

**POLICY 8.1225**

**5-F** I recommend the Board approve the proposed new Policy 8.1225, to be entitled "Instructional Materials Accountability."

[Contact: Meezie Pierce, 684-5114 or Joe Moore, 434-8584.]

**Development**

**CONSENT ITEM**

- This proposed Policy is based on Fla. Stat. § 1006.28 (effective 1/7/03) and §§ 233.46(2) and 233.47 (effective through 1/6/03), and incorporates some material from Directive 8.123, Policy 8.122, and the procedures recently distributed by Instructional Materials in Bulletins # P-10885-CLS and P-10858-AS/CLS.
- This proposed Policy complements the existing Policy 8.122, which governs instructional materials in general.
- A consistent and enforceable method is proposed to encourage parents to satisfy their students' textbook obligations.

**PROPOSED NEW POLICY 8.1225**

**INSTRUCTIONAL MATERIALS ACCOUNTABILITY**

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2  
3 **1. Purpose.--** State law declares that textbooks and other instructional materials are  
4 the property of the School Board and "shall be merely loaned to the pupils of the  
5 school" and must be returned when the principal or teacher so directs. This Policy  
6 clarifies the responsibilities of students, parents/guardians, principals/teachers, and  
7 the Superintendent/designees; and provides procedures for the conservation of,  
8 accountability for, and collection of instructional materials loaned to students  
9 pursuant to Fla. Stat. § 1006.42 / 233.47.

10 **2. Responsibilities.--** The general duties of students, parents, principals, and the  
11 Superintendent concerning instructional materials shall be as set forth below:

12 **a. Students.--** Students must recognize that textbooks and other instructional  
13 materials are merely loaned to them for use in "pursuing their courses of study  
14 and are to be returned at the direction of the principal or the teacher in charge."  
15 Fla. Stat. § 1006.42 / 233.47(1).

16 **b. Parents/Guardians.--** "Each parent of a student to whom or for whom  
17 instructional materials have been issued, is liable for any loss or destruction of,  
18 or unnecessary damage to, the instructional materials or for failure of the  
19 student to return the instructional materials when directed by the school  
20 principal or the teacher in charge, and shall be required to pay for such loss,  
21 destruction, or unnecessary damage," as required by Fla. Stat. § 1006.42 /  
22 233.47(1).

23 **c. Teachers.--** Each teacher shall be accountable for accurate record keeping of  
24 instructional materials that are assigned to that teacher's students.

25 **d. Principals.--** Florida law makes principals responsible for:

26 **i. Conservation and Accountability:** Principals shall ascertain by inspection,  
27 and ensure through every available agency, that all books issued to the  
28 school by the Superintendent, either in the hands of pupils or in storage,  
29 are cared for properly, and "shall see that all books are fully and properly  
30 accounted for," as required by Fla. Stat. § 1006.28(3)(e) / 233.46(5), (6).  
31 Principals/ designees must ensure that instructional materials in storage in

32 schools are kept in a neat, orderly, and safe manner, preferably in the  
33 sequence contained in the annual textbook inventory. All reasonable effort  
34 shall be made to protect materials against fire, flood, vermin, infestation,  
35 and similar damage. Principals/designees shall conduct an inventory of  
36 instructional materials assigned to their school at least once per semester.

37 ii. *Collection.*-- "The school principal shall collect from each student or the  
38 student's parent the purchase price of any instructional material the pupil  
39 has lost, destroyed, or unnecessarily damaged and report and transmit the  
40 money collected to the district school superintendent," pursuant to §  
41 1006.28(3)(b) / 233.46(2).

42 e. *Superintendent.*-- As stated in Fla. Stat. § 1006.28(2)(b) / 233.43(1), the  
43 Superintendent's responsibilities include keeping "adequate records and  
44 accounts for all financial transactions for funds collected" from the sale, loss, or  
45 damage of instructional materials, pursuant to Fla. Stat. § 1006.28(3)(d) /  
46 233.46(4). The Superintendent and principals shall ensure that "all money  
47 collected from the . . . loss or damage of instructional materials shall be  
48 transmitted to the district school superintendent to be deposited in the district  
49 school board fund and added to the district appropriation for instructional  
50 materials," as required by Fla. Stat. § 1006.28(3)(d) / 233.46(4).

