completion of court requirements (e.g., training, schooling, etc.).

RETENTION: 5 calendar years after case closed.

PROCLAMATIONS

Item #142

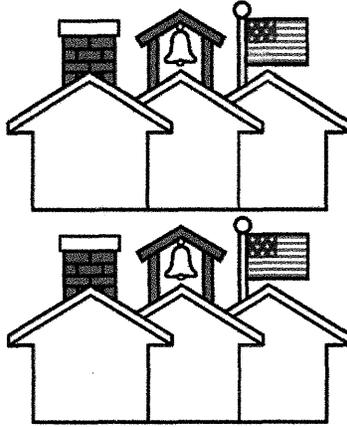
This record series consists of a governing body's officially issued proclamations calling attention to issues of current significance or honoring groups, individuals, or past events, such as a proclamation declaring "Water Conservation Month," "Law Enforcement Appreciation Week," or "Emancipation Proclamation Day." The series may also include, but is not limited to, correspondence, memoranda, public input, sample proclamations, drafts, and letters of support. See also "CHARTERS/AMENDMENTS/BYLAWS/ CONSTITUTIONS," "DIRECTIVES/POLICIES/PROCEDURES," "ORDINANCES," and "RESOLUTIONS." *These records may have archival value.*

RETENTION: 2 calendar years after date of issuance. *State agencies must contact the State Archives of Florida for archival review before disposition of records. Other agencies should ensure appropriate preservation of records determined to have long-term historical value.*

PROJECT FILES: CAPITAL IMPROVEMENT

Item #136

This record series documents work done on capital improvement projects and/or project proposals sent out for bid. This may include, but is not limited to, correspondence, memoranda, drawings, construction and contract specifications, resolutions, narratives, budget revisions, survey information, change orders, and reports. "Capital Improvements" shall mean improvements to real property (land, buildings, including appurtenances, fixtures and fixed equipment, structures, etc.), that add to the value and extend the useful life of the property, including construction of new structures,



Book	Procedures Manual
Section	1000 Administration
Title	PERSONNEL FILES
Code	ap1590
Status	Active
Adopted	October 1, 2014

1590 - PERSONNEL FILES

The term "personnel file" as used in this section shall mean all records, information, data, or materials maintained by a public school system, in any form or retrieval system whatsoever, with respect to any of its employees, which is uniquely applicable to that employee, whether maintained in one (1) or more locations.

- A. The personnel file of each employee shall be maintained in the Human Resources office and shall be open to inspection and examined by any person desiring to do so, except for personnel records which are presently provided by law to be confidential and excluded from public inspection.
- B. All aspects of each employee's personnel file shall be open to inspection at all times by School Board members, the Superintendent and the principal, or their respective designees, in the exercise of their respective duties, by the employee or any person designated in writing by the employee, and law enforcement officials in conducting a lawful criminal investigation.
- C. The work-site file may not contain any information which is defined as confidential in F.S. 1012.31.
- D. Examination of any material in a personnel file is subject to the provisions of F.S. 1012.31 and F.S. Chapter 119.

F.S. 1012.31 and F.S. Chapter 119 control the entry of data into a personnel file and establishes the following requirements for such actions.

Entry of Data, Contents, and Examination of Personnel Files (see also Form 1590 F1 and Form 1590 F2)

- A. Except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension, or dismissal under laws of this State, no derogatory materials pertaining to an employee's conduct, service, character, or personality shall be placed in the personnel file of such employee.

- B. No anonymous letters or materials may be added to the file.
- C. Any material relating to evaluation, discipline, or being used for investigation is subject to the following provisions:
1. must be signed by a person competent or know the facts or making the judgment;
 2. must be reduced to writing within forty-five (45) days of the school system administration becoming aware of the facts giving rise to the incident;
 3. a copy must be provided the employee with all file copies bearing certification of receipt by the employee;
 4. such written material may be answered by the individual employee and a copy of the response attached to the file copies of the initially filed material;
 5. an employee may request an informal inquiry by the Superintendent or his/her designee into any material which the employee believes to be false;
- The official making the inquiry shall append a written report on his/her findings to the material.
6. the employee shall have the right to answer in writing any such materials in a personnel file on the effective date of this act, as well as any such materials filed thereafter, and the answer shall be attached to the file copy. The employee shall have the right to request that the Superintendent or his/her designee make an informal inquiry regarding material in his/her personnel file which the employee believes to be false. The official making the inquiry shall append a written report of his/her findings to the material;
- D. Work-site files are a part of the employee's personnel file, and as such, are subject to all laws and rules applicable to personnel files.
- E. All files, as previously defined, are subject to F.S. Chapter 119 Public Records and, therefore, are open to the public view with certain exceptions as follows:
1. All evaluations conducted prior to July 1, 1983.
 2. Employee assessments are closed during the year which they are conducted and one (1) fiscal year thereafter.
 3. Derogatory material relating to employee performance is confidential until ten (10) days after employee is notified.
 4. Payroll deductions, medical, psychiatric, and psychological records are confidential. (Except at any hearing related to an employee's competency.)
 5. Materials relating to an investigation that ceases to be active.
- F. A log of each person inspecting the file shall be maintained.