51 3. *Debts for Loss, Damage, or Destruction.*-- Fla. Stat. § 1006.28(3)(b) / 233.46(2)  
52 mandates that:

53 "The school principal shall collect from each student or the  
54 student's parent the purchase price of any instructional  
55 material the student has lost, destroyed, or unnecessarily  
56 damaged [during the book's first year of use] and to report and  
57 transmit the money collected to the district school  
58 superintendent. If instructional materials lost, destroyed, or  
59 damaged have been in school use for more than 1 year, a sum  
60 ranging between 50 and 75 percent of the purchase price of the  
61 book shall be collected, determined by the physical condition  
62 of the book. The failure to collect such sum upon reasonable  
63 effort by the school principal may result in the suspension of  
64 the student from participation in extracurricular activities or  
65 satisfaction of the debt by the student through community  
66 service activities at the school site as determined by the

67 school principal, pursuant to policies adopted by district  
68 school board rule.”

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

72 **a. Receipt of Inventory**

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

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

78 iii. Reporting of shipping discrepancies.-- Any order discrepancies are to be  
79 identified on the textbook shipping invoice and faxed to the Instructional  
80 Materials Department.

81 iv. Labeling books.-- All books shall be stamped with the school's name on the  
82 inside front cover of the book. Each book shall be assigned a unique  
83 identification number. Bar-coding may be used as a means of tracking  
84 books assigned to students and teachers. Bar-codes shall be affixed to the  
85 inside front cover. The bar code number shall be the unique book number.

86 **b. Distribution of Inventory**

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

91 ii. Distribution of teacher materials.-- Each principal of a school shall  
92 designate an instructional materials contact, who shall keep a written  
93 record of materials issued to each teacher.

94 iii. Distribution of class sets.-- When class sets are used, each teacher is  
95 assigned a class set of books, and teachers will assign a copy of the book  
96 to a student for each class period. A Textbook Issued Damage Report

97 card (PBSD 0394) shall be completed by each such student in each class.  
98 The teacher shall keep a record of the class set book that is assigned to  
99 each student. Teachers shall verify that the class set books are returned at  
100 the end of each class period.

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

106 **c. *Monitoring of Inventory During the School Year***

107 i. *Notification of parents of textbook procedures.*-- Schools should notify  
108 parents of this Policy and include information on student and parental  
109 responsibilities for textbooks in school handbooks, newsletters, and other  
110 communication to parents. During open houses and parent meetings,  
111 parents and teachers should communicate how books are used to achieve  
112 the curricular objectives of the school, as stated in Fla. Stat. §  
113 1006.28(3)(a).

114 ii. *Periodic book checks.*-- Teachers are required to conduct book checks at  
115 least once per grading period. Book checks shall be conducted one week  
116 prior to the date progress reports are issued. Teachers must fill out PBSD  
117 0395, "Lost/Damaged Materials Notice" for any missing or damaged  
118 materials, and submit the form to the instructional materials contact and  
119 bookkeeper.

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

125 B. *Assessing charges.*-- As required by Fla. Stat. § 1006.28(3)(b) /  
126 233.46(2), the obligations to be tracked for books reported as lost or  
127 destroyed during the school year shall be based on the 100% value of  
128 any book during its first year of service (but after the first year, books  
129 shall be charged at a percentage between 50% and 75% of the

130                   purchase price, depending on the physical condition of the book).  
131                   Schools shall use the Textbook Dictionary Price List (TX0121) that is  
132                   distributed to all schools in August of each year for pricing information.

133                   iii. *Parent notification.*-- After each periodic book check and each grading  
134                   period, a written notification of a textbook obligation is generated, and  
135                   teachers must send these notices of lost/ destroyed book obligations to  
136                   parents *along with progress reports or report cards.* Documentation of all  
137                   communication with students and parents, verbal and written, including  
138                   telephone calls, parent conferences, certified letters, and letters from the  
139                   Legal Services Department shall be kept on file.

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

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

150                   A. *Suspension from Extracurricular Activities.*-- As stated in Fla. Stat. §  
151                   1006.28(3)(b) / 233.46(2), the student will be suspended from  
152                   participation in extracurricular activities (if the school has such  
153                   activities and the student is involved in, or registered for, such  
154                   activities) until such time as the parent/guardian has paid for such  
155                   loss, destruction, or unnecessary damage as required by Fla. Stat. §  
156                   1006.28(3)(b) / 233.47(1).

157                   B. *Community Service Hours.*-- If the student is not suspended from  
158                   extracurricular activities to encourage the parent/guardian to satisfy  
159                   the obligation (because the student is not involved in, or registered for,  
160                   such activities or they are not offered at the school), the principal may  
161                   require the student to satisfy the debt through age-appropriate  
162                   community service activities at the school site, as stated in Fla. Stat. §  
163                   1006.28(3)(b) / 233.46(2).

- 164 1. Definition.-- For purposes of this Policy, community service  
165 activities must be supervised age-appropriate activities at the  
166 school site. Depending on the nature of the activity and the  
167 availability of supervision, some of these activities may occur  
168 after school hours or on a weekend; and they shall not be done  
169 during the student's classes. Some examples may include:  
170 shelving books in the media center; assisting in the cafeteria;  
171 picking up litter; assisting the teacher, coach, or custodian;  
172 cleaning blackboards; washing golf carts; working in the ticket  
173 booth at sports events; weeding flower beds; performing minor  
174 maintenance activities; setting up chairs for weekend events;  
175 assisting with textbook maintenance; or other activities helpful to  
176 the school or its students.
- 177 2. Calculating the Hours.-- The number of required hours and  
178 quarterly fractions thereof shall be calculated by dividing the debt  
179 by the prevailing hourly minimum wage as stated at  
180 <http://www.dol.gov/esa/whd/flsa/>), after the debt is calculated  
181 using the formula in Section (4)(c)(ii)(B) above and Fla. Stat. §  
182 1006.28(3)(b) / 233.46(2). For example, to satisfy a debt of \$50,  
183 the student would perform 9 hours and 45 minutes of community  
184 service at the school site. This is calculated by dividing the \$50  
185 debt by \$5.15 (the prevailing minimum wage as stated at  
186 <http://www.dol.gov/esa/whd/flsa/>), and then rounding the quotient  
187 to the nearest quarter hour.
- 188 3. Documentation.-- The principal/designee shall keep a record of  
189 when the debt has been satisfied, using the Community Service  
190 Record for Instructional Materials Obligations. Of course, a  
191 student's community service hours will be cut short upon receipt  
192 of the parent's/guardian's payment for any amount not yet  
193 satisfied through the community service activities. For example,  
194 if a student owes \$50 and has done \$20 worth of community-  
195 services activities, the remaining \$30 could be satisfied through  
196 payment of the remaining \$30, rather than through completion of  
197 the activities.

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

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

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

214 **d. End-of-Year Inventory**

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

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

- 231            iii. Logging return of materials by students.-- At the end of the school year or  
232            term, students shall return materials issued to them for that year or term.  
233            Schools that check books in and out using SIRSI shall scan in all books  
234            returned from students and print a list of any books not returned. In  
235            schools not using SIRSI, teachers shall maintain a written verification that  
236            all materials are returned by students.
- 237            iv. Report of lost/damaged student materials.-- Any missing material not  
238            previously reported as lost or destroyed shall be logged by the classroom  
239            teacher on the Textbook Lost/Damaged form (PBSD 0395). The classroom  
240            teacher must submit a copy of the Lost/Damaged Materials Notice (PBSD  
241            0395) to the instructional materials contact and school bookkeeper.
- 242            v. Selling books to students.-- Schools may sell books to student or parents if  
243            they so choose. The school shall cross out any markings identifying the  
244            book as School Board property. The money from the sale shall be added to  
245            the lost textbook account (6-5200.00) and remitted to Accounting Services  
246            with the lost/damaged collections at the end of the year. The sold book  
247            shall be reported as lost on the TX05 screen and the Textbook Inventory  
248            Report.
- 249            vi. School-wide inventory counts and reporting of final losses.-- A physical  
250            count of all student books and teacher materials returned at the year end  
251            and a count of books in storage shall result in the school's final inventory at  
252            year end. All documented lost books are reported on the TX05 screen and  
253            on the end of year Textbook Inventory Report.
- 254            vii. Remittance of all monies collected for instructional materials.-- All monies  
255            in school textbook accounts (6-5200.00) shall be cleared out at year end  
256            and remitted to Accounting Services with a transmittal form (PBSD 0150)  
257            indicating payment for lost/damaged books.
- 258            e. Collection of End-of-Year Obligations.-- Any student with textbook  
259            obligations at the end of the school year (unless previously satisfied through  
260            community service hours) will be placed on the obligation list; the  
261            parent/guardian shall be notified; and the principal/designee shall make  
262            reasonable collection efforts.