PRODUCTION PROCEDURES AND FEES

Every person who has custody of personnel files shall permit the files to be inspected and duplicated by any person desiring to do so, at reasonable times, under reasonable conditions and under supervision by the custodian of the

records or designee.

The records custodian shall review the employee's file for compliance with exemptions under F.S. Chapter 1000 before opening the file for inspection or duplication.

Reproduction of records is to be done on Board premises at a cost no greater than fifteen cents (.15) per page.

When other than an individual employee and when the nature or volume of records is such as to require extensive clerical or supervisory assistance by personnel of the Board, the District may charge in addition to the actual cost of duplication, a reasonable charge which shall be based on the actual salary rate of such personnel providing the service.

DEFINITION OF TERMS

A. Evaluations

Includes classroom observations, annual evaluations.

B. Complaint

An accusation by any member of the public or Board employee charging an employee with misconduct and/or unacceptable performance.

C. Confidential Records

Information that is not available for public review. This would include medical records, psychiatric/psychological files, payroll deductions, transcripts, preliminary investigations, active investigations, assessments prior to July 1, 1983, and subsequent evaluations for one (1) full school year.

D. Custodian of Records

The appointed work site administrator, District office administrator, or administrative designee charged by law with the responsibility of maintaining and supervising personnel files for the District.

E. Derogatory Material

Typical examples:

1. Complaints, allegations, negative assessments, and charges related to work performance. (Can be placed in file)
2. NEAT procedure (Notice, Explanation, Assistance, Time).

F. Designee

Persons authorized by Board members, the Superintendent, the principal, or the employee to inspect all aspects of the personnel file in the exercise of their respective duties.

G. Inspection of Records

Every person who has custody of personnel files shall permit the records to be inspected and examined by any person desiring to do so, **at reasonable times, under reasonable conditions** and under supervision of the custodian of the records. Confidential records are not available for inspection by the public.

H. Lawful Criminal Investigation

Any investigation conducted by local, State, and Federal law enforcement agencies concerning criminal acts, according to the laws of the State or community as enforced by the courts.

I. Law Enforcement Personnel

Any person employed by an authorized law enforcement agency to conduct an investigation concerning unlawful acts (e.g., employed by Federal, State, county, or municipal agency).

J. Medical Records

Include medical, psychological/psychiatric evaluations, medical releases, workers' compensation reports and other letters, documentation or reports attendant to the employee's medical condition.

K. No Probable Cause

Findings of preliminary investigations showing no evidence to support or continue an investigation.

L. Official Logs

Individual Access Records – form placed in each personnel file showing the date of inspection, person inspecting the file and records custodian authorizing the access.

M. Preliminary Investigation

Investigative actions conducted to determine if there is probable cause to proceed further with complaint or alleged violation of Board rules and /or statutory provisions. A preliminary investigation shall be considered active as long as it is continuing with a reasonable good-faith anticipation that an administrative finding will be made in the foreseeable future.

N. Probable Cause

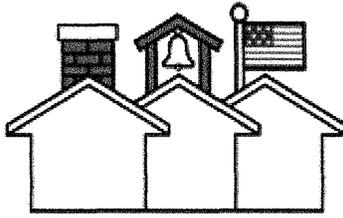
Result of preliminary investigation with findings of reasonable grounds for suspecting that violation of a Board rule or criminal offense has been committed. May lead to further investigation, disciplinary action or charges filed.

O. Right of Inquiry

The employee has the right to request that the Superintendent or his/her designee make an informal inquiry regarding material in his/her personnel file which the employee believes to be false. The official conducting the inquiry shall append a written report of his/her findings to the personnel file.

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Legal F.S. 119.011, 119.07(3), 1001.41, 1012.31



Book	Policy Manual
Section	1000 Administration
Title	PERSONNEL FILE
Code	po1590
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Adopted	August 13, 2013
Last Revised	March 4, 2014

1590 - PERSONNEL FILE

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The School Board requires that sufficient records exist to determine an employee's qualifications for the job held, compliance with Federal, State, and local benefit programs, conformance with District rules, and evidence of completed evaluations. Such records will be kept in compliance with the laws of the State of Florida.

The term personnel file as used in this section shall mean all records, information, data, or materials maintained by a public school system, in any form or retrieval system whatsoever, with respect to any of its instructional staff, which are uniquely applicable to that employee, whether maintained in one (1) or more locations.

Only that information which pertains to the professional role of the employee and submitted by duly authorized school administrative personnel and the Board may be entered in the official record file.

Pursuant to State law, a complaint of misconduct against a District employee, and all information obtained pursuant to an investigation by the District of the complaint of misconduct, are confidential and exempt from inspection or copying until the investigation ceases to be active, or until the District provides written notice to the employee who is the subject of the complaint, in the manner set forth below, that the District has either:

- A. concluded the investigation with a finding not to proceed with disciplinary action or file charges, or
- B. concluded the investigation with a finding to proceed with disciplinary action and/or to file charges. If the investigation results in such a finding, the District shall also file a legally sufficient complaint regarding the misconduct as required by State law and Policy 8141 - Mandatory Reporting of Misconduct by Certificated Employees.

Any material that is derogatory to an employee shall not be open to inspection for an additional ten (10) days after the employee has been notified either:

- A. by certified mail, return receipt requested, to his/her address of record; or
- B. by personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

No record in a personnel file which is confidential and exempt from inspection and copying pursuant to applicable law shall be disclosed except as provided by applicable law.

The Superintendent shall maintain a record in each personnel file of those persons reviewing the files each time they are reviewed.

A copy of each such entry shall be given to the employee upon request.

The employee shall have access to his/her file upon request.

The related procedures manual is entitled Personnel File Procedures.

Revised 3/4/14

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Legal

F.S. 119.011, 119.07, 119.071, 1012.31

The 2018 Florida Statutes

[Title XLVIII](#)
K-20 EDUCATION CODE

[Chapter 1012](#)
PERSONNEL

[View Entire Chapter](#)

1012.31 Personnel files.—Public school system employee personnel files shall be maintained according to the following provisions:

(1)(a) Except for materials pertaining to work performance or such other matters that may be cause for discipline, suspension, or dismissal under laws of this state, no derogatory materials relating to an employee's conduct, service, character, or personality shall be placed in the personnel file of such employee.

(b) No anonymous letter or anonymous materials shall be placed in the personnel file.

(2)(a) Materials relating to work performance, discipline, suspension, or dismissal must be reduced to writing and signed by a person competent to know the facts or make the judgment. The resignation or termination of an employee before an investigation of alleged misconduct by the employee affecting the health, safety, or welfare of a student is concluded must be clearly indicated in the employee's personnel file.

(b)1. No such materials may be placed in a personnel file unless they have been reduced to writing within 45 days, exclusive of the summer vacation period, of the school system administration becoming aware of the facts reflected in the materials.

2. Additional information related to such written materials previously placed in the file may be appended to such materials to clarify or amplify them as needed.

(c) A copy of such materials to be added to an employee's personnel file shall be provided to the employee either:

1. By certified mail, return receipt requested, to his or her address of record; or
2. By personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

(d) An employee has the right to answer in writing any such materials in a personnel file on July 1, 1983, as well as any such materials filed thereafter, and the answer shall be attached to the file copy. An employee has the right to request that the district school superintendent or the superintendent's designee make an informal inquiry regarding material in the employee's personnel file which the employee believes to be false. The official who makes the inquiry shall append to the material a written report of his or her findings.

(e) Upon request, an employee, or any person designated in writing by the employee, shall be permitted to examine the personnel file of such employee. The employee shall be permitted conveniently to reproduce any materials in the file, at a cost no greater than the fees prescribed in s. [119.07\(4\)](#).

(f) The custodian of the record shall maintain a record in the file of those persons reviewing the file

each time it is reviewed.