- 263 i. Assessing charges for books lost, destroyed, or unnecessarily damaged.--  
264 As required by Fla. Stat. § 1006.28(3)(b) / 233.46(2), books that were in  
265 the first year of use when lost, destroyed, or unnecessarily damaged, shall  
266 be charged at 100% of their new purchase price. As required by §  
267 1006.28(3)(b) / 233.46(2), after the first year, books shall be charged a  
268 percentage between 50% and 75% of their price, depending on the  
269 physical condition of the book. Schools shall use the Textbook Dictionary  
270 Price List (TX0121) that was distributed to schools in August at the  
271 beginning of the school year for which the obligation is reported.
- 272 ii. Notice to parent/guardian.-- Notice shall be given to the parent/guardian of  
273 any end-of-year textbook obligations, using the Textbook Lost/Damaged  
274 form (PBSD 0395). Documentation of all communication with students and  
275 parents, verbal and written, including telephone calls, parent conferences,  
276 certified letters and letters from the Legal Services Department shall be  
277 kept on file.
- 278 iii. Tracking obligation status.-- Schools shall use the TERMS Fees and Fines  
279 Program or SIRS system to track obligations.
- 280 iv. Referral to Legal.-- After reasonable attempts by the principal/designee to  
281 collect, the debt shall be referred to the Legal Services Department for  
282 further assistance. (Reasonable collection efforts by the principal/designee  
283 may be defined to include sending the Textbook Lost/Damaged form  
284 (PBSD 0395) to the parent/guardian via certified mail; placing a follow-up  
285 telephone call; following up with a documented student or parent  
286 conference, if possible; and then sending a second notice by certified mail  
287 if the sum has not yet been remitted.)
- 288 v. Other debt-collection methods.-- If the obligation has not been satisfied by  
289 the parent/guardian after reasonable efforts by the principal, or by  
290 community service hours, the School Board may exercise any lawful  
291 means of carrying out its statutory responsibility of collecting the obligation,  
292 including, but not limited to, referral to a debt-collection agency.
- 293 vi. Student consequences.-- If an end-of-year obligation still has not been  
294 satisfied by the beginning of the next school year after reasonable  
295 collection efforts by the principal/designee, the principal should impose  
296 consequences as follows:

297           A. *Suspension from Extracurricular Activities.*-- The student shall be  
298           suspended from participation in extracurricular activities (if the student  
299           is involved in such activities), until such time as the parent/guardian  
300           has paid] for such loss, destruction, or unnecessary damage as  
301           required by Fla. Stat. § 1006.28(3)(b) / 233.47(1).

302           B. *Community Service Hours.* If the student is not suspended from  
303           extracurricular activities (because the student is not involved in, or  
304           registered for, or the school does not offer, such activities), the  
305           principal should require the student to satisfy the debt through age-  
306           appropriate community service activities at the school site as  
307           explained in Section (4)(c)(v)(B), above. The principal/designee shall  
308           keep a record of when the debt has been satisfied, using the  
309           Community Service Record for Instructional Materials Obligations.  
310           However, a student's community service hours will be cut short upon  
311           receipt of the parent's/guardian's payment for any amount not yet  
312           satisfied through the community service activities. For example, if a  
313           student owes \$50 and has done \$20 worth of community-services  
314           activities, the remaining \$30 could be satisfied through payment of the  
315           remaining \$30, rather than through completion of the activities.

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

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

328           B. If the book is found after the student has been suspended from  
329           extracurricular activities, the student may be reinstated to the

330                   extracurricular activities upon satisfying any obligation for  
331                   unnecessary damage to the returned book.

332   STATUTORY AUTHORITY:       §§ 1001.41(2) / 230.22(2); 1006.28 / 233.46, Fla. Stat.

333   LAWS IMPLEMENTED:           §§ 1006.28 / 233.43; 233.46; 233.47, Fla. Stat.

334   HISTORY:                               /    / 03

Legal signoff:

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

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date