(3)(a) Public school system employee personnel files are subject to the provisions of s. 119.07(1), except as follows:

1. Any complaint and any material relating to the investigation of a complaint against an employee shall be confidential and exempt from the provisions of s. 119.07(1) until the conclusion of the preliminary investigation or until such time as the preliminary investigation ceases to be active. If the preliminary investigation is concluded with the finding that there is no probable cause to proceed further and with no disciplinary action taken or charges filed, a statement to that effect signed by the responsible investigating official shall be attached to the complaint, and the complaint and all such materials shall be open thereafter to inspection pursuant to s. 119.07(1). If the preliminary investigation is concluded with the finding that there is probable cause to proceed further or with disciplinary action taken or charges filed, the complaint and all such materials shall be open thereafter to inspection pursuant to s. 119.07(1). If the preliminary investigation ceases to be active, the complaint and all such materials shall be open thereafter to inspection pursuant to s. 119.07(1). For the purpose of this subsection, a preliminary investigation shall be considered active as long as it is continuing with a reasonable, good faith anticipation that an administrative finding will be made in the foreseeable future. An investigation shall be presumed to be inactive if no finding relating to probable cause is made within 60 days after the complaint is made. This subparagraph does not absolve the school district of its duty to provide any legally sufficient complaint to the department within 30 days after the date on which the subject matter of the complaint comes to the attention of the school district pursuant to s. 1012.796(1)(d)1., regardless of the status of the complaint.

2. An employee evaluation prepared pursuant to s. 1012.33, s. 1012.34, or s. 1012.56 or rules adopted by the State Board of Education or district school board under the authority of those sections shall be confidential and exempt from the provisions of s. 119.07(1) until the end of the school year immediately following the school year in which the evaluation was made. No evaluation prepared before July 1, 1983, shall be made public pursuant to this section.

3. No material derogatory to an employee shall be open to inspection until 10 days after the employee has been notified pursuant to paragraph (2)(c).

4. The payroll deduction records of an employee shall be confidential and exempt from the provisions of s. 119.07(1).

5. Employee medical records, including psychiatric and psychological records, shall be confidential and exempt from the provisions of s. 119.07(1); however, at any hearing relative to the competency or performance of an employee, the administrative law judge, hearing officer, or panel shall have access to such records.

(b) Notwithstanding other provisions of this subsection, all aspects of the personnel file of each employee shall be open to inspection at all times by district school board members, the district school superintendent, and the principal, or their respective designees, in the exercise of their respective duties.

(c) Notwithstanding other provisions of this subsection, all aspects of the personnel file of each employee shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

(4) The term "personnel file," as used in this section, means all records, information, data, or materials maintained by a public school system, in any form or retrieval system whatsoever, with respect to any of its employees, which is uniquely applicable to that employee whether maintained in one or more locations.

History.—s. 705, ch. 2002-387; s. 34, ch. 2004-335; s. 9, ch. 2018-150.

Recommended Revisions with 5 Year Limit

Book Policy Manual Section
1000 Administration Title
PERSONNEL FILE
Code po1590
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- A. by certified mail, return receipt requested, to his/her address of record; or
- B. by personal delivery. The employee's signature on a copy of the materials to be filed shall be proof that such materials were given to the employee, with the understanding that such signature merely signifies receipt and does not necessarily indicate agreement with its contents.

No record in a personnel file which is confidential and exempt from inspection and copying pursuant to applicable law shall be disclosed except as provided by applicable law.

The Superintendent shall maintain a record in each personnel file of those persons reviewing the files each time they are reviewed.

A copy of each such entry shall be given to the employee upon request.

The employee shall have access to his/her file upon request.

Notwithstanding other provisions of this subsection, all aspects of the personnel file of each employee shall be made available to law enforcement personnel in the conduct of a lawful criminal investigation.

According to the State of Florida General Records Schedule GS1-SL for State and Local Government Agencies*,

DISCIPLINARY CASE FILES: EMPLOYEES Item #98 This record series documents the investigation of allegations of employee misconduct and/or violation of department regulations or orders, state or federal statutes, or local ordinances. The series may include, but is not limited to, statements by the employee, witnesses, and the person filing the complaint. Cases include both formal and informal disciplinary proceedings relating to allegations that were determined as sustained, not sustained, unfounded, or exonerated. "Formal discipline" is defined as disciplinary action involving demotion, removal from office, suspension, or other similar action. "Informal discipline" is defined as any disciplinary action involving written and verbal reprimands, memoranda, or other similar action. These records are filed separately from the employee personnel file, but the final action summary becomes part of the personnel file. See also "EMPLOYEE CONDUCT COUNSELING RECORDS," "PERSONNEL RECORDS" items, and "STAFF ADMINISTRATION RECORDS." **RETENTION: 5 anniversary years after final action.**

PERSONNEL RECORDS: SUPPLEMENTAL DOCUMENTATION Item #378 This record series consists of personnel documentation relating to individual employees that agency rules or policies do not include as part of the official personnel file and that is not covered by other employee-related items. See also "DRUG TEST CASE FILES," "EMPLOYMENT APPLICATION AND SELECTION RECORDS," "EMPLOYMENT ELIGIBILITY VERIFICATION FORMS," "STAFF ADMINISTRATION RECORDS," and other "PERSONNEL RECORDS" items. **RETENTION: 5 fiscal years.**

The related procedures manual is entitled Personnel File Procedures.

Revised 5/14/19

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*State of Florida General Records Schedule GS1-SL for State and Local Government Agencies

Effective: August 2017

Rule 1B-24.003(1)(a), *Florida Administrative Code*

Florida Department of State

Division of Library and Information Services

Tallahassee, Florida

850.245.6750

recmgt@dos.myflorida.com

info.florida.gov/records-management/

Legal

F.S. 119.011, 119.07, 119.071, 1012.31

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Discretionary Property Tax Millage

Ballot Language: August 2016, Voter Approved Discretionary Property Tax.

Shall the School Board levy a 0.50 Ad Valorem millage for essential operating needs in order to provide high quality educational opportunities, retain highly qualified teachers, purchase and upgrade technology and supporting infrastructure, and implement and maintain career and technical programs beginning July 1, 2017, with annual reporting to the citizenry.

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School District of Indian River County

6500 57th Street • Vero Beach, Florida, 32967 • Telephone: 772-564-3000 • Fax: 772-564-3054

Mark J. Rendell, Ed.D. - Superintendent

April 23, 2019

DEAR SDIRC BOARD MEMBERS,

The purpose of this communication is to inform you of your responsibilities when there are active personnel investigations for possible violation(s) of School District of Indian River County (District) policies, and/or any criminal investigations by law enforcement relevant to District employees and/or District business.

Though you may already know this information, as the new Director of Employee and Labor Relations, it is my intention to provide you tools and confidentiality information you may need as a public figure in the event you are asked about any District and/or outside criminal investigation involving employees.

Several statutes in Florida protect the confidentiality of active investigations on a variety of matters such as misconduct, discrimination, sexual or other harassment, whistleblowers, criminal investigations, and other issues. In general, as stated in F.S.1012.31(3)(a)(1), you should be aware that any *complaint against an employee and all information obtained pursuant to the investigation by the Department shall be confidential and exempt from the provisions of F.S. 119.07(1) until the conclusion of the preliminary investigation or until such time as the investigation ceases to be active.*

As such you are cautioned to personally guard yourself against any action that could be characterized as interfering with, tampering with, or undermining the investigation or violating the confidentiality of the individuals involved. These actions include, but are not limited to, speaking with any current or former employee/board member of the District on any topic related to the investigation; speaking to media or other publications; and using social media in any way which violates the rules. Retaliation, including but not limited to gossip, contacting current or former employees/board members about the investigation, sharing insights into personality conflicts with anyone named or deduced by you to have cooperated with the investigation, making belittling comments, or instituting a change in working conditions, is prohibited and can result in serious ramifications for you and/or the District.

Because you may or may not have knowledge of any particular investigation underway, a suggested response to individuals making any personnel inquiries might be "I'm not at liberty to discuss personnel matters."

I hope this information helps educate you in your role as a public figure and is helpful. Please feel free to reach out to the Board attorney, Mrs. Suzanne D'Agresta, the Executive Director of Human Resources, Dr. Edwina Suit, or myself, if you need assistance navigating any concerns which arise.

Sincerely,

Michelle L. Olk
Director of Employee and Labor Relations

"Educate and inspire every student to be successful"

Dr. Mara Schiff • Jacqueline Rosario • Laura Zorc • Teri Barenborg • Tiffany M. Justice
District 1 District 2 District 3 District 4 District 5

"To serve all students with excellence"
Equal Opportunity Educator and Employer

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